

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, DECEMBER 6, 2022

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, DECEMBER 6, 2022 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute
3. Invocation
4. Reading of the "Open Public Meetings Act" statement by Municipal Clerk, Nancy A. Brown
5. Roll Call of the Township Committee Members Present:

MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

6. Request motion to open the Public Comment Period:

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.

Please step forward to the microphone or call 201-891-7000, ext. #2220 if you wish to make a comment.

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

Request motion to close the Public Comment Period:

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

7. Approval of the November 14, 2022 Township Committee Work Session and Regular Business meeting minutes:

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY 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):**

- | | |
|---------|---|
| #22-274 | Reduction of 2021 Tax Levy Due to Tax Appeal Judgement as per N.J.S.A. 54:3-21-29 |
| #22-275 | Authorization of Vouchers & Payment of Bills |
| #22-276 | Return of Certain Overpaid Taxes, Fees, etc. |
| #22-277 | Transfer of Funds |

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- #22-278 Endorse Christian Health's Bergen County Community Development Grant – Anti-Microbial Flooring
- #22-279 Tax Assessor Authorized to File Assessor's Tax Appeals, Answers, Counterclaims, Appeals and Cross Appeals
- #22-280 Authorizing Agreement
- #22-281 Authorizing Contract for the Collection of Outstanding Municipal Court Debt
- #22-282 Authorizing a Shared Service Agreement – Lending of Vehicles & Equipment

II Ordinances – Introduction

ORDINANCE #1972

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2023.

III Motions

NONE

Clerk: May I have a motion and a second to approve the consent agenda?

The Following vote is the vote on the Consent Agenda:

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

9. Ordinances – Public Hearing / Further Consideration:

NONE

10. Adjourn

Chair: May I have a motion to and a second to adjourn the Business Meeting?

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

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

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Meeting Called to Order

Mayor Rudolf E. Boonstra called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

Flag Salute

The Township Committee proceeded with the Pledge of Allegiance led by Mayor Rudolf E. Boonstra.

Invocation

The Invocation was offered by Mayor Rudolf E. Boonstra.

RE: Township Committee Meeting of Tuesday, December 6, 2022 7:00 p.m. Work Session and 8:00 p.m. Business Meetings will be livestreamed, and public comments will be available telephonically.

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6 et seq., the Township Committee of the Township of Wyckoff shall conduct its 7:00 pm, Tuesday, December 6, 2022 Work Session meeting in the second floor court room at Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, NJ 07481 and the meeting will also be live-streamed via the Township of Wyckoff's YouTube channel and members of the public may attend the meeting to provide public comment or call 201-891-7000, ext. #2220 should they wish to provide public comment during the public comment period.

These measures are implemented to allow members of the public to observe the Township Committee meeting in person and via live streaming and to provide the public the ability to comment telephonically during the period for public comment, which appears on the agenda for the meeting.

This notice and agenda have been posted on the Township's home page Wyckoff-nj.com at the Quick Link for "Minutes & Agendas" on Friday, December 2, 2022. Please select "Township Committee" and locate the date of the meeting to view documents, such as resolutions and ordinances which are made available.

General instructions regarding access to the meeting will be posted on the Wyckoff web site's home page at www.wyckoff-nj.com as a "News" item on Friday, December 2, 2022, by 4:30 pm.

To view the Township Committee meeting via livestream, please access the YouTube link which will be posted on the Wyckoff web site's home page at www.wyckoff-nj.com as a "NEWS" item immediately prior to the commencement of the meeting at approximately, 6:55 pm on December 6, 2022.

To be notified of all future live streamed Township meetings, please create a YouTube account and subscribe to our YouTube channel, "Township of Wyckoff".

NOTICE TO PUBLIC

As a member of the public, participating in this public meeting, your participation will be recorded. By participating in the meeting, it is assumed your consent is given for your voice, name, address, comments, and image to be broadcast and recorded.

There may be situations when, due to technical difficulties, live streaming or the recording of a meeting may not be available. A recording of the meeting will be available immediately after the meeting concludes on the Township's YouTube channel, "Township of Wyckoff". The Township shall not be responsible for and accepts no liability if the recording technology or live video streaming technology of the meeting is unavailable.

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OPEN PUBLIC MEETINGS ACT

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Nancy A. Brown
Municipal Clerk

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Mayor Rudolf E. Boonstra opened the Open Work Session Meeting at 7:00 p.m. in the second-floor municipal court room.

Present: Mayor Rudolf E. Boonstra, Township Committee Thomas J. Madigan and Timothy E. Shanley

Also Present: Township Administrator Matthew A. Cavallo, Municipal Clerk Nancy A. Brown and Township Attorney Robert E. Landel

Absent: Peter J. Melchionne

Nancy Brown, Municipal Clerk read the Open Public Work Session statement: "This Open Public 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 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 e-mailed to said newspapers. The Agenda with the resolutions and ordinances to be considered was posted on the Township's website at "Minutes & Agendas" on the Friday prior to this evening's meeting."

It was confirmed that the Finance Committee has reviewed and signed vouchers, and that the Mayor and Municipal Clerk have signed any necessary documents.

Mayor Boonstra opened the meeting for the ten (10) 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. Please call 201-891-7000, ext. 2220 if you wish to make a public comment at this time. Motion from Committeeman Shanley, seconded by Committeeman Madigan, all voting yes to open the ten (10) minute public comment period.

Elsa Carbone, 420A Bromley Place came forward to thank the Wyckoff Police Department for their exemplary management to control the traffic flow at the Goffie Road Poultry Farm for turkey "pick-ups" prior to Thanksgiving.

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

Administrator's Report:

1. The Re-Bid for Solid Waste, Recycling and Vegetative Waste Collection was opened on Thursday, December 1, 2022. Unfortunately, after several changes were made to the bid structure, the contrast costs on a per-unit basis did not decrease but increased slightly. The Township Committee is discussing their options and anticipate reaching a recommendation by the beginning of next week.

2. The Township will begin accepting bids on Monday, December 12, 2022 for the following:
 - a. Animal Control Services
 - b. Shade Tree Removal
 - c. Summer Recreation CampsThese bids will be opened on Thursday, December 22, 2022.

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3. Due to a delay to ensure that accurate information for the Solid Waste, Recycling and Vegetative Waste Collection is obtained, printing of the 2023 Municipal Calendar has been postponed for one (1) week. The printer expects the calendar delivery to residents by the end of the month.
4. Leaf collection is moving forward in the second round. Leaves fell earlier than expected this year and at the same time as compared to previous years. Although the leaf crews are approximately two (2) weeks behind, more leaves have been collected by volume, than at this point last year. The Township asks all residents to be patient as the crews move from district to district. Also, leaf piles must be kept on residential properties and not in the street. The Administrator thanked the DPW for working later days and weekends to complete this monumental task.
5. Applications are being accepted for a full-time laborer in the DPW. Interested candidates should apply online on the Township website.
6. Mr. Cavallo thanked the Wyckoff Chamber of Commerce for arranging the festivities on Friday, December 2, 2022 for the Tree Lighting at Town Hall. Many thanks to the Wyckoff Volunteer Fire Department for the Santa escort.
7. Santa will tour the Township of Wyckoff on Sunday, December 18, 2022 aboard the Wyckoff Fire Department Pumper.
8. The Annual Hannukah Menorah Lighting will be Sunday, December 18, 2022 at 4:30 p.m. on the front lawn of Town Hall.
9. The Annual Toys for Tots – Operation Toy Train Event will be conducted at the Train Station on Main Street on Saturday, December 10, 2022 from 11:15 a.m. to 11:55 a.m.
10. A reminder that the White Goods Collection is suspended for the remainder of the year.
11. Mr. Cavallo reported that the \$900,000 payment from the Bergen County Open Space Trust Fund for the purchase of the Maple Lake Property is expected on Friday, December 9, 2022.
12. PSE&G is still working in town on the gas main replacement project. The crews are on West Shore Drive, then moving onto Colony Court.
13. The Township Engineer is prepared to approve another sanitary sewer extension at 730 Birchwood Drive. This project proposes to extend the sanitary sewer approximately 400 linear feet from the existing terminating manhole along Frederick Court and up Thomas Place. The sewer extension is necessitated by the owner's desire to connect to sanitary sewer rather than a septic system to serve the property. There are potentially two (2) other interested parties considering participation with the current applicant and two (2) definitive non-interested parties.
14. The Township Engineer has also begun the engineering design work necessary for the Morley Drive sewer extension project. The work is expected to be completed this Winter.
15. The outstanding tax and sewer payments continue to decline from 438 to 327. Should any resident require assistance with paying their utility bills, please visit the Township website or the State Department of Community Affairs (DCA) for ways to receive assistance.

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16. As was mentioned at the previous Township Committee Meeting, Wyckoff has been awarded \$33,000 from the ARP Firefighters Grant Program managed by the DCA. The official award letter was received yesterday and the Finance Committee will continue to incorporate this grant into the 2023 Municipal Budget.
17. The Administrator and Department Managers are finalizing the first draft of the 2023 Municipal Budget for the Finance Committee's consideration. Mr. Cavallo is awaiting communication from the Legislature and the Director's (??) Office on the 2023 CAP exemptions.
18. Letters will be sent out to approximately 200 homes in Wyckoff that have been identified as possible non-owner-occupied homes built before 1978. The purpose of these letters is to survey these homes and gather accurate information on the occupancy and whether that are in fact owner occupied. If these are not, the Township is required by law to inspect each of the properties for lead-based paint. Once the surveys are returned on paper or via a form on our website, the Township will schedule to have these residences inspected per New Jersey law.
19. The 2023 Animal Licensing Program has begun. The Annual Rabies Prevention Program will be Saturday, March 18, 2023. Helpful directions can be found on our website. If your pet was previously registered but did not receive a renewal e-mail, check your spam from noreply@wyckoff-nj.com.
20. The Chief Financial Officer has advised the Administrator there will be a Note Sale on Tuesday, December 13, 2022 at 11:00 a.m. to purchase \$4,398,190 in Bond Anticipation Notes (BAN).
21. The Township is working with our phone provider to update the Town Hall Auto Attendant script. The current message reflects information about COVID19 that needs to be removed. Mr. Cavallo is requesting to shorten the "prompt" which is a major complaint from residents.
22. Boswell Engineering is currently working on renewing the municipal separate storm sewer system (MS4) which is due to expire.

Township Committee Reports:

Timothy Shanley:

1. The Zoning Board met on the 17th of November. The following applications were on their agenda:

Nouvelle, LLC 714 Godwin Avenue, Midland Park. The rear of the property is located in the Township of Wyckoff

The applicant has submitted an application to the Midland Park Zoning Board of Adjustment for Preliminary and Final Site Plan approval, with "use" and "bulk" variances, to develop the portion of the property located in Midland Park. No improvements are proposed for the portion of the property located in the Township of Wyckoff. The applicant is requesting that the Wyckoff Board of Adjustment, and the Township, waive any requirement to file an application for development with the Township of Wyckoff) The general consensus of the Board members was that they would like more information about the development of the property. They voted not to waive jurisdiction over the matter and will wait to see how it plays out in Midland Park. Since Wyckoff did not waive jurisdiction, any

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approval by the Midland Park Zoning Board will be subject to a hearing before the Wyckoff Board of Adjustment. There were objectors to the application present at that meeting.

Attorney Landel shared that the application for 714 Godwin Avenue was denied by the Midland Park Zoning Board. So, if they come back before the Wyckoff Zoning Board, adjustments will need to be made to their plans. They will likely appeal in Midland Park first, so we will see what happens.

The Zoning Board carried several applications:
Frezza 426 Meer Ave. Block 349 Lot 107

The applicant proposes to construct a second story and a covered porch requiring variance relief for both side yard setbacks and principal building lot coverage. The application was approved as submitted.

A new application was also heard:

Kaldon 301 Wiley Place Block 219 Lot 7

The applicant proposes to renovate the existing home and construct an addition of a new front entryway and change the roof line requiring variances for lot area, frontage, front yard setback, both side yard setbacks, and principal building lot coverage. The Board members had many concerns about the application. They made recommendations and sent the applicant back to the drawing board to revise the plans. The application will be carried to the December meeting pending the submission of a significantly revised plan.

185 Jackson LLC 8 Sherwood Lane Block 263 Lot 45

The applicant proposes to construct a second story addition and a two-story addition to the rear of the home requiring variance relief for lot area, frontage, front yard setback, both side yard setbacks.

The Zoning Board felt that what is proposed is too aggressive for this narrow lot. They offered suggestions and sent the applicant back to the drawing board to revise the plans and reduce the size of the house. The application will be carried to the December meeting pending the submission of a revised plan.

2. Mr. Shanley attended the Tree Lighting on Friday, December 2, 2022 with his son TJ and he loved it. Both had some hot chocolate and really enjoyed it. The event was well attended and is such a special event. Thanks to the Chamber of Commerce for providing this special event to our community.

Thomas Madigan:

1. Mr. Madigan thanked Melissa Rubenstein for her service and commitment to the residents of Wyckoff. Among many other factors, Mr. Madigan and Ms. Rubenstein worked diligently on the Municipal Budget over the past five (5) years. Ms. Rubenstein shared our collective vision of providing services while being mindful of our precious tax dollars and our residents. Melissa's many contributions over these past five (5) years were focused on keeping Wyckoff a special place. We all wish Melissa the best.

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2. Mr. Madigan was asked by Committeeman Pete Melchionne, who is at his annual conference, which is always held the first week in December, to comment on the following issues:

Mr. Melchionne is the DPW Liaison and has been working with the DPW to ensure that leaf collection is successful. As it is apparent, there is a voluminous amount of leaves this year. The leaves came down at the same time. The DPW is working diligently to complete leaf collection. The Township sent out an informational post a week or two ago sharing with residents that the DPW has actually physically collected 50% more leaves to date than they had the year before.

3. On a personal note, Mr. Madigan had discussed three (3) years ago his desire that perhaps the town should be looking into a landscaper's permit. The landscapers would be charged a \$100 annual fee and be required to provide contact information to ensure they clearly understood the rules and regulations regarding leaf collection. The Township could even connect with them about parking on narrow roadways, but particularly the placement of the leaves, specifically that the leaves must be placed along the edge of the residential property, not in the middle of a roadway.

Many of the issues the Township has experienced this year stem from residents that either themselves or with the assistance of their landscaper, pile leaves as high as they can and place them in the street. It appears that some neighbors are having a competition around who can have the highest leaf piles and obstruct the most traffic.

However, Mr. Madigan did notice that when he came down Cedar Hill Avenue several times, not one leaf was in the street. Also, coming down Clinton Avenue, not one leaf was in the street as well. This could be because the DPW has committed this year to maintaining the main roads, or it could be because the homeowners on these roads understand the traffic situation.

Residents need to understand that just because you may live on a less traveled road, does not mean you should be able to put all those leaves in the middle of the street. It's tough to navigate, arduous on residents walking their dogs, and difficult for children travelling to school in busy traffic.

Hopefully, next year, the governing body can consider an alternative to "curb" the landscapers.

4. Mr. Madigan attended the New Jersey League of Municipalities Conference last month which was very productive. He learned a lot of things and Mr. Madigan was pleased that it was as robust a conference as it had been in the past.

5. Mr. Madigan thanked the Wyckoff Chamber of Commerce for the tree lighting festivities Friday night. He enjoyed the tree lighting ceremony and the donated refreshments. As Committeeman Shanley stated, it was a nice crowd and a lot of fun. We thank the Wyckoff Chamber of Commerce for all that they did to organize this event.

6. There was an open house and ribbon cutting at the new Fred Astaire studio on Saturday, December 3, 2022, which is located next to Dairy Queen. Unfortunately, there was an incident at the beginning of the dance performance when a woman passed out and lay motionless on the dance floor. Fortunately, there was a woman in the audience who was a nurse and started administering chest compressions immediately. Within

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seconds of our call to the police, Sergeant Kyle Ferreira, Mike Flim and Mike Tegan responded. They were on the spot and cleared the area. The officers brought a defibrillator. Then, Ambulance Corps members, Joe DeVito and Alison Danson accompanied by Regina Garvey and Colin Weichmann arrived for further assistance. The Ambulance Corps members stabilized the woman and transported her to Valley Hospital.

7. Mr. Madigan reported that Fire Company #3 has been fundraising over the last several years to improve various areas on their property. They are currently under construction working on drainage and the entire parking lot. Mayor Boonstra made comment on the drainage project and what a positive this is for Fire Company #3 and the surrounding neighborhood. The DPW recently installed a fence at the rear of the property because people traditionally walk through the Fire Company's property from Long Drive and Lydia Lane. The residents travel through the fire department driveway up to Sicomac Avenue, but obviously, with the construction, the area is dangerous, so the DPW installed a fence to make sure no one is injured. Mr. Madigan thanked Pete Melchionne for personally adding to the temporary fence by installing signage clearly indicating that the fence is temporary for construction purposes. Many of the neighbors were of the opinion that Fire Company #3 was closing off access permanently and were not aware that Fire Company #3 owns this property. Fire Co. #3 is attempting to do their best to maintain not only the drainage but the construction to ensure the safety of all the surrounding neighbors.
8. Mr. Madigan advised the recent Police Committee Meeting was very productive. Progress was made on the PBA contract negotiations within the last two (2) weeks.

Mayor Boonstra:

1. Mayor Boonstra also attended the NJ League of Municipalities Conference in Atlantic City on the 15th and 16th of November. It was productive and worth attending, as always.
2. On Saturday, December 9th, Mayor Boonstra and Committeeman Madigan attended the funeral mass at St. Elizabeth's for a World War II airman, John Heffernan. Mr. Heffernan had been missing in action in Burma for 72 years since his bomber crashed. Apparently, there is an arm of the Pentagon who continually seeks out these MIA servicemen from past wars. Mayor Boonstra was not aware the search went back to WWII however, there is a big effort for MIA's in Vietnam. Mr. Heffernan's mother kept urging the Pentagon to find him because the family knew where his bomber went down. It was shot down and went into a peanut field in Burma. Everyone on board was killed. They recently found his remains and he was positively identified. The Pentagon then contacted his closest living relative who is a nephew who lives in Oakland and is also a parishioner at St. Elizabeth. The nephew asked St. Elizabeth's if he could have a mass for his uncle. The Mass was very impressive and very moving - a tremendous story. Mayor Boonstra was really pleased to have attended the funeral Mass. St. Elizabeth's did a great job and involved our volunteer fire department who was there with the ladder truck to display a very large American Flag. There was also a contingent of state troopers at the Mass and that was really quite impressive.

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3. On Sunday, November 20, 2022, Mayor Boonstra attended another Boy Scout Troop 89 Eagle Scout Court of Honor for Eric Lynch. This Court of Honor was held at the Wyckoff Library. Mayor Boonstra stated he is getting to know all the Troop 89 Folks by first name and feels part of their group. This was the first Court of Honor since May whose Eagle Scout first name wasn't "Colin." Wyckoff has celebrated four (4) Eagle Scouts with the name of Colin. Mayor Boonstra always attends the Eagle Scout Courts of Honor when his schedule permits him to do so.
4. Mayor Boonstra also attended the tree lighting and would like to thank the Wyckoff Chamber of Commerce, the Wyckoff Volunteer Fire Department and all those involved. Thank you to the Wyckoff Police Department for their escort of the Fire Truck and to the Wyckoff Ambulance Corps for their presence. A special thanks to Santa for attending and for making this a wonderful event, as it always is.
5. On Saturday, December 3, 2022 Mayor Boonstra attended the Holiday Open House at the Zabriskie House. Committeeman Madigan also attended. It was a very nice event and well attended for a rainy Saturday. They had almost 200 people come through the house with a great deal of interest in the property. Mayor Boonstra actually met someone who may be interested in becoming a trustee for the Zabriskie House Trustees. There are currently two (2) trustee openings for the Zabriskie House. The Trustees always coordinate a nice event at the Holiday Open House.
6. As Mr. Madigan alluded to earlier, Mayor Boonstra also attended the ribbon cutting and open house at the Fred Astaire Dance Studio on Franklin Ave, next to the Dairy Queen (once a bowling alley). The dance studio occupies the space where the lanes were in so it's long and narrow. The ribbon cutting was at four o'clock in the afternoon and there was a live band and ballroom dancing. The owners of the dance studio were in tuxedos and sequined gowns, signifying a very high-end event. Mayor Boonstra was delighted he attended. The owners are a Ukrainian couple and have been in this country about six (6) years. Apparently, the couple was able to relocate her father from the Ukraine within the last year. They are so happy to be here in the United States and reside in Wyckoff. We welcome them to Wyckoff. As Mr. Madigan previously mentioned, there was an incident after the ribbon cutting. Everyone was dancing when someone collapsed and became clearly unresponsive. One of the revelers began performing chest compressions before the Wyckoff Police Officers arrived. Sergeant Ferreira took over the chest compressions, but the person was not responding. The officers then utilized the "paddles" and the person then became conscious. Paramedics then arrived for transport to the hospital. It was quite scary and impressive at the same time, so hats off to the police officers.
7. Mayor Boonstra provided an update from the last Police Committee Meeting. The Traffic Safety Officer has recommended that the Township lower the speed limit on approximately six (6) streets from 30 miles an hour to 25 miles an hour. Mayor Boonstra noted Clinton Avenue, Eder Avenue and Newtown Road. There are another one or two streets however, Mayor Boonstra was remiss. This is significant, that the town is going to lower the speed limit on these streets to 25 miles an hour and hopefully, make these streets safer to travel on.

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8. The Planning Board will meet next Wednesday, December 15, 2022. Listed on the agenda is an application from Ridgewood Water to construct two (2) water treatment plants in Wyckoff. They are proposing rather large buildings to treat the PFOA contamination in their water system. The first facility is to be located at the Cedar Hill wellfield which is a very large property. The facility is going to be centrally located on the property. The second facility is on the Ames wellfield which is on Hartung Drive located in a residential neighborhood. A notice has been sent out and there are some concerned neighbors. There is also a question as to how much, if any, oversight the Planning Board has on these two (2) applications, because Ridgewood Water is a public utility. The Township Attorney and the attorney for Ridgewood Water are attempting to resolve any concerning matters prior to the hearing next Wednesday.

The following summary is provided regarding Ridgewood Water:

Administrator Cavallo:

When we met previously with Ridgewood Water, Rich Calbi said that there would also be two smaller facilities constructed in Wyckoff as well. But those are further off in 2024.

Just so you're aware, I know that a complaint did come in. A letter came in yesterday from residents on Hartung Drive. Ridgewood Water was copied on it, and I spoke to Rich Calbi about it today. He is actually meeting with that resident and a group of their neighbors before the weeks end to try and address their concerns and see if there's anything they can do to change the plans to accommodate their concerns.

Mayor Boonstra:

When we were at the Board of Health meeting last month and coincidentally Rich Calbi was asked to report on the PFOA problem. Mr. Calbi mentioned at the Board of Health Meeting these two (2) treatment facilities, plus the two (2) smaller locations that Mr. Cavallo mentioned. I got a sense from Mr. Calbi that Ridgewood Water, especially regarding the Ames wellfield on Hartung Drive, is more than willing to meet with the neighbors and do whatever they can to make the project as compatible with the neighborhood as possible, so it is good to hear that they are keeping their word.

Administrator Cavallo:

They're trying to make this big treatment facility as palatable to the neighbors as possible. It's a large well that they need to work with, and they're trying to disguise it as much as possible. It's also a deep property so they're trying to keep the building as far back as possible with a circular driveway so that the entrance and circulation of vehicles that would end up having to go on that property to conduct necessary maintenance would all be behind the building, and not in the front yard. They are attempting to disguise the building almost as a center hall colonial home.

Mr. Shanley:

I know they need security on the property to maintain the safety of the water supply, but I am interested to know what the Planning Board can do regarding our fence ordinances. Disguising the building as a center hall colonial and then putting up an 8' chain link fence defeats the purpose.

Administrator Cavallo:

As the mayor alluded to, there's a legal discussion going on between the Township's Planning Board Attorney and Ridgewood Water's attorney as to what ordinances they actually need to comply with and what ordinances they are exempt from.

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Mayor Boonstra:

There must be a reason that there's an application before the Planning Board. The Planning Board must have some oversight. We just must determine what it is.

Administrator Cavallo:

The application is not even being submitted under site plan approval. It's being submitted under capital improvement of a municipal utility under the Master Plan.

Tim Shanley:

One of the issues from the resident who sent us the letter expressed concerns about the diesel generator. I don't know if there's a way to deal with this to change it to a natural gas generator as natural gas is quieter than diesel fuel.

Administrator Cavallo:

Now that that comes down to how much power they need. Natural gas generators are larger than diesel generators. Diesel generators are smaller and they also don't run as often as natural gas generators to test. It'll be something where you have to weigh the pros and the cons.

Tom Madigan:

I don't know how much we should be really discussing here. But I just want to comment, that when Ridgewood Water made some improvements in the Township three or four years ago, our concerns and the concerns of our residents were nicely accommodated, and everyone at Ridgewood Water was very cooperative. I certainly anticipate the same level of cooperation for these projects.

Mayor Boonstra:

We have a very high functioning and very professional, Planning Board. I'm not concerned that this will go sideways. I think that is enough on that topic.

I'll comment on the Fire Company three drainage project briefly.

Mr. Madigan covered the drainage project information pretty thoroughly. What the project is doing is it's installing an extensive underwater drainage system under the company three property. And it's a huge improvement in stormwater management for this site, because right now the rainwater comes running down Sicomac Avenue and onto the site and it probably winds up on someone else's property after it runs through the fire company. That's not going to be the case here anymore. Kudos to the members of company three, for doing this to their property. That's the other point I want to make - the Township does not own this firehouse nor the property that it sits on. The Company #3 Association owns that and they're responsible for the property and they raised the money to do this. It's an improvement not only for their site, it's going to make the property a lot nicer and more usable as well. For our overall stormwater management plan and for the Township it's a win-win for everyone. It's the same situation as other major improvements. To do this, there's a temporary period that there's inconveniences involved. The Fire Company is inconveniencing themselves; they don't have the use of their parking lot and other things on the site so their members are making do. It is a good project and I'm glad they embarked on it and at the end of the day, it will be an improvement for everyone in the neighborhood.

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9. Mayor Boonstra also wanted to thank Melissa for her five (5) years of service and digressed a bit from the current topic with the following.
- “Melissa Rubinstein was elected to the Township Committee in 2017 on a Democratic ticket, and she and I were seated here next to each other, and I'm sure neither of us knew what to expect. Melissa was the second woman ever elected to the Township Committee, which was significant. Within a few months, we hit it off very well. I came to value her opinions and came to trust her opinions. In this business that we're in, of politics and governing, trust and valuing someone's opinions is important. It really is. The year continued out and her values were closer to the values that we had in our group such as lower taxes, delivering more services with less money, or not a great amount more of money, hometown values and keeping Wyckoff the town, we all know, the town she moved her family into and then in 2019 she became a Republican.”
- “We spoke about her decision to change parties and I said this might not be too easy for you. I asked her if she was sure about what she wanted to do. And she looked at me and she said, really one of the reasons why I'm doing this is to help you get elected this year, which was significant, and I really appreciated it. You can't turn an offer like that down, so she became a Republican and in 2020 was elected to this Township Committee as a Republican on a Republican ticket and her running mate was Pete Melchionne. She became Mayor in 2021 which was the second year of the pandemic. Tim Shanley and Melissa Rubenstein had two difficult years serving as mayor during the pandemic and it was not easy, and she handled herself well. She handled the pandemic well for someone who was serving as mayor for the first time. Now her children are growing up. She has a big business she's taking care of and she's a single mom and she's decided that she needs to pay more attention to her business and her family. I understand it. I appreciate her service, and I wish her the best anyone can wish for.”

Administrator Cavallo:

Mr. Mayor, you mentioned Ridgewood Water and the Planning Board, and I thought we should also mention that there will be a public hearing on the Historic Preservation element of the Master Plan.

10. Mayor Boonstra wanted to mention to thank Nancy and Matt, who joined him in a meeting yesterday with a representative from the Cedar Hill Christian Reformed Church to discuss an incident that occurred at the Election on November 8th. It was a productive meeting which resulted in a positive resolution. Thank you both and the representative from the Cedar Hill Christian Reformed Church.

Township Attorney Report:

1. Mr. Landel reported that the Administrator spoke briefly about a new sewer extension at 730 Birchwood Drive. There may be an additional house or two (2) on the periphery that wants to connect to this sewer extension.
2. The Barn Original sewer extension project is moving forward, and that agreement is complete to the extent they may want to add several additional properties to this project. Mr. Landel indicated these additions can be added to the existing developer's agreement that has already been drafted. However, Mr. Landel has not received an amended plan yet for The Barn Original's sewer extension project.

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3. Also, for the record, Mr. Landel thanked Mr. Cavallo for securing the Maple Lake monies. He had been writing letters to the county for six (6) months. However, this is not an insinuation of criticism on the part of Bergen County because the entire process flowed rather efficiently and the town was treated fairly. However, Mr. Landel had been trying for six (6) months to secure this money for the municipality and the Administrator, with one email, accomplished the objective in one day.
4. Mr. Landel also wanted to thank Melissa for her years of service and an incredible job requiring a lot of work to do with young children at home. Ms. Rubenstein's intelligence and her tenacity were sincerely appreciated. She did not back down from her own opinion. There are a variety of opinions on the Township Committee hence, usually some banter, but usually there is a better result. Ms. Rubenstein significantly contributed to our community.
5. Mr. Landel also praised Ms. Rubenstein as she was instrumental in securing the home on Demarest Avenue, navigating the Township Committee through the entire process of purchasing that property for open space and stormwater management.

Adjourn the Open Work Session Meeting at 7:43 p.m.

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT SHANLEY YES
BOONSTRA YES



Rudolf E. Boonstra
Mayor



Nancy A. Brown
Municipal Clerk

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Attendance

Township Committee Present: Mayor Rudolf E. Boonstra; Committee Present: Thomas J. Madigan and Timothy E. Shanley.

Township Committee Absent: Peter J. Melchionne

Staff Present: Township Administrator Matthew A. Cavallo, Municipal Clerk Nancy Brown and Township Attorney Robert Landel.

Meeting Open for Public Comment

Committeeman Shanley made a motion to open the meeting for Public Comment; Seconded by Committeeman Madigan. All voted in favor.

Elaine Alvarez

Last Township Committee Meeting a very knowledgeable and experienced nurse practitioner and retired alcohol and drug counselor expressed her concerns about cannabis. To summarize her concerns, she stated that many of the young people with whom she worked with as a counselor started with cannabis and moved on to harder drugs like heroin, one's driving ability is impacted by cannabis use and leads to a lot of driving violations, and young people and cannabis do not mix. Overall, she does not support a drug that many young people have gotten in trouble with and thinks if cannabis is to be sold to the public, it should be done so in a pharmacy or similar setting. I know these are common concerns and would therefore like to address them.

According to the article "Probability and predictors of the cannabis gateway effect: A national study" published in the International Journal of Drug Policy, "the gateway hypothesis holds that substance use progresses in sequential stages beginning with alcohol and tobacco use, followed by cannabis use and, later, the use of other illicit drugs." According to this theory, individuals rarely use harder drugs, such as cocaine and heroin, without first using quote unquote gateway substances, such as legal drugs or cannabis.¹ Prior research has indicated that increased risk of progression to other illicit drug use is associated with genetic predisposition, higher frequency of cannabis use, and early onset of cannabis use.^{2,3,4} Study findings do suggest that a large portion, but not all, of people who use cannabis do go on to use other illegal drugs.¹ Though the reason for this progression is not entirely known, some factors have been identified. For example, individuals who use cannabis are often more exposed to opportunities to use other illicit drugs because the distribution channel and environment for other illegal drugs and cannabis frequently overlap.⁵ Substance abuse disorder is a complex issue and often times there is more than one factor at play. I do not disagree that cannabis may play a hand in some individual's progression to harder drugs. However, I do not agree that the public should be deprived of a medicine because it can be a "gateway" drug for others. I believe the best way to tackle the issue is to teach people at a young age the negative side effects cannabis has on the brain and body. I remember police officers in the DARE program falsely claiming that I can get addicted to cannabis and get cancer and die. I do not recall being taught that it can have a negative impact on my brain while it's still developing, or that if I was predisposed to certain mental illnesses like schizophrenia it may increase my chances of psychosis. Unfortunately, the old DARE program did not succeed due to its flawed curriculum, political motivations, and War on Drugs hysteria.⁶ However, I think knowing what we know now, a revamped drug safety course will benefit school districts, and can be funded with the money made from the cannabis transfer tax if imposed.

As for the concern regarding increased traffic violations with cannabis use, many studies have looked into the effect cannabis has on individuals' driving ability. It was found that while cannabis increases reaction time and has a negative impact on cognitive processes that are considered to be integral to safe driving, individuals under the influence of cannabis tend to *overestimate* their

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impairment, and consequently employ compensatory strategies.⁷ These strategies include reducing speed, increasing “following distance”, and passing less. In addition, more experienced cannabis consumers experience minimal to no functional impairment under the influence of cannabis, likely due to tolerance, except when combined with alcohol.⁸ Comparatively, alcohol has the opposite effect. Individuals who consume alcohol *underestimate* their impairment and drive faster, more reckless, and attempt to overtake more. That is why roughly 25% of fatal car accidents involve alcohol.⁹ Epidemiological studies regarding whether cannabis use causes an increased risk of car accidents have been inconclusive, whereas the relationship between alcohol consumption and car accidents have been unequivocal and consistent.¹⁰

And last but not least, of course cannabis and young people do not mix well. That is why, unlike liquor stores, underage people are not even allowed to enter a business where cannabis is being sold due to its strict regulations. NJ strongly encourages alternative treatment centers to employ security guards to prevent underage people from entering the business. On average, an individual’s photo ID is checked at least twice at an alternative treatment center; once at the door and a second time during check out. Comparatively, individuals are only asked to produce their photo ID during check out in liquor stores. This is because although some states have legalized cannabis, it is still a schedule 1 drug and is federally illegal. This is why pharmacies are unable to sell cannabis products in their stores; it requires a unique license with even stricter regulations.

To summarize my public comment, cannabis is more likely to be a “gateway” drug if individuals start earlier in life and use more frequently, epidemiological studies have been unable to draw a clear correlation between cannabis consumption and increased risk of accidents, and cannabis does not mix well with young people and never will, which is why there are strict regulations regarding who can purchase cannabis, let alone step foot in an alternative treatment center.

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8. Sutton LR. The effects of alcohol, marijuana and their combination on driving ability. *J Stud Alcohol*. 1983;44(3):438-445. doi:10.15288/jsa.1983.44.438

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10. (4)Sewell RA, Poling J, Sofuoglu M. The effect of cannabis compared with alcohol on driving. *Am J Addict.* 2009;18(3):185-193. doi:10.1080/10550490902786934

Mrs. Janet Tuomey
501A Aspen Lane

I appreciate the information that Ms. Alvarez read. I just read something the other day it may have been in the Suburban News or in the Bergen Record. The article stated that in Colorado, they have been doing studies on the effects because they have an open policy on cannabis. They have determined that there is a five time increase in accidents with using cannabis when somebody has been stopped for a driving violation. At the vehicle stop they ascertain whether the driver is under the influence of cannabis or alcohol. The study recorded that there was a five time increase in the number of accidents with people using cannabis than there was before the legalization of marijuana. I just will add that tonight. I'm sure there'll be other opportunities to talk about this issue later on. Thank you very much.

Committeeman Madigan made a motion to close the meeting for Public Comment; Seconded by Committeeman Shanley. All voted in favor.

With an affirmative vote, the motion is approved.

Approval of the November 14, 2022 Township Committee Work Session and Regular Business meeting minutes:

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

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):

#22-274 Reduction of 2021 Tax Levy Due to Tax Appeal Judgement as per N.J.S.A 54:3-21-29

WHEREAS, N.J.S.A. 54:3-21 – 29, allows for property owners to appeal their assessed valuation for the taxing year; and,

WHEREAS, judgements from the County Board of Taxation and the State Tax Court have been made and received reducing the assessed value after the certification of the 2022 Tax Duplicate; and,

WHEREAS, these judgements would have caused a reduction in the total amount of taxes to be levied and collected in 2022; and,

WHEREAS, these reductions will result in a reduction to available surplus due to the reduction of the 2022 Tax Levy in the amount of \$130,712.00.

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NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the Tax Collector is hereby authorized and directed to adjust 2022 taxes due for the listed properties.

BE IT FURTHER RESOLVED, to make the appropriate reductions to the 2022 Tax Levy for these judgements and any future judgements as received.

#22-275 Authorization of Vouchers & Payment of Bills

WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from N.J.S.A. 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. 20486 – 20503 Payroll A/C, Direct Deposit Vouchers no. 17705 - 17779, Library Payroll check nos. 1683 - 1686, Library Direct Deposit Vouchers no. 7462 - 7488, Claims Wire nos. 221201, 221202 & 221203, check no. 1186 Accutrack A/C, Claims check nos. 089100 – 089266 and Trs. Dog Trust - \$1,768.00.

#22-276 Return of Certain Overpaid Taxes, 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:

Karen Peck, 130 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 462/Lot 41 - \$128.92

Barrister Land Development Corp., P.O. Box 459, Wyckoff, New Jersey 07481 – Return of Escrow – Block 430/Lot 14 – 753 Frederick Court - \$408.23

Jennifer Vernieri, 30 Godwin Drive, Wyckoff, New Jersey 07481 – Return of Escrow – Block 261/Lot 19 - \$191.23

BUILDING DEPT.:

Dan Charnesky, 700 Lawlins Road, Wyckoff, New Jersey 07481 - +CCO Fee waived for firefighter resale – Block 465/Lot 34 – 201 Cottage Road - \$160.00

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Jared Needleman, 489 Coudert Place, Wyckoff, New Jersey 07481 – Refund of Stormwater Management Fee – Block 421.01/Lot 25 - \$500.00

TAX REFUND:

Corelogic, 3001 Hackberry Road, Irving, TX 75063 – Refund of 4th quarter 2022 Tax payment – Block 449/Lot 1.02 – 229 Barnstable Drive - \$4,010.85

RECREATION:

Michael Kozlowski, 10 MacLaren Court, Waldwick, New Jersey 07463 – Roller Hockey Refund - \$100.00

Jacqueline Wuensch, 398 Norma Street, Wyckoff, New Jersey 07481 – Roller Hockey Refund - \$100.00

Pat Van Dyke, 202 Myrtle Avenue, Allendale, New jersey 07401 – Roller Hockey Refund - \$75.00

#22-277 Transfer of Funds

Whereas NJSA 40A:4-58 permits transfers of funds during the last two (2) months of the fiscal year,

Now therefore be it Resolved by the Township Committee of the Township of Wyckoff that the transfer of the following funds is hereby authorized and directed

From:

UCC	22-195-010	SW	8,000
Planning Board	21-180-020	OE	10,000
Affordable Housing	21-190-020	OE	2,000
Health Benefits	23-220-020	OE	98,000
			<u>118,000</u>

To:

Recreation	28-370-020	OE	10,000
Administration	20-100-020	OE	6,000
Clerk	20-120-010	SW	8,000
Clerk	20-120-020	OE	7,000
Planning Board	21-180-010	SW	1,000
UCC	22-195-020	OE	1,000
Building & Grounds	26-310-020	OE	20,000
DPW Vehicle	26-315-020	OE	7,500
Fire Vehicles	26-317-020	OE	1,000
Park Maintenance	28-375-020	OE	16,000
Street Lighting	31-435-000	OE	20,000
Natural			
Gas	31-446-000	OE	3,000
Gasoline	31-460-000	OE	13,000
DCRP	34-477-000	OE	2,500
Affordable Housing	21-190-010	SW	2,000
			<u>118,000</u>

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#22-278

Endorse Christian Health's Bergen County Community Development Grant – Anti-Microbial Flooring

WHEREAS, a Bergen County Community Development grant of One Hundred Thirty Eight Thousand, Thirty One Dollars and Eighty One cents (\$138,031.81) has been proposed by Christian Health for the installation of anti-microbial flooring at Evergreen Court and LiveWell Counseling on its campus in the municipality of Wyckoff, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of Wyckoff, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid Community Development funds.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

#22-279

Tax Assessor authorized to File Assessor's Tax Appeals, Answers, Counterclaims, Appeals and Cross Appeals

WHEREAS, statutory tax appeals and other matters and applications affecting the taxation of real property within the Township of Wyckoff are routinely filed with the Bergen County Board of Taxation and the Tax Court of New Jersey and the Appellate Division of New Jersey; and

WHEREAS, the Township Committee finds it to be in the best interest of the citizens of the Township to authorize and direct the Tax Assessor to take any and all action that she deems advisable in such tax matters in order to protect, promote and advance the Township's interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law; and

WHEREAS, the Township Committee finds it to be in the best interest of the citizens of the Township to authorize and direct the Township Attorney and/or Special Counsel to assist the Tax Assessor in such tax matters referred to herein.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Tax Assessor of the Township of Wyckoff be hereby authorized to direct Special Tax Counsel to prepare the related documents for any Tax Appeals, Cross Appeals, Answers, Counterclaims, and other matters and applications affecting the taxation of real property within the Township of Wyckoff as may be filed with the Bergen County Board of Taxation and/or the Tax Court of the State of New Jersey and/or the Appellate Division, that the Tax Assessor deems advisable in such tax matters in order to protect, promote and advance the Township's

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interest in assuring that each property within the Township is fairly and equitably assessed in accordance with the law.

BE IT FURTHER RESOLVED that notwithstanding the foregoing, the Special Tax Counsel will provide a report of all pending tax appeals for the purpose of preparing the annual budget and that the Special Tax Counsel and the Tax Assessor together shall be required to obtain the prior approval and consent of the Township Committee for the following:

1. The settlement of all non-residential tax appeals.
2. The hiring of expert witnesses for purposes other than real property appraisals.
3. The Tax Attorney for the Township of Wyckoff be hereby authorized and directed to take any and all action said Attorney deems advisable to assist the Tax Assessor of the Township of Wyckoff in such tax matters as are referred to herein.
4. The Township Administrator, Township Tax Assessor, Township Attorney, and the Township Special Tax Counsel be and are hereby authorized to take all necessary and appropriate actions to carry out the subject and intent of this Resolution

#22-280 Authorizing Agreement

WHEREAS, the Township of Wyckoff ("Wyckoff") and Employee No. 100496 ("Employee") wish to enter into a Settlement Agreement resolving all issues surrounding her employment, the terms and conditions of which are incorporated by reference herein; and,

WHEREAS, the Township Committee, upon recommendations from Labor Counsel, believes it is in the best interest of the Township to resolve this matter.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, in the County of Bergen, New Jersey, that the proposed Agreement & Release is hereby approved, and the Mayor and Clerk are authorized to execute the Agreement.

BE IT FURTHER RESOLVED that the Township's Labor Counsel is authorized to take such action as may be necessary to implement and enforce the terms of this Resolution.

**#22-281 Authorizing Contract for the Collection of Outstanding
Municipal Court Debt**

WHEREAS, pursuant to N.J.S.A. 2B:19-6(a), municipalities are authorized to enter into contracts with private collection agencies or firms for the collection of outstanding municipal court debt; and

WHEREAS, the Court Administrator received proposals for a contract with TaxServ Capital Services N.J., LLC ("TaxServ") for the private collection of municipal court debt (collectively, the "Agreement") for an initial three (3) years and automatically renewing for one (1) successive two (2) year term unless written notice of non-renewal is delivered by either Party to the other not less than sixty (60) days prior to the expiration of the Original Term; and

WHEREAS, in consideration for the performance of the Services, the Contractor shall be entitled to charge an add-on rate of Twenty Percent (20.00%) of the

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amount of eligible debts collected ("Service Fee"). All Service Fees held by the Township shall be remitted monthly to the Contractor by the Township on or before the 15th of the subsequent month in which the Service Fees were received.

WHEREAS, TaxServ will perform its duties under the Agreement at no cost to the Township, and no certification as to the availability of funds is required by the Chief Financial Officer; and

WHEREAS, it is anticipated that the compensation received in consideration for the performance of the Services by the Contractor will not exceed the threshold required for public bidding pursuant to *N.J.S.A. 40A:11-1 et seq.*; and

WHEREAS, the Township's Municipal Court Administrator, Township Administrator/Qualified Purchasing Agent, and the Township Attorney recommend awarding this Contract to TaxServ.

NOW, THEREFOR BE IT RESOLVED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, that the Mayor and Municipal Clerk are hereby authorized to execute and attest to, respectively, the Contract between the Township of Wyckoff and TaxServ, for the Collection of Outstanding Municipal Court Debt; and

BE IT FURTHER RESOLVED that the original Agreement between the Township and TaxServ shall be maintained in the Municipal Clerk's office.

BE IT FURTHER RESOLVED that the Municipal Court Administrator or any other appropriate officer is authorized to take such action as may be necessary to implement and enforce the terms of this Agreement.

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TUESDAY, DECEMBER 6, 2022

**AGREEMENT FOR SERVICES
PRIVATE COLLECTION OF MUNICIPAL COURT DEBT**

THIS AGREEMENT ("Agreement") is made effective as of Dec. 6, 2022 (the "Effective Date"), by and between the Township of Wyckoff, Bergen County, a municipal corporation of the State of New Jersey, having a principal office and place of business at 340 Franklin Avenue, Wyckoff, NJ 07481 (hereinafter referred to as the "Township"), and TaxServ Capital Services NJ, LLC, having a mailing address at 1458 Ingleside Ave, McLean, VA 22101-3926 (hereinafter referred to as the "Contractor") (collectively the "Parties" and each individually a "Party").

WHEREAS, the Township wishes to contract with the Contractor for the Private Collection of Municipal Court Debt, inclusive of the Supreme Court Procedures Governing the Private Collection of Municipal Court Debt, which are all incorporated herein by reference in their entirety, without waiver or variance (the "Services"); and

WHEREAS, the Parties desire to enter into this Agreement, which shall memorialize the basic terms, and full understanding and covenants regarding the Services to be provided by the Contractor to the Township.

NOW, THEREFORE, in consideration of the foregoing, the mutual covenants and promises herein below contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the Parties hereto to the others, the Township, and the Contractor, intending to be legally bound thereby, covenant and agree as follows:

1. Term. Subject to the provisions of paragraph 4 below, the term of this Agreement shall be for three (3) years commencing on the Effective Date ("Original Term"). This Agreement shall automatically renew for one (1) successive two (2) year term unless written notice of non-renewal is delivered by either Party to the other not less than sixty (60) days prior to the expiration of the Original Term.
4. Duties and Services. The Contractor shall, in good faith and with due diligence, render all the Services, without waiver or variance.
3. Compensation. In consideration for the performance of the Services, the Contractor shall be entitled to charge an add-on rate of Twenty Percent (20.00%) of the amount of eligible debts collected ("Service Fee"). All Service Fees held by the Township shall be remitted monthly to the Contractor by the Township on or before the 15th of the subsequent month in which the Service Fees were received.
4. Termination. Anything herein to the contrary notwithstanding, this Agreement may be terminated by either Party at any time, for convenience, upon written notice by the Party desiring to terminate the Agreement, given no later than sixty (60) days prior to the proposed date of termination.
5. Liability Insurance. Contractor shall deliver to the Township at the time of signing of this Agreement a Certificate of Insurance, a copy of which is attached as Exhibit A and, at all times during the term hereof, maintain professional liability insurance in an amount of not less than one million dollars (\$1,000,000.00). The Contractor must include the Township as additional insureds to the policy through endorsement or as named insureds in all insurance coverage.

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6. Collection Agency Bond. The Contractor shall maintain during the term of this Agreement, a Collection Agency Bond issued by the State of New Jersey pursuant to N.J.S.A. 45:18 et. seq. ("State Bond"). A copy of Contractor's State Bond is attached hereto as Exhibit B.
7. Indemnification. In addition to the insurance provided hereunder, the Contractor shall save and hold harmless the Township, and its officers, officials, agents, servants, administrators, elected officials, and employees (hereinafter collectively "Indemnitees"), from and against any and all liability arising out of or relating to this Agreement, whether such liability is direct or vicarious, including without limitation attorney's fees, court costs, and costs of investigation. The Contractor further agrees to defend, indemnify, and save harmless the Indemnitees from and against all actions, proceedings, claims, demands, losses, costs, damages, and expenses, including without limitation attorney's fees, court costs, and costs of investigation, arising out of any material act or omission of the Contractor and/or the Contractor's subcontractors, agents, servants, or employees in connection with this Agreement. This provision shall be construed as broadly in favor of indemnification as permitted by New Jersey Law.
8. Independent Contractor Status. The Parties hereto acknowledge that the Contractor is acting as an independent contractor and the Contractor and its employees are not employees of the Township and shall not be subject to withholding by the Township for any federal or state income, social security, unemployment, or disability taxes or any other deductions required by law to be withheld from the wages of an employee. Accordingly, the Parties hereto mutually agree that the Contractor shall not be eligible for (and in any event the Contractor hereby expressly waives any entitlement to claim or receive the same knowingly and to the fullest extent permitted under applicable law) any benefits or coverages under: (a) any group life or disability income continuation insurance plan, program or policy; (b) any medical, dental or other health insurance or expense reimbursement plan or program; or (c) any deferred compensation or retirement plan, program or agreement, "qualified" or "unqualified" (within the meaning of the Internal Revenue Code of 1986, as amended, or the Employee Retirement Income Security Act of 1974, as amended, or the regulations promulgated under either thereof), provided, adopted, maintained or participated in by the Township for the benefit of its employees (including, without limitation, the New Jersey Public Employee Retirement System). Neither the Contractor nor the Township shall represent directly or indirectly that the Contractor and/or any of its Employees is an agent, employee, or legal representative of the Township. The Contractor shall not have the authority to incur any liabilities or obligations of any kind in the name of or on behalf of the Township.
9. Affirmative Action. The Parties hereby incorporate into this Agreement the mandatory language of Sections 3.5 and 3.7 of the Regulations promulgated by the Treasurer of the State of New Jersey pursuant to P.L. 1975, c. 127, as amended and supplemented from time to time. The Contractor has made, executed, acknowledged and delivered to the Township a Letter of Federal Affirmative Action Plan Approval, Certificate of Employee Information Report, or Employee Information Report Form AA-302, a copy of which is attached hereto as Exhibit C and made a part hereof.
10. No Assignment. This Agreement may not be assigned by any Party hereto without the written consent of the other Party.
11. Responsibilities. Contractor shall perform its duties and the Services hereunder in a proper, professional, and workmanlike manner, and in conformity with the responsibilities, demands and ethics of its profession. The Contractor shall adhere to all applicable State and Federal laws regarding the Private Collection of Municipal Court Debt, including, but not limited to, N.J.S.A. 40:48-5a, N.J.S.A. 40:23-6.53, and the New Jersey Supreme Court Procedures Governing the Private Collection of Municipal Court Debt Under L. 2009, C. 233. Contractor

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shall at all times maintain active business registration in New Jersey and shall provide a Business Registration Certificate to the Township, a copy of which is attached hereto as Exhibit D and made a part hereof

12. Notices. Any and all notices and other correspondence required or permitted to be given in connection with, or pursuant to, this Agreement, shall be in writing and either delivered personally to the Parties or sent by United States registered or certified mail, return receipt requested, with full postage prepaid and addressed to the Parties at their respective addresses first hereinabove set forth, or to such other addresses as the Parties may, from time to time, designate by written notice to the others in the foregoing manner. All notices to the Township shall be addressed to the Municipal Clerk.
13. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey without regard to the conflict of law provisions thereof.
14. Dispute Resolution. Any Party bringing legal action or proceeding against any other Party arising out of or relating to this Agreement shall bring the legal action or proceeding in any court with competent jurisdiction sitting in Bergen County New Jersey. In any dispute hereunder, each Party shall bear its own attorney's fees and costs.
15. Entire Agreement. This writing contains the entire agreement of the Parties hereto and no promises, covenants, agreements, representations, or warranties, other than those expressly herein set forth, have been made or relied upon by any of the Parties hereto.
16. No Oral Modification. This Agreement may not be modified, altered, amended, changed, or waived, except pursuant to a writing signed by all of the Parties hereto.
17. No Waiver. The failure of any Party at any time to require performance of any provision hereof shall in no manner affect the right of such Party to enforce the same at a later time. No waiver by any Party of the breach by any other Party of any provision contained in this Agreement, whether by conduct or otherwise, in any one or more instances, shall be deemed to be, or construed as, a further or continuing waiver of any such breach, or a waiver of the breach of any other provision hereof.
18. Severability and Reformation. In the event that any provision set forth herein (or any part thereof) is held to be invalid or unenforceable by any court of competent jurisdiction, or otherwise conflicts with applicable law, such provision (or part thereof) shall be deemed reformed to comport with the requirements of applicable law, if and to the extent possible, or, if or to the extent not possible, deleted herefrom, and this Agreement shall be construed to give effect to the reformed and/or remaining provisions (and parts thereof).
19. Captions. All caption headings used herein are for convenience of reference purposes only and shall have no significance in the interpretation of the provisions, terms, or conditions hereof, and shall not be construed to define, enlarge, or limit the rights, obligations, or duties of the Parties hereto.
20. Multiple Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed to be an original hereof, but all of which shall be one and the same instrument and, in making proof hereof, a Party shall be required to produce only a single counterpart.
21. Parties. This Agreement shall be binding upon and inure to the benefit of the Contractor and the Township and their respective heirs, personal representatives, successors, and permitted assigns.

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22. Interpretation. The words "hereof", "herein" and "hereunder" and words of similar import, when used in this Agreement, shall be deemed to refer to this Agreement as a whole and not to any particular provision of this Agreement. For all purposes of this Agreement, words connoting a particular gender shall, where applicable, mean and include the correlative words of the other genders, and words importing the plural number shall, where applicable, mean and include the correlative words of the singular number and vice versa.

IN WITNESS WHEREOF, as of the Effective Date, the Parties hereto have executed this Agreement, or caused the same to be executed on their behalf by their duly authorized representatives.

TOWNSHIP OF WYCKOFF
~~BOROUGH OF GLEN ROCK, NJ~~



By: Rudolf E. Boonstra
Its: Mayor
Date: Dec. 6, 2022

Witness: 

Printed: Nancy A. Brown

TAXSERV CAPITAL SERVICES NJ, LLC



By: Roger Blain
Its: President
Date:

Witness: 

Printed: Kenny Chan

EXHIBITS

- Exhibit A. Contractor Certificate of Insurance
- Exhibit B. Contractor Collection Agency Bond
- Exhibit C. Contractor Employee Information Report - Form AA302
- Exhibit D. Contractor Business Registration Certificate

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Certification 50282

CERTIFICATE OF EMPLOYEE INFORMATION REPORT
RENEWAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15 - FEB 2026 TO 15 - FEB 2027

TAXSERV CAPITAL SERVICES INC. LLC
1313 DOLLEY MADISON BLVD., STE 11
MCLEAN VA 22101



Elizabeth Maher Muoio
ELIZABETH MAHER MUOIO
State Treasurer

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10/18/11

Taxpayer Identification# 262-468-341/000

Dear Business Representative:

Congratulations! You are now registered with the New Jersey Division of Revenue.

Use the Taxpayer Identification Number listed above on all correspondence with the Divisions of Revenue and Taxation, as well as with the Department of Labor (if the business is subject to unemployment withholdings). Your tax returns and payments will be filed under this number, and you will be able to access information about your account by referencing it.

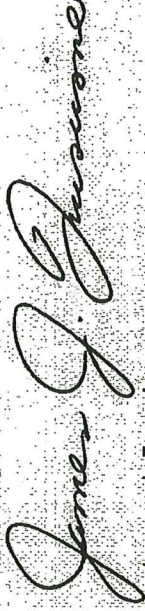
Additionally, please note that State law requires all contractors and subcontractors with Public agencies to provide proof of their registration with the Division of Revenue. The law also amended Section 92 of the Casino Control Act, which deals with the casino service industry.

We have attached a Proof of Registration Certificate for your use. To comply with the law, if you are currently under contract or entering into a contract with a State agency, you must provide a copy of the certificate to the contracting agency.

If you have any questions or require more information, feel free to call our Registration Hotline at (609)292-9292.

I wish you continued success in your business endeavors.

Sincerely,



James J. Fruscione
Director
New Jersey Division of Revenue

STATE OF NEW JERSEY	
BUSINESS REGISTRATION CERTIFICATE	
 TAXPAYER NAME: TAXSERY CAPITAL SERVICES NJ LLC	 TRADE NAME:
ADDRESS: 1313 DOLLEY MADISON BLVD MCLEAN VA 22101-3926 EFFECTIVE DATE: 10/18/11	SEQUENCE NUMBER: 1670760 ISSUANCE DATE: 10/18/11
 Director New Jersey Division of Revenue	
FORM-BRC	

DEPARTMENT OF TREASURY/
DIVISION OF REVENUE
PO BOX 232
TRENTON, NJ 08646-0232

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

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I, THE TREASURER OF THE STATE OF NEW JERSEY, DO
HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE
COLLECTION AGENCY BOND FOR:

REGISTRATION NUMBER: 17250

TAXSERV CAPITAL SERVICES NJ, LLC.
1313 DOLLEY MADISON BOULEVARD, SUITE LL-130
MCLEAN, VA 22101

FOR THE FOLLOWING SURETY COMPANY:

HARTFORD FIRE INSURANCE COMPANY
ONE HARTFORD PLAZA
HARTFORD, CT 06155

AND THE ENDORSEMENTS THEREON, AS THE SAME IS TAKEN FROM AND
COMPARED WITH THE ORIGINAL FILED IN MY OFFICE ON THE 19TH
DAY OF DECEMBER A.D. 2021, AND NOW REMAINING ON
FILE AND OF RECORD THEREIN.



IN TESTIMONY WHEREOF, I HAVE
HEREUNTO SET MY HAND AND AFFIXED
MY OFFICIAL SEAL AT TRENTON, THIS
28TH DAY OF MARCH
A.D. 2022

A handwritten signature in cursive script, appearing to read "Elizabeth Maher Muoio".

Elizabeth Maher Muoio
State Treasurer

Certificate Number: 143799854

Verify this certificate online at

<https://www.njportal.com/DOR/businessrecords/Validate.aspx>

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#22-282 Authorizing a Shared Service Agreement – Lending of Vehicles & Equipment

WHEREAS, the Municipalities of Wyckoff, Oakland and Franklin Lakes have formed a shared service group known as The WOLF SHARED SERVICE GROUP; and

WHEREAS, representatives of all three municipalities meet frequently to identify common areas where saving and/or cost avoidance may be achieved through volume purchasing to capture discount pricing or shared service agreements to benefit our tax payers; and

WHEREAS, the WOLF Group has achieved many successful shared efforts such as; savings through volume bidding for annual recreation equipment, PEOSHA mandate compliance and garbage disposal; and

WHEREAS, a shared lending agreement between the three municipalities that comprise the WOLF Group will increase services to the public, while decreasing operational cost for each municipality.

NOW THEREFOR BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Mayor and Municipal Clerk are authorized to execute the WOLF Shared Service Group agreement for the lending of vehicles and equipment.

BE IT FURTHER RESOLVED, that a copy of this agreement shall be provided by the Municipal Clerk to the Public Works Manager, the Chief Financial Officer, the Township Administrator and the Township Risk Management Consultant who assists the Township with its participation in the Bergen JIF and MEL insurance consortium.

II Ordinances – Introduction

**TOWNSHIP OF WYCKOFF
ORDINANCE #1972**

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION FOR EMPLOYEES OF THE PUBLIC WORKS DEPARTMENT OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2023.

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

Section 1A. The rate of compensation of the Public Works Department of the Township of Wyckoff for the year 2023 whose compensation shall be on an annual basis and shall be paid semi-monthly is as follows:

Lead Laborer.....	85,517
Step 8	76,050
Step 7	69,962
Step 6	63,873
Step 5	60,934
Step 4	57,993
Step 3	55,054
Step 2	52,178
Step 1	49,177
Probationary year 2.....	42,000
Probationary year 1.....	40,200

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Section 1B. The rate of compensation for Public Works Department staff of the Township of Wyckoff for the year 2023 for the below listed positions and whose compensation shall be on an annual basis and shall be paid semi-monthly is as follows:

Public Works Foreman.....	Up to \$5,200
Snow Lead	Up to \$100/week

Section 2.

Longevity compensation is not provided for employees hired on or after January 1, 1994.

Section 3. Each member of the Department of Public Works shall receive a reimbursement up to \$175 toward the purchase of work boots and up to \$130 for clothing.

Section 4. There may be paid to Public Works Department employees authorized standby time at the rate of \$138 per week.

Section 5. There may be paid to the employee provided the assignment of mechanic, \$2,000.00 for this yearly assignment.

Section 6. There may be paid to the employee certified as a New Jersey licensed electrician \$2,000.00 for this yearly assignment.

Section 7. Employees authorized overtime shall be paid an hourly wage equal to one and one half (1-1/2) time, after working 40 hours. To compute the base hourly rate of an employee for overtime or other purposes, the employee's yearly base salary, shall be divided by 2080 hours.

Section 8. Annual vacation with pay is authorized in accordance with the collective bargaining agreement.

Section 9. Department of Public Works full time regular employees shall receive twelve (12) paid holidays.

Section 10. All salaries and compensation provided for herein shall be effective as of January 1, 2023.

Section 11.

Public works employees shall continue to make contributions towards the cost of health care benefits as mandated by law as per Chapter 78 or such laws as may be enacted during the term of the contract.

Section 12.

Each public works employee shall receive up to \$150 towards the purchase of eyeglasses as determined by the Township Administrator.

Section 13. If any section or part of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section or part, and the remainder of the ordinance shall be deemed valid and effective.

Section 14. This ordinance shall take effect after final passage and publication as required by law.

III Motions

NONE

Clerk: May I have a motion and a second to approve the consent agenda?

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The Following vote is the vote on the Consent Agenda:

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

With an affirmative vote, the motion is approved.

Ordinances – Public Hearing / Further Consideration:

NONE

The meeting was adjourned at 8:12pm

Chair: May I have a motion to and a second to adjourn the Business Meeting?

MOTION: SHANLEY SECOND MADIGAN
MADIGAN YES MELCHIONNE ABSENT
SHANLEY YES BOONSTRA YES

With an affirmative vote, the motion is approved.

During the course of this live meeting there were between one and two concurrent viewers watching on YouTube.



Mayof, Rudolf E. Boonstra



Nancy A. Brown
Municipal Clerk