

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 3, 2010**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION
SECOND FLOOR CONFERENCE ROOM ABOVE WEST WING IN TOWN
HALL
TUESDAY, AUGUST 3, 2010 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Rudolf Boonstra
2. Roll call of Township Committee.
3. Reading of "Open Work Session" statement by Mrs. Santimauro.
4. Meeting open for the Work Session ten minute total public comment period for any item on or off the agenda. Two (2) minutes per speaker.
5. Mayor and Municipal Clerk to sign documents.
6.
 - a. Finance Committee to review and sign vouchers
 - b. Report of Township Committee
 - c. Report of Administrator
 - d. Report of Attorney
7. 8:00 p.m. – recess to Municipal Court Room for the regularly scheduled public meeting.
8. Reconvene Work Session Meeting.
9. Adjourn

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

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 3, 2010**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 3, 2010 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf Boonstra
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. Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker
7. Approval of the following Township Committee minutes:

Township Committee Work Session and Regular Meeting Minutes from July 20, 2010 (Rooney)

MOTION : SCANLAN SECOND: CONNOLLY
CONNOLLY Yes DePHILLIPS Absent ROONEY Absent
SCANLAN Yes BOONSTRA Yes

8. **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):

- | | |
|---------|--|
| #10-177 | Payment of Bills |
| #10-178 | Return of certain overpaid taxes, escrow monies, recreation fees, etc. |
| #10-179 | Supplemental Snow Plow Contract Extension |
| #10-180 | Annual Report of Audit |
| #10-181 | Close Out of Completed Grants |
| #10-182 | Marketing/Recycling Leaves – Contract Extension Award |
| #10-183 | Calendar Printing – Contract Extension |
| #10-184 | Participate and Support the "Over the Limit and Under Arrest 2010 Statewide Crackdown" |
| #10-185 | Authorize Change Order #1 – Reducing Final Cost |
| #10-186 | Approve Library Board Policy |
| #10-187 | Block 427, Lot 3 Refund |
| #10-C17 | Closed Session – Pending & Anticipated Litigation Acquisition of Real Property |

II Motions:

1. Approve specifications and authorize public bidding for a replacement Dump Truck & Plow.

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III Ordinances – Introductions

Following is the vote on the Consent Agenda:

MOTION : ROONEY SECOND: CONNOLLY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

IV Ordinances (Further Consideration/Public Hearings)

#1627 - AN ORDINANCE TO AMEND CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "FIRE PREVENTION ADMINISTRATION" TO AMEND SECTION 116-7 "NON LIFE HAZARD USES; FEES" TO INCREASE FEES

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

#1628 - AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "CONSTRUCTION CODES, UNIFORM" TO AMEND SECTION 108-3 "FEE SCHEDULE" TO ADD AND INCREASE CERTAIN FEES

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

#1629 – AN ORDINANCE TO AMEND ORDINANCE #1606, "AN ORDINANCE TO ESTABLISH TOWING PROCEDURES"

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

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

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
TUESDAY, AUGUST 3, 2010 – 7:30 P.M.**

Mayor Rudolf E. Boonstra opened the Work Session Meeting at 7:30 p.m. in the second floor municipal conference room.

Township Administrator Shannon read the Open Public Work Session statement: "This regular Work Session Meeting of the Wyckoff Township Committee is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our Annual Schedule of meetings. A copy of said Annual Schedule has been posted on the Bulletin Board in Memorial Town Hall; a copy has been filed with the Municipal Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers."

Present: Mayor Rudolf E. Boonstra, Committeemen David N. Connolly, Kevin J. Rooney and Brian D. Scanlan

Also Present: Township Administrator Robert J. Shannon, Jr. and Township Attorney Robert Landel

Absent: Committeeman Christopher P. DePhillips and Municipal Clerk Joyce C. Santimauro

Mayor Boonstra opened the meeting for the ten (10) minute public comment period for any item on or off the Agenda, two (2) minutes per speaker, with a motion from Committeeman Connolly, seconded by Committeeman Scanlan.

Gerry Goetting, 629 Lawlins Road referring to the Agenda he was provided with this evening questioned Resolution #10-186 pertaining to the approval of the Library Board policy. The Township Committee responded that this is a resolution that reconfirms a similar resolution adopted by the Township Committee in 2005 where the Library Board is notifying the State of New Jersey that it will no longer provide retirement benefits for its' employees who have worked twenty-five (25) years or more. Mr. Goetting commented that he attended a Library Board Meeting and was informed that the next Library Board Meeting would not take place until September however, there was a special meeting conducted in July. When Mr. Goetting asked the Library Director why the meeting was not previously made known, the Library Director advised that he must read the notices on the Library Bulletin Board. Mr. Goetting indicates that it is difficult to read the newspaper for meeting notices. Mr. Goetting was advised that the 48 Hour Meeting Notices and the Annual Notice of Public Meetings is not required by law to be published in the newspaper. The notices are sent to the newspapers and are published if the newspapers chose to do so. However, the notices must be posted on the Bulletin Board.

Mr. Goetting expressed to the Township Committee he is disappointed in the volume of traffic on Lawlins Road specifically, ten (10) wheel trucks coming from Ridgewood importing topsoil which must be a violation of some form. Mr. Goetting stated that Abma's Farm can bring in dirt but a homeowner requires a permit over a certain amount of dirt. Mr. Goetting stated he is in favor of farming and the composting of leaves Abma performs for the Township but does not agree that the farm is permitted to have trucks bypass his home on Lawlins Road to import dirt. Mr. Goetting suggested that the farm should be taxed for running a commercial topsoil business and suggested that the farm's pile of wood chips is a fire hazard. Mayor Boonstra reported that two (2) weeks ago, the police scheduled a New Jersey Department of Transportation truck inspection on Lawlins Road that resulted in multiple summonses and a safer road. Police Chief Fox has scheduled additional inspections.

Committeeman Connolly motioned to close the public comment period, seconded by Committeeman Scanlan with an affirmative voice vote.

Mayor Boonstra advised that the Finance Committee was reviewing and signing vouchers.

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TOWNSHIP COMMITTEE WORK SESSION MEETING
TUESDAY, AUGUST 3, 2010 – 7:30 P.M.**

Township Committee Reports:

David N. Connolly:

1. Mr. Connolly reported he has spoken with Fire Chief Murphy who advised that as of today the fire department has responded to 378 calls for assistance compared to 334 calls in 2009 at this date. Mr. Connolly also noted that five (5) residents have recently expressed interest in joining the Wyckoff Volunteer Fire Department.

Brian D. Scanlan:

1. Mr. Scanlan reported that he attended the Library Board Meeting on Monday, July 26, 2010 where the Library discussed the expansion and the awarding of the contract to the low bidder for the expansion project.
2. The Township's Community Emergency Response Team volunteers known as CERTS will be offered first aid and CPR training by the Wyckoff Volunteer Ambulance.
3. Mr. Scanlan requested that whenever Veolia, the Recycling Contractor misses a street for recycling collection it should be posted on the web along with a statement that the recyclables will be collected the next day. Mr. Scanlan indicated that when he returned home today from work a stretch of Ravine Avenue did not have their recyclables collected.

Kevin J. Rooney:

1. Mr. Rooney reported that he, Mayor Boonstra and Administrator Shannon attended the Wolf Group (shared service consortium consisting of Wyckoff, Oakland and Franklin Lakes) Meeting in Franklin Lakes whereby the three (3) communities discussed sharing services, merging municipalities and other ways savings could be achieved. It was also mentioned that in an issue last week of the Wall Street Journal in a news report concerning municipalities, Wyckoff was mentioned for its Wolf Group Shared Service specifically, savings achieved through volume purchasing such as recreation equipment and savings of approximately \$100,000 on the garbage disposal contract.
2. With regard to Mr. Goetting's public comments, Mr. Rooney noted that it is common that grass fields are maintained with pesticides and herbicides and Ridgewood must file with the DEP a form that indicates what chemicals were utilized on the field before dirt is trucked off site.
3. Mr. Rooney indicated there is a relatively new house on Franklin Avenue close to the Franklin Lakes border which must have posted a landscaping bond but the property is a "weed pit" and numerous complaints have been received from residents concerning the condition of this property. Mr. Rooney has also received complaints of unregistered vehicles at a house on Russell Avenue and requested the Building Department to examine both properties.
4. Mr. Rooney has been in communication with Scott Fisher regarding the price of appropriate speed bumps or humps for possible use on Spring Meadow Road.
5. Mr. Rooney commented that this afternoon the traffic on Wyckoff Avenue in connection with the YMCA Summer Camp dismissal time was backed up to Russell Avenue causing unreasonable delays. Mr. Rooney requested that this be forwarded to the Police Department for a thorough review.

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Mayor Rudy Boonstra:

1. The Planning Board will meet on Wednesday, August 11, 2010 to continue the review and discussion of the Interra Shop Rite application on Greenwood Avenue. Between August 9th and August 11th the applicant of the Shop Rite on Greenwood Avenue will be placing balloons to indicate the height of the building and placements of the corners of the proposed building to provide the Planning Board with the size and scale of the building.
2. On Monday, July 26, 2010 the Design Review Advisory Committee met and forwarded the Christian Health Care Center application to the Wyckoff Board of Adjustment with a cautionary advisory as to the size of the project for a thorough and complete review.
3. Mayor Boonstra attended the Northwest Bergen Mayors Association Meeting on Thursday, July 29, 2010.
4. Mayor Boonstra advised that Bergen County began the repair of the drainage line on Franklin Avenue near the Franklin Avenue railroad grade crossing today. This repair is a pre-requisite before the railroad can schedule the replacement of the Franklin Avenue railroad grade crossing. The final drainage work is scheduled for completion tomorrow.
5. Mayor Boonstra attended the Wolf Group Meeting as well and discussions including shared library services, the new 2% cap and other ways to do more with less were discussed.

Review of the 8:00 p.m. Business Agenda:

1. The Administrator reported that the Agenda is as presented without any additions. The Township Committee approved the agenda contents for introduction.

Policy Action Items:

1. The Administrator reported that two (2) improvements have been accomplished by Police Chief Fox. The first is the removal of bushes at the corner of Woodland and Morse Avenues to improve sight visibility for motorists and he also extended thanks to the resident of the property for their cooperation. Secondly, in reviewing the false alarm procedures, Chief Fox has made a change in that the municipality will no longer notify residences or businesses that have had false alarms but will now notify them by e-mail after the fourth false alarm, the residence or business will be fined \$25.00 for the fifth false alarm. This change from mailing four warning letters to one e-mail message is expected to save postage costs of approximately \$700.00 per year.
2. The 2011 Municipal Calendar is moving forward. There have been a number of items that are being proof read and are provided for governing body review. For example, the back pages of the calendar that contain useful recycling information have been modified to encourage recycling and promote the "Nifty Fifty Program." The solicitation of sponsors through advertisements in the calendar will begin this month with letters and phone calls. The monthly grids and calendar of events sections have been type set and are being proofed by Township staff.

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3. The Administrator pointed out that the Master Plan process was completed in the month of July by the Planning Board. Since then, the new updated and current Master Plan is available for public inspection at the Reference Desk in the Library, the Municipal Clerk's Office and the Planning Office. The proposed Master Plan Re-Examination Report and the Open Space and Recreation Plan have been on the Township's web page for the past two (2) months. The Municipal IT vendor will be updating the Master Plan on the web to reflect the two (2) new documents shortly.
4. At this point, the Administrator provided specific information that may be helpful to Mr. Goetting relative to his public comments earlier this evening. The Administrator advised that as stated 48 Hour Notices and Annual Notice of Meetings do not have to be published but must be sent to the newspapers and posted on the Bulletin Board in the facility. However, the Township Committee greatly exceeds that requirement whereby 48 Hour Notices and Agendas are posted on the Township's official website and are posted the Thursday or Friday of the week before the subsequent week's meetings. The governing body also takes this another step further to post those notices on the community bulletin board at the Stop & Shop grocery store, the Library bulletin board and the bulletin board at the Larkin House where the senior citizens meet each week. The Administrator also advised that the Open Public Meetings Act has a provision where any resident can visit the Municipal Clerk or the Library Director and for a nominal fee receive notices of any meeting changes by mail for the current calendar year. Mr. Goetting may speak with the Municipal Clerk or the Library Director in this regard.

Mr. Rooney asked the Administrator to explain Resolution #10-182. The Administrator replied that this resolution extends the publicly bid contract that was awarded to Abma's Farm as the low bidder to manage and compost leaves the DPW collects each fall during the resident curbside leaf pick up program at the Township's NJDEP approved leaf site. The original two (2) year contract had two (2) bidders. One (1) bidder bid \$120,000 per year and Abma's Farm bid to manage the leaves at no cost and receive the leaf compost each year. (The bid specifications required the low bidder to take away the leaf compost). This extension permits the Township to have the 40,000 cubic yards of leaves its DPW collects from its residents managed and composted for two (2) more years at zero (0) cost.

At 8:00 p.m. the Township Committee recessed the Work Session Meeting to travel to the Municipal Court Room to conduct the regularly scheduled business meeting.

At 8:35 p.m. the Township Committee reconvenes the Work Session Meeting with the vote as follows:

MOTION : CONNOLLY **SECOND:** SCANLAN
VOTE: CONNOLLY yes DePHILLIPS absent ROONEY yes SCANLAN yes
BOONSTRA yes

5. The Administrator reported that the recycling and trash page on Wyckoff on the Web has been updated by a team effort consisting of Maryellen and Liz from the Clerk's Office, Scott Fisher, DPW Manager, Jackie Denequolo, Web-site Assistant, Elaine Booth and the Administrator. The extremely thorough and detailed Reference Table for Trash and Recyclables was developed as an informative "tool" to guide residents on the proper procedure for disposition of various recyclable and/or trash

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items. The next step is to enhance the front page of this site by adding the "Nifty Fifty" logo and useful information to encourage recycling.

6. The Administrator reviewed the information received last week regarding a \$118,000 refund of taxes from Bergen County to the municipality. The first the Township heard of this pending refund was when a Township Committeeman was contacted by the press stating that the Township would be receiving a refund check. Official notification from Bergen County has not been received. The amount reflects 50% of the 2010 Bergen County Open Space Tax which was paid in February and May as per Bergen County's bill for the Bergen County Open Space Tax. Bergen County has decreased its' total 2010 Open Space Tax by 75% from 1 cent per \$100 of assessed valuation to 25% of the previous figure. The total final Bergen County certified Open Space tax for the year is \$118,975. However, the Township was billed by the County and paid the amount billed of \$237,400. However, Bergen County did not make that decision until all municipalities paid their first and second quarter Bergen County Open Space taxes. However, the Township's Chief Financial Officer learned that the Township should receive a \$118,000 refund check representing the overpayment for February and May 2010. However, the Administrator cautioned that even though the Bergen County Public Information Office issued a press release, the Township has yet to receive a communication from Bergen County Treasurer's Office concerning precise fiscal information to effectuate this Bergen County tax change.

7. The Administrator provided an update regarding the State imposed 2% cap and the effort at the State level to provide municipalities with the ability to control expenses known as the Governor's "tool kit" of property tax reform techniques. The Township Committee received a request from the New Jersey League of Municipalities to send letters in support of the adoption of the property tax reform measures known as the "tool kit." Letters were sent to the Governor, District 40 Legislators and all thirteen (13) members of the Senate Budget and Appropriations Committee. Over the past month, Governor Christie signed a budget that cut municipal property tax relief funding by about \$400 million, from last year's already reduced totals, (of which Wyckoff suffered in 2010 the largest % reduction in aid amounting to a 25.5% reduction of any of the 70 municipalities in Bergen County) and a new 2 percent cap on future tax increases became law.

But true tax reform will not be accomplished until municipalities have the means to keep expenses down. Now the Legislature and the Governor must make it their top priority to provide the promised "tool kit" of management reform and relief from State mandates. Up against a hard 2% cap with an empty "tool kit", Mayors and Town Councils will not be able to control costs.

Arbitration reform of police salaries and benefits is the place to start. Binding interest arbitration is a State mandated process for settling collective bargaining disputes between local governments and police employee unions. When a municipality can't reach a contract agreement with a union representing civilian workers, it can impose its final offer. But in an impasse with a police union, a third party, State of New Jersey Arbitrator is called in to decide the terms of the new contract.

Since 2000, this binding arbitration process has resulted in reported salary schedule increases averaging nearly 4 % per year. These contract awards to police can also result in layoffs or furloughs of other government workers to pay for the police contract awards.

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Binding interest arbitration is the primary reason for this never-ending rise in the cost of government, making median property taxes in New Jersey the highest in the nation.

The second place to look is the State of New Jersey which has, once again, balanced its State budget with municipal revenues. In order to avoid increasing State-administered taxes, the State has used municipal property-tax relief funding to bridge the gap in the State budget.

In fact, most of the Consolidated Municipal Property Tax Relief Act (CMPTRA) and all of the Energy Tax Property Tax Relief (energy tax) funding is revenue replacement funding. It is supposed to replace revenues that were originally collected by municipalities for local use. Those alternative revenues delivered municipal property-tax relief for a long time, before various State Actions took them away from our cities, towns, townships, boroughs and villages – always accompanied by the statutory vow that local property taxpayers would be “held harmless.”

8. The Administrator provided a draft of the outdoor sidewalk dining ordinance and as Mayor Boonstra pointed out the Planning Board is expected to review the draft on August 11, 2010. The Township Committee discussed the draft ordinance and the comments from the owner of the Blue Moon Café at the last meeting. A consensus appeared to exist to allow the consumption of alcohol at outdoor sidewalk dining if the business has a valid liquor license. The Township Committee discussed patio dining, parking lot dining and BYOB provisions. After extensive discussion, the governing body appeared to reach a consensus that the ordinance as drafted will be an evolutionary process, fine tuning any changes if and when they are needed. However, the governing body nonetheless requests Planning Board input.

9. The Administrator provided in the packet the State Law and Municipal Ordinance concerning the Sunday sales prohibition in Bergen County.

10. The deed restrictions enumerating the uses that are prohibited at the Gardens of Wyckoff Nature Preserve were provided for governing body review.

11. The Administrator presented the list of days that Town Hall is closed for the twelve (12) holidays and the Township Committee Meetings in 2011 for governing body consideration. The Township Committee approved.

12. The Administrator reported that earlier in the year when the budget was formulated, the governing body requested that the Administrator conduct a review of the fees the Township charges to determine if any modifications should be made. All fees were reviewed this year and the modifications made were: 1) a policy change where only 20% of a fee for non-profit or house of worship would be waived; 2) a \$5.00 per hour police car usage fee for off duty police assignments was created; 3) specific and certain recreation fees were increased where appropriate; 4) fire prevention fees which were last increased in the late 1990's were increased; 5) uniform construction code fees were reviewed and the base fee was amended to reflect the New Jersey Department of Community Affairs approved amount and three (3) other fees were increased where appropriate and 6) the police fingerprint fee was increased. As an added value, the information was sent to all staff that calculates or charges fees. Committeeman Rooney suggested that the Township establish a Shade Tree Review Fee to be charged by the Shade Tree Commission for all proposed development applications that require review such as the Shop Rite application which resulted in multiple meetings with the Shade Tree

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Commission. The Administrator was requested to follow-up with a proposed fee.

13. With regard to the resolution for the Library Board policy, adopted at the 8:00 p.m. meeting, the Township will deliver the resolution to the Library Director and she will forward the resolution to the State.
14. The Administrator received a police report advising there was significant vandalism done to the Wyckoff Community Park bathrooms with human feces. Both the Township Committee and the Administrator expressed absolute disappointment in this act of destruction.
15. The Administrator reviewed a recommendation from the DPW Manager that the next Community Development Block Grant application due October 8, 2010 include the replacement and widening of the front steps of Town Hall and the addition of a "colonial looking" ADA automatic door. The Township Committee approved.
16. The Township Committee reviewed the notices that were received from Bergen County. It appears that the Bergen County Historic and Open Space Grant Program have issued notice they are accepting applications until October 8, 2010. The Open Space Program consists of two (2) separate grant components; one (1) is to enhance recreational improvements and the second component is to purchase property. The Administrator reported that the notice for the historic preservation grants were forwarded to the Zabriskie House Trustees. The Township Committee discussed all three (3) components at length and instructed the Administrator to submit an Open Space Land Acquisition application for Russell Farms and the former Maple Lake and summarize the ideas suggested for recreation field enhancements. These suggestions from governing body members included renovating the soccer field at St. Elizabeth's Church, renovating the baseball field at Cornerstone Christian Church, providing a wood chip and macadam path at the Larkin House Park and Committeeman Connolly will speak with the Recreation Enhancement Foundation and obtain input from them.
17. The Administrator reported that a new CERT Class begins in September. This class will last nine (9) evenings of three (3) hours each. The Township currently has thirty-five (35) CERTS including Township Committeemen Connolly and Scanlan. A new public service announcement was issued this week to solicit additional CERT volunteers.
18. The Administrator reported that last Friday the Township's Summer Recreation Camp completed its five (5) week program. The Kindergarten to Grade 5 Camp was very successful and 1,156 campers enjoyed the program. The five (5) week middle school camp was also successful and had 75 campers. The summer instructional sports camp enjoyed high enrollment compared to the last few years. Even better, 50 – 60, 14 – 15 year old councilors in training (CITS) learned valuable work experience while volunteering this summer.

Township Attorney Report:

1. Mr. Landel requested a Closed Session meeting this evening regarding pending litigation.

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2. Mr. Landel met with Brian Hekemian, owner of the Boulder Run Shopping Center and his attorneys this week to address the affordable housing units at Boulder Run. Mr. Landel indicated he is making progress and increasingly closer to the affordable units available for occupancy.
3. Mr. Landel updated the Township Committee regarding his discussions with representatives from Sprint/Nextel and AT&T relative to the Route 208 Tower. Sprint/Nextel/Clearvoice are the same company. As it relates to the Route 208 Communications Tower, the litigation settlement limited the tower to four (4) carriers and reduced the tower in height to remove a potential fifth carrier. Sprint and Nextel, who are the same company, propose to locate at the same level and remove three (3) communication antennas/dishes and replace them with three (3) antennas/dishes of Clearvoice, (which is the same company). This will free up the fourth location on the pole for AT&T. All existing cabinets in the ground area can be utilized. This sublease was recommended to increase revenue to defray taxes. The Township Committee approved.

At 9:05 p.m. the Township Committee recessed the Work Session Meeting to enter into Closed Session discussion via Resolution #10-C17:

MOTION : CONNOLLY **SECOND:** SCANLAN
VOTE: CONNOLLY yes DePHILLIPS absent ROONEY yes SCANLAN yes
BOONSTRA yes

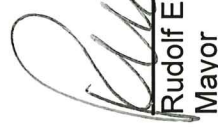
At 10:15 p.m. reconvenes the Work Session Meeting voting as follows:

MOTION : CONNOLLY **SECOND:** SCANLAN
VOTE: CONNOLLY yes DePHILLIPS absent ROONEY yes SCANLAN yes
BOONSTRA yes

Policy Action Items con't:

19. The Township Committee voted not to enforce the Sunday sales prohibition at the PNC Bank based on the Township Attorney's legal opinion that PNC Bank is a federally chartered bank and therefore exempt from the State Sunday sales prohibition in Bergen County. Any other complaints from banks will be addressed on a case by case basis.
20. The Township Committee authorized the Administrator to prepare and submit two (2) Bergen County Open Space grants, one for the park enhancement grant component and two (2) for the land acquisition grant component. An application for additional funds for the potential purchase of Russell Farms and the former Maple Lake property.
21. The Township Committee authorized the Township Attorney to prepare a resolution to re-authorize the litigation against Ridgewood Water's 21% water rate hike and 145% fire hydrant increase due to the Ridgewood Village Manager's refusal to allow a meeting with a Ridgewood governing body subcommittee and subcommittees from Wyckoff, Glen Rock and Midland Park to address the unfairness of the components of the water rate hike. Mr. Fiorenza's offer to serve as counsel "pro bono" will also be reconfirmed.

The Work Session Meeting adjourned at 10:20 p.m.


Rudolf E. Boonstra
 Mayor


Joyce C. Santimauro
 Municipal Clerk

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 3, 2010**

Mayor Rudy Boonstra called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 p.m.

The Township Committee then proceeded with the Pledge of Allegiance.

The Invocation was given by Mayor Boonstra.

Township Administrator Robert J. Shannon read the "Open Public Meetings Act" Statement: "This regular meeting of the Township Committee of the Township of Wyckoff is now in session. In accordance with the provisions of Section 8 of the Open Public Meetings Act, I wish to advise that notice of this meeting has been posted in the lower level of the Memorial Town Hall and that a copy of the schedule of meetings has also been filed with the Township Clerk, and copies of this agenda and the annual notice of meetings, of which this is a part, have been heretofore sent to the Ridgewood News, The Record, and The North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers."

He noted those present: Mayor Boonstra, Committeemen Connolly; Rooney; Scanlan.

Also Present: Township Administrator Robert J. Shannon, Jr.; Planning Board Secretary Susan Schilstra and Township Attorney Robert Landel.

Absent: Committeeman DePhillips; Municipal Clerk Joyce C. Santimauro.

The Township Committee voted unanimously to open the public portion of the meeting.

Jerry Goetting, 629 Lawlins Road. Mr. Goetting stated that he compliments Police Chief Benjamin Fox. Mr. Goetting stated he has seen a tremendous difference in the Police Department since Chief Fox became Chief. For example, he sees more electronic signs posted and reads more public safety announcements in the newspapers. Mayor Boonstra stated that Chief Fox is doing a good job and the Township Committee felt the same about Chief Fox as Mr. Goetting did.

Mr. Goetting distributed an article from the Moorestown Sun Newspaper dated June 23, 2010, and commented that this community held taxes firm by increasing water and sewer fees to all its property owners to avoid increasing taxes and the Township Committee could consider this.

Mr. Goetting questioned the Township's application to purchase the five (5) acre farm known as Russell Farm which previously had peach trees. Mr. Goetting stated that the soil at Russell Farm may be toxic. Mr. Goetting referred to a similar situation in Woodcliff Lake where Woodcliff Lake had attempted to purchase Tice's Farm and both Woodcliff Lake and Saddle River prohibited trucks from transporting the excavated soil from Tice's Farm on streets in their municipalities. Mr. Goetting indicated the Township may have a similar experience with Russell Farm.

Mr. Goetting expressed his objection to the Library expansion project, especially in this economy. Mr. Goetting indicated the Library Board wishes to build this expansion for five hundred (500) children. Mr. Goetting stated that he visits the Library every day, sometimes twice a day, the parking lot is never full and the seats at the Library are never full. Mr. Goetting opined that this Town doesn't need to pay \$3.5 to \$4 million on a library expansion. Mr. Goetting stated he has inspected the Library expansion plan and the Township does not need the expensive ceilings, the new basement that has been designed especially since the existing basement is not used. Mr. Goetting suggested the Township Committee abolish the Library Board and make the library a private library. Mr. Scanlan indicated that the Library conducted telephone interviews. Each

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interview took ten to fifteen minutes and consisted of approximately twelve questions. Out of the approximately seventy-five residents of Wyckoff who were contacted through this telephone interview, only two expressed opposition to the Library expansion. Additionally, the school libraries do not service adults. Last year more than 200,000 items were circulated at the Library. Mr. Scanlan opined that improvements are needed and he would like to see more e-book lending, however, the Library is well-used. Additionally, the Library expansion is being funded by the Library Board utilizing a "sinking" fund and has saved money from previous years by not spending it to afford this expansion. Mr. Goetting replied that the Library circulation statistics do not match usage. For example, Mr. Goetting indicated the Library wants to build four thousand square feet for children's programs. Mr. Scanlan indicated that the plan also includes freeing up space for adult usage. Mr. Goetting indicated that five hundred students have signed up for the summer reading program. Why spend \$4,000,000 for a summer reading program for five hundred (500) students? Township Committeeman Rooney stated that he just returned from a trip to Europe and indicated that when one's in Europe you notice that Europe has an emphasis on culture, the arts, heritage, tradition and reading. We don't seem to have the same focus. The Library is trying to achieve this focus. Mayor Boonstra followed up on Mr. Scanlan's point that the Library Board has prudently put away money for this expansion, therefore, the Township is not issuing any debt for the expansion. A previous Township Committee told the Library Board that the Town would not fund an expansion and they would have to fund it from their savings through the "sinking" fund. Mayor Boonstra indicated the question really is "What will occur with the State Library Funding formula?" The Library Board needs to address returning the excess funding to the Township Committee for tax relief. Township Committeeman Scanlan indicated that the Library, this year, returned \$303,000 of excess funding to the Municipality which will be used for tax relief in the 2011 budget. Township Committeeman Connolly indicated that he is concerned with the funding formula changes and the Library appropriation. If these changes occur at the State level, the Library may not have the surpluses that they've had in previous years.

The Township Committee voted unanimously to close the public portion of the meeting.

Approval of the following Township Committee minutes:

Township Committee Work Session and Regular Meeting Minutes from July 20, 2010 (Rooney)

MOTION : SCANLAN SECOND: CONNOLLY
CONNOLLY Yes DePHILLIPS Absent ROONEY Absent
SCANLAN Yes BOONSTRA Yes

Consent Agenda: Township Administrator Robert J. Shannon read the 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):

#10-177 Payment of Bills

WHEREAS, the two Committeemen acting as the Finance Committee have approved and signed vouchers, also recommending payment; and,

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

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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 proper officers of the Township be, and they are hereby authorized and directed to draw checks against the funds of the Township of Wyckoff in payment of such vouchers covered by checks no. 70816 – 70851 Payroll A/C, checks no. 058497- 058638 Claims A/C, checks no. 02164 – 02168 Accutrack A/C, checks no. 058493 – 058496 Voided Checks and Direct Deposit Voucher Nos. 304001 - 304043.

Listing of said checks is attached to the official minutes.

#10-178 Return of certain overpaid taxes, escrow monies, recreation fees, etc.

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:

BOARD OF ADJUSTMENT:

Michael & Rita Palumbo, 68 Wckoff Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 466/Lot 52.01 - \$55.50

RECREATION:

Gloria Santiago, 600 Farview Avenue, Wyckoff, New Jersey 07481 – Soccer Clinic Refund - \$50.00

Laurie Johnson, 475 Fairfield Road, Wyckoff, New Jersey 07481 – Soccer Refund - \$65.00

James Nunnery, 205 Van Houten Avenue, Wyckoff, New Jersey 07481 – Soccer Refund - \$65.00

Nancy Rettig, 587 Miller Road, Wyckoff, New Jersey 07481 – Jr. Football Refund - \$170.00

Amber McCauley, 233 Franklin Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$320.00

Carrie Reed, 41 Wild Duck Road, Wyckoff, New Jersey 07481 – Football Refund - \$170.00

Laura Ilardi, 37 Dale Avenue, Wyckoff, New Jersey 07481 – Tennis Refund - \$25.00

Lori Ferrari, 20 Deerfield Road, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$75.00

#10-179 Supplemental Snow Plow Contract Extension

WHEREAS, the Township Committee awarded a two (2) year contract for supplemental snow plow operators via resolution #08-188 on August 5, 2008; and,

WHEREAS, both the bid specifications and resolution #08-188 provided for the option at the Municipality's sole discretion to award one (1) two (2) year extension; and,

WHEREAS, the attached letter from Scott Fisher, DPW Manager recommends awarding one (1)/two (2) year extension; and,

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WHEREAS, the Department of Public Works Manager has discussed a contract extension for two (2) years and Mr. Severs, President of William D. Severs, Company has agreed to a two (2) year extension; and,

WHEREAS, the C.P.I increase in calendar year 2010 was 2.5% and translates into:

1. 11/1/10 - 4/1/12 All trucks at \$122.00 per hour.
\$127.50 per hour for Saturday/Sunday/Holidays.

WHEREAS, the Township Attorney and Township Administrator have reviewed the bids and concur; and,

WHEREAS, the Chief Financial Officer in accordance with NJAC 5:30-5.5(d)2 certifies that this contract extension is subject to the availability and appropriation annually of sufficient funds in future years; and,

WHEREAS, the Chief Financial Officer has issued a Certificate of Available Funds indicating funds are available in the 2010 budget account - rentals #10-2-26-290-050.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a two (2) year contract extension is hereby awarded to the William D. Severs Company, 17 Sunrise Drive, Hawthorne, New Jersey 07506 for ten (10) snow plow vehicles and operators from November 15, 2010 through April 15, 2012 as per the above price in strict conformance specifications.

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Department of Public Works Manager by the Municipal Clerk.

#10-180 Annual Report of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2009 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the section of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

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as evidenced by the group affidavit form of the governing body; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 to wit:

R.S. 52:27BB-52- "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refused to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Wyckoff, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

#10-181 Close Out of Completed Grants

WHEREAS, certain Unappropriated and Appropriated Grant Reserves, 2008 Municipal Alliance Grant Fund Receivables and Reserves, 2008 Forfeiture Funds Receivable, 2008 NJDOT Trust Grant, 2009 Open Space Trust Grant, for prior years which remain dedicated to programs now completed and closed; and

WHEREAS, as Township Municipal Accountant, Bergen County Municipal Alliance Coordinator, and Township Engineer Boswell Engineering have stated that the following grant years prior to 2010 have been completed and are considered closed, and

WHEREAS, the 2009 Annual Audit has been completed and the final balances of the Unappropriated and Appropriated Grant Reserves Current Fund and Receivables and Improvement Authorizations Capital Fund have been verified and closed, and

WHEREAS, it is necessary to formally cancel said balances so that unexpended balances, if any, may be moved to fund balance:

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Chief Financial Officer is instructed to cancel the following dedicated balances of the Un-appropriated and Appropriated Reserves Current Fund and Receivables and Authorizations of Capital Fund as follows:

2008 Municipal Alliance Un-appropriated Reserves	\$ 4,781.00
2008 Municipal Alliance Grant Matching Fund	468.55
2008 Municipal Alliance Appropriated Reserves	4,781.00

Completed as per Bergen County Mun Alliance Coordinator

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2008 Forfeiture Funds Grant Receivable	\$	11.00
<i>Completed and closed as per 2009 Annual Audit/Bergen County</i>		

2008 NJDOT –Lawlins Road Improvements Receivable	\$ 21,926.12
2008 NJDOT-Lawlins Road Improvements Authorized	21,926.12
2009 OST-Baseball Field Improvements Receivable	\$ 14,352.00
2009 OST-Baseball Field Improvements Authorized	14,352.00
<i>Completed as per Township Engineer</i>	

Un-appropriated Grant Reserves Receivable	\$ 11,905.00
Appropriated Grant Reserves Authorized	11,905.00
<i>Completed and closed as per 2009 Annual Audit</i>	

NOW THEREFORE BE IT FURTHER RESOLVED, by the Township Committee of the Township of Wyckoff, that any balances remaining be returned to the Current and Capital Fund Fund Balances.

#10-182

WHEREAS, the Township Committee awarded a two (2) year contract for marketing/recycling its leaves via resolution #08-186 on August 5, 2008; and,

WHEREAS, both the bid specifications and resolution #08-186 provided for the option at the Municipality's sole discretion to award one (1) two (2) year extension; and,

WHEREAS, the attached letter from Scott Fisher, DPW Manager recommends awarding one (1)/two (2) year extension; and,

WHEREAS, the Department of Public Works Manager has discussed a contract extension for two (2) years and Mr. Jim Abma of Abma's Farm, has agreed to a two (2) year extension; and,

WHEREAS, the C.P.I increase does not apply because the bid price was zero and the bid specification required the leaf material to be moved off the municipal property and become the property of the vendor.

- | 1. | 11/1/10 - 4/1/2012 | Zero Cost |
|----|--------------------|-----------|
| | | |

WHEREAS, the Township Attorney and Township Administrator have reviewed the bids and concur.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a two (2) year contract extension is hereby awarded to the Abma's Farm, Inc., 700 Lawlins Road, Wyckoff, New Jersey 07481 in strict conformance with specifications for the value of the leaf mulch and no monetary payment.

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Department of Public Works Manager and the Accounts Payable Clerk by the Municipal Clerk.

#10-183 Calendar Printing – Contract Extension

WHEREAS, the Township Committee awarded a two (2) year contract for calendar printing via resolution #07-208 on August 21, 2007; and,

WHEREAS, both the bid specifications and resolution #07-208 provided for the option at the Municipality's sole discretion to award one (1) two (2) year extension; and,

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WHEREAS, the Township Administrator recommends awarding one (1)/two (2) year extension; and,

WHEREAS, the C.P.I increase in calendar year 2010 is 2.5% and translates into:

2011 Calendar \$7,585.00

2012 Calendar \$7,775.00

WHEREAS, the Township Attorney and Township Administrator have reviewed the bids and concur; and,

WHEREAS, the Chief Financial Officer in accordance with NJAC 5:30-5.5(d)2 certifies that this contract extension is subject to the availability and appropriation annually of sufficient funds in future years.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a two (2) year contract extension is hereby awarded to Grandview Printing Company, 32 West End Road, Totowa, New Jersey 07512 for printing the 2011 Municipal Calendar at a price of \$7,585.00 and the 2012 Municipal Calendar for the price of \$7,775.00 in accordance with the terms and conditions of the bid specification.

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Township Administrator and the Accounts Payable Clerk by the Municipal Clerk.

#10-184 Participate and Support the “Over the Limit and Under Arrest 2010 Statewide Crackdown”

WHEREAS, impaired drivers on our nation’s roads kill someone every 30 minutes, 50 people per day and almost 18,000 people each year; and,

WHEREAS, 31% of motor vehicle fatalities in New Jersey are alcohol-related; and,

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and,

WHEREAS, the summer season and the Labor Day holiday in particular are traditionally times of social gatherings which include alcohol; and,

WHEREAS, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the State to participate in the “Over the Limit Under Arrest 2010 Statewide Crackdown”; and,

WHEREAS, the project will involve increased impaired driving enforcement and a reduction in impaired driving will save lives on our roadways.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey declares its’ support of the “Over the Limit Under Arrest 2010 Statewide Crackdown” from August 20 through September 6, 2010 and pledges to increase awareness of the dangers of drinking and driving.

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#10-185 Authorize Change Order #1 – Reducing Final Cost

WHEREAS, the Township Committee of the Township of Wyckoff has awarded a contract to the lowest bidder to D & L Paving, P.O. Box 507 Nutley, New Jersey 07110 via Resolution #10-137 dated June 1, 2010 for \$91,299.13 to pave Monroe Avenue with a NJDOT grant; and,

WHEREAS, the Township Administrator has filed with the Township Committee, in accordance with a recommendation from the DPW Manager, a written request for a change order in accordance with NJAC 5:34-4.4 prior to the adoption of this resolution; and,

WHEREAS, the Chief Financial Officer has attached a Certificate of Available Funds indicating that funds are available in account #C-04-56-910-001 for this purpose; and,

WHEREAS, the Township Attorney has reviewed this information and NJAC 5:34-4 and recommends the Township Committee adopt this resolution as for form and procedure.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Change Order is hereby authorized in the amount of \$-94.93 or less than 1% for a combined total contract of \$91,204.20.

BE IT FURTHER RESOLVED that the attached amendatory contract be approved.

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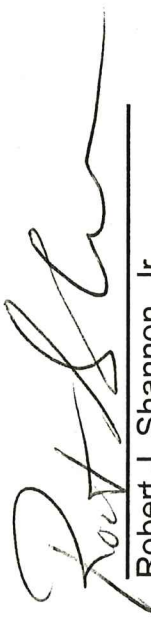
Robert J. Shannon, Jr.
Township Administrator

TOWNSHIP OF WYCKOFF – MEMORANDUM

TO: Township Committee
FROM: Robert J. Shannon, Jr., Township Administrator
DATE: July 27, 2010
RE: Change Order #1 – Reducing Total Cost

This report is provided to the Township Committee to satisfy NJAC 5:34-4.4 for authorization of Change Order #1 which reduces the overall project cost by \$94.93

The Township Consulting Engineer, Peter TenKate, PE reports that sixteen (16) unit items experienced additional or less quantities that Boswell Engineering estimated were needed. Six (6) decreased and ten (0) increased. The net effect was a reduction of \$94.93


Robert J. Shannon, Jr.
Township Administrator

cc: Robert Landel, Township Attorney

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#10-186

Approve Library Board Policy

WHEREAS, the Library Board of Trustees of the Wyckoff Free Public Library has requested the Township Committee re-adopt resolution 2005-205 adopted on August 3, 2010; and

WHEREAS, the Library Board of Trustees has adopted a resolution providing that employees of the Wyckoff Public Library shall not be provided with paid retired health benefits and the Wyckoff Library Board of Trustees has requested the Township Committee adopt a "Chapter 48 Resolution" to exempt Library employees in this regard; and,

WHEREAS, the Township is relying on the Library Board of Trustees special legal counsel opinion that notice to the library employees is not needed at this stage; and,

WHEREAS, the attached State required Resolution Form is completed as requested by the New Jersey State Health Benefits Program.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, in the State of New Jersey that the attached New Jersey State Health Benefits Program resolution is adopted as per the request of the Wyckoff Library Board of Trustees effective August 1, 2010.

BE IT FURTHER RESOLVED that the Municipal Clerk shall sign the state required resolution and provide a copy to the Wyckoff Library Director and the original to the Township's Certifying Officer and she will immediately mail it to the New Jersey State Health Benefits Program, P.O. Box 299, Trenton, New Jersey 08625-0299 certified mail, return receipt requested.

#10-187

Block 427, Lot 3 Refund

WHEREAS, the Township's Tax Appeal Attorney settled a Tax Appeal for Block 427, Lot 3, 373 Durham Road for 2009 and agreed to a further reduction for the 2010 year to \$1,030,000; and

WHEREAS, the Tax Assessor filed the 2010 Tax List without the 2010 reduction and when the signed stipulation of settlement was received, it was past the time for filing an assessor's appeal to effectuate the reduction; and

WHEREAS, the Township's Tax Appeal Attorney and the Tax Assessor recommend a 2010 tax assessment reduction from \$1,048,000 to \$1,030,000.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the aforementioned recommended 2010 tax reduction to \$1,030,000 for block 373, Lot 3, 373 Durham Road, is hereby authorized.

BE IT FURTHER RESOLVED that the Municipal Clerk shall provide a certified copy of this resolution to the Tax Collector, Tax Assessor and Tax Appeal Counsel.

#10-C17

**Closed Session – Pending & Anticipated Litigation
Acquisition of Real Property,
NJSA 10:4-12(b)5**

WHEREAS, the Township Committee of the Township of Wyckoff is subject to certain requirements of the "Open Public Meetings Act", N.J.S.A. 10:4-12, et seq.; and,

WHEREAS, the "Open Public Meetings Act", N.J.S.A. 10:4-12, provides that an

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Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and,

WHEREAS, it was necessary for the Township Committee of the Township of Wyckoff to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

A. & B Pending & Anticipated Litigation

NJSA 10:4-12(7)

C. Acquisition of Real Property, NJSA 10:4-12(b)5

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on August 3, 2010, hereby authorized, that an Executive Session closed to the public shall be conducted on August 3, 2010, in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED, that the minutes of the said closed session will be made public when the Township Committee of the Township of Wyckoff determines the reason for the minutes to remain closed no longer exists and the Municipal Clerk shall attach to this resolution when completed the Closed Session Meeting Minutes to the specific items designated above.

II Motions:

1. Approve specifications and authorize public bidding for a replacement Dump Truck & Plow.

Following is the vote on the Consent Agenda:

MOTION : ROONEY SECOND: CONNOLLY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

IV Ordinances (Further Consideration/Public Hearings)

ORDINANCE #1627

AN ORDINANCE TO AMEND CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "FIRE PREVENTION ADMINISTRATION" TO AMEND SECTION 116-7 "NON LIFE HAZARD USES; FEES" TO INCREASE FEES

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1627, entitled:

AN ORDINANCE TO AMEND CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "FIRE PREVENTION ADMINISTRATION" TO AMEND SECTION 116-7 "NON LIFE HAZARD USES; FEES" TO INCREASE FEES

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the

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Township who have requested the same.

COMMITTEEMAN CONNOLLY: I move the Ordinance on second reading by Title only.

COMMITTEEMAN ROONEY: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1627, and all persons who wish to be heard, please state your name and address before making your statement.

Township Administrator Shannon noted there was a letter of recommendation from the Fire Department Fire Marshall Fred Depken for this ordinance to be adopted as proposed.

COMMITTEEMAN CONNOLLY: I move that the Public Hearing on the Ordinance be closed.

COMMITTEEMAN ROONEY: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1627 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN CONNOLLY: I move the resolution.

COMMITTEEMAN ROONEY: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

ORDINANCE #1627

AN ORDINANCE TO AMEND CHAPTER 116 OF THE CODE OF THE TOWNSHIP OF WYCKOFF “FIRE PREVENTION ADMINISTRATION” TO AMEND SECTION 116-7 “NON LIFE HAZARD USES; FEES” TO INCREASE FEES

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 116-7A “Non Life Hazard Uses; Fees” is amended as follows:

SECTION 1 – Chapter 116 Fire Prevention Administration

Section 116-7 – Non Life Hazard Uses; Fees

A. In addition to the registrations required by the Uniform Fire Code, the following non life hazard uses shall register with the Bureau of Fire Prevention. These uses shall be inspected once per year and pay an annual fee as follows:

Use Group	Fee
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Assembly	\$60.00	<u>\$100.00</u>
Business		
Less than 5,000 square feet	\$35.00	<u>\$50.00</u>
5,000 square feet to 10,000 square feet	\$50.00	<u>\$75.00</u>
More than 10,000 square feet	\$75.00	<u>\$100.00</u>
Mercantile		
Less than 5,000 square feet	\$35.00	<u>\$50.00</u>
5,000 square feet to 12,000 square feet	\$75.00	<u>\$100.00</u>
Factory/storage	\$60.00	<u>\$50.00</u>
Residential		
Residential up to ten (10) units	\$85.00	
Residential over ten (10) units	<u>\$100.00</u>	
Utility		<u>\$35.00</u>

B. Buildings owned or used by the Township of Wyckoff and any buildings owned or used by the Board of Education of the Township of Wyckoff shall be exempt from fees imposed by this section.

SECTION 2 – Except as hereby amended, all other sections of Chapter 116 shall remain in full force and effect.

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

ORDINANCE #1628

AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF WYCKOFF “CONSTRUCTION CODES, UNIFORM” TO AMEND SECTION 108-3 “FEE SCHEDULE” TO ADD AND INCREASE CERTAIN FEES

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1628, entitled:

AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF WYCKOFF “CONSTRUCTION CODES, UNIFORM” TO AMEND SECTION 108-3 “FEE SCHEDULE” TO ADD AND INCREASE CERTAIN FEES.

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

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COMMITTEEMAN CONNOLLY: I move the Ordinance on second reading by Title only.

COMMITTEEMAN ROONEY: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1628, and all persons who wish to be heard, please state your name and address before making your statement.

Township Administrator Shannon noted there was a letter of recommendation from Tom Gensheimer, CCO, BSCO for this ordinance to be adopted as proposed.

COMMITTEEMAN CONNOLLY: I move that the Public Hearing on the Ordinance be closed.

COMMITTEEMAN SCANLAN: Seconded.

MOTION : CONNOLLY SECOND: SCANLAN
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1628 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN CONNOLLY: I move the resolution.

COMMITTEEMAN ROONEY: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

ORDINANCE #1628

AN ORDINANCE TO AMEND CHAPTER 108 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "CONSTRUCTION CODES, UNIFORM" TO AMEND SECTION 108-3 "FEE SCHEDULE" TO ADD AND INCREASE CERTAIN FEES.

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 108 "Fee Schedule" is amended and supplemented as follows:

SECTION 1. § 108-3 Fee Schedule.

A. The fee for a construction permit shall be the sum of the subcode fees listed herein and shall be paid before the permit is issued:

(2) Building subcode fees. The fee for work under the building subcode shall be as

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follows:

(a) New building and additions. Permit fees shall be based upon the volume of the structure. Volume shall be computed in accordance with N.J.A.C. 5:23-2.28. The building permit fee shall be in the amount and rate of ~~two and one-half cents (\$0.025)~~ established by the New Jersey Department of Community Affairs (NJDCA) for the per cubic foot charge of volume for buildings and structures of all use groups and types of construction as classified and defined in Article 3 of the building subcode. State of New Jersey training fees shall be in the ~~an~~ amount and rate established by the NJDCA for the of \$0.0016 per cubic foot charge of volume of new construction in accordance with N.J.A.C. 5:23-4.19(b). The following minimum fees shall be in effect:

- [1] Principal building: \$1,000.
- [2] Additions:less than 120 square feet of floor area, \$150; 121 square feet of floor area and greater, \$300.
- [3] Accessory building: \$100.
- [4] Sheds greater than 100 square feet: ~~\$80.~~ \$100.

(3) Plumbing subcode fees.

(a) The fees for installation or replacement under the plumbing subcode shall be as follows:

Fixture/Equipment	Fee
Water closet	\$15
Urinal/bidet	\$15
Bathtub	\$15
Lavatory	\$15
Shower	\$15
Floor drain	\$15
Sink	\$15
Dishwasher	\$15
Drinking fountain	\$15
Washing machine	\$15
Hose bib	\$15
Gas piping	\$50
Fuel oil piping	\$50
Water heater	\$30
Steam boiler	\$65
Hot water boiler	\$65
Sewer pump	\$60
Interceptor/separator	\$50
Backflow preventer	\$18
Grease trap	\$60

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Water-cooled air-conditioning or refrigeration unit	\$50
Sewer connection	\$80
Water service connection	\$55
Gas service connection	\$50
Active solar system	\$65
Commercial dishwasher	\$40
Water cooler	\$15
Water softener	\$15
Sewer ejector	\$60
Reduced-pressure backflow device	\$15

Fixture/Equipment	Fee
Vent stack	\$12
Dry well	\$12
Minimum plumbing fee	\$40
	<u>\$50</u>

(7) Fences. The fee for a permit to construct a fence up to ~~greater than six feet in height~~ shall be in the amount of ~~\$22~~ \$25 per \$1,000 of value, or a minimum fee of \$40, which shall include the plan review fee. This fee shall be in addition to any Planning Board application fees which may be required by Chapter 186, Zoning. Pool fences required by the Uniform Construction Code to establish a safety barrier shall require a fee of \$120.

(8) Certification of occupancy.

(a) The fee for certificate of occupancy shall be as follows:

Unit	Fee
Each new business, industrial or residential structure	\$120 \$175
Each unit of condominiums or townhouses	80
Each business establishment (all zones)	80
Each industrial establishment	80
Each change in commercial use pursuant to the Uniform Construction Code	80
Each adult condominium unit resale	80
Continued occupancy letter	80
Addition	60 <u>120</u>
Each detached garage, accessory structure	40 <u>60</u>
Shed	12
Renewal of temporary certificate of occupancy	250
In ground swimming pool	<u>120</u>

(10) Fire subcode fees.

(a) The fees under the fire subcode shall be as follows:

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Description	Fee
Water supply source	\$ 32
Method of valve supervision	32
Local alarm supervision	32
Central supervision	32
Proprietary supervision	32
Flammable liquid storage tanks	250
Combustible liquid storage tanks	150
Liquefied petroleum gas (LPG) storage tanks	100
Liquefied natural gas (LNG) storage tanks	100
Wet sprinkler heads, up to 25 heads	80
Dry sprinkler heads, up to 25 heads	80
Sprinkler heads:	
26 to 75 heads	40
76 to 200 heads	160
Each additional head over 200	60
Smoke detectors, each	10
Heat detectors, each	3
Kitchen hood exhaust systems, commercial	75
Preengineered systems:	
CO ₂	50
Halon suppression	50
Foam suppression	50
Dry chemical	50
Wet chemical	50
Gas- or oil-fired appliance	32
Fireplace or wood burning stove	60
Gasoline pump	180
MPD (multiple product dispenser)	200
Underground storage tank removal or abandonment of tank	80
Standpipes:	
4-inch riser	\$ 75
6-inch riser	100
8-inch riser	150
Over 8-inch riser	200
Minimum fire subcode fee	40
	50

(11) Electrical subcode fees.

(a) The fees for installation or replacement under the electrical subcode shall be as follows:

Description	Fee
Fixtures, receptacles, switches	\$ 60.00
1 to 50 outlets	1.00
Each additional above 50	25.00
Range	25.00
Oven(s)	25.00
Surface unit	25.00
Dishwasher	25.00
Garbage disposal	25.00
Dryer	25.00

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Air-conditioning unit	25.00
Burglar alarms	25.00
Intercom panels, each	25.00
Smoke-detectors, each	<u>10.00</u>
Storable pools, spas/hot tubs	60.00
Pool installation	\$80.00 125.00
Water heater(s)	<u>25.00</u>
Central heat: oil, gas or electric	25.00
Baseboard heat units	25.00
Thermostats, each	10.00
Heat pump, each	25.00
Pump(s), each	25.00
Motor control center/ subpanels	50.00
Sign, each	25.00
Light standards, each	20.00
Motors, fractional horsepower, each	10.00
Motors, all others, each	25.00
Transformers, each	25.00
Generators, each	25.00
Service entrance	65.00
Elevator	150.00
Rain sensor	40.00
Active solar system	<u>65.00</u>
Minimum electric subcode	40.00
fee	<u>50.00</u>

SECTION 2. Except as hereby amended, all other sections of Chapter 108 shall remain in full force and effect.

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

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes *****

ORDINANCE 1629

AN ORDINANCE TO AMEND ORDINANCE #1606, "AN ORDINANCE TO ESTABLISH TOWING PROCEDURES"

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1629, entitled:

AN ORDINANCE TO AMEND ORDINANCE #1606, "AN ORDINANCE TO ESTABLISH TOWING PROCEDURES".

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

COMMITTEEMAN CONNOLLY: I move the Ordinance on second reading by Title only.

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COMMITTEEMAN SCANLAN: Seconded.

MOTION : CONNOLLY SECOND: SCANLAN
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1629, and all persons who wish to be heard, please state your name and address before making your statement.

Township Administrator Shannon noted there was a letter of recommendation from Police Chief Benjamin Fox for this ordinance to be adopted as proposed.

COMMITTEEMAN CONNOLLY: I move that the Public Hearing on the Ordinance be closed.

COMMITTEEMAN SCANLAN: Seconded.

MOTION : CONNOLLY SECOND: SCANLAN
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1629 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN CONNOLLY: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

MOTION : CONNOLLY SECOND: ROONEY
VOTE: CONNOLLY Yes DePHILLIPS Absent ROONEY Yes
SCANLAN Yes BOONSTRA Yes

ORDINANCE #1629

AN ORDINANCE TO AMEND ORDINANCE #1606, "AN ORDINANCE TO ESTABLISH TOWING PROCEDURES".

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Ordinance 1606, "An Ordinance to Establish Towing Procedures" is hereby amended as follows:

SECTION 1. Ordinance #1606 "An Ordinance To Establish Towing Procedures".

§ 7. Issuance of licenses.

A. Authorization.

- (1) The Township Committee shall, at a public meeting by resolution, authorize the issuance of licenses after consideration of the applications and the recommendations of the Township's Chief of Police.

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(2) Applicants may ~~only~~ apply every year during the filing period as set forth in Section 5C and must have the recommendation of the Chief of Police prior to the new license being issued.

B. Issuance. The authorized license or licenses shall be issued by the Wyckoff Chief of Police in writing upon payment by the towing operator of the license fee specified in §8.

§ 11. Storage and garage facilities.

A. Inside building secured storage.

(1) Each licensee shall have an inside building secured storage space sufficient to accommodate at least three vehicles for exclusive use of the Police Department in connection with vehicles being held as evidence or under investigation. All storage areas must meet the requirements of N.J.A.C. 11:3-38.2 (definitions) which states, "inside buildings" means a vehicle storage facility that is completely indoors, having one or more openings in the wall, for storage and removal of vehicles and that is secured by a locking device on each opening. Inside building secured storage must be within 3 3.5 miles from the border of the Township of Wyckoff. All distances referred to in this towing ordinance shall be measured by drawing a straight line from the towing facility in question to the nearest point on Wyckoff's border.

(2) The inside building storage space shall be capable of being locked/safeguarded against access by unauthorized person(s) and employee(s).

B. Outside secured storage. Each licensee shall have an outside secured storage area to accommodate a reasonable number of vehicles at any one time. All storage areas must meet the requirements of N.J.A.C. 11:3-38.2 (definitions) which states, "outdoor secured" means an automobile storage facility that is not indoors and is secured by a fence, wall or other man-made barrier, that is at least six feet high and is installed with a passive alarm system or a similar on-site security measure. The facility is to be lighted at night. Outside secured storage must be within 3 3.5 miles from all the borders of the Township of Wyckoff.

C. Equipment facility. Each licensee shall have an area and facility adequate for the storage ~~and service~~ of the required equipment specified in Subsection 10 F of this section when not in use. Such equipment facility must be within 3 3.5 miles from all the borders of the Township of Wyckoff.

D. Location; hours; condition. The required storage and equipment facilities shall be as follows:

(1) Principal location must be within 3 3.5 miles from all the borders of the Township of Wyckoff.

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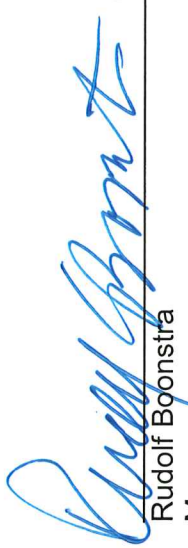
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- (2) Outside secured storage facility and inside building secured storage facility (two-vehicle capacity) must be within 3.5 miles from all the borders of the Township of Wyckoff.
- (3) The hours of recovery of vehicles from storage shall be no less than Monday through Friday, 8:00 a.m. to 4:30 p.m. and Saturday 9:00 a.m. to 3:00 p.m., (excluding holidays and Saturdays preceding a Monday holiday), and prominently posted at all of the above-mentioned facilities of the licensee and also made available at Township of Wyckoff Police Headquarters. The vehicle shall be made available by the licensee immediately upon an emergency request by the Township of Wyckoff Police Department. Facilities shall be kept clean and in good order to accommodate persons who may enter facilities with respect to any vehicles stored therein. The principal location, in addition to the above-mentioned items, shall have adequate restroom facilities with running water that are clean and in good working order available to persons who may enter the facility with respect to any vehicle towed by the licensee.
- E. Unsecured outside storage. No unsecured storage area of any kind will be permitted for use by any licensee for storage of any vehicle towed under the license.

SECTION 2. Except as hereby amended, all other sections of Ordinance #1606 shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon final passage and publication as required by law.

The meeting was adjourned at 8:35 P.M.


Rudolf Boonstra
Mayor


Joyce C. Sapienza
Municipal Clerk