

Mayor and Council of the Borough of Allendale
Regular Session Meeting Minutes
October 8, 2020

PRESENT: Mayor Ari Bernstein
(in person)

PRESENT: Councilmembers Liz Homan, Edward O’Connell, Matthew O’Toole, Steve Sasso,
Jim Strauch, and Amy Wilczynski
(via teleconference)

ABSENT: None

ALSO PRESENT: Borough Attorney Raymond Wiss
(in person) Acting Municipal Clerk Michelle Ryan

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 October 8, 2020. However, due to the COVID-19 pandemic, access to the public was provided via GoToMeeting video and teleconferencing only, with adequate notice of same posted for public viewing. The meeting was called to order at 8:00p.m. by Mayor Bernstein who reminded the public to mute their devices so as not to distract from the business at hand. Mayor Bernstein advised the public that they would have several opportunities at appropriate times throughout this meeting to be heard.

Mayor Bernstein asked that the Acting 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.

The Mayor then held a moment of silence in memory of Chief Robert Herndon

Public Comment on Agenda Items Only:

None

Introduction of Ordinances:

Motion by Councilman O’Toole 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 matters 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. Second by Councilwoman Homan.

The Municipal Clerk read the title of the ordinance into the record:

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

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

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Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O’Connell:	aye	Councilman Strauch:	aye
Councilman O’Toole:	aye	Councilwoman Wilczynski:	aye

Motion by Councilman Sasso that the following ordinances be introduced and passed on first reading and setting November 12, 2020 at 8:00 p.m. or as soon thereafter as the matters 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. Second by Councilman Strauch.

The Municipal Clerk read the title of the ordinance into the record:

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

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

Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O’Connell:	aye	Councilman Strauch:	aye
Councilman O’Toole:	aye	Councilwoman Wilczynski:	aye

(See Ordinance 20-16 and 20-17 attached and made a part hereof.)

Consent Agenda:

- 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

Motion by Councilman O’Toole, second by Councilman Sasso that the Consent Agenda be and is hereby approved.

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

Councilwoman Homan:	aye	Councilman Sasso:	aye
Councilman O’Connell:	aye	Councilman Strauch:	aye
Councilman O’Toole:	aye	Councilwoman Wilczynski:	aye

Unfinished Business:

There was no unfinished business.

New Business:

- A. **20-230**/Authorize Emergency Amendatory Contract – Ongoing 230 West Crescent Avenue

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Soil Remediation Project - Ambient Group, LLC

Motion by Councilwoman Wilczynski, second by Councilwoman Homan that Resolution 20-230/Authorize Emergency Amendatory Contract be and is hereby approved.

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

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

Committee Reports and Comments:

The committee reports by Councilmembers O'Connell, Sasso, Homan, and Wilczynski were provided during the Work Session.

Councilman O'Toole – Administration, Finance and Human Resources

Councilman O'Toole advised that the Committee met this week and reviewed the budget. There have been some impacts to the revenue by COVID, but all things considered, the Borough appears to be in good shape. He cited the commuter lot and dog licenses as examples of areas of lower revenue. Also discussed were personnel issues including ongoing contract negotiations and some housekeeping on a couple of policies including a tax refund for disabled veterans. He informed the Council that intern Miles started working at Borough Hall, assisting in the Clerk's office, and was advised that he is doing a fine job, which anyone who has sat down with him would not be surprised. He complimented the new informative pieces such as the Voter Guide and Downtown Streetscape and thanked Communications Director John Gil for hitting the ground running.

Councilman Strauch – Public Works

Councilman Strauch shared his appreciation for Chief Robert Herndon, whom he will miss. The Councilman announced that the 2020 Municipal Paving Program is completed and thanked the County for also completing Hillside Avenue. Snowplows on five of the DPW trucks have been installed and the completion of the storm debris was done using a tub grinder located at the back of the compost area. Councilman Strauch reminded residents that leaf pickup is scheduled to start this week, an email was sent notifying everyone of the schedule. He encouraged people to sign up for Constant Contact to receive these informative updates from the Borough. Councilman Strauch concluded by thanking the residents of Allendale and Borough employees for their patience, communication, and hard work during these challenging times.

Mayor's Report:

Mayor Bernstein gave the following address to the public:

This year, the Holiday Observers will be having a remote Halloween Poster Painting Contest open to all Pre-K to 8th grade Allendale residents. This Saturday, from 8am to 12 noon at Red Barn there will be a drive-thru pickup of supplies including the poster, paint, and brushes. Posters should be completed at home and returned to Red Barn this Sunday between 10am and noon. Judges will then select the winners who will be contacted via email. Posters will be hung downtown as usual and this year's prizes are Amazon gift cards. Good luck to everyone!

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Regarding Halloween, I want to add to what Councilman O'Connell spoke about. Halloween continues to be discussed in the Public Safety Committee meetings which will meet next week. Additionally, the State of New Jersey put out their guidelines regarding celebrating Halloween which we have put up on our website. Face masks are strongly encouraged when celebrating Halloween in any form. Costume masks do not provide the necessary protection. Halloween activities are strongly recommended to be outdoors. Indoor gatherings must be limited to 25 people or 25% of a room's capacity whichever is lower. House parties are discouraged. With respect to Trick-or-Treating: Trick-or-treaters should plan on staying local and limiting houses on the route and groups should only be current household members, no large gatherings. With respect to putting out treats for the regular distribution of candy: Candy should be arranged in a way that they can be easily grabbed without multiple pieces being touched; Limit contact and interaction with trick-or-treaters whenever possible; Any candy given out should be commercially packaged and non-perishable, and wear a face covering and regularly wash hands.

As Councilman O'Connell mentioned, a final determination on Dale Ave will be made at the next Public Safety Meeting. The recommendation, as we understand it, is to not close it to traffic. We will advise and post appropriate guidance on the website.

COVID-19 Update I want to remind everyone to please remain vigilant with mask-wearing and social distancing practices. It's not going away, there have been spikes in other areas of New Jersey and other states. Allendale continues to be on the lower end of reported cases and we want to keep it that way! We will continue to stress that to the point of people not wanting to hear it, but that's what we are going to do. It's still out there and we need to continue to do the right thing.

Suez Water has started conducting the annual hydrant testing and flushing program throughout the town. Zone 1 started this week and over the next few weeks, they will work their way through all our zones. Flushing will occur between 8:00AM and 3:00PM and customers are requested to use minimal drinking water during flushing in their area. Additional information and times can be found in the Allendale newsletter, although the information presented is subject to change and updates will be posted to our website and notifications sent through Constant Contact. For questions, contact Suez at 855-367-6708.

I know Councilman Strauch mentioned, our curbside leaf collection program started this week on the West Side, next week on the East Side, and will continue alternating weeks through the week of December 7th. The DPW will only be picking up bagged leaves, in brown biodegradable bags, which are left curbside. Free bags will be available at the Recycling/Compost area in the coming weeks. If anyone has questions regarding the schedule for your side of town, it is posted on our website, social media pages and was sent out in the October newsletter.

This week is National Fire Prevention Week. Thank you to all our volunteers and employees for keeping us safe, especially to the members of the Allendale Volunteer Fire Department, our Fire Official Kevin Todd, our Fire Inspectors Jeff Picinich & Jim Schultz, and Building Department Fire Sub-Code Official Bob Connell. This year's theme is "Serving up Fire Safety in the Kitchen" and we've put some links on our website with tips for kitchen and cooking safety, recommendations for creating a fire escape plan for families as well as a link to the National Fire Prevention Association's website that has some fun games that can be played with kids to teach them all about fire safety.

As everyone is probably aware, this year the Governor and NJ Legislature have made the General Election a mostly vote-by-mail one. Our Clerk's Office put together a comprehensive Voter's Guide,

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which can be found on our website, social media pages, and in the October newsletter, that helps explain this new process. There is a lot of misinformation out there, especially on social media, so I encourage anyone with questions to reach out to our Clerk's Office to get the correct information.

Other Important Information and Reminders:

- In an abundance of caution, the Borough will not be hosting a flu shot clinic this year.
- Property owners should have received their Final Tax Bills, the last of which were mailed on September 25th.
- If you have a storm drain near your property, please clear fallen leaves from it. This helps prevent water ponding and potential flooding issues.
- 2020 Compost Permits are still on sale. The online application can be found on our website. Once submitted, Borough Hall will contact you to arrange for payment and receipt of your permit.
- The 2020 Census deadline has been extended through October 31st. Census workers are knocking on the doors of those who have not completed it yet. For those 19.5% of Allendale residents, please fill it out by going to the 2020census.gov, calling 844-330-2020 or mailing back the form you received. It is vital to us receiving federal funds and determining our representation in Congress.
- All this information can be found in our e-newsletter, Allendale Happenings, which was emailed a few days ago. A special thank you to Director of Communications John Gil for putting it together. We have gotten a lot of positive feedback on it.
- We appreciate all the resident feedback and suggestions that we have been receiving. Keep it coming. The email address to send your questions, comments, etc. is info@allendalenj.gov.

Staff Report:

Mr. Wiss, Borough Attorney, reported in addition to the items reflected in this evening agenda, he has been working with the Clerks office on several OPRAs that have been received as well as participating with Ron Kistner on personnel items and labor negotiations that are proceeding. Mr. Wiss concluded by saying that, as mentioned, there are many contracts associated with the 220 /230 project which have been worked on since the last meeting

Ms. Ryan, Acting Municipal Clerk, advised that the Clerk's Office has been busy preparing for the upcoming General Election. 2,000 provisional ballots were received yesterday by Bergen County. The office has also been receiving a lot of calls from residents with questions. The County is encouraging voters to use the 18 official Ballot Drop Boxes placed throughout the County. The closest ones to Allendale are Ramsey, Wycoff, and Ridgewood. Ms. Ryan stated that a tab has been created on the website, thanks to Tyler Yaccarino and John Gil, called 2020 General Election where the Borough will post important updates and information as well as our Facebook Page. She reminded residents that the last day to register to vote is October 13th. You can apply online at njections.org and the Allendale Clerk's Office will be open until 9pm to accept voter registration forms. The Office will also be processing compost, pet licenses, garage sales, and other applications. Ms. Ryan updated the Mayor and Council on the number of OPRA requests received to date. In

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2019 to date, the Borough received 390 requests. She asked the Mayor and Council to guess the number to date this year. Councilman Sasso guessed 365 and Councilwoman Homan guessed 510. Ms. Ryan stated that to date in 2020 494 OPRA requests have been received and counting. Mayor Bernstein noted the time and money spent on fulfilling the requests. Ms. Ryan added that it's more than the Clerk's Office handling and thanked everyone. Mayor Bernstein thanked the staff of the Clerk's Office.

Public Comment on any issue:

None

Adjournment:

There being no further business to come before the Mayor and Council, on a motion by Councilwoman Homan, with second by Councilwoman Wilczynski, and unanimously carried, the meeting was adjourned at 8:26p.m.

Respectfully submitted

Michelle Ryan
Acting Municipal Clerk

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

ORDINANCE 20-16

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

BE IT ORDAINED by the Governing Body of the Borough of Allendale, County of Bergen, State of New Jersey that Chapter 237, Article I of the Code of the Borough of Allendale entitled "Property Tax Refunds for Disabled Veterans" be and hereby is amended, supplemented and revised in its entirety to read as follows:

§ 237-1 Statutory Requirements.

WHEREAS, N.J.S.A.54:4-3.30 permits a veteran who is declared by the United States Veteran's Administration or its successor to be 100% permanently disabled to receive a real property tax exemption for their dwelling house and lot; and

WHEREAS, N.J.S.A.54:4-3.31 explicitly states that upon written claim made and accepted by the tax assessor for the municipality, the exemption shall be placed upon the tax rolls, and that such exemption shall be allowed and prorated by the assessor for the remainder of any taxable year from the date the written claim has been made and accepted by the tax assessor; and

WHEREAS, N.J.S.A. 54:4-3.32 permits the governing body of each municipality to refund all taxes collected on property which would have been exempt had proper claim in writing been made pursuant to N.J.S.A.54:4-3.30; and

WHEREAS, it is appropriate for the Borough to adopt a uniform policy regarding the refund of taxes paid prior to the written claim being made pursuant to N.J.S.A.54:4-3.30; and

WHEREAS, recognizing that there could be a delay in the time period for when the veteran is deemed 100% disabled by the United State Veteran's Administration and the time period in which application for such exemption is made which could dramatically affect the amount of said refund being requested; and

WHEREAS, although the special status afforded to veterans in this scenario is recognized, the financial affairs of the municipality must also be taken into account and it is further recognized that there may be a new generation of veteran's seeking such exemptions from Operation's around the world; and

WHEREAS, upon recommendation from the Tax Assessor, the Mayor and Council have determined that it is in the best interest of the municipality to adopt a uniform policy surrounding such requests for refunds pursuant to N.J.S.A.54:4-3.32; and

WHEREAS, such a uniform policy adopted hereby has been upheld by the Court in Salvatore Del Prior v. Edison Township 26 N.J. Tax 502 (2012).

§ 237-1 Policy.

Totally Disabled Veteran's and Surviving Spouse Tax Exemption

The Borough will allow for either a veteran or surviving spouse of a veteran to obtain municipal property tax relief upon proper claim pursuant to N.J.S.A. 54:4-30 et seq. An eligible veteran shall be defined as a member of the armed forces who was either honorably discharged or released under honorable circumstances from active service, in time of war, in any branch of the

Armed Forces of the United States, who has been or shall be declared by the United States Veteran's Administration or its successor to have a service connected disability and to be determined to be 100% permanently disabled.

In order to qualify for the municipal tax exemption, the veteran or someone on his/her behalf, under oath, must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the applicant with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

- Reason for exemption;
- A description of the property for which the exemption is claimed;
- A certificate of claimant's honorable discharge or release under honorable circumstances from active service, in time of war and a certificate/letter from the United States Veteran's Administration or its successors, certifying to a service-connected disability;
- Any other documentation as required by statute at the time the application is made.

In order for a surviving spouse of a veteran to qualify for the municipal tax exemption, the spouse, under oath, must file a written claim with the Tax Assessor's office. The Tax Assessor's office will supply the surviving spouse with the appropriate paperwork and the applicant will be required to provide the Tax Assessor's office with the following information:

- Proof to establish that the spouse is the owner of legal title to the premises on which the exemption is made;
- That the claimant occupies the dwelling house on said premises as the claimant's legal residence in the State of New Jersey;
- That the veteran has been declared by the United States Veteran's Administration, or its successor, to have a service-connected disability or that the veteran shall have been declared to have die in active service in time of war;
- That the veteran is or would have been entitled to the exemption at the time of death;
- The claimant is a resident of the State of New Jersey and has not remarried.

In determining a grant of a municipal tax exemption under this section, the Borough will pro-rate the exemption for the remainder of the year in which application is made from the date the application is submitted to the Borough of Allendale Tax Assessor. There shall be no further retroactive refund granted, regardless of the disability date determination of the United States Veteran's Administration.

BE IT FURTHER ORDAINED, that is any portion of this Ordinance shall be declared invalid as a matter of law, such declaration shall not affect the remainder of said Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect as required by law.

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

I hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Allendale on October 8, 2020

Michelle Ryan
Acting Borough Clerk

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

ORDINANCE NO. 20-17

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

BE IT ORDAINED by the Mayor and Council of the Borough of Allendale that Chapter 181-1 of the Code of the Borough of Allendale is hereby amended, supplemented and revised in its entirety as follows:

§ 181-1. Short-term rental property.

Notwithstanding anything to the contrary in the Borough Code, it shall be unlawful for any person, including, but not limited to, an owner, lessor, or sublessor with any possessory interest in any dwelling, property, or facility to receive compensation of any kind for the use, occupancy, or rental of any dwelling, property or facility, including but not limited to pools, cabanas, driveways and playgrounds, for a period of 30 days or less. The foregoing provisions shall not be applicable to any dwelling, property or facility owned by the Borough of Allendale, or located within the following zone districts within the Borough of Allendale: E, EM, D1, D2, C1 and C2.

Except as modified herein, all other provisions of Chapter 181 shall remain in full force and effect as previously adopted.

§ 181-2. Enforcement.

The provisions of this chapter shall be enforced by the Borough Zoning Officer, Fire Department, Police Department and any other Borough official or employee so designated by the Mayor who all shall be authorized to issue summons or other appropriate civil violations or complaints for any violations of the terms and provisions of this chapter.

§ 181-3 Fines; violations and penalties.

Any person who is found or adjudicated to have violated any provisions of this chapter shall be liable for a fine not to exceed \$1,000. Each day of any such violation after receiving written notice of same shall be a new and separate violation.

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

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

I hereby certify that the foregoing is a true copy of an ordinance introduced by the Mayor and Council of the Borough of Allendale on October 8, 2020

Michelle Ryan
Acting Borough 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 (NWRHC) 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 NWRHC 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
BOROUGH OF ALLENDALE
BERGEN COUNTY, NJ**

DATE: 10/08/2020

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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

**RESOLUTION
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

**RESOLUTION
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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.

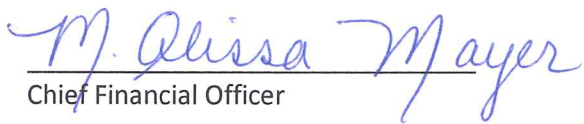
Resolution Date: October 8, 2020

Resolution Number: 20-230

Vendor: Ambient Group, LLC

Contract: Ongoing Soil Remediation Project at 230 W. Crescent

Amount: \$147,030


Chief Financial Officer