

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
DECEMBER 3, 2020
8:00 P.M.

A Regular meeting of the Mayor and Council of the Borough of Allendale will be held on December 3, 2020 beginning at 8:00pm via a video and teleconferencing meeting on GoToMeeting due to the State of Emergency.

The public can join the meeting by taking the following steps:

- **From a computer, tablet or smartphone**, enter the website <https://global.gotomeeting.com/join/302918517>
- **From a phone**, dial [+1 \(872\) 240-3212](tel:+18722403212) and then enter Access Code: [302-918-517](https://global.gotomeeting.com/join/302918517)

Anyone from the public who does not have GoToMeeting may install the app prior to the start of the meeting at <https://global.gotomeeting.com/install/302918517>

The public is asked to please mute their devices until such time that the public comment portions are held so as not to distract from the business of the meeting.

I. CALL TO ORDER

- A. Open Public Meetings Act Announcement
- B. Salute to Flag

II. ROLL CALL

- III. APPROVAL OF MINUTES October 22, 2020 Work Session
October 22, 2020 Regular Session

IV. PUBLIC COMMENT ON AGENDA ITEMS ONLY

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

V. ORDINANCE FOR SECOND READING AND PUBLIC HEARING

The following ordinances published herewith were first read by title only on November 12, 2020 and posted on the bulletin board of the lobby of the municipal building and borough website.

ORDINANCE 20-18 – AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 2, CHAPTER 26-25 OF THE CODE OF THE BOROUGH OF ALLENDALE

VI. RESOLUTIONS

- A. **20-256**/Authorize COVID-19 Special Emergency – Certification of Chief Financial Officer and Approval of Governing Body
- B. **20-257**/Authorize COVID-19 Special Emergency – Special Emergency Resolution N.J.S.A. 40A:4-53
- C. **20-258**/Authorize Capital Budget Amendment

VII. INTRODUCTION OF ORDINANCES

Motion that the following ordinance be introduced and passed on first reading and setting December 17, 2020 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 ordinance.

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
DECEMBER 3, 2020
8:00 P.M.

ORDINANCE 20-19 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2020 (NON-UNION)

ORDINANCE 20-20 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, WATER CHARGES, CHAPTER 262-11

ORDINANCE 20-21 – BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$120,000 FOR THE ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING, MUNICIPAL FACILITIES, RECREATION, OPEN SPACE AND OTHER MUNICIPAL PURPOSES IN, BY AND FOR THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

ORDINANCE 20-22 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2020 (UPSEU UNION)

ORDINANCE 20-23 – AN ORDINANCE TO REPEAL IN ITS ENTIRETY §26-30.3 OF CHAPTER 26 OF THE BOROUGH CODE OF THE BOROUGH OF ALLENDALE, AND AMEND, SUPPLEMENT AND REVISE §26-31(D) OF THE BOROUGH CODE.

ORDINANCE 20-24 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) TO FUND A DEFICIT IN OPERATIONS OF THE BOROUGH DIRECTLY ATTRIBUTABLE TO COVID-19 WHICH IS ANTICIPATED TO BE EXPERIENCED BY THE BOROUGH IN THE CURRENT 2020 FISCAL YEAR

VIII. 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. **20-259**/Approve Bill List
- B. **20-260**/Authorize Refund – 2020 Tax Overpayments – Various Properties
- C. **20-261**/Authorize Amendment – Lease Agreement – Crown Atlantic Company, LLC on behalf of AT&T Mobility
- D. **20-262**/Authorize Change – Deferred Compensation Plan – AIG/VALIC
- E. **20-263**/Authorize Advertisement and Receipt of Bids – 230 West Crescent Avenue Remediation Project – Phase 2
- F. **20-264**/Approve Memorandum of Understanding – UPSEU (White Collar Unit)

IX. UNFINISHED BUSINESS

X. NEW BUSINESS

AGENDA
BOROUGH OF ALLENDALE
MAYOR AND COUNCIL
DECEMBER 3, 2020
8:00 P.M.

XI. COMMITTEE REPORTS AND COMMENTS

XII. STAFF REPORTS

XIII. 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.

XIV. CLOSED SESSION

A. **20-265**/Authorize Closed Executive Session

1. Attorney-Client Privilege: Contract Negotiations Update – PBA Local No. 217 CBA
2. Attorney-Client Privilege: Potential Litigation
3. Prospective Personnel: Police Department

XV. ADJOURNMENT

Bulletin Board
Borough Website

*****AGENDA AND AGENDA MATERIALS ARE SUBJECT TO CHANGE*****

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

ORINANCE NO. 20-18

**AN ORDINANCE AMENDING AND SUPPLEMENT ARTICLE 2, CHAPTER 26-25
OF THE CODE OF THE BOROUGH OF ALLENDALE**

§ 26-25 Promotion of officers.

- A. Goals. The Borough of Allendale desires to promote the most qualified candidates to the ranks of Chief, Captain, Lieutenant and Sergeant. This section establishes the eligibility requirements and the process for promotion to those ranks. The promotion process shall be on the basis of merit, experience/seniority, education, military service, demonstrated ability, competitive written examinations and competitive oral examinations as noted herein. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Allendale Police Department. In accordance with N.J.S.A. 40A:14-118, all promotions within the Allendale Police Department shall be made by the Governing Body, except as to the Chief of Police, whose promotion/appointment shall be made by the Mayor with the consent and approval of the Governing Body.
- B. Eligibility requirements.
- (1) Sergeant. For promotion to Sergeant, no person shall be eligible for such promotion unless he or she:
- (a) Shall have served as a full-time police officer in the Allendale Police Department for at least five years; and
 - (b) Shall have met or exceeded all Allendale Police Department standards in his or her three most recent annual performance evaluations conducted by his or her superiors.
- (2) Lieutenant. For promotion to Lieutenant, no person shall be eligible for such promotion unless he or she:
- (a) Shall have served as a full-time officer in the Allendale Police Department for at least eight years;
 - (b) Shall have served at least three years as a full-time Sergeant for the Allendale Police Department;
 - (c) Shall have met or exceeded all Allendale Police Department standards in his or her three most recent annual performance evaluations conducted by his or her superiors.
- (3) Captain. For promotion to Captain, no person shall be eligible for such promotion unless he or she:
- (a) Shall have served at least 10 years as a full-time officer in the Allendale Police Department. In determining such length of service, four or more years of military service with honorable discharge shall be the equivalent of one year of employment as a full-time officer for the Allendale Police Department;
 - (b) Shall have served at least three years as a full-time Sergeant and/or Lieutenant for the Allendale Police Department; and

- (c) Shall have met or exceeded all Allendale Police Department performance standards in his or her three most recent annual performance evaluations conducted by his or her superiors.
- (4) Chief of Police. For promotion to Chief of Police, no person shall be eligible for such promotion unless he or she:
 - (a) Shall have served, in the aggregate, for at least five years as a full-time Captain, Lieutenant, and/or Sergeant for the Allendale Police Department; and
 - (b) Shall have met or exceeded all Allendale Police Department performance standards in his or her three most recent annual performance evaluations conducted by his or her superiors.

C. Process.

- (1) In creating the list of eligible candidates for promotion to Sergeant, the Governing Body shall score/rank each such candidate as follows:
 - (a) A written test relating to the duties, responsibilities and job functions of the position being sought, to be prepared and administered by the New Jersey State Association of Police Chiefs (or prepared and administered by such other person, association or organization as may be authorized by the Governing Body). The written test shall constitute 30% of the overall total score for each eligible candidate, based on a test that contains a maximum value of 100 points. For example, a candidate who receives 70 points out of the total of 100 possible total points for the written test shall receive 21 points towards the overall total score (70 points x 30% = 21 points). In advance of such written test, the minimum threshold/score required to be eligible for promotion shall be established by the Governing Body, and such minimum threshold/score shall be communicated, in writing, to all eligible candidates for promotion prior to their taking said test. Only those candidates who achieve such minimum score shall be eligible to continue forward in the promotion process for promotion to Sergeant. A ranked list of eligible candidates for promotion shall be created based on the outcome of the aforesaid written test.
 - (b) Each eligible candidate who has received on the written test the minimum score required to continue forward in the promotion process shall be interviewed by an oral examination administered by an interview panel (the "interview panel") comprised of the following persons: the Chief of Police, the Borough Administrator, and no more than the next two highest ranking command staff members of the Allendale Police Department, if they exist.
 - [i] Only those candidates who have achieved the written test minimum score or greater (out of the maximum of 100 points) on the written examination shall be permitted to sit for an oral examination by said interview panel. Oral examinations by the interview panel shall take place after the receipt of the written examination scores.
 - [ii] Said interview panel's oral examination and assessment (which examination and assessment shall have 100 points as its maximum score) shall account for 30% of the candidate's total promotional score, with 30 total points being the highest possible score for such oral examination and assessment. By way of example, a candidate receiving a score of 80 points on his/her oral examination by said interview panel shall receive 24 total points for said interview panel's oral examination element of the promotional process (80 x 30% = 24 total points).
 - [iii] The oral examination and assessment by said interview panel shall include an evaluation of the following criteria: commendations, employee reviews, disciplines and early intervention summaries, annual performance evaluations, merit, productivity, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and

specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, seniority, leadership ability, initiative, productivity, attitude toward peers, supervising officers' recommendations, motivation and morale, previous job performance, loyalty to the Department and community, experience and career development training. Said interview panel shall utilize the same criteria for each of the candidates who are interviewed for the open position(s).

- (c) After being interviewed by said interview panel, each eligible candidate who has received on the written test the minimum score required to continue forward in the promotion process shall be interviewed by the Borough Police Committee. All candidates so interviewed by the Borough Police Committee shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all Police Committee members. The results of such oral interview by the Police Committee, and its consideration of the candidate's past performance based upon evaluations conducted during the preceding three years, shall constitute 40% of the overall total score for each candidate based on the average score of all Police Committee members of such oral interview. The total possible points for this oral interview shall be 100 points. For example, a candidate who receives a total of 60 points out of the total of 100 possible total points for this oral interview shall receive 24 points towards his/her overall total overall score ($60 \text{ points} \times 40\% = 24 \text{ points}$).
- (2) In creating the list of eligible candidates for promotion to Captain, or Lieutenant, the Governing Body shall score/rank each such candidate as follows:
 - (a) For promotion to the positions of Captain or Lieutenant, each eligible candidate shall be interviewed by an interview panel comprised of the Borough Police Committee, the Borough Administrator, the Chief of Police, and the next highest ranking command staff member, if one exists ("interview panel"). All candidates so interviewed by said interview panel shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all said interview panel members. The results of such oral interview by said interview panel, and its consideration of the candidate's past performance based upon evaluations conducted during the preceding three years, shall constitute 60% of the overall total score for each eligible candidate based on the average score of all said interview panel members of such oral interview. The total possible points for this oral interview shall be 100 points. For example, a candidate who receives a total of 90 points for this oral interview shall receive 54 points towards his/her overall total score ($90 \times 60\% = 54 \text{ points}$).
 - (b) Each eligible candidate for Captain and Lieutenant shall be interviewed by the Governing Body. All candidates to be interviewed by the Governing Body shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all Governing Body members. The results of such oral interview by the Governing Body shall constitute 40% of the overall total score for each eligible candidate based on the average score of all Governing Body members of such oral interview. The total possible score for this oral interview shall be 100 points. For example, a candidate who receives a total of 80 points for this oral interview shall receive 32 points toward his/her overall total score ($80 \text{ points} \times 40\% = 32 \text{ points}$).
- (3) In creating a list of eligible candidates for promotion to Chief of Police, the Governing Body shall score/rank as each such candidate as follows:
 - a) Written Examination. At least twenty (20) calendar days before the written examination, the Chief of Police, or his designee, shall announce the date, time and location of the written examination. The Borough may enter into a contract with the New Jersey State Association of Chiefs of Police (NJSACOP) to develop, conduct and grade the written examination. Alternatively, the Governing Body may approve the use of a written examination not prepared by NJSACOP. The questions will be based upon basic

police practices and may include police and investigative procedures, supervisory and administrative principles, New Jersey criminal law, report writing, search and seizure issues, New Jersey Attorney General Guidelines and Directives, legal aspects and requirements for police work, and such other criteria as determined by the NJSACOP, or as determined by the Governing Body. Eligible candidates who are scheduled to work during the written examination will be excused from duty to take the examination. The written test shall constitute 30% of the overall total score for each eligible candidate, based on a test that contains a maximum value of 100 points. For example, a candidate who receives 70 points out of the total of 100 possible total points for the written test shall receive 21 points towards the overall total score (70 points x 30% = 21 points). In advance of such written test, the minimum threshold/score required to be eligible for promotion shall be established by the Governing Body, and such minimum threshold/score shall be communicated, in writing, to all eligible candidates for promotion prior to their taking said test. Only those candidates who achieve such minimum score shall be eligible to continue forward in the promotion process for promotion to Chief of Police.

A ranked list of eligible candidates for promotion shall be created based on the outcome of the aforesaid written test.

- b) Each eligible candidate shall be interviewed by an Interview Panel comprised of the Borough's Public Safety Committee and the Borough Administrative Officer ("Interview Panel"). All candidates so interviewed by said Interview Panel shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all said Interview Panel members. The results of such oral interview by said Interview Panel, and its consideration of the candidate's past performance based upon evaluations conducted during the preceding three years, shall constitute 40% of the overall total score for each eligible candidate based on the average score of all said Interview Panel members of such oral interview. The total possible points for this oral interview shall be 100 points. For example, a candidate who receives a total of 90 points for this oral interview shall receive 36 points towards his/her overall total score (90 points x 40% = 36 points).
- c) Each eligible candidate shall be interviewed by the Governing Body. All candidates to be interviewed by the Governing Body shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the score of all Governing Body members. The results of such oral interview by the Governing Body shall constitute 30% of the overall total score for each eligible candidate based at the average score of the Governing Body members of such oral interview. The total possible score for this oral interview shall be 100 points. For example, a candidate who receives a total of 80 points for this oral interview shall receive 24 points toward his/her overall total score (80 points x 30% = 24 points).
- (3) The candidate(s) for promotion to Sergeant receiving the highest score(s) as calculated by reference to Subsection **C(1)(a)**, **(b)** and **(c)** above shall be deemed the first candidate eligible for promotion. The candidate(s) for promotion to Captain or Lieutenant receiving the highest score as calculated by reference to Subsection **C(2)(a)** and **C(2)(b)** above shall be deemed the first candidate(s) eligible for promotion. The candidate(s) for promotion to Chief of Police receiving the highest score(s) as calculated by reference to Subsection **C(3)(a)** and **C(2)(b)** and **C(2)(c)** above shall be deemed the first candidate(s) eligible for promotion.
- D. Notwithstanding anything in this chapter to the contrary, the Borough of Allendale reserves the right to waive the written examination and/or oral interview components of the promotional process, when the number of eligible candidates for a particular position is equal to or less than the number of vacant positions and the Borough intends to fill all vacant positions. If the Borough elects to so waive the written examination and/or oral interview components, all other components of the promotional process within this section not so waived shall remain in effect.
- E. Notwithstanding anything in this chapter to the contrary, the Borough of Allendale reserves the right to relax and/or waive the eligibility requirements for a particular position(s) if the number of

eligible candidates for such position(s) is less than the number of vacant positions and the Borough intends to fill all vacant positions. If the Borough so elects to relax or waive the eligibility requirements, all candidates for the particular position(s), including those who are eligible as a result of the waiver or relaxation of such requirements, shall not be required to undergo or participate in the applicable process set forth in hereinabove.

- F. Any appeal of the promotional process other than for the reasons set forth in Subsections (1) and (2) herein below must be filed within 10 days of the posting of ranking of candidates, and failing same, such right of appeal shall be deemed waived. Said appeal must contain the reason(s) or justification(s) for an appeal and must be submitted to the Chief of Police, through the appropriate chain of command. The Chief of Police will assess the request, and make a determination of how the request will be addressed on a case-by-case basis. Such requests are limited to the following areas of the promotional process:
 - (1) Review and retabulation of the scored elements of the selection process.
 - (2) Review of any evaluation or internal document that was used in the selection process related to the applicant.

- B. Any appeal, for reasons other than those specified in Subsection (1) and (2) above, must be filed, in writing, by a candidate with the Appropriate Authority, within 10 days of the posting of the ranking of candidates. Any such appeal will be forwarded by the Appropriate Authority to the Governing Body which may, in its sole discretion, allow the candidate to be reevaluated, or take other action it deems appropriate.

- C. All determinations by Chief of Police or the Governing Body are final.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 26 shall remain in full force and effect as previously adopted.

	Motion	Second	Yea	Nay	Absent	Abstain
Homan						
O'Connell						
O'Toole						
Sasso						
Strauch						
Wilczynski						
Bernstein						

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

DATE: 12/03/2020

RESOLUTION# 20-256

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

**AUTHORIZE COVID -19 SPECIAL EMERGENCY
CERTIFICATION OF CHIEF FINANCIAL OFFICER AND
APPROVAL OF GOVERNING BODY**

WHEREAS, The Borough of Allendale has experienced COVID 19 related revenue loss during the budget year 2020, and

WHEREAS, P.L. 2020, c. 74 provides for the funding of these revenue losses through a COVID Special Emergency, and

WHEREAS, in order to qualify for a special emergency under the provisions of N.J.S.A. 40A: 4-53, as amended by P.L.2020, c. 74, the Borough must, prior to December 1, make application to the Director of the Division of Local Government Services to obtain an approval of the certification of the special emergency and the resulting deferred charge in advance of the close of budget year 2020, and

WHEREAS, the Chief Financial Officer has determined that there is an operational gap attributable to COVID -19 affected revenue loss which needs to be addressed prior to year-end;

NOW, THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Allendale (by not less than a majority vote of the full governing body members affirmatively concurring), in accordance with the provisions of N.J.S.A 40A:4-53, as amended by P.L. 2020, c. 74, as follows:

1. The Chief Financial Officer has submitted an application to the Division Director on the prescribed form and has certified that the deficits in revenue are directly attributable to COVID-19.
2. The Chief Financial Officer has submitted said certification to the governing body for approval (attached to this resolution).
3. The Borough Council by approval of this resolution approves the certification made by the

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

DATE: 12/03/2020

RESOLUTION# 20-256

Chief Financial Officer related to COVID-19 Special Emergency.

4. The Borough Council directs the Chief Financial Officer, the Auditor and Bond Counsel to prepare the Ordinance and Resolution for Special Emergency COVID-19 related revenue deficit pursuant to statute and regulations resulting from P.L.2020, c. 74.
5. That two (2) certified copies of this resolution will be filed with the Director of the Division 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 December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-257

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

**COVID -19 SPECIAL EMERGENCY
SPECIAL EMERGENCY RESOLUTION – N.J.S.A 40A:4-53**

WHEREAS, it has been found necessary to adopt a Special Emergency Appropriation to meet certain Extraordinary COVID-19 affected revenue losses incurred, or to be incurred, related to the COVID pandemic, and

WHEREAS, N.J.S.A. 40A:4-53 allows a municipality to authorize special emergency appropriations for COVID-19 related revenue loss incurred during the COVID-19 related public health emergency, and provides that it shall be lawful to adopt such special emergency, which appropriation and/or the “special emergency notes” issued to finance the same shall be provided for in succeeding annual budgets by the inclusion of an appropriation as prescribed by the act and in compliance with the Division of Local Government Services regulations set forth as part of the COVID-19 Operating Deficits: Implementation of P.L. 2020, c.74.

NOW, THEREFORE BE IT RESOLVED, (by not less 2/3 vote of the full governing body members affirmatively concurring) that in accordance with the provisions of N.J.S.A 40A:4-55:

1. The Chief Financial Officer has been directed by resolution adopted on December 3, 2020 to make a written application and certify to the Division Director, on the prescribed form, that the deficits in revenue are directly attributable to COVID-19, and said certification was approved by the governing body and submitted to the Director of the Division of Local Government Services.
2. A Special Emergency Deferred Charge is hereby established for COVID-19 affected revenue losses in the total amounts of \$260,000 in the Current Fund.
3. That the total emergency appropriation shall be provided for in the budgets of succeeding years beginning in 2022 by the inclusion of not less than \$52,000 in the Current Fund.
4. That special emergency notes, not in excess of the amount authorized pursuant to law, may be issued.

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

DATE: 12/03/2020

RESOLUTION# 20-257

5. That such notes when issued shall be executed by Borough of Allendale Chief Financial Officer, Mayor and Borough Clerk. The Chief Financial Officer is hereby authorized to sell said notes and any renewals thereof from time to time.
6. That said Special Emergency Notes may be issued to address the cash flow needs related to the deferred charge in compliance with the provisions of P.L. 2020, c.74.
7. That two (2) certified copies of this resolution will be filed with the Director of the Division 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 December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-258

3 YEAR CAPITAL PROGRAM 2020 - 2022										
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS										
1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid And Other Funds	7 BONDS AND NOTES			
		Current Year 2020	Future Years				General	Self Liquidating	Assessment	School
None		\$ -		-						
TOTAL ALL PROJECTS	\$ -	\$ -		\$ -			\$ -			

TO
CAPITAL BUDGET (Current Year Action)
2020

1 PROJECT	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2020 Budget Appropriations	PLANNED FUNDING SERVICES FOR CURRENT YEAR 2020					6 To Be Funded in Future Years
					5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and Other Funds	5e Debt Authorized	6	
Supplemental Funding for Acquisition of Property		\$ 120,000			\$ 6,000				\$ 114,000	
TOTALS ALL PROJECTS		\$ 120,000			\$ 6,000				\$ 114,000	

3 YEAR CAPITAL PROGRAM 2020 - 2022
Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	ESTIMATED COMPLETION TIME	5 FUNDING AMOUNTS PER YEAR						
				Budget Year 2020	2021	2022	2023	2024	2025	
Supplemental Funding for Acquisition of Property		\$ 120,000		\$ 120,000						
TOTALS ALL PROJECTS		\$ 120,000		\$ 120,000						

3 YEAR CAPITAL PROGRAM 2020 - 2022
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	7 BONDS AND NOTES			
		Current Year 2020	Future Years				General	Self Liquidating	Assessment	School
Supplemental Funding for Acquisition of Property	\$ 120,000			\$ 6,000			\$ 114,000			
TOTALS ALL PROJECTS	\$ 120,000			\$ 6,000			\$ 114,000			

BE IT FURTHER RESOLVED that three certified copies of this resolution be filed forthwith in the Office of 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 December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-19 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2020 (NON-UNION)

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, December 3, 2020 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, December 17, 2020 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 53 of the Code of the Borough of Allendale entitled “Officers and Employees” to fix the minimum and maximum salary range for “Non-Union” Employees of the Borough of Allendale for the year 2020 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.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-20 – AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE THE CODE OF THE BOROUGH OF ALLENDALE, WATER CHARGES, CHAPTER 262-11

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, December 3, 2020 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, December 17, 2020 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 increase the rates to be charged for the use of water through each meter in Section 262-11 under Subsection A(1)(a) and (b) of Chapter 262 of the Allendale Borough Code entitled “Water Charges”, 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.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-21

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Borough Council of the Borough of Allendale, in the County of Bergen, State of New Jersey, on December 3, 2020. It will be further considered for final passage, after public hearing thereon, at a meeting of the Borough Council to be held at its meeting room in the Borough Hall, 500 West Crescent Avenue, Allendale, New Jersey, on December 17, 2020 at 8:00 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$120,000 FOR THE ACQUISITION OF REAL PROPERTY FOR AFFORDABLE HOUSING, MUNICIPAL FACILITIES, RECREATION, OPEN SPACE AND OTHER MUNICIPAL PURPOSES IN, BY AND FOR THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH ADDITIONAL APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Purpose(s): Supplemental funding for the acquisition of real property for affordable housing, municipal facilities, recreation, open space and other municipal purposes in, by and for said Borough.

Appropriation: \$120,000
Bonds/Notes Authorized: \$114,000
Grants (if any) Appropriated: \$-0-
Section 20 Costs: \$120,000
Useful Life: 40 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-22 – AN ORDINANCE TO AMEND CHAPTER 53 OF THE CODE OF THE BOROUGH OF ALLENDALE, “OFFICERS AND EMPLOYEES”, TO FIX THE SALARIES, WAGES AND COMPENSATION OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF ALLENDALE FOR THE YEAR 2020 (UPSEU UNION)

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, December 3, 2020 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, December 17, 2020 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 53 of the Code of the Borough of Allendale entitled “Officers and Employees” to fix the minimum and maximum salary range for UPSEU union employees of the Borough of Allendale for the year 2020 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.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-23 – AN ORDINANCE TO REPEAL IN ITS ENTIRETY §26-30.3 OF CHAPTER 26 OF THE BOROUGH CODE OF THE BOROUGH OF ALLENDALE, AND AMEND, SUPPLEMENT AND REVISE §26-31(D) OF THE BOROUGH CODE.

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, December 3, 2020 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, December 17, 2020 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, supplement and revise Chapter 26, Section 31(D) of the Code of the Borough of Allendale to set the provisions, rates and fees for such off-duty law enforcement officer services and use of any motor vehicle of the Police Department, as set forth in the ordinance. This ordinance also repeals in its entirety Chapter 26, Section 30.3, 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.

Michelle Ryan
Acting Municipal Clerk

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-24 – AN ORDINANCE OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, PROVIDING FOR A SPECIAL EMERGENCY APPROPRIATION PURSUANT TO N.J.S.A. 40A:4-53(m) TO FUND A DEFICIT IN OPERATIONS OF THE BOROUGH DIRECTLY ATTRIBUTABLE TO COVID-19 WHICH IS ANTICIPATED TO BE EXPERIENCED BY THE BOROUGH IN THE CURRENT 2020 FISCAL YEAR

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, December 3, 2020 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, December 17, 2020 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 authorize special emergency appropriations, as set forth in the ordinance, pursuant to N.J.S.A. 40A:4-53(m) to fund a deficit in the operations directly attributable to COVID-19, which is anticipated to be experienced by the Borough of Allendale in the current, 2020 fiscal year.

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.

Michelle Ryan

Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-259

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

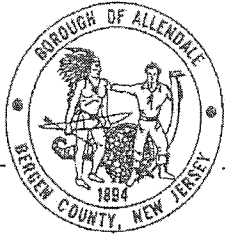
APPROVAL OF LIST OF BILLS

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 December 3, 2020 in the amounts of:

Current Fund	\$1,142,616.46
Payroll Account	\$210,564.99
General Capital	\$17,126.80
Animal Fund	\$0.00
Grant Fund	\$0.00
COAH/Housing Trust	\$228.00
Improvement & Beautification	\$1,137.00
Unemployment Fund	\$0.00
Trust Fund	\$6,992.50
Water Operating	\$0.00
Water Capital	\$0.00
Total	\$1,378,665.75

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 3, 2020.

Michelle Ryan
Acting Municipal Clerk



BOROUGH OF ALLENDALE
500 West Crescent Avenue, Allendale, NJ 07401-1792

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

201-818-4400 EXT 205
FAX: 201-818-0193

I, M. Alissa Mayer, 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 December 3, 2020

M. Alissa Mayer
M. Alissa Mayer, CMFO
Chief Financial Officer

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

DATE: 12/03/2020

RESOLUTION# 20-260

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

AUTHORIZE REFUND OF 2020 TAX OVERPAYMENTS

BE IT RESOLVED by the Council of the Borough of Allendale that the Tax Collector is hereby authorized to issue the following checks on the properties listed below and charge same to Overpayment of 2019/2020 Taxes:

Block/Lot/Q	Name	Property Location	Amount
1803/6	Svorec, Paul & Magda	79 Crescent Bend	\$119.40
<u>Payable to Corelogic</u>			
403/12	Schaub, Michael & Jennifer	105 Heights Road	\$1,993.14
506/4.09	Aeri, Nitin & Kundlas, Sherry	10 Weimer Court	\$485.06
511/25	Iannazzone, A & Sardanopoli	50 Gloria Drive	\$1,997.96
702/4/C0010	Lee, Dane & Susie	10 Rio Vista Drive	\$17.16
1201/5	Holmes, Brian & Johanna	141 Duffy Drive	\$2,837.69
1203/8.03	Segovia, Fernando & Lucia M	95 Valley Road	\$3,911.47
1203/11	Morton, Sean Alan Etal	73 Forest Road	\$5,475.01
1303/11	Hebl, Joseph C & Jiao Z	500 Brookside Avenue	\$1,727.71
1403/7	Lenzi, Ralph A & Veronica A	27 Bradrick Lane	\$1,266.83
1503.01/17	Driscoll, Timothy J	36 Carteret Road	\$3,733.57
2101/9/C0152	Aversano, John & Jean	152 Carriage Court	\$2,769.47
1503/22	Ma, Chin Hung T. & Oi Yim H	41 Carteret Road	\$984.50

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

DATE: 12/03/2020

RESOLUTION# 20-260

Payable to Wells Fargo

2203/2	Taylor, Peter & Saviano, Guilia	775 W. Crescent Avenue	\$2,405.76
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I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

DRAFT

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

DATE: 12/03/2020

RESOLUTION# 20-261

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

**AUTHORIZATION OF AMENDMENT TO CROWN ATLANTIC COMPANY, LLC
LEASE AGREEMENT ON BEHALF OF AT&T MOBILITY**

WHEREAS, the Borough of Allendale and Crown Atlantic Company, LLC, (Crown Atlantic) previously executed a Lease Agreement dated August 31, 1995 (the Lease), pursuant to which property was leased from the Borough located at 300 West Crescent Avenue, Allendale, New Jersey and being described as a portion of the property known as Lot 6, Block 1003 and Lots 9 and 10 of Block 201 (the property) for the construction of a monopole and installation/maintenance of utility wires, poles, cable, conduits and pipes; and

WHEREAS, seven (7) Amendments to the Lease Agreement have been signed; and

WHEREAS, Crown Atlantic, on behalf of AT&T Mobility, seeks to modify its equipment on the monopole, and other work associated with same as more specifically referenced in Crown Castle JDE Job Number 610061; Crown Castle Work Order Number 1867930, and Crown Castle Order Number 520740 Rev. 0; and

WHEREAS, Crown Atlantic, on behalf of AT&T Mobility, seeks the Borough's consent under the terms and conditions of the Lease;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby consent to the foregoing modification and the Mayor is hereby authorized to execute a consent letter for modification subject, however, to the following conditions:

1. Crown Atlantic or AT&T Mobility, shall make application for appropriate building permits and shall pay all fees in connection with those permits;
2. Crown Atlantic or AT&T Mobility, shall comply with any and all land use requirements and pay any fees associated therewith;
3. Crown Atlantic or AT&T Mobility, shall provide for a professional escrow deposit, if required, for review of its application in accordance with law.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-262

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

**AUTHORIZATION TO ADOPT A CHANGE TO AN EXISTING DEFERRED
COMPENSATION PLAN – AIG/VALIC RETIREMENT SERVICES**

WHEREAS, the Borough of Allendale (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective July 24, 2001 for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

WHEREAS, the Employer desires to provide for Designated Roth Contributions and/or In-plan Roth Conversions under its Plan;

NOW, THEREFORE, BE IT RESOLVED that the Employer hereby adopts the attached Amendment, which Amendment has been approved by the Division of Local Government Services and assigned identifier 83-PD-VALIC-061912, to Deferred Compensation Plan Document, identifier 81-PD-VALIC-103111, to be part of and incorporated into its existing Deferred Compensation Plan Document.

BE IT FURTHER RESOLVED that a certified copy of this resolution shall be forwarded to the Director of the Division 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 December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

AMENDMENT

SPECIMEN SECTION 457(b) DEFERRED COMPENSATION PLAN

GOVERNMENTAL EMPLOYERS

DESIGNATED ROTH CONTRIBUTIONS AND/OR IN-PLAN ROTH CONVERSIONS

**ARTICLE I
PREAMBLE**

- 1.1 **Effective Date of Amendment.** The Employer adopts this Amendment to the Plan to add Designated Roth Contributions and/or permit In-plan Roth Conversions under Code Sections 402(e)(1) and 402A(c), as amended and added, respectively, by the Small Business Jobs Act of 2010 (“SBJA”). This Amendment is intended as good faith compliance with the requirements of Code Sections 402(e) and 402A and guidance issued thereunder, and this Amendment shall be interpreted in a manner consistent with such guidance. This Amendment is effective as of the Effective Date(s) specified in Article II, below.
- 1.2 **Supersession of inconsistent provisions.** This Amendment supersedes the provisions of the Plan to the extent those provisions are inconsistent with the provisions of this Amendment.
- 1.3 **Construction.** Except as otherwise provided in this Amendment, any reference to “Section” in this Amendment refers only to sections within this Amendment, and is not a reference to the Plan. The Article and Section numbering in this Amendment is solely for purposes of this Amendment, and does not relate to any Plan article, section or other numbering designations.
- 1.4 **Effect of restatement of Plan.** If the Employer restates the Plan, then this Amendment shall remain in effect after such restatement unless the provisions in this Amendment are restated or otherwise become obsolete (*e.g.*, if the Plan is restated onto a plan document which incorporates Designated Roth Contribution and/or In-plan Roth Conversion provisions).

**ARTICLE II
EMPLOYER ELECTIONS**

The Employer adopts this Amendment to the Plan to permit Designated Roth Contributions and/or In-plan Roth Conversions, in accordance with the following elections:

2.1 **Designated Roth Contributions.** (*Check one.*)

Designated Roth Contributions are not permitted.

Participants may make Designated Roth Contributions in lieu of or in addition to pre-tax Elective Deferral Contributions effective 1/1/2021

(enter a date no earlier than [date Amendment approved by the Division of Local Government Services]).

N/A. The Plan already permits Designated Roth Contributions.

2.2 **In-plan Roth Conversions.** (Check one.) (Note: Employer cannot allow In-plan Roth Conversions unless it also elects to allow, or the Plan already permits, Designated Roth Contributions under Section 2.1, above.)

In-plan Roth Conversions are not permitted.

Participants may convert certain pre-tax amounts to Roth contributions in an “in-plan” rollover/conversion, but only if such amounts are currently distributable under the terms of the Plan, effective 1/1/2020 (enter a date no earlier than [date Amendment approved by the Division of Local Government Services]).

ARTICLE III AMENDATORY PROVISIONS

3.1 **Designated Roth Contributions/In-plan Roth Conversions permitted.** The Plan’s definitions and terms shall be amended as follows to allow for Designated Roth Contributions as of the effective date entered in Section 2.1, above, and/or to allow for In-plan Roth Conversions as of the effective date entered in Section 2.2, above. Designated Roth Contributions shall be treated in the same manner as pre-tax Elective Deferral Contributions for all Plan purposes. In-plan Roth Conversions will be subject to the Plan rules related to Designated Roth Contribution accounts.

3.2 **Designated Roth Contribution.** The amount of a Participant’s Compensation that he elects to defer to the Plan (as Deferred Compensation) on an after-tax basis.

3.3 **Elective Deferral Contribution.** The amount of a Participant’s Compensation that he elects to defer to the Plan (as Deferred Compensation) on a pre-tax basis.

3.4 **Employer Contribution.** The amount (if any) that the Employer contributes to the Plan (as Deferred Compensation) that does not reduce (on a pre-tax or an after-tax basis) the Participant’s Compensation for the Plan Year.

3.5 **Designated Roth Contributions.** If elected by the Employer in Section 2.1, above, a Participant may designate that all or a portion of his/her elective contributions to the Plan be treated as after-tax Roth contributions (referred to herein as “Designated Roth Contributions”). Such designation must be made before the date upon which the amounts designated would otherwise have been payable to the Participant (but for the election to defer), and such designation must be irrevocable on and after that date. Designated Roth Contributions (and the earnings thereon) shall be accounted for separately from all other contributions to the Plan (including rollovers of Roth contributions from other plans and In-plan Roth Conversions) and the earnings on those contributions. If a Participant takes a distribution of less than 100% of his Account (including an in-service distribution or an

unforeseeable emergency withdrawal), the Participant may designate whether such distribution shall be made from the Participant's pre-tax Elective Deferral Contributions or after-tax Designated Roth Contributions.

3.6 **In-plan Roth Conversions.** If the Plan permits Designated Roth Contributions and if the Employer so elects in Section 2.2, above, a Participant may elect to convert certain pre-tax Elective Deferral Contributions, Employer Contributions or rollover contributions to after-tax Roth contributions in an in-plan (taxable) conversion (referred to herein as "In-plan Roth Conversions"). Such conversion shall be accomplished through a direct rollover from the Participant's applicable pre-tax account to his Roth conversion account (such that there is no actual distribution from the Plan). In-plan Roth Conversions are expressly limited to amounts that are currently distributable to the Participant under both Code Section 457(d)(1)(A) and the terms of the Plan. For example, rollover contributions made on or after January 1, 2006, may be distributed at any time and, therefore, may be converted at any time. By contrast, amounts attributable to Elective Deferral Contributions and Employer Contributions (and rollover contributions made before January 1, 2006) generally cannot be distributed (and therefore cannot be converted) before the Participant has attained age 70½ or has had a Severance from Employment. If the Plan allows in-service distribution of small, inactive accounts, such amounts shall also be eligible for conversion under this section. All In-plan Roth Conversions shall be taxable to the Participant in the year of the conversion.

* * * * *

This Amendment has been executed this 3 day of December, 2020.

Name of Plan: Borough of Allendale, Plan 457(b)

Name of Employer: Borough of Allendale

By: M. Alissa Mayer
Signature

Print Name: M. Alissa Mayer

Title: Chief Financial Officer

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

DATE: 12/03/2020

RESOLUTION# 20-263

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

**AUTHORIZATION FOR ADVERTISEMENT & RECEIPT OF BIDS FOR
230 WEST CRESCENT AVENUE REMEDIATION PROJECT – PHASE 2**

BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey that it hereby authorizes the Acting Municipal Clerk to advertise and receive bids for “230 West Crescent Avenue Remediation Project – Phase 2” to include landscape capping of unpaved areas at 230 West Crescent Avenue.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-264

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

**APPROVAL OF MEMORANDUM OF UNDERSTANDING
WITH UPSEU (WHITE COLLAR UNIT)**

WHEREAS, the Collective Bargaining Agreement (“CBA”) between the Borough of Allendale (“Borough”) and UPSEU (White Collar Unit), hereinafter referred to as “Union”, expired on December 31, 2019; and

WHEREAS, Allendale and the Union engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA; and

WHEREAS, as part of the negotiations for a successor CBA, a Memorandum of Understanding (“MOU”) between Allendale and the Union was agreed to and approved between the parties for the term January 1, 2020 through December 31, 2023; and

WHEREAS, the Union has indicated its approval of the terms and provisions of the MOU by executing the same; and

WHEREAS, Allendale wishes to memorialize its approval of the terms and provisions of the MOU by adoption of this Resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale that the Memorandum of Understanding as between the Borough and the Union for the term January 1, 2020 through December 31, 2023, the terms of which are incorporated by reference herein, be and hereby is **APPROVED**; and

BE IT FURTHER RESOLVED that the Mayor, the Chief Financial Officer 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 December 3, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 12/03/2020

RESOLUTION# 20-265

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

AUTHORIZATION TO ENTER INTO CLOSED EXECUTIVE SESSION

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

- A. Attorney-Client Privilege
 - 1. Contract Negotiations Update – PBA Local No. 217 CBA
 - 2. Potential Litigation

- B. Prospective Personnel
 - 1. Police Department

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

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on December 3, 2020.

Michelle Ryan
Acting Municipal Clerk