

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
JUNE 28, 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 June 28, 2018.

- I. CALL TO ORDER
 - A. Open Public Meetings Act Announcement
 - B. Salute to Flag
- II. ROLL CALL
- III. APPROVAL OF MINUTES
 - June 14 2018 Work Session
 - June 14, 2018 Regular Session
- IV. PUBLIC COMMENT
- V. INTRODUCTION OF ORDINANCES

Motion that the following ordinances be introduced and passed on first reading and setting July 12, 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 18-17 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, WATER SUPPLY, CHAPTER 262-18

- VI. RESOLUTIONS
 - A. **18-168**/Designate Area in Need of Redevelopment – Block 1005 Lot 3 & 20 – W. Crescent Avenue
 - B. **18-169**/Endorse Third Round Housing Element & Fair Share Plan
- 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. **18-170**/Approval of Bill List
 - B. **18-171**/Approve Adjustment – 2018 Crestwood Lake Membership
 - C. **18-172**/Amend Resolution #18-149 – Correct Licensee Name – Plenary Retail Distribution License #0201-44-004-004
 - D. **18-173**/Authorize Change Order No. 1 – Firehouse Parking Lot Resurfacing
 - E. **18-174**/Award Contract – Purchase of John Deere Wheel Loader Model #544Kll
 - F. **18-175**/Authorize Liquor License Renewals – 2018-2019 Term
 - G. **18-176**/Appoint Land Use Administrator
- VIII. NEW BUSINESS
- IX. COMMITTEE REPORTS AND COMMENTS
- X. STAFF REPORTS

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XI. PUBLIC COMMENTS

XII. ADJOURNMENT

Bulletin Board
Borough Website

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

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 18-17 — AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, WATER SUPPLY, CHAPTER 262-18

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, June 28, 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, July 12, 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 Chapter 262-18 of the Borough Code entitled “Water Supply” to expand the requirements of the customer service line installation in §262-18A to include the service connection and to require renewal of the service connection, at the expense of the consumer or property owner, for all new installations, repairs, replacements and renewals of customer service lines in §262-18B, 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: 06/28/2018

RESOLUTION# 18-168

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

RESOLUTION DESIGNATING A PORTION OF ALLENDALE BOROUGH, ALONG W. CRESCENT AVENUE IN BLOCK 1005 AS AN AREA IN NEED OF REDEVELOPMENT

WHEREAS, on April 26, 2018 the Borough Council of the Borough of Allendale adopted a resolution, a copy of which is attached hereto, authorizing the Allendale Land Use Board to undertake a preliminary investigation to determine whether the properties in a proposed redevelopment area, which is located along W. Crescent Avenue, is a redevelopment area in accordance with the criteria set forth in the New Jersey Local Redevelopment and Housing Law (N.J.S.A 40A:12A-1 et seq.); and

WHEREAS, the primary objectives of the Borough of Allendale redevelopment effort is to: 1) improve property conditions in the Borough; 2) improve the quality of life of Borough residents especially those residents living in the vicinity of the property under consideration; and 3) improve the economic foundation of the Borough so that long-term property tax stability is realized by all Allendale taxpayers; and

WHEREAS, the Local Redevelopment and Housing Law (LRHL) allows for the substantial improvement to properties included in an area in need of redevelopment resulting in capital investment and the turnaround or rearrangement of properties that are either unused, underutilized, fragmented, or deteriorated; and

WHEREAS, the Allendale Land Use Board has investigated and discussed the issue of redevelopment and the process of investigating an area in need of redevelopment. This investigation included a review of the criteria set forth in the LRHL (N.J.S.A. 40A:12A-5) to determine if the area of Allendale, specifically Block 1005, Lot 3 and Lot 20 qualify as an area in need of redevelopment; and

WHEREAS, the Allendale Land Use Board considered the evidence supplied by the economic and land use consultants, Benecke Economics, who conducted a study of the proposed potential redevelopment area and make a recommendation as to whether the area identified by the Council

**RESOLUTION
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RESOLUTION# 18-168

satisfies the criteria of the LRHL, the Borough Council also made available professional services to assist the LUB in the redevelopment process and understanding the issues respecting this proposed potential redevelopment area; and

WHEREAS, the Allendale Land Use Board conducted a public hearing on June 20, 2018 pursuant to the LRHL and following publication and wide distribution of a notice of hearing and following the preparation of a map of the potential area in need of redevelopment; and

WHEREAS, the Land Use Board considered the Redevelopment Investigation Report, dated June 12, 2018, prepared by Benecke Economics, said report having been provided to the property owners and made available to the general public; and

WHEREAS, the Allendale Land Use Board has adopted a Resolution finding that the area referenced herein qualifies under N.J.S.A. 40A:12A-1 et seq. as an area in need of redevelopment; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale that, based upon the findings and recommendation of the Allendale Land Use Board and recognizing the diligent work of the Board, the properties at Block 1005, Lot 3 and Lot 20 are hereby declared to be in need of redevelopment.

BE IT FURTHER RESOLVED that these aforesaid properties are hereby designated as an area in need of redevelopment pursuant to the provisions of N.J.S.A. 40A:12A-1 et seq., and as such shall be included in the w. Crescent Avenue Redevelopment Area upon adoption of an ordinance enabling such inclusion of these properties thereto.

BE IT FURTHER RESOLVED that the Borough Council will NOT be authorizing the use of eminent domain condemnation regarding this matter.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-169

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

**A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
ALLENDALE ENDORSING A THIRD ROUND HOUSING ELEMENT AND FAIR
SHARE PLAN**

WHEREAS, the Joint Land Use Board of the Borough of Allendale, Bergen County, State of New Jersey (“Joint Land Use Board”) adopted a Housing Element and Fair Share Plan on December 29, 2008 pursuant to N.J.S.A. 40:55D- 28 and N.J.A.C. 5:96 and 5:97; and

WHEREAS, the Borough Council endorsed the 2008 Plan on December 29, 2008; and petitioned the Council on Affordable Housing (“COAH”) for Third Round substantive certification on December 31, 2008; and

WHEREAS, on October 14, 2009, COAH granted the Borough Third Round substantive certification; and

WHEREAS, on April 15, 2010, the Borough adopted an amended Third Round Plan to increase the number of affordable housing units generated at the Crescent Commons site; and

WHEREAS, although the Borough petitioned COAH on May 7, 2010 with its amended Third Round Plan, COAH failed to act on the plan amendment prior to the Appellate Division’s 2010 invalidation of COAH’s Growth Share regulations; and

WHEREAS, on October 8, 2010 the New Jersey Supreme Court invalidated COAH’s Third Round rules and ordered COAH to adopt new rules based upon its Prior Round rules and methodologies (see In re Adoption of N.J.A.C. 5:96 and 5:97, 215 N.J. 578 (2013)); and

WHEREAS, COAH failed to adopt new rules, and on March 10, 2015, the Supreme Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges within the Superior Court; and

WHEREAS, on July 7, 2015, the Borough submitted a Declaratory Judgment Action to the New Jersey Superior Court; and

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

DATE: 06/28/2018

RESOLUTION# 18-169

WHEREAS, on January 10, 2018, the Honorable Menelaos W. Toskos, J.S.C., issued a Court Order approving a Settlement Agreement between the Borough and Fair Share Housing Center that established the Borough's fair share obligation, granted a vacant land adjustment of the Borough's Third Round obligation, and preliminarily approved the Borough's compliance mechanisms; and

WHEREAS, the Borough's and Joint Land Use Board's consultants Mary Beth Lonergan, PP, AICP, and Daniel Hauben, PP, AICP, of Clarke Caton Hintz, PC, have prepared a Third Round Housing Element and Fair Share Plan; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Joint Land Use Board held a public hearing on the Housing Element and Fair Share Plan and adopted the Plan on June 20, 2018; and

WHEREAS, COAH's Prior Round rules at N.J.A.C. 5:91-2.2(a), requires that the Borough Council endorse the Third Round Housing Element and Fair Share Plan adopted by the Joint Land Use Board.

NOW THEREFORE, BE IT RESOLVED the Borough Council of the Borough of Allendale, Bergen County, State of New Jersey, hereby endorses the Housing Element and Fair Share Plan as adopted by the Joint Land Use Board on June 20, 2018.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-170

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 June 28, 2018 in the amounts of:

Current Fund	\$2,080,065.70
Payroll Account	\$426,972.46
General Capital	\$46,247.96
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$0.00
Improvement & Beautification	\$640.00
Unemployment Fund	\$0.00
Trust Fund	\$642.60
Water Operating	\$93,813.45
Water Capital	\$1,412.88
Total	\$2,649,795.05

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-171

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

Financial Hardship Discounts for 2018 Season Crestwood Lake Membership

Now, Therefore, **Be It Resolved** by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that it hereby approves a discount for Family Membership at Crestwood Lake for the 2018 Season to the following families for financial hardship reasons:

1. The Koudinov Family
64 Bonnie Way
Allendale, New Jersey 07401
Membership Account Number: 918735
Family Resident Rates (after May 29th): \$490.00
Discount: One Hundred (100%) Percent

2. The Weil Family
57 Ivers Road
Allendale, New Jersey 07401
Membership Account Number: 241885
Family Resident Rates (after May 29th): \$360.00
Discount: \$145.00

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-172

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

Whereas, via Resolution #18-149, Plenary Retail Distribution License #0201-44-004-004 was renewed for the 2018-2019 licensing term; and,

Whereas, the Licensee name was incorrectly listed as the previous owner, Thrift Drug, Inc. t/a Rite Aid #10404.

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that Resolution #18-149 be amended to read:

PLENARY RETAIL DISTRIBUTION LICENSES - \$2,500.00

<u>LICENSE#</u>	<u>LICENSEE</u>	<u>LICENSED PREMISES</u>
0201-44-004-004	Walgreens Eastern Co., Inc. t/a Rite Aid #10404	44 West Allendale Avenue Allendale, NJ 07401

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-173

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

Change Order Number One – Firehouse Parking Lot Resurfacing

Whereas, the Borough Engineer has requested that certain changes are needed in the Firehouse Parking Lot Resurfacing contract; and

Whereas, a net decrease of \$6,968.80 will result from the actual quantities of work measured and performed; and

Now, Therefore, Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Change Order Number One resulting in a decrease of \$6,968.80, a 16.55% decrease in the original contracted amount, be approved for the Firehouse Parking Lot Resurfacing, resulting in a new contract amount of \$35,131.20.

Be It Further Resolved that Change Order Number One in the decreased amount of \$35,131.20 be approved for performance by American Asphalt & Milling Service, LLC, 96 Midland Avenue, Kearny, NJ 07032.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-174

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

Award of Contract to Jesco Inc. – John Deere Wheel Loader Model #544Kll

Whereas, the Borough of Allendale is and remains a bona-fide member of the National Joint Powers Alliance Cooperative Purchasing System (NJPA); and,

Whereas, the Borough has approved and advertised a “Notice of Intent to Award” under a National Cooperative Pricing System pursuant to Local Finance Notice 2012-10; and,

Whereas, a cost-benefit analysis has been executed by the Borough’s Finance Committee and Public Works Committee; and,

Whereas, the funding for such expenditure is now in place and the Borough wishes to move forward with acquiring a John Deere Wheel Loader Model #544Kll.

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 awards a contract through NJPA to Jesco Inc. for a John Deere Wheel Loader Model #544Kll in the amount of \$188,744.17 pursuant to contract 032515-JDC and quotation prepared on January 22, 2018.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-175

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

Renewal of ABC Liquor Licenses for 2018-2019

Whereas, all Plenary Retail Consumption, Retail Distribution, Limited Distribution and Club Licenses will expire on June 30, 2018; and,

Whereas, the following applicants have complied with the provisions of the Act of the Legislature entitled, "An Act Concerning Alcoholic Beverages", being Chapter 436 of the Laws of 1933, its supplements and amendments, and with the Rules and Regulations issued or to be promulgated by the State Commissioner of Alcoholic Beverage Control applicable.

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 Clerk be and is hereby authorized to issue licenses to expire June 30, 2019, to the following:

PLENARY RETAIL CONSUMPTION LICENSES - \$2,500.00

0201-33-007-009

Friends & Family LLC
t/a Restaurant L

9 Franklin Turnpike
Allendale, NJ 07401

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk

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

DATE: 06/28/2018

RESOLUTION# 18-176

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

Appointment of Full-Time Land Use Administrator

Whereas, a need for a full-time Land Use Administrator in the Borough of Allendale exists;

Now, Therefore Be It Resolved by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that Linda Garofalo is hereby appointed as full-time Land Use Administrator effective July 2, 2018 at an annual salary of \$40,000.00; and

Be It Further Resolved that the Mayor, the Chief Financial Officer, Municipal Clerk and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on June 28, 2018.

Anne Dodd, RMC
Municipal Clerk