

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, JANUARY 14, 2020 - 7:00 P.M.**

1. 7:00 pm Work Session Meeting called to order by Mayor Timothy E Shanley
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

NOTICE TO PUBLIC

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The Township shall not be responsible for and accepts no liability if the recording or live video streaming of the meeting is unavailable.

**TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, JANUARY 14, 2020 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Timothy E. Shanley
2. Flag Salute
3. Invocation
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.
9. Approval of the December 17, 2019 Township Committee Work Session and Regular Business meeting minutes; January 1, 2020 Reorganization meeting minutes and Sine Die Business Meeting minutes (continuation of 12/17/19 meeting)

MOTION: _____ SECOND _____
BOONSTRA__ FISCHER __RUBENSTEIN __ MADIGAN __ SHANLEY __

10. **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:

Resolutions (Adoption of the following):

- | | |
|---------|--|
| #20-110 | 2019 Cancel Taxes per NJSA 54:4-3.3 |
| #20-111 | Refund Performance Bonds – 370 Clinton Avenue |
| #20-112 | Payment of Bills |
| #20-113 | Refund Certain Overpaid Taxes, etc. |
| #20-114 | Pay to Play Contract Compliance |
| #20-115 | Designate January 2020 as Blood Donor Month |
| #20-116 | 2019 Cancel Taxes per NJSA 54:4-3.3 |
| #20-117 | Professional Service Appointment-Public Defender |
| #20-118 | Refund Performance Guarantee – Capital One Bank |
| #20-119 | Professional Service Appointment-Special Tax Counsel |

III Ordinances - Introductions

#1903 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$600,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY AND PROVIDING THE NECESSARY FUNDS THEREFORE.

#1904 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$25,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

Following is the vote on the Consent Agenda:

MOTION: _____ SECOND _____
BOONSTRA__ FISCHER __ RUBENSTEIN __ MADIGAN __ SHANLEY __

IV Ordinances – Public Hearings/Further Consideration

#1901 - -AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #1863 TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS THEREFORE AND TO AUTHORIZE APPROPRIATIONS OF \$96,000.

MOTION: _____ SECOND _____
BOONSTRA__ FISCHER __ RUBENSTEIN __ MADIGAN __ SHANLEY __

#1902 - AN ORDINANCE TO PROVIDE AN APPROPRIATION FOR THE ACQUISITION OF 240 DEMAREST AVENUE, BLOCK 293, LOT 18 IN THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY FROM THE MUNICIPAL OPEN SPACE FUND FOR PUBLIC PURPOSES.

MOTION: _____ SECOND _____
BOONSTRA__ FISCHER __ RUBENSTEIN __ MADIGAN __ SHANLEY __

V 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

NOTICE TO PUBLIC

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The Township shall not be responsible for and accepts no liability if the recording or live video streaming of the meeting is unavailable.

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-110**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

**REFERENCE: 2019 Cancel Taxes as per
NJSA 54:4-3.3 Tax Exempt**

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
.....

WHEREAS, N.J.S.A. 54:4-3.3 certifies the Department of Veterans Affairs to certify service connected total disability and,

WHEREAS, the Tax Assessor has deemed the property(ies) listed below as tax exempt status as per this certification,

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Tax Collector is hereby authorized and directed to cancel all taxes as indicated below as per the date of tax exempt status certification.

Block/Lot	Name	Address	Effective date
285/12.01	George Arcieri	339 Monroe Ave	11/04/2019

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-111**

INTRODUCED:

SECONDED:

MEETING DATE: January 14 ,2020

**REFERENCE: Return Performance
Bonds – 370 Clinton Avenue**

VOTE: BOONSTRA __ FISCHER __ RUBENSTEIN __ SHANLEY __ MADIGAN __

WHEREAS, the following was deposited with the Municipal Clerk's office in 2019 for 370 Clinton Avenue Block 238 Lot 2 for special needs housing:

<u>Depositor</u>	<u>Type of Bond</u>	<u>Amount of Bond</u>
United Way of Bergen County	Road Opening Cash Bond	\$4,500.00
Nelson Construction Inc.	Performance Cash Bond	\$1,500.00
Nelson Construction Inc.	Performance Bond	\$15,000.00

WHEREAS, the Township Engineer, Mark DiGennaro in an email dated December 17, 2019 has recommended the following to be refunded:

United Way of Bergen County	Road Opening Cash Bond	\$4,500.00
Nelson Construction Inc.	Performance Cash Bond	\$1,500.00
Nelson Construction Inc.	Performance Bond	\$15,000.00

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 United Way of Bergen County, Road Opening Cash Bond of \$4,500.00; Nelson Construction Inc., Performance Cash Bond of \$1,500.00 and a performance Bond in the amount of \$15,000.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer, United Way of Bergen County and Nelson Construction, Inc.

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 JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-112**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

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

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
.....

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 #20-113

INTRODUCED:

JK

SECONDED:

MEETING DATE: January, 2020

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

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
.....

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:

TAX REFUND:

Jack Cennamo & Marjan Manafi, 388 Atwood Place, Wyckoff, New Jersey 07481 – Refund for overpayment of 2019 taxes – Block 351/Lot 25 - \$4,143.68

Matthew Jedlicka & Kaitlyn Vasquez, 279 Voorhis Avenue, Wyckoff, New Jersey 07481 – Refund for overpayment of 2019 taxes – Block 257/Lot 4.01 - \$2,550.20

RECREATION:

Monis Young, 492 Ackerson Avenue, Wyckoff, New Jersey 07481 – Refund of security deposit for uniform for Ori Young - \$300.00

Marie Neal, 310 Cedar Hill Avenue, Wyckoff, New Jersey 07481 – Refund for Roller Hockey Jersey - \$50.00

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-114**

INTRODUCED:

SECONDED:

MEETING DATE: January 17, 2020

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

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
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WHEREAS, the Police have a need for comprehensive computer software services; 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 that the Township Committee authorizes an award of a purchase order to TNT Max, LLC, 253 Madison Avenue, Wyckoff, NJ 07481 for computer software and programming services amounting to \$19,784.00.

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 CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON JANUARY 17, 2020 AND IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN CAPITAL ACCOUNT NUMBER C-04-55-932-104 AND SUBSEQUENT ANNUAL BUDGETS AS REQUIRED. THE BUDGETARY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF, WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4 (a).

DIANA McLEOD
CHIEF FINANCIAL OFFICER

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-115**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

**REFERENCE: Designate January 2020 as
Blood Donor Month**

VOTE: BOONSTRA _____ FISCHER _____ MADIGAN _____ RUBENSTEIN _____ SHANLEY _____
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WHEREAS, donating 1 unit of blood helps to save as many as 3 lives; and,

WHEREAS, every 2 seconds, a person in the United States needs blood for lifesaving treatment in an emergency or a disaster, a routine surgery, a blood transfusion to help treat a serious disease like cancer, or an organ or bone marrow transplant; and,

WHEREAS, 1 in 7 patients who enter a hospital in the United States needs blood; and,

WHEREAS, more than 20,000,000 blood components are used in transfusions every year in the United States; and,

WHEREAS, more than 39,000 units of blood are needed each day in the United States to maintain a safe and adequate blood supply; and,

WHEREAS, blood donors are an integral part of the health system and national public health preparedness initiatives in the United States; and,

WHEREAS, approximately 38 percent of the United States population is eligible to give blood, but less than 10 percent of the eligible population donates blood on an annual basis; and,

WHEREAS, we acknowledge the important role of volunteer blood donors in protecting the health and emergency preparedness of the United States.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that January 2020 be designated Blood Donor Month and recognize the need to promote a safe, stable blood supply and to increase volunteer participation of blood donors.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-116**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

**REFERENCE: 2019 Cancel Taxes as per
NJSA 54:4-3.3 Tax Exempt**

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
.....

WHEREAS, N.J.S.A. 54:4-3.3 certifies the Department of Veterans Affairs to certify service connected total disability and,

WHEREAS, the Tax Assessor has deemed the property(ies) listed below as tax exempt status as per this certification,

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Tax Collector is hereby authorized and directed to cancel all taxes as indicated below as per the date of tax exempt status certification.

Block/Lot	Name	Address	Effective date
437/12	James Lococo	313 Squawbrook Rd	12/10/19

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-117

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

REFERENCE: Professional Service
Appointment for 2020

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___

WHEREAS, the Township of Wyckoff has a real need and requires the professional services of a Public Defender for the current year; and,

WHEREAS, the Township Committee has determined to appoint E. Carter Corriston, Esq. as its Municipal Court Public Defender due to his significant legal experience with criminal law in New Jersey, as an attorney licensed to practice law in New Jersey and the thorough and complete work he has rendered to various municipal courts in previous years; and,

WHEREAS, the Purchasing Agent and the Chief Financial Officer have determined that the cost of these services may exceed \$17,500 and believe it is prudent to anticipate the value of these services in excess of \$17,500 to ensure compliance with NJSA 19:44A-20.5 et.seq.; and,

WHEREAS, each business entity has completed and submitted a Business Entity Disclosure Certification which certifies that each business entity has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Township of Wyckoff with the elected officials in the previous one year, and that the contract will prohibit each business entity from making any reportable contributions (\$300 or more) through the term of the contract; and,

WHEREAS, the Township Committee awards a one-year contract for Municipal Court Public Defender services in accordance with the alternate process pursuant to the provisions of NJSA 19:44A-20.5; and,

WHEREAS, the Local Public Contracts Law NJSA 40A:11-5 requires the resolution authorizing award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and,

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Available of Funds indicating that adequate funds have been appropriated in the 2020 Temporary Budget and will be appropriated in the 2020 Municipal Budget when adopted for fees reasonably required in the line item municipal court – other expense.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that a one year contract for this calendar year is hereby awarded to E. Carter Corriston, Esq., 41 Main Street, Hackensack, NJ 07601 for Public Defender services, \$400.00 per court session and compensation up to \$4,500.00 when vouchers are approved by the Township Committee.

1. The Township Committee Chairman and Clerk are hereby authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.
2. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which excepts from competitive bidding "Professional Services" rendered by persons authorized law to practice a recognized profession and whose practice is regulated by law in accordance with NJSA 40A:11-1 et seq. and in accordance with NJSA 19:44A-20.5 alternate process.
3. The Business Entity Disclosure Certification and the Political Contribution Disclosure Forms are in the professional services files.
4. The Municipal Clerk shall execute a public notice of said appointments in the official newspaper of the Township as required by law.

BE IT FURTHER RESOLVED that these contracts have been awarded to these contractors based on the merits and abilities of the contractors to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigns 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 CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE "LEGAL SERVICES AND COSTS", "OTHER EXPENSE" PORTIONS OF THE 2020 TEMPORARY BUDGET AND WILL BE APPROPRIATED IN THE 2020 MUNICIPAL BUDGET ACCOUNT 0-01-20-155-020 FOR THE FOLLOWING PROFESSIONAL SERVICES FOR THE CALENDAR YEAR 2020. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

DIANA MC LEOD
CHIEF FINANCIAL OFFICER

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-118**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

REFERENCE: Refund Maintenance
Guarantee & Professional Escrow

VOTE: BOONSTRA ___ FISCHER ___ MADIGAN ___ RUBENSTEIN ___ SHANLEY ___
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WHEREAS, Vericon Construction for Capital One Bank located at 690 Wyckoff Avenue Block 216.01 Lot 20 deposited the following with the Municipal Clerk's office on November 16, 2015 for required site improvements:

Performance Surety Bond	\$356,400.00
Performance Cash Bond	\$39,600.00
Engineering Escrow	\$16,500.00

WHEREAS, resolution #17-245 adopted on September 17, 2017 authorized a reduction in the performance sureties resulting in the following:

	<u>Amount held</u>
Performance Cash	\$11,880.00
Performance Surety Bond	<u>\$106,920.00</u>
	\$118,800.00

WHEREAS, resolution #17-284 adopted on December 5, 2017 authorized the following:

1. Return of Performance Bond of \$106,920.00 after a Maintenance Bond of \$44,550.00 is posted.
2. Re-obligate and return Performance Cash total of \$11,880.00 to:
 - a. Maintenance Surety Cash \$4,950.00
 - b. Return of Maintenance Cash \$6,930.00

WHEREAS, Sandy Magaldo, AP Manager with Vericon Construction Company in an email dated November 19, 2019 has requested that the maintenance guarantee and professional escrow be refunded; and,

WHEREAS, the Township Engineer concurs with the refund; 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 to Vericon Construction 4,950.00 maintenance cash, \$10,880.50 professional escrow and a maintenance bond in the amount of \$44,550.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to Mark DiGennaro the Township Engineer and to Vericon Construction, 1063 Route 22 East, Mountainside, NJ 07092.

CERTIFICATION

I, JOYCE C. SANTIMAURO, MUNICIPAL CLERK OF THE TOWNSHIP OF WYCKOFF CERTIFIES THE ATTACHED RESOLUTION TO BE A TRUE AND CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE WYCKOFF TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

**TOWNSHIP OF WYCKOFF
COUNTY OF BERGEN
STATE OF NEW JERSEY
RESOLUTION #20-119**

INTRODUCED:

SECONDED:

MEETING DATE: January 14, 2020

**REFERENCE: 2020 Professional Service
Appointment**

VOTE: BOONSTRA___ FISCHER___ MADIGAN___ RUBENSTEIN___ SHANLEY___
.....

WHEREAS, the Township of Wyckoff has a real need and requires the professional services of a Special Tax Counsel for the Munico/Boulder Run tax appeal for the current year: and,

WHEREAS, the Township Committee has determined to appoint Martin Allen, Esq., DiFrancesco, Batemen, Kunzman, Davis, Lehrer & Flaum PC, 15 Mountain Boulevard, Warren, NJ 07059 as its' Special Tax Counsel due to his significant and extensive legal experience as a Tax Appeal Attorney defending municipal governments and Tax Assessors. His knowledge of New Jersey taxation statutes, his skill and legal acumen as an attorney licensed to practice law in New Jersey applying the taxation statutes in the defense of the existing property valuations against tax appeal lawsuits providing the township with practical, thorough and complete legal advice.

WHEREAS, the Purchasing Agent and the Chief Financial Officer have determined that the cost of these services may exceed \$17,500 and believe it is prudent to anticipate the value of these services in excess of \$17,500 to ensure compliance with NJSA 19:44A-20.5 et.seq.; and,

WHEREAS, each business entity has completed and submitted a Business Entity Disclosure Certification which certifies that each business entity has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Township of Wyckoff with the elected officials in the previous one year, and that the contract will prohibit each business entity from making any reportable contributions (\$300 or more) through the term of the contract; and,

WHEREAS, the Township Committee awards a one-year contract for tax appeal legal services in accordance with the alternate process pursuant to the provisions of NJSA 19:44A-20.5; and,

WHEREAS, the Local Public Contracts Law NJSA 40A:11-5 requires the resolution authorizing award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and,

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Available of Funds indicating that adequate funds have been appropriated in the 2020 Temporary Budget and will be appropriated in the 2020 Municipal Budget when adopted for fees reasonably required in the line item assessment of taxes – other expense.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that a one-year contract for this calendar year is hereby awarded to Martin Allen, Esq., DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum PC, 15 Mountain Boulevard, Warren, NJ 07059 for Special Tax Counsel services based on the attached fee schedule, \$150.00 per hour, not to exceed \$10,000.00 when approved by the Township Committee.

1. The Township Committee Chairman and Clerk are hereby authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.
2. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which excepts from competitive bidding "Professional Services" rendered by persons authorized law to practice a recognized profession and whose practice is regulated by law in accordance with NJSA 40A:11-1 et seq and in accordance with NJSA 19:44A-20.5 alternate process.
3. The Business Entity Disclosure Certification and the Political Contribution Disclosure Forms are in the professional services files.
4. The Municipal Clerk shall execute a public notice of said appointments in the official newspaper of the Township as required by law.

BE IT FURTHER RESOLVED that these contracts have been awarded to these contractors based on the merits and abilities of the contractors to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigns 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 elected public office of the Township of Wyckoff when the contract is awarded, or to any candidate committee of any person serving in an elected 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 CORRECT COPY OF A RESOLUTION AS ADOPTED BY THE TOWNSHIP COMMITTEE ON JANUARY 14, 2020.

JOYCE C. SANTIMAURO
MUNICIPAL CLERK

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE "ASSESSMENT OF TAXES – OTHER EXPENSE" PORTIONS OF THE 2020 TEMPORARY BUDGET AND WILL BE APPROPRIATED IN THE 2020 MUNICIPAL BUDGET ACCOUNT 0-1-20-150-020 FOR THE FOLLOWING PROFESSIONAL SERVICES FOR THE CALENDAR YEAR 2020. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

DIANA MC LEOD
CHIEF FINANCIAL OFFIC

ORDINANCE #1901

AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE #1863 TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS THEREFORE AND TO AUTHORIZE APPROPRIATIONS OF \$96,000.

WHEREAS, Ordinance #1863 was adopted that accepted and appropriated a grant of \$48,000 for improvements to Russell Farms Community Park; and,

WHEREAS, the Township desires to amend and supplement Ordinance #1863 to appropriate the required matching appropriation from municipal funds into one (1) ordinance known as Ordinance #1901; and,

WHEREAS, the Township of Wyckoff has made an application to the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development to receive grant funds for improvements to the Russell Farms Community Park, Block 377/Lot 18.05; and,

WHEREAS, the Township of Wyckoff has received a notice that it is the recipient of a grant in the amount of \$48,000 for the improvements to Russell Farms Community Park; and,

WHEREAS, the Township of Wyckoff has entered into a contract with the Bergen County Open Space Trust Fund Program to participate in the receipt of grant funds made available.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, as follows:

SECTION 1. The Township of Wyckoff, in the County of Bergen shall proceed with improvements to Russell Farms Community Park which shall include; construction of a sensory garden, purchase and installation of up to four (4) concrete park tables and benches with chess boards inlaid into the surface of the tables, purchase and installation of an irrigation system, purchase and install up to ten (10) mature deciduous trees.

SECTION 2. The cost of implementing said improvements in Section 1 shall be paid by the Township out of funds to:

- a. \$48,000 to be authorized specifically for said purpose from the Bergen County Open Space Trust Fund Grant Program.
- b. \$48,000 to be authorized from the Municipal Open Space Tax.
- c. Total appropriation authorized is \$96,000.

Township of Wyckoff
Ordinance #1901
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SECTION 3. It is hereby determined and stated:

- a. Said purpose is not a current expense. The same is an Improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefited.
- b. It is not necessary to finance this authorization by the issuance of obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.
- c. The total authorized appropriation in the ordinance is \$96,000.

SECTION 4. The monies which the Township of Wyckoff is authorized to receive pursuant to the terms of the Bergen County Open Space Trust Fund Program, shall, when received, be placed in a capital improvement fund of the Township of Wyckoff for the purpose set forth in Section 1 of this ordinance.

SECTION 5. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this Ordinance, and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 6. This ordinance shall take effect after publication thereof and final passage as required by law.

ORDINANCE #1902

AN ORDINANCE TO PROVIDE AN APPROPRIATION FOR THE ACQUISITION OF 240 DEMAREST AVENUE, BLOCK 293, LOT 18 IN THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY FROM THE MUNICIPAL OPEN SPACE FUND FOR PUBLIC PURPOSES.

WHEREAS, the Township of Wyckoff is desirous of purchase 240 Demarest Avenue, block 293, lot 18 consisting of 3.9 acres to provide for flood control, wetlands conservation, and public purposes; and,

WHEREAS, the Township of Wyckoff shall use block 293, lot 18 for public purposes; and,

WHEREAS, \$100,000 is appropriated from the Township of Wyckoff Municipal Open Space Trust Fund.

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, as follows:

SECTION 1. The Township of Wyckoff shall proceed with the purchase of the property on the Township of Wyckoff tax map, 240 Demarest Ave, block 293, lot 18.

SECTION 2. The cost of purchase in Section 1 shall be paid by the Township out of funds from the Township of Wyckoff Municipal Open Space Trust.

SECTION 3. It is hereby determined and stated:

- a. Said purpose is not a current expense. The same is an Improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefited.
- b. It is not necessary to finance this authorization by the issuance of obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.
- c. The total authorized appropriation in the ordinance is \$100,000.

SECTION 4. The monies which the Township of Wyckoff is authorized to be placed in a capital improvement fund of the Township of Wyckoff for the purpose set forth in Section 1 of this ordinance.

SECTION 5. It is hereby determined and stated that no supplemental debt statement is to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this Ordinance, and no obligations in the matter of notes or bonds are authorized b this Ordinance.

SECTION 6. This ordinance shall take effect after publication thereof and final passage as required by law.

TOWNSHIP OF WYCKOFF

ORDINANCE #1903

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$600,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY AND PROVIDING THE NECESSARY FUNDS THEREFORE.

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey as follows:

SECTION 1. The sewer improvements described in Section 3 of this ordinance are hereby authorized by the Township of Wyckoff and there is hereby appropriated the sum of money herein stated as the appropriations made therefore and amounting to \$600,000

SECTION 2. For the financing of said sewer improvements, and to meet the cost therefore, there is hereby appropriated from the Sewer Capital Improvement Fund for the Township of Wyckoff, the said sum.

SECTION 3. The sewer improvements authorized and the appropriations therefore are for the rehabilitation and renovation of Township rehabilitation and construction of sewer lines and pumping stations repairs, replacement and maintenance, engineering services, road resurfacing and equipment purchase thereto.

SECTION 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

TOWNSHIP OF WYCKOFF

ORDINANCE #1904

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$25,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey as follows:

Section 1. The improvements described in Section 3 of this ordinance are hereby authorized by the Township of Wyckoff, and there is hereby appropriated the sum of money herein stated as the appropriations made therefore and amounting to \$25,000.00.

Section 2. For the financing of said improvements, and to meet the cost therefore, there is hereby appropriated from the Capital Improvement Fund for the Township of Wyckoff..

Section 3. The improvements authorized and the appropriations therefore are for the purchase of building inspector's vehicle.

Section 4. This Ordinance shall take effect immediately upon final passage and publication according to law.