

Mayor and Council of the Borough of Allendale  
Regular Session Meeting Minutes  
July 26, 2018

PRESENT: Mayor Elizabeth White and Councilmembers Ari Bernstein, Liz Homan, Edward O'Connell, Steve Sasso, Jim Strauch and Amy Wilczynski

ABSENT: None

ALSO PRESENT: Borough Attorney Ray Wiss  
Municipal Clerk Anne Dodd

A Regular Session Meeting of the Mayor and Council of the Borough of Allendale was held in the Municipal Building at 500 West Crescent Avenue, Allendale, NJ on July 26, 2018. The meeting was called to order at 8:01 p.m. by Mayor White who asked that the Municipal Clerk read the open public meetings statement: "In compliance with the Open Public Meetings Act, the notice requirements have been satisfied. The meeting dates for the year are confirmed at the Annual Meeting, are posted on the public bulletin board in the Municipal Building, published in the Record within the first 10 days of the New Year, and copies are sent to the Ridgewood News and Star Ledger."

The Mayor led those present in a salute to the flag.

***Approval of Minutes:***

Motion by Councilman Strauch, second by Councilman Bernstein, that the Minutes of July 12, 2018 Work Session and July 12, 2018 Regular Session are approved.

On a roll call, the vote was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	aye	Councilwoman Wilczynski:	aye

***Public Comment:***

Mark Savastano, 22 Vreeland Place, expressed surprise that two members of the governing body had spoken out against a proposal that he had made at a Chamber of Commerce meeting for the Chamber to contribute towards expenses that the Borough incurs for Chamber events. He commented that, although he greatly appreciates the attempts to keep the budget in check, he does not agree with all of the cuts that have been made.

Mayor White remarked that it was the decision of the Chamber of Commerce to not move forward with making this contribution.

Mr. Savastano stated that this decision was made after two councilmembers spoke out against the contribution and expressed his opinion that the governing body members should have allowed the decision of whether to make this contribution objectively play out.

Councilwoman Wilczynski explained that she was not speaking against the contribution, but rather, wanted to make it clear that the Borough supports the Chamber of Commerce.

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Councilman Bernstein responded that he felt that those monies could have been used in other areas within the community and noted that the notion was from the heart as the governing body is very appreciative of the contributions made by the Chamber of Commerce to the community.

Councilwoman Wilczynski advised that they are currently partnering with this group to restore the mural downtown and funds will need to be raised for this project.

Mr. Savastano advised that, although he received approval for information regarding the Democratic Club to be placed on the website, he did not receive a response to his email sent to the website.

Mayor White suggested that Mr. Savastano email this information to the Municipal Clerk, Anne Dodd.

Maureen Shaw, 110 E. Crescent Avenue, noted that a SwiftReach notification regarding the purchase of 220 and 230 West Crescent Avenue was sent on July 16<sup>th</sup> and she inquired who is responsible for sending messages such as these and whether there is a policy on the content that can be sent via SwiftReach. She expressed her belief that this notification system is to be used for emergency notifications.

Mayor White advised that the person responsible for sending out messages is dependent upon the message, commenting that the referenced message was sent by Tatiana Marquis, Administrative Assistant, at Mayor White's request. Mayor White advised that the Borough's communication policy was discussed at a Mayor and Council meeting several months ago. She further advised that SwiftReach was developed by an Allendale resident and its use has been donated to the Borough. She explained that the Borough, along with surrounding communities, has been encouraged by SwiftReach to use this notification system as a communication tool.

Lynn Novak, member of the Allendale Woman's Club, thanked the governing body for authorizing the Turn the Town Teal event. She inquired whether the large body of water located on Ivers will be treated for mosquitos.

Mayor White explained that this detention basin is owned by Calvary Lutheran Church and was required to be built in order to support the three homes that will be built at this location. She noted that landscaping is part of the required plans which should deter insects and expressed her belief that this area will be sprayed for mosquitos.

Carolina Curbelo, 95 Myrtle Avenue, inquired whether the Borough is considering livestreaming meetings.

Mayor White advised that although the governing body has considered this option, it has been decided not to move forward at this time.

Ms. Curbelo asked for the reason.

Councilwoman Wilczynski noted that residents have not previously expressed an interest in livestreaming meetings and advised that the audio recording is available on the website the next day. Mayor White added that there is a cost involved.

Ms. Curbelo stated that there are many towns who are broadcasting their meetings and expressed her preference for livestreaming versus listening to a recording.

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Councilman Bernstein recalled Mayor White's point when this topic was discussed previously that the governing body would like residents to attend Mayor and Council meetings in order to have a give and take dialogue.

**Consent Agenda**

- A. **18-184**/Approval of Bill List
- B. **18-185**/Approve Collective Bargaining Agreement – PBA Local No. 217
- C. **18-186**/Authorize Water Bill Adjustment – Arican
- D. **18-187**/Authorize Transfer of Overpayment – Block 801 Lot 40
- E. **18-188**/Renew Membership – Bergen County Municipal Joint Insurance Fund
- F. **18-189**/Authorize Auction – GovDeals.com
- G. **18-190**/Amend Coverage of Quasi-Public Entities by JIF
- H. **18-191**/Approve Allendale Newcomers & Neighbor's Club's 2018 Family Day – 8-12-18
- I. **18-192**/Authorize Performance Guarantee Reduction – Allendale Whitney, LLC
- J. **18-193**/Reappoint Fire Sub-Code Official
- K. **18-194**/Authorize Refund – 2018 Crestwood Lake Membership Fees

Motion by Councilman Strauch, second by Councilwoman Wilczynski, that the Consent Agenda be approved.

On a roll call, the vote on the Consent Agenda was recorded as follows:

Councilman Bernstein:	aye	Councilman Sasso:	aye
Councilwoman Homan:	aye	Councilman Strauch:	aye
Councilman O'Connell:	aye	Councilwoman Wilczynski:	aye

All members present voting in favor, the Consent Agenda was approved.

**Resolution 18-184**

**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 July 26, 2018 in the amounts of:

Current Fund	\$1,533,295.05
Payroll Account	\$198,269.23
General Capital	\$7,962.79
Animal Fund	\$175.00
Grant Fund	\$179.00
COAH/Housing Trust	\$11,195.15
Improvement & Beautification	\$0.00
Unemployment Fund	\$0.00
Trust Fund	\$9,153.48
Water Operating	\$411,777.89
Water Capital	\$0.00
<b>Total</b>	<b>\$2,172,007.59</b>

**Resolution Approving the Collective Bargaining Agreement  
Between the Borough of Allendale and  
the Allendale PBA Local No. 217**

**WHEREAS**, the Collective Bargaining Agreement (“CBA”) between the Borough of Allendale (“Allendale”) and the Allendale Policemen’s Benevolent Association Local No. 217 (“PBA”) expired on December 31, 2017; and

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

**WHEREAS**, Allendale and the PBA wish to memorialize their approval of the terms and conditions of the agreed-upon CBA.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allendale that the Collective Bargaining Agreement as between the Borough of Allendale and the Allendale Policemen’s Benevolent Association Local No. 217 for the term January 1, 2018 through December 31, 2020, be and hereby is **APPROVED**; and

**BE IT FURTHER RESOLVED** that the Mayor, the Borough Clerk, the Chief Financial Officer, and the Borough Attorney are authorized to take all appropriate actions so as to implement this Resolution.

**Resolution 18-186**

Water Adjustment

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

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

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

<b>Name</b>	<b>Account Number</b>	<b>Amount</b>
Carol Arican	3117673523615	\$27.19

**Resolution 18-187**

TRANSFER OF OVERPAYMENT

BE IT RESOLVED by the Council of the Borough of Allendale that the Chief Financial Officer is hereby authorized to transfer the following overpayment listed below from Water Utility to the Current Fund for payment of 2018 Property Taxes:

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<u>Block/ Lot</u>	<u>Property Location</u>	<u>Amount</u>
801/40	130 Green Way	\$4,679.33

**Resolution 18-188**

Renewal of JIF Membership

**Whereas**, the Borough of Allendale is a member of the Bergen County Municipal Joint Insurance Fund; and

**Whereas**, said renewed membership terminates as of December 31, 2018 unless earlier renewed by agreement between the Municipality and the fund; and

**Whereas**, the Municipality desires to renew said membership,

**Now, Therefore, Be It Resolved** as follows:

1. The Borough of Allendale agrees to renew its membership in the Bergen County Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules, and Regulations, coverages and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Municipal Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Bergen County Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

**Resolution 18-189**

WHEREAS, the Borough of Allendale is the owner of certain surplus property which is no longer needed for public use; and

WHEREAS, N.J.S.A. 40A 11-36 authorizes municipalities to offer for sale, public property which is no longer needed for public service; and

WHEREAS, the Mayor and Council of the Borough of Allendale is desirous of selling said surplus property in an "as is" condition without express or implied warranties.

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

- (1) The sale of the surplus property shall be conducted through GovDeals.com pursuant to State Contract A-83453/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk.
- (2) The sale will be conducted online and the address of the auction site is govdeals.com.
- (3) The sale is being conducted pursuant to Local Finance Notice 2008-9.

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- (4) A list of the surplus property to be sold attached as Exhibit A
- (5) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.  
The Borough of Allendale reserves the right to accept or reject any bid submitted.

EXHIBIT A

Fire Department Equipment:

- 1. 1997 Sutphen Mini Tower (70+)  
2000 GPM Hale Pump  
Electric gates  
300 Gallon Poly Tank  
6 Man Cab (5 of which are SCBA seats)  
2006 Onan Quiet Diesel 5500, 5.5 kw Diesel generator (Perm mounted)

**Resolution 18-190**

**Coverage of Quasi-Public Entities by JIF**

**Whereas**, the Borough of Allendale is a participating member of the Bergen County Municipal Joint Insurance Fund relative to General Liability and other coverage; and

**Whereas**, via Resolution #18-32, the Borough requested that certain bona fide charitable, educational, or recreational activity organizations of the municipality be named as additional insured for General Liability and Non-owned Automobile Liability Coverage in accordance with the applicable limits and restrictions; and

**Whereas**, Traveling Softball – 13 to 15 and Traveling Softball – 12 & Under were named as sports program activities that are covered under the Allendale Recreation Committee within Resolution #18-32; and

**Whereas**, said sport program activities have purchased separate insurance coverage and no longer require coverage through the Borough of Allendale.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that Traveling Softball – 13 to 15 and Traveling Softball – 12 & Under be removed as sports program activities that are covered under the Allendale Recreation Committee.

**Resolution 18-191**

Approval of Allendale Newcomers & Neighbors Club’s 2018 Family Day

**Be It Resolved** that the Allendale Newcomers and Neighbors Club is authorized to host their 2018 Family Day at West Beach on Sunday, August 12, 2018 between the hours of 2:00pm and 5:00pm;

**Be It Further Resolved** that the fee is \$375.00.

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**Resolution 18-192**

Reduction of Performance Guarantee  
Allendale Whitney

**Whereas**, the Borough of Allendale holds a cash guarantee for Allendale Whitney, LLC in the amount of \$108,000.00, and

**Whereas**, the Borough Engineer has recommended a reduction in the cash guarantee amount to \$50,000; and

**Whereas**, the Borough of Allendale holds a surety guarantee for the Allendale Whitney in the amount of \$1,188,900.00 and

**Whereas**, the Borough Engineer has recommended a reduction in the surety guarantee amount to \$500,000.00.

**Now, Therefore, Be It Resolved** by the Mayor and Council of the Borough of Allendale that \$58,000 be released from the cash guarantee and \$688,900 be released from the surety guarantee, to Allendale Whitney, LLC.

**Resolution 18-193**

Appointment of Fire Sub-Code Official

**Be It Resolved** by the Mayor and Council of the Borough of Allendale, that it does hereby reappoint Robert Connell as Fire Sub-Code Official effective July 25, 2018, for six hours a week at an annual salary of \$11,588.

**Resolution 18-194**

Crestwood Lake Membership Fee Refund

**Whereas**, 2018 Crestwood Lake Guest Book number 2018-130 was purchased for \$90.00 on July 12, 2018; and

**Whereas**, the Crestwood Lake member listed below has been found to have not been eligible to purchase a 2018 Crestwood Lake Guest Book; and

**Whereas**, 2018 Crestwood Lake Guest Book number 2018-130 has been returned unused to the Borough of Allendale.

**Now, Therefore, Be It Resolved** by the Council of the Borough of Allendale that said refund be granted to the following Crestwood Lake member for the reason stated above:

<b>Name/Address</b>	<b>Crestwood ID Number</b>	<b>Amount</b>
Amy Maloof 108 Elbook Drive Allendale, NJ 07401	242118	\$90.00

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***Unfinished Business:***

There was no unfinished business.

***New Business:***

There was no new business.

***Council Committee Reports and Comments***

**Councilwoman Homan – Water, Sewer and Public Utilities**

Councilwoman Homan reported that the Water, Sewer and Public Utilities Committee has been working on the Operation and Maintenance Agreement with Suez and is reaching a conclusion. She noted that some numbers have been reduced, and during the process, customer service issues were addressed.

Mayor White commended Councilwoman Homan for taking the lead in negotiating this agreement and expressed her appreciation for her efforts.

As reported by Councilman O'Connell, Councilwoman Homan advised that watelines on Woodland Avenue will be checked prior to paving commencing. She announced that the next Water, Sewer and Public Utilities Committee is scheduled on August 21<sup>st</sup>.

**Councilman Strauch – Land Use and Construction Code**

Councilman Strauch advised that the next Land Use and Construction Code Committee meeting is scheduled on August 3<sup>rd</sup> at 7:30 a.m.

Mayor White noted that over 100 streets have been paved in the past 10 years, and with 144 streets in Allendale, she advised that they are on track to have each street paved every 15 years.

***Staff Reports:***

Ray Wiss, Municipal Attorney, reported that he met with both the Police Chief and Fire Chief to discuss respective departmental matters. He noted that he has attended several meetings to discuss strategies to move the project on Ivers forward. He advised that he is in constant communication with the Municipal Clerk regarding OPRA requests which are being received in an inordinate number and many of which are not just singular requests. He commented on the time that it takes to assemble the documents as well as the time that his office takes to review these documents to determine which documents or portions of documents may be exempt from disclosure. He advised that time has also been spent on COAH as well as personnel matters brought forward by Ron Kistner, Administrative Officer/Director of Operations. Borough Attorney Wiss reported that he gave a seminar to the Land Use Board which will allow for a further layer of insurance coverage through JIF/MEL should a member be named individually in a lawsuit. He praised the members of the PBA negotiating committee, noting that it is rare to agree to a salary increase under 2% with the expiration of the 2% salary cap.

Anne Dodd, Municipal Clerk, advised that 32 OPRA requests have been received so far this month and 265 requests have been received to date this year.

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Mayor White requested that, in addition to receiving reports on the number of requests Ms. Dodd is handling, she would like to get a monetary number on how these requests are impacting the Borough.

***Correspondence:***

**Holiday Observers – Commendation of Allendale Police Department – July 4<sup>th</sup> Celebration**

Mayor White announced that the Holiday Observers sent a letter to commend the Allendale Police Department for their assistance during the July 4<sup>th</sup> celebration. She advised that the Mayor and Council also received a thank you letter from this organization.

**Upper Saddle River Police Department – Letter of Appreciation – Allendale Police Department**

Mayor White advised that a letter of appreciation was received from the Upper Saddle River Police Department to thank the Allendale Police Department for their assistance in an arrest on June 26<sup>th</sup> involving a stolen vehicle.

***Public Comment on any issue:***

Mark Savastano, 22 Vreeland Place, offered to donate the equipment to film the Mayor and Council meetings and place these recordings online. He expressed his opinion that, if there is a way to stream the meetings, it would be helpful to the community.

Councilman Bernstein expressed his appreciation to Mr. Savastano and remarked that he would like to meet with him to further discuss this matter.

***Closed Session:***

The Municipal Clerk read into the record Resolution 18-183.

BE IT RESOLVED 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. Personnel
  - 1. Building Department Personnel Matter

Minutes will be taken of the meeting and released to the public at the time that the matter is resolved. After Closed Executive Session, the Mayor and Council will reconvene in the Council Chambers to adjourn this work session.

There being no further business to come before the Council, on a motion from Councilman O'Connell, seconded by Councilwoman Homan, and all present voting in favor, the meeting was adjourned to the Closed Executive Session in the Council Chambers at 8:36 p.m.

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***Adjournment:***

There being no further business to come before the Mayor and Council, on a motion by Councilman Sasso, second by Councilwoman Homan, and unanimously carried, to adjourn this meeting. The meeting was adjourned at 8:39 p.m.

Respectfully submitted,

Anne Dodd, RMC  
Municipal Clerk