

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

A Regular meeting of the Mayor and Council of the Borough of Allendale will be held on October 8, 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. 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.

IV. INTRODUCTION OF ORDINANCES

Motion that the following ordinance be introduced and passed on first reading and setting October 22, 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.

ORDINANCE 20-16 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 237, ARTICLE I ENTITLED PROPERTY TAX REFUNDS FOR DISABLED VETERANS

Motion that the following ordinance be introduced and passed on first reading and setting November 12, 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.

ORDINANCE 20-17 - AN ORDINANCE AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 181-1 OF THE CODE OF THE BOROUGH OF ALLENDALE

V. 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.

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

- A. **20-225**/Approve Bill List
- B. **20-226**/Covenant to Comply with Provisions of Internal Revenue Code of 1986 & Designate \$3,780,000 of Bond Anticipation Notes as “Qualified Tax-Exempt Obligation”
- C. **20-227**/Appoint 2020 Registrar, Deputy Registrar and Alternate Registrar of Vital Statistics
- D. **20-228**/Approve Contract – Assistance for Annual Re-Assessment of All Real Property for Tax Equalization Purposes – Associated Appraisal Group, Inc.
- E. **20-229**/Appoint Relief P/T Hourly Crossing Guard – Robert Blanos

VI. UNFINISHED BUSINESS

VII. NEW BUSINESS

- A. **20-230**/Authorize Emergency Amendatory Contract – Ongoing 230 West Crescent Avenue Soil Remediation Project - Ambient Group, LLC

VIII. COMMITTEE REPORTS AND COMMENTS

IX. STAFF REPORTS

X. 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.

XI. ADJOURNMENT

Bulletin Board
Borough Website

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

BOROUGH OF ALLENDALE

PUBLIC NOTICE

ORDINANCE 20-16 - AN ORDINANCE TO AMEND, SUPPLEMENT AND REVISE CHAPTER 237, ARTICLE I ENTITLED PROPERTY TAX REFUNDS FOR DISABLED VETERANS

was introduced at the Regular Meeting of the Mayor and Council of the Borough of Allendale, in the County of Bergen, New Jersey, held on Thursday, October 8, 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, October 22, 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, in its entirety, Chapter 237, Article I of the Code of the Borough of Allendale entitled "Property Tax Refunds for Disabled Veterans" to update the Borough's qualification requirements and the terms by which the Borough may grant an exemption 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 20-17 – AN ORDINANCE AMENDING, SUPPLEMENTING, AND REVISING CHAPTER 181-1 OF THE CODE OF THE BOROUGH OF ALLENDALE

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, October 8, 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, November 12, 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 181, Section 1 of the Code of the Borough of Allendale entitled “Short Term Rental Properties” to include regulations prohibiting short-term rental of dwellings, properties or facilities, including but not limited to pools, cabanas, driveways and playgrounds, for a period of 30 days or less in the Borough of Allendale 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

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

DATE: 10/08/2020

RESOLUTION# 20-225

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 October 8, 2020 in the amounts of:

Bill List Numbers	October 8, 2020
Current Fund	\$905,681.77
Payroll Account	\$185,703.19
General Capital	\$132,658.32
Animal Fund	\$0.00
Grant Fund	\$26,000.00
COAH/Housing Trust	\$173.75
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$130.00
Water Operating	\$0.00
Water Capital	\$18,088.00
Total	\$1,268,435.03

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 8, 2020.

Michelle Ryan
Acting Municipal Clerk



Borough of Allendale

500 WEST CRESCENT AVENUE
ALLENDALE, NEW JERSEY 07401

OFFICE OF TAX COLLECTOR
OFFICE OF CHIEF FINANCIAL OFFICER

TEL: 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 October 8, 2020

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

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

DATE: 10/06/2020

RESOLUTION# 20-226

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

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF ALLENDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, DESIGNATING \$3,780,000 OF NOTES CONSISTING OF \$3,502,000 GENERAL BOND ANTICIPATION NOTES AND \$278,000 WATER UTILITY BOND ANTICIPATION NOTES, BOTH ISSUES DATED SEPTEMBER 25, 2020, PAYABLE SEPTEMBER 24, 2021, AS "QUALIFIED TAX-EXEMPT OBLIGATIONS" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

WHEREAS, the Borough of Allendale, in the County of Bergen, New Jersey (the "Borough") intends to issue \$3,780,000 of notes consisting of \$3,502,000 General Bond Anticipation Notes and \$278,000 Water Utility Bond Anticipation Notes, both issues dated September 25, 2020, payable September 24, 2021 (the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code");

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Allendale, in the County of Bergen, New Jersey, as follows:

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

DATE: 10/06/2020

RESOLUTION# 20-226

SECTION 1. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 2. It is hereby determined and stated that (1) said Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2020.

SECTION 3. It is further determined and stated that the Borough has, as of the date hereof, issued the following tax-exempt obligations (other than the Notes) during the calendar year 2020:

<u>Amount</u>	<u>Dated – Due</u>
\$4,230,759 BAN 4/24/20 - 4/23/21	

SECTION 4. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 5. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further

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

DATE: 10/06/2020

RESOLUTION# 20-226

provide such original purchaser with a certificate of obligations issued during the calendar year 2020 dated as of the date of delivery of the Notes.

SECTION 6. This resolution shall take effect immediately upon its adoption.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 8, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 10/08/2020

RESOLUTION# 20-227

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

**APPOINTMENT OF REGISTRAR, DEPUTY REGISTRAR
AND ALTERNATE REGISTRAR OF VITAL STATISTICS FOR THE YEAR 2020**

WHEREAS, the Borough of Allendale (Borough) contracted with Northwest Bergen Regional Health Commission (NWRBHC) for Registrar and Deputy Registrar of Vital Statistics services for the term January 1, 2020 through December 31, 2020 via Resolution 20-63 on January 6, 2020.

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 appoints the following NWRBHC employees to serve on behalf of the Borough for the year 2020:

Carmen J. Nist	Registrar
Dana A. White	Deputy Registrar
Chantal Folkes	Alternate Deputy Registrar

BE IT FURTHER RESOLVED that said appointments are in accordance with the agreed upon terms and conditions as specified in the aforementioned contract, with no direct compensation being owed by the Borough for said appointments.

BE IT FURTHER RESOLVED that the Mayor, Acting Municipal Clerk and Borough Attorney are hereby authorized to take such action as may be necessary to implement this Resolution; and

BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the State of New Jersey Department of Health, Office of Vital Statistics and Registry.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 8, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 10/08/2020

RESOLUTION# 20-228

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

APPROVAL OF CONTRACT FOR PROVIDING ASSISTANCE FOR ANNUAL RE-ASSESSMENT OF ALL REAL PROPERTY FOR TAX EQUALIZATION PURPOSES – ASSOCIATED APPRAISAL GROUP, INC.

WHEREAS, the Borough of Allendale (Borough) appointed Associated Appraisal Group, Inc. (Associated Appraisal) as an Appraisal Firm, pursuant to non-fair and open contract provisions, via Resolution 20-04 on January 6, 2020; and

WHEREAS, the Borough is engaged in a program to annually re-assess all the lands, buildings and improvements contained within the boundaries of the Borough and has engaged the services of Associated Appraisal to render necessary advice and assistance in this said project; and

WHEREAS, Associated Appraisal assists the Borough Tax Assessor with completing an annual re-assessment as prescribed by N.J.S.A. 54:1-35.35; and

WHEREAS, the Bergen County Board of Taxation and the Director of the State of New Jersey Division of Taxation have granted approval for an annual re-assessment program set for October 1, 2020 to be effective for the tax year 2021 and continue each year to tax year 2025; and

WHEREAS, Associated Appraisal has submitted a proposed contract for provision of services to assist with the annual re-assessment program for said tax years in accordance with the requirements of the State of New Jersey Division of Taxation and the Bergen County Board of Taxation.

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 contract with Associated Appraisal Group, Inc., 6 Commerce Drive, Suite 303, Cranford, New Jersey 07016 in the aggregate amount of Two Hundred Thousand (\$200,000.00) Dollars, payable in yearly installments of \$40,000.00 through January 10, 2025, to provide assistance for the annual re-assessment of all real property for tax equalization purposes; and

BE IT FURTHER RESOLVED that the Mayor, Acting Municipal Clerk, Borough Attorney, CFO and Tax Assessor are authorized to take all appropriate actions necessary to

**RESOLUTION
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RESOLUTION# 20-228

effectuate this Resolution; and

BE IT FURTHER RESOLVED that the Mayor and Acting Municipal Clerk are authorized to sign an agreement, subject to review and approval by the Borough Attorney, on behalf of the Borough of Allendale.

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 8, 2020.

Michelle Ryan
Acting Municipal Clerk

DRAFT

**BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 10/08/2020

RESOLUTION# 20-229

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

APPOINTMENT OF CROSSING GUARD – ROBERT BLANOS

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, County of Bergen, State of New Jersey, that the following individual is hereby appointed as Crossing Guards, P/T, Hourly on a per diem basis effective October 13, 2020:

<u>Name</u>	<u>Hourly Rate</u>	<u>Regular or Relief</u>
Robert Blanos	\$18.00/hour	Relief

I hereby certify the above to be a true copy of a Resolution adopted by the Governing Body of the Borough of Allendale on October 8, 2020.

Michelle Ryan
Acting Municipal Clerk

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

DATE: 10/08/2020

RESOLUTION# 20-230

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

**AUTHORIZATION OF AN EMERGENCY AMENDATORY CONTRACT WITH THE
AMBIENT GROUP, LLC FOR THE ONGOING SOIL REMEDIATION PROJECT AT
230 WEST CRESCENT AVENUE, ALLENDALE, NEW JERSEY**

WHEREAS, on July 23, 2020, the Borough of Allendale (the “Borough”) adopted Resolution 20-183, awarding the contract (the “Contract”) for the 230 West Crescent Avenue Soil Remediation Project (the “Project”) to The Ambient Group, LLC (“Ambient”) in the amount of Two Hundred Ninety-Eight Thousand Dollars and No Cents (\$298,000.00); and

WHEREAS, as a result of its performance of the work specified in the Contract, Ambient has submitted a Change Order Request (“COR #1”) to the Borough for additional soil remediation work necessitated to complete the Project; and

WHEREAS, such additional work (the “Work”) was not reasonably foreseen at the time the Contract was awarded to Ambient, and immediate authorization to permit the Work to be performed is required; and

WHEREAS, the Work directly affects the Public’s health, safety and welfare, requiring the immediate performance of the same; and

WHEREAS, COR #1 is in the amount of One Hundred Forty-Seven Thousand Thirty Dollars and No Cents (\$147,030.00), which amount exceeds the twenty percent limitation set forth in N.J.A.C. 5:30-11.3; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.3, the Borough must follow the procedures set forth in N.J.A.C. 5:30-11.9 to complete the Work on an emergency basis without public advertising for bids and bidding thereon; and

WHEREAS, in accordance with N.J.A.C. 5:30-11.9, Ambient has submitted COR #1 in the amount of One Hundred Forty-Seven Thousand Thirty Dollars and No Cents (\$147,030.00), and the Borough has received a certification from the Borough Engineer setting forth why the Work is required; why it could not have been foreseen; and why COR #1 is in the best interest of

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RESOLUTION# 20-230

the Borough and approval of such change order would not constitute an abuse of N.J.A.C. 5:30-11.9; and

WHEREAS, the Borough has determined that the Work is justified under the attendant circumstances and wishes to approve COR #1 to permit the work designated therein; and

WHEREAS, the chief financial officer has certified that the funds for the Work are available.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allendale, as follows:

1. COR #1 issued by Ambient to the Borough be and hereby is authorized and approved in an amount not to exceed One Hundred Forty-Seven Thousand Thirty Dollars and No Cents (\$147,030.00).
2. The Borough Clerk shall report to the Director, Division of Local Government Services on an appendix to the Borough's annual budget all change orders from the previous fiscal year which exceeded the 20% limitation on a form to be provided by the Director, and a summary of the request shall be included as supplemental material in the annual audit of the Borough.
3. Notice of this action shall be published in the official newspapers for the Borough.
4. This resolution shall take effect immediately.

BE IT FURTHER RESOLVED that the Mayor, the Chief Financial Officer, and the Borough Attorney are authorized to take all appropriate steps 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 October 8, 2020.

Michelle Ryan
Acting Municipal Clerk

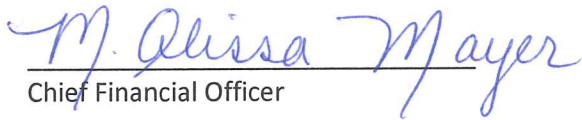
Certification of Availability of Funds

This is to certify to the Borough of Allendale that funds for the following resolution are available in the Environmental Escrow for Block 1005/Lot 3, a portion of lot 11 and lot 20, by Eddington Title Agency.

Resolution Date: October 8, 2020
Resolution Number: 20-230

Vendor: Ambient Group, LLC

Contract: Ongoing Soil Remediation Project at 230 W. Crescent
Amount: \$147,030


Chief Financial Officer