

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
FEBRUARY 15, 2018
8:00 P.M.

A Regular meeting of the Mayor and Council of the Borough of Allendale, will be held in the Municipal Building, 500 West Crescent Avenue, Allendale, NJ on February 15, 2018.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - January 25, 2018 Work Session
 - January 25, 2018 Regular Session
- IV. PUBLIC COMMENT

Audience members wishing to speak will have a five (5) minute time limit to address the governing body. Large groups are asked to have a spokesperson represent them.
- V. ORDINANCES FOR SECOND READING AND PUBLIC HEARING

The following ordinances published herewith were first read by title only on January 11, 2018 and posted on the bulletin board of the lobby of the municipal building.

ORDINANCE 18-04 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ZONING, CHAPTER 270-37(A)

ORDINANCE 18-05 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ZONING, CHAPTER 270 AND LAND SUBDIVISION AND SITE PLAN REVIEW, CHAPTER 147 MODIFYING THE D-1 INDUSTRIAL ZONE DISTRICT.

VI. INTRODUCTION OF ORDINANCES

Motion that the following ordinances be introduced and passed on first reading and setting March 8, 2018 at 8:00 p.m. or as soon thereafter as the matter can be heard as the date and time and the Council Chambers of the Allendale Municipal Building as the place for a hearing on said ordinances.

ORDINANCE 18-06 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, CHAPTER 100-3, BUILDING CONSTRUCTION FEES

ORDINANCE 18-07 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, ARTICLE III: ZONING FEES, CHAPTER 120-23

VII. CONSENT AGENDA

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

- A. **18-71**/Approval of Bill List
- B. **18-72**/Authorize Receipt of Bids – Donny Brook Resurfacing (Phase 1)
- C. **18-73**/Waive Building Permit Fees – Calvary Lutheran Church

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
FEBRUARY 15, 2018
8:00 P.M.

- D. **18-74**/Waive Building Permit Fees – Eastern Christian Children’s Retreat
- E. **18-75**/Authorize Receipt of Bids – 2018 Paving Program
- F. **18-76**/Authorize Receipt of Bids – Firehouse Parking Lot Resurfacing
- G. **18-77**/Authorize Lease Modification & Extension Agreement – 220 W. Crescent Avenue
- H. **18-78**/Authorize Refunds – Overpayment of 2018 Taxes
- I. **18-79**/Authorize Festival Day & Car Show – Chamber of Commerce
- J. **18-80**/Approve Holiday Walk – Chamber of Commerce
- K. **18-81**/Appoint Financial Consultant – Benecke Economics
- L. **18-82**/Authorize Performance Guarantee Reduction – Allendale Heights, LLC
- M. **18-83**/Authorize Water Adjustment – Ciocon
- N. **18-84**/Authorize Refund – Water Overpayment – Valentine

VIII. UNFINISHED BUSINESS

IX. NEW BUSINESS

X. COMMITTEE REPORTS AND COMMENTS

XI. STAFF REPORTS

XII. PUBLIC COMMENTS

Audience members wishing to speak will have a five (5) minute time limit to address the governing body. Large groups are asked to have a spokesperson represent them.

XIII. ADJOURNMENT

Bulletin Board
Borough Website

****AGENDA & AGENDA MATERIALS SUBJECT TO CHANGE****

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

ORDINANCE 18-04

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
THE CODE OF THE BOROUGH OF ALLENDALE,
ZONING, CHAPTER 270-37(A)**

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 270-37(A) of the Code of the Borough of Allendale, be and hereby is amended, supplemented and revised in its entirety to read as follows:

Any non-conforming principal or accessory residential structure may be altered or enlarged without Land Use Board approval, provided that all of the following conditions are met:

1. Use of same is permitted in the district;
2. Such alteration or enlargement does not create any new or additional encroachment or nonconformity;
3. Such alteration or enlargement complies with all applicable development regulations as defined by this Zoning Code;
4. Such alteration or improvement does not result in any vertical expansion above any existing nonconformity;
5. Such alteration or improvement does not result in the closure or enclosure of any existing, open nonconformity, such as open deck; and

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 270 shall remain in full force and effect as previously adopted.

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

ORDINANCE 18-05

**AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE
BOROUGH OF ALLENDALE, ZONING, CHAPTER 270 AND LAND
SUBDIVISION AND SITE PLAN REVIEW, CHAPTER 147 MODIFYING THE D-1
INDUSTRIAL ZONE DISTRICT.**

WHEREAS, the Borough of Allendale deems it appropriate, necessary and proper, and for the preservation of public health, safety, morals and general welfare to establish regulations expanding the range uses in the D-1 Industrial Zone District to reflect market and developed conditions while preserving and protecting adjacent residential neighborhoods from unnecessary adverse impacts; and

WHEREAS, to further the goal of providing for light industrial and related land uses in the Borough by establishing and maintaining zone districts in appropriate locations to permit such uses; and

WHEREAS, to further the goal of promoting a balanced tax base in the Borough by promoting the efficient use of land; and

WHEREAS, the Borough of Allendale deems it appropriate, necessary and proper to add limited warehouse and self-storage uses to the primary intended uses in the D-1 Industrial Zone District.

WHEREAS, the Borough of Allendale deems it appropriate, necessary and proper to add accessory uses such as limited outdoor storage in the D-1 Industrial Zone District subject to specific regulations.

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following amendments and revisions are made to the Revised General Ordinances of the Borough of Allendale, Chapter 270 entitled "Zoning".

Section 1.

Amend section 270-8., entitled "Definitions" by adding the following: (new sections are in bold, deleted sections are noted by strikethroughs).

SELF-SERVICE STORAGE FACILITY

A structure or structures containing separate, individual and private storage spaces of varying sizes, leased or rented on individual leases, to residential and commercial users for varying periods of time. For purposes of this chapter, "self-service storage facility" shall be considered synonymous with self-storage warehouse, self-storage facility, mini-warehouse or mini-storage.

WAREHOUSE FACILITY

A warehouse shall refer to structures used for the reception and storage of goods, materials or merchandise for later or subsequent distribution or delivery elsewhere for purposes of processing for sale. Such goods, materials or merchandise shall be incidental to the primary business and no manufacturing shall occur in warehouse structure.

Section 2.

Amend section 270-40 A., entitled "Off street parking requirements-Table of requirements", specifically for the following parking requirements by amending and adding the following: (new sections are in bold, deleted sections are noted by strikethroughs).

Warehouse building	1 per 1,000 square feet of GFA of storage area and 1 per 650 square feet of GFA of related office space
Self-storage facility	1 per 2,500 square feet of floor area plus one parking space per 200 storage units.

Section 3.

Amend section 270-72 A., entitled "Primary intended use" by adding the following: (new sections are in bold, deleted sections are noted by strikethroughs).

- (7) Warehouse facility. Subject to the following minimum standards:**
- (a) Such facilities shall be within completely enclosed buildings.**
 - (b) Such facilities shall not be freight forwarding or transshipping terminals.**
 - (c) No loading dock or service area may be on or visible from any street frontage. Provision for handling all freight shall be on those sides of any building which do not face on any street or proposed streets.**
 - (d) Trucking services at permitted facilities shall be limited in hours of operation to between 6:00 a.m. to 10:00 p.m.**

- (e) Rear and side property yards shall be landscaped so as to provide an effective screen, at time of planting, to obscure from view at ground level the permitted use from adjoining primary residential uses.
 - (f) The exterior design of all permitted buildings on lots which abut a residence district or any street opposite land in a residence district, shall be in harmony with the general character of the residential neighborhood.
- (8) Self-service storage facilities. Self-service storage facilities uses shall be subject to the following requirements:
- (a) Self-service storage facilities are permitted only within a single contiguous multistory structure. Self-service storage facilities shall be designed with such facade treatments and details that break up break up large expanses of the building form. Such efforts shall include architecture detailing by story and the use of strategically placed windows or other building materials in composition that reduce the visual monotony of the structure. Roof form and materials shall also be considered to offset the mass and scale. These design features shall be incorporated in support of the zoning intent to reduce the visual impacts to the surrounding zone plan. Such design requirements may be waived when an existing structure is retrofitted for such a use and not being enlarged.
 - (b) Individual storage units shall be the unit so rented and the pickup and deposit of goods and/or property in dead storage. Storage units shall not be used for activities such as:

 - [1] Residences, offices, workshops, studios, or hobby or rehearsal areas.
 - [2] Manufacturing, fabrication, or processing of goods, service or repair of vehicles, engines, appliances or other electrical equipment, or any other individual activity.
 - [3] No drop type shipping is permitted.
 - [4] Conducting retail sales of any kind, including garage or estate sales or auctions, or to conduct any other commercial activity; provided that the operator of the self-service storage may conduct a sale or otherwise liquidate the contents of any storage unit to satisfy and settle an account of unpaid rent or other charges, through public or private sale, in a manner provided by law.
 - [5] The servicing or repair of any vehicles, boats, tools or equipment.

- [6] **Storage of flammable, perishable or hazardous materials or the keeping of animals.**
 - [7] **The rental of trucks, trailers or moving equipment and the installation of trailer hitches are prohibited.**
 - [8] **Sale of boxes or packing materials is permitted but only if accessory to the self-service storage facility.**
- (c) **Self-service storage facilities shall not operate or allow tenant access between the hours of 10:00 midnight and 6:00 a.m. Such access shall be controlled by a security code access limitation or approved equal.**
 - (d) **All goods and property stored in a self-service storage facility shall be stored in an enclosed building. No outdoor storage of any kind.**
 - (e) **All storage units above ground level and storage units visible from residential areas shall gain access from the interior of the building(s) or site; no unit doors, loading bays, or docks may face towards any adjacent residential zoned areas.**
 - (f) **Electrical service to storage units shall be for lighting and climate control only. No electrical outlets are permitted inside individual storage units. Lighting fixtures and switches shall be of a secure design that will not allow connecting to the fixtures for other purposes.**
 - (g) **A minimum standard of one parking space per 2,500 square feet of floor area plus one parking space per 200 units is required for such self-storage facility.**

Section 4.

Amend section 270-73, entitled "Performance Standards" by amending the following: (new sections are in bold, deleted sections are noted by strikethroughs).

- A. Carry on all manufacturing operations and all storage of goods or materials within a fully enclosed building **except as permitted herein.**

Section 5.

Add section 270-77, entitled “Accessory uses” and add the following: (new sections are in bold, deleted sections are noted by strikethroughs).

A. Permitted accessory uses shall be limited to those uses customarily incidental to the permitted principal uses in the district.

B. Limited outdoor storage of goods and materials incidental part of the primary operation on a lot is permitted subject to the following standards:

- (1) Shall be approved by a site plan approval of the limits of this use.**
- (2) Shall not be in the front yard of the lot.**
- (3) Shall not be located closer than 10 feet to a side or rear yard lot line, except where such side or rear lot line coincides with a railroad or utility right of way at least 50 feet wide.**
- (4) The area of permitted outdoor storage shall not cover more than 40 percent of any lot serving the use.**
- (5) Shall not be for the storage, keeping or abandonment of scrap metals or other scrap materials, or for the dismantling, demolition, salvage, resale or abandonment of automobiles or other vehicles or machinery or parts thereof.**
- (6) Shall be so screened by fencing, walls or evergreen planting that it cannot be seen from adjoining public streets or adjacent lots when viewed by a person standing on the ground level at the common lot line.**
- (7) Shall be maintained in accordance with Chapter 199-Property Maintenance.**

Section 6

All Ordinances of the Borough of Allendale which are inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

Section 7

The terms and provisions of this Ordinance are hereby declared to be severable; should any part, portion or provision of this Ordinance be held unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole, or any other part hereof.

Section 8

This Ordinance shall take effect upon final passage, approval and publication as required by law.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 270 and 147 shall remain in full force and effect as previously adopted.

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 18-06 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, CHAPTER 100-3, BUILDING CONSTRUCTION FEES

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, February 15, 2018 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, March 8, 2018 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend §100-3 entitled “Fees” of the Building Construction Chapter of the Borough Code to add fees to §100-3(A)(2)(d)[9] for interior demolition, §100-3(A)(2)(d) for dry well, commercial tent, and underground storage tank removal or abandonment of tank, §100-3(A)(3)(a) for condensate line, fuel oil piping, pool drain, water softener, and water cooler, and §100-3(A)(12)(a) for condensate line, and to amend the “Underground storage tank removal or abandonment of tank” fee in §100-3(A)(10)(a), as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

**ORDINANCE 18-07 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE
THE CODE OF THE BOROUGH OF ALLENDALE, ARTICLE III: ZONING FEES,
CHAPTER 120-23**

was introduced at a regular meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, February 15, 2018 and will be further considered for final passage after public hearing at a regular meeting of the Mayor and Council to be held in the Council Chambers, Allendale Municipal Building, 500 West Crescent Avenue, Allendale, New Jersey on Thursday, March 8, 2018 at 8:00 P.M. prevailing time, or as soon thereafter as the matter can be heard.

A clear and concise statement of this ordinance is to amend §120-23 entitled “Category; fees” of Article III Zoning Fees of the Fees Chapter of the Borough Code to increase fees for certain zoning activities and/or permits, as set forth in the ordinance.

A copy of this ordinance may be obtained without cost between the hours of 9:00 a.m. and 4:30 p.m. at the Office of the Municipal Clerk, 500 West Crescent Avenue, Allendale, New Jersey.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-71

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

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 15, 2018 in the amounts of:

Current Fund	\$2,813,682.46
Payroll Account	\$642,203.94
General Capital	\$32,557.17
Animal Fund	\$1,762.74
Grant Fund	\$0.00
COAH/Housing Trust	\$1,006.94
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$14,887.76
Water Operating	\$190,011.55
Water Capital	\$0.00
Total	\$3,696,112.56

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-72

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

Authorization to Advertise Bid Specifications for Donny Brook Resurfacing (Phase 1) Project

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the Donny Brook Resurfacing (Phase 1) project; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-73

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

Waiver of Building Permit Fees
for Calvary Lutheran Church

Whereas, Calvary Lutheran Church has applied for a building permit to replace the alarm system at its property located at 165 W. Crescent Avenue, Block 910 Lot 2 on the Tax Map of the Borough; and

Whereas, Calvary Lutheran Church is a house of worship which by design and construction is intended for conducting organized religious services, and accessory uses customarily associated with educational services, facilities for weddings, funerals, religious ceremonies, parish houses, rectories, convents, and other similar functions directly related to the principal function of the house of worship, places of assembly for self-help and support groups, indoor and outdoor activities particularly related to said use and other similar accessory functions relating to ministry; and

Whereas, due to the use of Calvary Lutheran Church as a house of worship, the Land Use Committee has recommended that the fees for building permits be waived; and

Whereas, the Governing Body has reviewed the recommendation and concurs.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees relating to the proposed construction at Calvary Lutheran Church are hereby waived; and

Be It Further Resolved that the State UCC fees shall remain payable and are not waived.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-74

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

Waiver of Building Permit Fees
for Eastern Christian Children's Retreat

WHEREAS, BCUW Madeline Housing Partners has applied for a building permit to construct housing for adults with developmental disabilities, specifically a five (5) bedroom group home at its property located at Block 1005, Lot 4 on the Tax Map of the Borough of Allendale; and

WHEREAS, due to the status and use of the property as special needs housing, the Land Use Committee has recommended that the fees for building permits be waived; and

WHEREAS, the Governing Body has reviewed the recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that all local building fees and zoning review fees relating to the proposed construction at the Eastern Christian Children's Retreat site are hereby waived; and

BE IT FURTHER RESOLVED that the Soil Movement and State UCC fees shall remain payable and are not waived.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-75

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

Authorization to Advertise Bid Specifications for 2018 Paving Program

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the 2018 Paving Program; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-76

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

Authorization to Advertise Bid Specifications for Firehouse Parking Lot Resurfacing

Be It Resolved the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey does hereby authorize the Borough Clerk to advertise and thereby solicit and accept sealed bids in accordance with State law for the Firehouse Parking Lot Resurfacing project; and,

Be It Further Resolved that the final bid specifications be subject to form approval by the Borough Attorney.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-77

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

**RESOLUTION AUTHORIZING AND RATIFYING EXECUTION OF
LEASE MODIFICATION AND EXTENSION AGREEMENT FOR
220 WEST CRESCENT AVENUE, ALLENDALE, NEW JERSEY**

WHEREAS, the Borough of Allendale (“Allendale”) as Landlord and Regal Windows & Doors, LLC (“Regal”), as Tenant, previously entered into a Lease Agreement dated May 3, 2017, (the “Lease”) for that certain premises located at 220 West Crescent Avenue, Allendale, New Jersey as more fully described in the Lease (hereinafter the “Premises”); and

WHEREAS, the term of the Lease presently expires on April 30, 2018; and

WHEREAS, Alpine Millwork, LLC, a New Jersey limited liability corporation (“Alpine”) having an address of 220 West Crescent Avenue, Allendale, New Jersey 07401 desires to establish a tenancy at the Premises as of May 1, 2018; and

WHEREAS, Allendale has agreed, upon the terms and conditions set forth in a certain Lease Modification and Extension Agreement dated February 2, 2018 (“Modification Agreement”), to extend the term of the Lease and allow Alpine to take the place of Regal as tenant at the Premises commencing as of May 1, 2018;

NOW, THEREFORE, BE IT RESOLVED that Mayor Elizabeth White be and hereby is authorized to execute and to enter into on behalf of Allendale the Modification Agreement, and the execution of same by Mayor Elizabeth White be and hereby is ratified; and

BE IF FURTHER RESOLVED that the Mayor, Borough Attorney and the Chief Financial Officer are authorized to take any and all appropriate actions to implement the terms of the Modification Agreement.

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

DATE: 02/15/2018

RESOLUTION# 18-77

BE IT FURTHER RESOLVED that the Mayor, the 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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

DRAFT

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

DATE: 02/15/2018

RESOLUTION# 18-78

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

OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following check on the property listed below and charge same to Overpayment of 2018 Taxes:

Block/ Lot	Name	Property Location	Amount
507/6	Frenkel, Susan & Cervetti, William 190 E Crescent Avenue Allendale, NJ 07401	190 E Crescent Ave	\$3,010.60
1203/15	La Barr, Ross & Maureen 11 Byron Court Allendale, NJ 07401	11 Byron Court	\$4,024.02

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-79

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

Allendale Festival Day and Car Show

Whereas, there is a request by the Allendale Chamber of Commerce to hold the Allendale Festival Day and Car Show on Saturday, October 8, 2018 from 7:00 a.m. to 6:00 p.m.; and

Whereas, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive; and

Whereas, the event will also take place in the NJ Transit parking area; and

Whereas, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works.

Now, Therefore, Be It Resolved by the Mayor and Council that this request be and 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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-80

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

Allendale Holiday Walk

Whereas, there is a request by the Allendale Chamber of Commerce to hold the Allendale Holiday Walk on Friday, December 7, 2018 from 6:30 p.m. to 9:00 p.m., and

Whereas, West Allendale Avenue will be closed for this event from the town clock to DeMercurio Drive beginning at 6:30 p.m.,

Whereas, the Chamber of Commerce will, after approval, coordinate the event with the Police Department, the Fire Department and the Department of Public Works;

Now, Therefore, Be It Resolved by the Mayor and Council that this request be and 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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-81

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

Appointment of Benecke Economics

Whereas, the Borough of Allendale has a need to retain a Financial Consultant to provide redevelopment financial consulting services for the Crescent Avenue, Payment in Lieu of Taxes (PILOT,) potential financing of a new municipal building;

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 Governing Body of the Borough of Allendale that Robert Benecke of Benecke Economics located in Pompton Lakes, New Jersey is hereby appointed as Financial Consultant;

Be It Further Resolved that the fee for such services shall be in accordance with the proposal attached hereto;

Be It Further Resolved that the services set forth herein shall not exceed the sum of \$12,000.00 unless further approved by resolution of the Governing Body;

Be It Further Resolved that the Mayor and Municipal Clerk are authorized to execute a contract or a proposal with Benecke Economics for the services to be rendered;

Be It Further Resolved that the foregoing appointment is made without competitive bidding as a professional service, which is exempt from such requirements pursuant to law;

Be It Further Resolved that a copy of this Resolution be filed with the Municipal Clerk and be made available for inspection.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

**The Borough of Allendale
State of New Jersey**

**Professional Redevelopment
Financial Consulting Services
(Structuring a Payment In Lieu of
Taxes Program)**

**Submitted By:
BENECKE ECONOMICS
55 Wanaque Avenue
Suite 135
Pompton Lakes, NJ
07422**

January 11, 2018

Bergen County in spring.



Benecke Economics

“The Leader in, Financial Analysis, Land use, Redevelopment
and Economics”

55 Wanaque Avenue
Suite 135
Pompton Lakes, NJ
07422

January 11, 2018

Alissa Mayer, CFO
Chief Financial Officer
500 W. Crescent Avenue.
Allendale, N.J.
07401

Proposal

Redevelopment Consulting Services (including certain financial advisory services)-
Crescent Avenue, PILOT, potential financing of a new municipal building.

This firm background and preliminary proposal is being submitted in response to the Borough's request for our firm's background and fee schedule to potentially perform the above work.

We will have our entire professional team available to work on the Allendale project: Robert Benecke F.A., Fred Suljic, P.P., and Dr. Henry Coleman (PhD. Princeton-Economics). Mr. Benecke will be the lead on the Allendale work. We will work with your CFO and professionals to develop a repurposing plan and financial structure for the recently acquired properties at Block 1005, Lots 20 and 3.

Benecke Economics is the leader in providing independent financial advisory and redevelopment services to the redevelopment community, including municipalities in the State of New Jersey. If we are selected, the Borough of Allendale will be well served with objective, state of the art services and advice at the most reasonable fee structure.

We thoroughly understand the scope of services with respect to developing a municipal construction project and financing such projects and financial agreement components. We have worked on dozens of such transactions from a community project viewpoint as opposed to a “lending” perspective. This means we want the best transaction possible and don't have a trading desk as many other firms do.

Our firm's strength is economic impact analysis and market assessments including the effect of the redevelopment plan on the municipal and school budget, repurposing of projects through revenue enhancements and using new revenue sources to off-set debt.

As one example Benecke Economics (“BE”) recently (January 9, 2018) completed the Financing Plan, including the redevelopment phasing schedule, for the Township of Montclair Seymour Street redevelopment project.

We have successfully structured the SkyMark project in Ridgefield Park, perhaps the largest redevelopment endeavor being undertaken in New Jersey. This work includes developing a PILOT based capital stack and placing various property repurposing components into the development plans.

The managing principal to be assigned to the Allendale project is Robert Benecke who serves as Financial Consultant to many municipalities with an emphasis on redevelopment and public finance. Mr. Benecke wrote the book on municipal finance in New Jersey. Among the textbooks he has written are Municipal Finance Administration in New Jersey, the Municipal Budget Process, and Preparation of the Annual Financial Statements. Mr. Benecke also prepared (wrote) the municipal Flexible Chart of Accounts (FCOA) used in the budgets of all 565 municipalities in New Jersey. Our recently added clients include Morristown and Rutherford.

He has 35 years of diverse experience in all matters of public finance and has been especially successful at guiding municipalities through the recent challenges of dealing with the tax levy cap, conducting redevelopment analysis and redevelopment financing issues, debt financing and managing litigation. Benecke is a licensed municipal finance officer. Mr. Benecke has taught at the college level for 30 years and lectured extensively on all aspects of municipal, corporate, and general public finance. Mr. Benecke regularly appears before the Local Finance Board, various legal tribunals, planning boards, community forums and other groups.

We must emphasize our absolute and unbiased independence. We do not have a trading desk and NEVER get paid based on the size or number of financings or redevelopment plan amendments, etc.

Suffice it to say if there is an issue related to complex financing and capital issues we often, at a minimum, get a call for help. We do not underwrite or market securities. We do NOT have an "inside" relationship with any bank or financial institution.

Our estimated time on the job is 100 hours, \$12,000 for 2018, including approximately 20 hours to attend regularly scheduled finance/professional meetings and Council meetings.

Our research and financial modeling are second to none, with an emphasis on accurately estimating economic impacts, cost of construction, interest rates and municipal costs.

Fee proposal-our estimated fee for this work is as follows:

- 1-Our hourly rate for Allendale is \$120 per hour.
- 2-We do NOT charge for disbursements, minor phone calls, etc.
- 3-We do provide flat project fees if desired.

Thank you for the opportunity to submit this proposal. We look forward to working with Allendale in 2018. Please sign below if this proposal is acceptable

Robert Benecke

Benecke Economics
Robert L. Benecke
Principal
January 11, 2018

Borough of Allendale

Date:

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

DATE: 02/15/2018

RESOLUTION# 18-82

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

Reduction of Performance Guarantee
Allendale Heights

Whereas, the Borough of Allendale holds a cash guarantee for the Allendale Heights, LLC in the amount of \$82,356.00, and

Whereas, the Borough Engineer has recommended a reduction in the cash guarantee amount to \$28,000; and

Whereas, the Borough of Allendale holds a surety guarantee for Allendale Heights, LLC in the amount of \$741,204.00 and

Whereas, the Borough Engineer has recommended a reduction in the surety guarantee amount to \$250,000.00.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale that \$54,356 be released from the cash guarantee and \$491,204 be released from the surety guarantee, to Allendale Heights, LLC.

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-83

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

Water Adjustment

Whereas, the utility payer listed below has been found to have their utility bill reduced by the amount shown, and

Whereas, this adjustment is due to an estimated bill, incorrectly reported water usage or incorrect readings,

Now, Therefore, Be It Resolved by the Council of the Borough of Allendale that this adjustment be granted, with a credit, to the following utility bill payer:

Name	Account Number	Amount
Ciocon	3119156793005	\$263.87

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on February 15, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 02/15/2018

RESOLUTION# 18-84

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

Water Overpayment

BE IT RESOLVED by the Council of the Borough of Allendale that the Water Collector is hereby authorized to issue the following refund check for an overpayment on the account listed below and charge same to Water Rents for 2018:

Account Number	Name	Amount
3119076732662	Patricia Valentine	\$73.58

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 15, 2018.

Anne Dodd, RMC
Municipal Clerk