

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MAY 21, 2019 - 7:00 P.M.**

1. 7:00 pm Work Session Meeting called to order by Mayor Thomas J. Madigan
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Confirm Finance Committee has reviewed and signed vouchers and that Mayor and Municipal Clerk have signed any necessary documents
5. Ten Minute public comment period, two (2) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
6. Review of 8:00 p.m. Business Meeting Agenda – Administrator
7. Review of Policy Action Items – Administrator
8.
 - a. Report of Township Committee
 - b. Report of Administrator
 - c. Report of Attorney
9. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
10. Reconvene Work Session Meeting
11. Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL WORK SESSION MEETINGS AND
ALL TOWNSHIP COMMITTEE BUSINESS MEETINGS**

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

**TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, MAY 21, 2019 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
2. Flag Salute by Girl Scouts Audry Roughgarden and Ella Alexandrou
3. Invocation by Reverend Michael Johnson from the Cedar Hill Christian Reformed Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Public Comment period, five (5) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
7. Presentation of New Jersey League of Municipalities Future Leaders Scholarship to Alex Sullivan.
8. Approval of the May 7, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

9. **Consent Agenda:** All matters listed below are considered by the Township Committee to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Township Committee, that item will be removed from the Consent Agenda and considered separately:

I Resolutions (Adoption of the following):

#19-206	Chapter 159 – Appropriation Grant
#19-207	Authorize Road Closure for a Portion of Sicomac Avenue
#19-208	Payment of Bills
#19-209	Return of Certain Overpaid Taxes, etc.
#19-210	Refund Performance Bond – 701 Mountain Avenue
#19-211	Cancellation of Sewer Bill for 447 Lake Road
#19-212	Award of Contract for Pay to Play Compliance

II Motions

- a. Approve "Wyckoff Antiques Day" hosted by the Wyckoff Historical Society to be held at the Wyckoff Reformed Church on May 18, 2019 from noon to 3:00 pm and ten day temporary signs advertising the fundraising event.

- b. Authorize temporary tent and temporary sign for Gospel programs at the Eastern Christian Middle School located at 518 Sicomac Avenue from July 7, 2019 through July 21, 2019.

Following is the vote on the Consent Agenda:

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

III Ordinances – Public Hearings/Further Consideration

#1875 - AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION COMMISSION," THEREBY CREATING A HISTORIC PRESERVATION COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

#1876 - AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

#1880 - BOND ORDINANCE AUTHORIZING ROAD RESURFACING AND THE PURCHASE OF AN ELGIN STREET SWEEPER IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$725,750 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$413,750 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

MOTION: _____ SECOND _____
BOONSTRA__ RUBENSTEIN__ SCANLAN__ SHANLEY__ MADIGAN__

IV Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL TOWNSHIP COMMITTEE WORK
SESSION MEETINGS AND ALL TOWNSHIP COMMITTEE REGULAR MEETINGS
FORMAL ACTION MAY BE TAKEN DURING THIS MEETING**

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-206**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

**REFERENCE: Chapter 159-Appropriation
Grant**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
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WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Wyckoff, County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,000 which is now available from the 2019 Sustainable New Jersey Grant.

BE IT FURTHER RESOLVED, that the like sum of \$2,000 is hereby appropriated under the caption 2019 Sustainable New Jersey Grant.

BE IT FURTHER RESOLVED, that the above is the result of funds from the 2019 Sustainable New Jersey Grant in the amount of \$2,000.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF,
CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED
BY THE TOWNSHIP COMMITTEE ON MAY 21, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-207**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

**REFERENCE: Memorialize Road Closure
& Detour Route**

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
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WHEREAS, the Township of Wyckoff has been advised that Bergen County shall pave a portion of Sicomac Avenue from the Franklin Lakes border to Birchwood Drive; and,

WHEREAS, Bergen County has advised that they plan is to conduct milling operations on May 22, 23 & 24, 2019 and weather permitting resurfacing will be performed on Wednesday, June 5, 2019; and,

WHEREAS, the Wyckoff Police Department has reviewed the scope of work and have designed a detour route and road closure to allow the work to be performed safely.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they hereby approve the Wyckoff Police Department's traffic control road detour plan and road closure for Sicomac Avenue.

BE IT FURTHER RESOLVED that the Wyckoff Police Department shall monitor the road closure and detour and that if inclement weather forces the work to be delayed such detour and road closure authorization shall be extended to the next weather friendly work days.

BE IF FURTHER RESOLVED that the Municipal Clerk shall provide certified copies of this resolution to the Police Chief, Police Traffic Safety Officer, Department of Public Works Manager, Fire Chief and Ambulance Corps Captain.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON MAY 21, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-208**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

**REFERENCE: Approval of Vouchers and
Authorization to Pay Bills**

VOTE: BOONSTRA ____ MADIGAN ____ RUBENSTEIN ____ SHANLEY ____ SCANLAN ____
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WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

WHEREAS, the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

WHEREAS, the Township Committee has a practice of each Township Committee member participating in the reviewing and signing of vouchers; and,

WHEREAS, the vouchers which comprise this bill list have been reviewed and signed by two (2) Township Committee members and they have found them to in order; and,

WHEREAS, the Township Treasurer has certified that sufficient funds are available for payment of said vouchers.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the action of the said Finance Committee be approved; and, that the payments of these bills are hereby authorized and the Chief Financial Officer is directed to issue checks for their payments as listed on the bill list attached to this date's meeting minutes and covered by checks no. Payroll A/C, Direct Deposit Vouchers no., Library Payroll check nos., Library Direct Deposit Vouchers no., Claims Wire nos., check no. Accutrack A/C, Claims check nos. and Voided Claims checks no..

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY**

RESOLUTION #19-209

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

REFERENCE: Return of certain overpaid taxes,
escrow monies, recreation fees, etc.

VOTE: BOONSTRA ____ MADIGAN ____ RUBENSTEIN ____ SHANLEY ____ SCANLAN ____

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Treasurer is hereby authorized and directed to return certain monies as follows:

BUILDING DEPT.:

Pro Contractors, LLC, 299 Briarwood Drive, Wyckoff, New Jersey 07481 – Refund of Permit #19-0306 & #19-0306A for 705 Galenkamp Court – Block 436/Lot 32 - \$14,090.30

RECREATION:

Jaime Souhlakis, 468 Woodbury Drive, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

Ann Bergman, 386 Annette Court, Wyckoff, New Jersey 07481 – Tennis Refund - \$90.00

Noriko Masunaga, 66 Leone Court, 1st Fl., Glen Rock, New Jersey 07452 – Tennis Refund - \$90.00

Amy Samala, 721 Charnwood Drive, Wyckoff, New Jersey 07481 – Soccer Refund - \$100.00

Danielle Gutierrez, 16 Brook Road, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$70.00

Cheryl Fox, 764 Hickory Hill Road, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

Karen Peck, 130 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$70.00

Glenn Burke, 26 Shadyside Drive, Wyckoff, New Jersey 07481 – Tennis Refund - \$90.00

Alissa Tria, 228 Barnstable Drive, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-210**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

**REFERENCE: Refund Performance
Bond**

VOTE: BOONSTRA __ RUBENSTEIN __ SCANLAN __ SHANLEY __ MADIGAN __

WHEREAS, Dragan and Vesna Stojkovska posted a \$25,000.00 performance cash bond with the township clerk's office to comply with their September 22, 2017 developer's agreement with the Township of Wyckoff pertaining to the construction of a new home on their property located at 701 Mountain Avenue Block 436 Lot 26.

WHEREAS, the above referenced developer's agreement dated September 22, 2017 allowed Dragan and Vesna Stojkovska during the period of construction of the new home on their property to continue to reside in the existing dwelling located at 710 Mountain Avenue; and,

WHEREAS, the intent of the \$25,000.00 performance cash bond was for the homeowner/developer to complete the construction of the new home and demolish the existing home; and,

WHEREAS, Dragan and Vesna Stojkovska in an email dated May 7, 2019 state that the new dwelling has been constructed and the old dwelling has been demolished and have requested a refund of the \$25,000.00 performance cash bond; and,

WHEREAS, the Township Engineer in a notation dated May 13, 2019 has recommended the refund to Dragan and Vesna Stojkovska; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$25,000.00 performance cash bond to Dragan and Vesna Stojkovska.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy to the Township Engineer and to Dragan and Vesna Stojkovska, 701 Mountain Avenue, Wyckoff, NJ 07481

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON MAY 21, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-211**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

REFERENCE: Cancellation of Sewer Bill
447 Lake Road/Acct #4-0
Block 201 Lot 2

VOTE: BOONSTRA ___ RUBENSTEIN ___ SCANLAN ___ SHANLEY ___ MADIGAN ___
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WHEREAS, 447 Lake Road known as Block 201 Lot 2 in the Township of Wyckoff has applied for and completed demolition of the residential home structure on this property; and,

WHEREAS, Marco and Gina Pianelli request the 2019 sewer usage billing be canceled until a new home is completed and sewer usage is resumed; and,

WHEREAS, the Wyckoff Building Department has produced documentation and has confirmed the home was demolished in January, 2019 and therefore this resolution is provided.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the sewer usage billing for 2019 is hereby canceled until the replacement home is connected to the sewer and a Certificate of Occupancy is issued.

BE IT FURTHER RESOLVED, that the Municipal Clerk will forward a copy of this resolution to the Tax Collector, Sewer Utility Clerk and Township Engineer.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF,
CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED
BY THE TOWNSHIP COMMITTEE ON MAY 21, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #19-212**

INTRODUCED:

SECONDED:

MEETING DATE: May 21, 2019

**REFERENCE: Award of Contract – Pay to
Play Compliance**

VOTE: BOONSTRA _____ RUBENSTEIN _____ SCANLAN _____ SHANLEY _____ MADIGAN _____
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WHEREAS, the Department of Public Works has been tasked with renovating the court room and building a portico over the Town Hall entrance to accommodate a tax and sewer payment lock box for resident convenience and has utilized the services of an experienced contractor proficient in trim, carpentry and structural framing; and,

WHEREAS, N.J.S.A. 19:44A-20.4 et seq., requires contracts procured through price quotations that are below the municipalities bid threshold but over the Pay to Play threshold of \$17,500 to be authorized after municipalities obtain the political contributions disclosure forms and the business entity disclosure certification; and,

WHEREAS, the aforementioned documentation has been obtained and it is available for public inspection in the Municipal Clerk's office; and,

WHEREAS, an encumbrance of funds certification is attached.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township Committee authorizes an award of a purchase order to R. Denekamp & Sons, LLC, 200 Cottage Road, Wyckoff, NJ 07481 for the provision of building materials totaling \$18,000.

BE IT FURTHER RESOLVED, that this contract has been awarded to this contractor based on the merits and abilities of the contractor to provide the goods or service as described herein. This contract was awarded through the alternate method pursuant N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigned or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of these one (1) year contracts to any political party committee in the Township of Wyckoff if a member of that political party is serving in an elective public office of the Township of Wyckoff when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Wyckoff when the contract is awarded.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF, CERTIFY THE ABOVE TO BE A TRUE AND EXACT COPY OF A RESOLUTION ADOPTED BY THE TOWNSHIP COMMITTEE ON MAY 21, 2019.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF

ORDINANCE #1875

AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION COMMISSION," THEREBY CREATING A HISTORIC PRESERVATION COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that new Chapter 40, "Historic Preservation Commission," is hereby created as follows:

SECTION 1. Chapter 40. Historic Preservation Commission.

40-1. Historic Preservation Commission.

- A. There is hereby created in and for the Township of Wyckoff a commission to be known as the "Historic Preservation Commission."
- B. The Historic Preservation Commission shall consist of seven members and two alternates who shall serve without compensation except that the Commission members shall be reimbursed for expenses incurred in the performance of official business approved in advance by the Township Committee.
- C. Membership.
 - 1. The Commission positions shall be filled by persons who are interested in and qualified to contribute to the preservation of historic landmarks which shall include historic buildings, structures, sites and objects. The Commission shall comprise the following categories:
 - a. Class A: persons who are knowledgeable in building design and construction or in architectural history.
 - b. Class B: persons who are knowledgeable or have demonstrated an interest in local history.
 - c. Class C: persons who are residents of the Township and who hold no other municipal office, position or employment, except they may be members on the Planning Board or Zoning Board of Adjustment.
- D. The Commission shall have at least one member each from Class A and Class B; no more than three members of the commission may reside outside the Township. Both alternates shall meet the qualifications of Class C members. Commission members shall be appointed by the Township Committee and shall serve for four-year terms except that, of the first members appointed, two members shall serve for one year, two members shall serve for two years and the three other members shall serve for three years. The alternate members shall initially and thereafter serve two-year terms.

- E. All members may, at the expiration of their terms, be eligible for appointment to four-year terms. Vacancies shall be filled in the same manner in which the previous incumbent was appointed, and such vacancy appointment shall be only for the balance of the unexpired term.
- F. The Commission shall adopt internal rules and procedures for the transaction of its business subject to the following:
 - 1. The Commission shall elect from its members a Chairman and Vice Chairman.
 - 2. A quorum for the transaction of all business shall be five members.
 - 3. All Commission minutes and records shall be public records and all Commission meetings shall comply with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.
 - 4. The Township Committee shall employ, designate or elect a Secretary who need not be a member of the Commission. The Secretary shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings, determinations and decisions. All such materials shall be made of public record.
 - 5. Commission meetings shall be scheduled at least once every month, or as often as required to fulfill its obligations to advise the Planning Board, Zoning Board of Adjustment or Township Committee.
 - 6. No Commission member shall be permitted to act on any matter in which he or she has directly or indirectly any personal or financial interest.
- G. A member of the Township Committee shall be designated each year as a liaison with the Historic Preservation Commission.

40-2. Duties.

The Historic Preservation Commission shall have the responsibility to:

- A. Prepare a survey of historic landmarks of the municipality pursuant to criteria identified in the survey report;
- B. Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements;
- C. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program, if any;
- D. Advise the Zoning Board of Adjustment or Planning Board (hereinafter, "Land Use Board"), as the case may be, on applications for development pursuant to N.J.S.A. 40:55D-110;

- E. Provide written reports pursuant to N.J.S.A. 40:55D-111 and § 123-4 of this article on the application of the Zoning Ordinance provisions concerning historic preservation; and
- F. Carry out such other advisory, educational and informational functions as will promote historic preservation in the Township including, but not limited to, the following:
 - 1. To review historical survey material and, if necessary, to update such material at least once every year to incorporate any newly required historical documentation and to reflect changes to the resource's integrity or condition.
 - 2. To recommend sites to be designated as historic landmarks in accordance with the procedures established in this article.
 - 3. To conduct research on and, if necessary, to nominate any additional significant resources to the State and National Register of Historic Places. If the Township becomes certified under the state's Certified Local Government (CLG) Program, the Commission shall, in accordance with the state's CLG guidelines, nominate, review and comment on all state and national registered nominations for historic resources with the Township of Wyckoff.
 - 4. To assist other public bodies in aiding the public in understanding historic resource significance and methods of preservation.
 - 5. To advise the Township Committee on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, places and structures; to prepare long-range plans; for the purpose of securing state, federal and other grants in aid to assist in carrying out the other purposes of this article.
 - 6. To secure the voluntary assistance of the public and (within the limits of the budget established by the Township Committee for the Historic Commission's operation) to retain consultants and experts and incur expenses to assist the Historic Preservation Commission in its work.
 - 7. To cooperate with local, county, state or national historical authorities, governmental bodies or organizations to maximize their contributions to the intent and purposes of this article.
 - 8. To advise and assist property owners and other persons and groups, including neighborhood organizations, who are interested in historic preservation.
 - 9. Within the limits of its budget, to undertake educational programs, including the preparation of a publication aimed at stimulating interest in and sensitivity to historic preservation; and the placing of historic markers on structures.
 - 10. To report at least annually to the Planning Board on the state of historic preservation in the Township and recommend measures to improve same.

11. To adopt and promulgate such regulations and procedures not inconsistent with this article as are necessary and proper for the effective and efficient performance of the duties herein assigned.
12. To perform any other lawful activities which shall be deemed necessary to further the purposes of this article.

SECTION 2. Except as hereby amended, all other sections of the Code of the Township of Wyckoff shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

TOWNSHIP OF WYCKOFF

ORDINANCE #1876

AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that new Chapter 123, "Historic Preservation," is hereby created as follows:

SECTION 1. Chapter 123. Historic Preservation.

- § 123-1. Short title; incorporation as zoning regulation.
- § 123-2. Purposes.
- § 123-3. Designation of historic landmarks.
- § 123-4. Actions requiring review by Historic Preservation Commission.
- § 123-5. Procedures for Commission's review of building permits and alterations.
- § 123-6. Criteria for review of application.
- § 123-7. Violations and penalties.
- § 123-8. Establishment of historic districts; limitations on powers of Commission.

123-1. Short title; incorporation as zoning regulation.

This article shall be known as and may be referred to by the short title of the "Historic Preservation Ordinance of the Township of Wyckoff." As, where and to the extent necessary and appropriate, this article shall be construed as being part of and incorporated in the Zoning Ordinance of this chapter, notwithstanding the format of this separate article for purposes of convenience.

123-2. Purposes.

- A. By adopting this article, it is the intention of the Township Committee, simultaneously herewith, to create an agency which will work with and advise the Township Committee, Planning Board and the Zoning Board of Adjustment with respect to historic landmarks within the Township of Wyckoff and the effect of development applications thereon. Said agency is to be known as the "Historic Preservation Commission" and shall be

established pursuant to Chapter 40 of the Code of the Township of Wyckoff.

- B. The establishment of the Historic Preservation Commission and the designation of historic landmarks within the Township are intended to foster the protection, enhancement and perpetuation of especially noteworthy examples or elements of the Township's environment to:
1. Safeguard the heritage of Wyckoff by preserving resources within the Township which reflect elements of its cultural, social, economic and architectural history;
 2. Encourage the continued use of historic landmarks and to facilitate their appropriate use;
 3. Promote appreciation of historic landmarks for education, pleasure and the welfare of the local population;
 4. Discourage the unnecessary demolition of historic resources;
 5. Encourage the proper maintenance and preservation of historic settings and landscapes;
 6. Encourage beautification and private reinvestment;
 7. Encourage the appropriate alteration of historic landmarks;
 8. Promote the conservation of historic landmarks and invite and encourage voluntary compliance.

123-3. Designation of historic landmarks.

- A. The Commission, as part of the preparation of an Historic Element to be provided to the Planning Board for the Master Plan of the Township of Wyckoff shall consider for historic landmark designation, any buildings, structures, objects and sites within the Township which merit historic landmark designation and protection, possessing integrity of location, design, setting, materials, workmanship and association, and being:
1. Of particular historical significance to the Township of Wyckoff by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state or community;
 2. Associated with historic personages important in national, state or local history;

3. The site of an historic event which had a significant effect on the development of the nation, state or community;
 4. An embodiment of the distinctive characteristics of a type, period or method of architecture or engineering;
 5. Representative of the work of an important builder, designer, artist or architect;
 6. Significant for containing elements of design, detail, materials or craftsmanship which represent a significant innovation; or
 7. Able or likely to yield information important in prehistory or history.
- B. As part of a periodic review of the Historic Element of the Master Plan, the Commission may make a list of potential historic sites for landmark designation. For each landmark, there shall be a description of the landmark, pursuant to this article to include a description of the landmark's location and boundaries, and a map siting. The Commission shall, by certified mail, return receipt requested, notify, in writing, the property owner of a potential landmark designated site and provide the landowner an opportunity to meet voluntarily and informally with the Commission on such designation.
- C. The list of potential landmarks, as well as the descriptions, significance, location, boundaries and map siting of each, shall be subject to and contained within the Historic Preservation Element of the Master Plan as amended from time to time. The Commission shall provide its recommendations for inclusion in the Historic Preservation Element of the Master Plan to the Planning Board which shall hold hearings pursuant to statute.
1. All hearings on historic landmark ordinances for historic sites as designated in the appropriate element of the Master Plan shall be conducted before the Township Committee according to law.
- D. Copies of the designation list and historic site maps as adopted shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be

served by certified and regular mail upon each owner and included on the list.

123-4. Actions requiring review by Historic Preservation Commission.

- A. All development activities including but not limited to those which require a permit or a development application, that affect an historical landmark shall be reviewed by the Commission, except as set forth in Subsection C below. Such review shall be required for but not be limited to the following actions:
 - 1. Demolition of an historic landmark.
 - 2. Relocation of an historic landmark.
 - 3. All changes in the exterior architectural appearance of any historic landmark by addition, alteration, or replacement.
 - 4. Site plans or subdivisions affecting an historic landmark.
 - 5. Zoning variances affecting an historic landmark.
- B. Before an applicant prepares plans, the applicant may bring a tentative proposal to the Commission for informal review and comment. Discussions of such proposals shall be open to the public, but they will not result in any definitive action by the Commission.
- C. Review by the Commission is not required for the following:
 - 1. When an historic landmark requires immediate emergency repair to preserve the continued habitability of the landmark and/or health and safety of its occupants or others, emergency repairs may be performed in accordance with Township codes without the necessity of first obtaining the Commission's review. Under such circumstances, the repairs performed shall only be such that are necessary to maintain the habitability of the structure. A request for the Commission's review shall be made as soon as possible, and no additional work shall be performed upon the structure until an appropriate request for approval is made and obtained in accordance with the procedures set forth in this article. All work done under this section shall conform to the criteria and guidelines for review of

applications as adopted by the Commission in accordance with this article.

2. For changes to the interior of structures.
3. For ordinary repairs and maintenance which do not constitute a change to the appearance of the structure.

The following are the only activities which do not require Commission review according to these criteria:

- a. Repair of existing windows, doors and storm windows that are compatible in style with the architectural period of design of the subject structure.
- b. Maintenance and repair of existing roof material involving no change in the design, scale or appearance of the structure.
- c. Repair of the existing roof structure such as cupolas, dormers, and chimneys, using materials which will not alter the exterior architectural appearance of the structure.
- d. Replacement or repair of existing shingles, clapboards, brick or stone, using the same materials that are being repaired or replaced, maintaining the architectural integrity of the structure.
- e. Exterior painting of existing structures.

4. Alterations to the Zabriskie House, since it is governed by deed restrictions and has its own board of trustees.

- D. Any property owner and/or tenant of any property subject to this article to which changes or alterations are proposed shall not be relieved of any obligations under this article because no building and/or development application is otherwise required.
- E. The Commission shall hear such applications, employing its procedure used for all other applications, and shall prepare a written report on the application of this article's provisions concerning historic preservation to any of those aspects of the change, activity or action proposed and shall submit its report to the Planning Board as the case may be in accordance with this article.

123-5. Procedures for Commission's review of building permits and alterations.

- A. For historical sites designated by the appropriate element in the Master Plan and which are subject to an historic landmark designation as contained in the Ordinance, all proposed changes subject to this chapter including applications for development and all applications for the issuance of permits pertaining to historic sites or landmarks shall be referred to the Historic Preservation Commission for a written report on the application of the Ordinance provisions concerning historic preservation to any of those aspects of the change proposed, which aspects were not determined by approval of an application for development pursuant to the Municipal Land Use Law. In the case of an application for development, the Historic Preservation Commission shall submit its report to the Planning Board or Zoning Board as the case may be. In instances where a proposed change and/or permit is referred to the Commission, the Commission shall render its report to the Planning Board which shall make a decision with regard to the Commission's report and shall issue its own report to the administrative officer in charge of issuing the appropriate permit. The Historic Preservation Commission shall report to the Planning Board and the Planning Board shall report to the administrative officer within 45 days of the administrative officer's referral of the permit application to the Historic Preservation Commission. If, within the 45-day period, the Planning Board, after recommendation from the Historic Preservation Commission, recommends to the administrative officer against the issuance of a permit or recommends conditions to the permit to be issued, the administrative officer shall deny issuance of the permit or include the conditions in the permit to be issued, as the case may be.
- Failure to constitute a report within the 45-day period shall be deemed to constitute a report in favor of the issuance of the permit and without recommendation or conditions to the permit.

- B. All appeals pursuant to this section shall be made to the Zoning Board of Adjustment as provided by N.J.S.A. 40:55D-70a.

123-6. Criteria for review of application.

In reviewing an application for its effect on an historic landmark, the following criteria shall be used by the Commission, Planning Board and Zoning Board of Adjustment. The criteria set forth in Subsection A hereof relates to all projects affecting an historical landmark. The criteria set forth in Subsections B through D relate to specific types of undertakings and shall be used in addition to the general criteria set forth in Subsection A.

- A. In regard to all applications affecting an historical landmark, the following factors shall be considered:
1. The impact of the proposed change on the historical and architectural significance of the landmark.
 2. The landmark's importance to the public and the extent to which its historical or architectural interests would be adversely affected to the detriment of the public interest.
 3. The hardship to the property owner if the application were denied or conditions were imposed.
- B. In regard to an application for new construction, alterations, additions, repairs or replacements affecting an historic landmark, the following criteria shall be considered:
1. Height. The height of the proposed building shall be visually compatible with adjacent buildings.
 2. Proportions of the building's front facade. The relationship of the width of the building to the height of the front elevations shall be visually compatible with the buildings and places to which it is visually related.
 - a. Proportion of openings within the facility. The relationship of the width of windows to the height of windows in a building shall be visually compatible with the buildings and places to which it is visually related.
 3. Relationship of materials, texture, and color. The relationship of materials, texture and color of the facade and roof of a building shall be visually

compatible with the predominant materials used in the building to which it is visually related.

4. Exterior features. A structure's related exterior features, such as lighting, fences, signs, sidewalks, driveways and parking areas, shall be compatible with the features of those structures to which it is visually related and shall be appropriate for the historical period for which the structure is significant.

C. In regard to an application to demolish an historic landmark, the following matters shall be considered:

1. Its historic, architectural, cultural, or scenic significance.
2. Its potential for use for those purposes currently permitted by the Zoning Ordinance.
3. Its structural condition and the economic feasibility of alternatives to the proposal.
4. Its importance to the community and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest.
5. The extent to which it is of such old, unusual, or uncommon design, craftsmanship, texture or material that it could be reproduced only with great difficulty and expense or other hardship to the property owner.
6. The extent to which its retention would promote the general welfare by maintaining and increasing real estate values, generating business, attracting tourists, attracting new residents, stimulating interest and study in architecture and design, or making the municipality an attractive and desirable place in which to live.

D. In regard to an application to move any historic landmark, the following matters shall be considered:

1. The historic loss to the site of the original location.
2. The reasons for not retaining the landmark or structure at its present site.
3. The compatibility, nature, and character of the current and of the proposed surrounding areas as they relate to the protection of interests referred to in this article.

4. The probability of significant damage to the landmark or structure itself.
5. The hardship to the property owner if the application were denied or conditions were imposed.

123-7. Violations and penalties.

Any penalty for a violation of this article shall be determined in accordance with the penalties set forth in Chapter 1, Article II, Section 1-15, General penalty established.

123-8. Establishment of historic districts; limitations on powers of Commission.

- A. The establishment of an historic district in the Township of Wyckoff shall be initiated and implemented in the same way as for historic landmarks.
- B. No duties or powers of the Commission shall supersede or infringe on the powers of other Township boards and committees.

SECTION 2. Except as hereby amended, all other sections of the Code of the Township of Wyckoff shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

ORDINANCE #1880

**BOND ORDINANCE AUTHORIZING ROAD RESURFACING
AND THE PURCHASE OF AN ELGIN STREET SWEEPER IN,
BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE
COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING
\$725,750 THEREFOR AND AUTHORIZING THE ISSUANCE
OF \$413,750 OF BONDS OR NOTES OF THE TOWNSHIP TO
FINANCE PART OF THE COST THEREOF.**

BE IT ORDAINED by the TOWNSHIP COMMITTEE of the TOWNSHIP OF WYCKOFF, in the COUNTY OF BERGEN, NEW JERSEY, THAT:

SECTION 1. There is hereby authorized, pursuant to the applicable statutes of the State of New Jersey, the capital improvements and acquisition set forth below in, by and for the Township of Wyckoff, County of Bergen, State of New Jersey (the "Township"), together with other purposes necessary, appurtenant or incidental thereto or thereof (collectively, the "Authorized Projects"):

<u>Item</u>	<u>Capital Imp. Fund</u>	<u>Debt Authorized</u>	<u>Useful Life</u>
Road Resurfacing Project	\$300,000	\$200,000	5 yrs.
Purchase of Elgin Street Sweeper	<u>12,000</u>	<u>213,750</u>	5 yrs.
	\$312,000	\$413,750	

TOTAL APPROPRIATION: \$725,750

SECTION 2. It is hereby determined and declared by this Township Committee as follows:

A. The estimated aggregate maximum amount of money to be raised from all sources for the Authorized Projects described in Section 1 is \$725,750.

B. The estimated aggregate maximum amount of bonds or notes to be issued for the Authorized Projects described in Section 1 is \$413,750.

C. The Township expects to use funds available in the Capital Improvement Fund in the amount of \$20,687.50 as a required down payment for the purposes stated in Section 1, and other available funds available in the Capital Improvement Fund in the amount of \$291,312.50 for the purposes stated in Section 1.

SECTION 3. The sum of \$725,750, including said down payment of \$20,687.50 and said other available funds in the amount of \$291,312.50, is hereby appropriated for the Authorized Projects described in Section 1.

SECTION 4. For the purpose of financing part of the cost of the Authorized Projects described in Section 1, exclusive of said down payment and other available funds described in Section 2, the issuance of bonds of said Township in an aggregate principal amount not exceeding Four Hundred Thirteen Thousand Seven Hundred Fifty Dollars (\$413,750) is hereby authorized pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The rate or rates of interest, maturities, method of sale and other details of said bonds not determined herein shall be determined by subsequent resolution or resolutions adopted by this Township Committee pursuant to law.

SECTION 5. Pending the issuance of the bonds authorized in Section 4 hereof, bond anticipation notes of the Township may be issued pursuant to said Local Bond Law in an aggregate principal amount not exceeding Four Hundred Thirteen Thousand Seven Hundred Fifty Dollars (\$413,750). Each such bond anticipation note shall be designated "Bond Anticipation Note." All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township; provided that no note shall mature later than one year from its date. All such bond anticipation notes may be

executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer or such other official of the Township as may hereafter be designated by resolution or otherwise as provided by law and shall be under the seal of the Township and attested by the Township Clerk. The notes shall bear interest at such rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver such notes to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser or purchasers thereof.

SECTION 6. It is hereby further determined and declared by this Township Committee as follows:

A. The Authorized Projects described in Section 1 are not current expenses; they are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on

property specially benefited thereby.

B. The average period of usefulness of the Authorized Projects described in Section 1 for which the bonds are hereby authorized to be issued, within the limits prescribed by the Local Bond Law, is 5 years.

C. All bonds or notes issued pursuant to this ordinance shall bear interest at a rate not to exceed the maximum rate permitted by law.

D. The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk prior to the passage of this ordinance on first reading, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the passage of this ordinance on final reading, and such statement shows that the gross debt of said Township, as defined in N.J.S.A. 40A:2-43, is increased by this ordinance by \$413,750 and that the issuance of the obligations authorized by this ordinance will be within all debt limitations contained in the Local Bond Law.

E. The aggregate amount of the proceeds of the obligations authorized by this ordinance to be expended for interest on the obligations authorized herein, engineering and inspection costs, legal expenses, and the costs of issuance of the obligations authorized by this ordinance, including printing, advertisement of ordinances and notices of sale and legal expenses, and other expenses as provided in N.J.S.A. 40A:2-20 does not exceed \$0.

SECTION 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith, and the

resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services are on file with the Township Clerk and are available for public inspection.

SECTION 8. In the event that any other moneys are lawfully received from any source for the purposes provided in this ordinance, such moneys shall be used for the purposes authorized herein and to reduce the amount of bonds or notes authorized to be issued by this ordinance by the amount so received, or if such other moneys are received after the issuance of the bonds or notes authorized by this ordinance, such moneys shall be used solely for the payment of the debt service on said bonds or notes as the same become due and payable.

SECTION 9. The full faith and credit of the Township is hereby pledged for the payment of the principal of and interest on all bonds and notes issued pursuant to this ordinance, and as long as such bonds or notes are outstanding there shall be levied in each year ad valorem taxes on all taxable property within said Township without limitation as to rate or amount sufficient to pay the principal of and interest on such bonds and notes maturing in said year.

SECTION 10. (a) The Township shall comply with all provisions of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder or applicable thereto (the "Code") applicable to the bonds or notes issued pursuant to this bond ordinance and shall not take any action, or fail to take any action, if any such action or failure to take action would cause interest on the bonds or notes issued pursuant to this

bond ordinance to be or become includable in gross income under Section 103 of the Code or cause interest on the bonds or notes issued pursuant to this bond ordinance to be treated as an item of tax preference under Section 57 of the Code. The Township shall not directly or indirectly use or permit the use of any proceeds of such obligations or any other funds of the Township, or take or omit to take any action, that would cause such obligations to be "arbitrage bonds" within the meaning of Section 148(a) of the Code, and will comply with all requirements of Section 148 of the Code to the extent applicable to the bonds and notes authorized hereby and all proceeds thereof, including without limitation, monitoring compliance with Section 148 of the Code as it applies to the bonds and notes authorized hereby, restricting the yield on the investment of any proceeds or gross proceeds of the bonds or notes to the extent required to comply with Section 148 of the Code, and making payments of the rebate amount, if any, to the United States in the manner and to the extent necessary to comply with Section 148 of the Code.

(b) The Township reasonably expects to reimburse the Township's expenditure of certain costs of the Authorized Projects described in Section 1 of this bond ordinance ("Project Costs") incurred and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure of Project Costs incurred and paid prior to the issuance of bonds or notes authorized herein with the proceeds of such bonds or notes in accordance with Treasury Regulations Section 1.150-2(e), and no reimbursement allocation will employ an abusive arbitrage device under Treasury Regulations Section 1.148-10 to avoid the arbitrage

restrictions. The maximum principal amount of obligations expected to be issued pursuant to this bond ordinance to pay Project Costs does not exceed \$413,750. The Project Costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" as defined in Treasury Regulations Section 1.150-1(b), a cost of issuance for the bonds or notes herein authorized or an expenditure described in Treasury Regulations Section 1.148-6(d)(3)(ii)(B). The allocation of proceeds of the bonds or notes issued pursuant to this bond ordinance to reimburse Project Costs incurred prior to the issuance of such bonds or notes shall be effected no later than 18 months after the later of the date the Project Costs are paid or the date the Authorized Projects are placed in service or abandoned, but in no event more than 3 years after the original Project Costs to be reimbursed are paid.

SECTION 11. This ordinance shall take effect twenty days after the first publication hereof after final adoption, in the manner provided by law.