

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, FEBRUARY 21, 2023

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, FEBRUARY 21, 2023 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
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:
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN 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 MELCHIONNE
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

Request motion to close the Public Comment Period:

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

7. Swearing in of Kathleen Powderley & Marisa Santo as Probationary Officers for the Wyckoff Police Department
8. Approval of the February 7, 2023 Work Session & Business meeting minutes:

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

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I Resolutions (Adoption of the following):

- #23-130 Award Contract #2022-08A – Curbside Collection of Solid Waste, Recyclable Materials, and Vegetative Waste – REBID #1
- #23-131 Awarding Contract Change Order #1 for Contract #2022-08A – Curbside Collection of Solid Waste, Recyclable Materials, and Vegetative Waste – REBID #1
- #23-132 Award Contract #2023-02N – Marketing of Recyclable Material
- #23-133 Extraordinary Unspecifiable Service Appointment – Rocket Graphics
- #23-134 Authorization of Vouchers and Payment of Bills
- #23-135 Return of Certain Overpaid Taxes, Fees, etc.
- #23-136 Authorization to Apply – Sustainable Jersey PSE&G Grant
- #23-137 Release Performance Cash Surety – Block 498, Lot 96.22
- #23-138 Authorize a Settlement Agreement and Release
- #23-139 Authorize a Settlement Agreement and Release
- #23-C3 Closed Session

II Ordinances – Introduction

ORDINANCE #1975

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

ORDINANCE #1976

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

ORDINANCE #1977

AN ORDINANCE TO AMEND CHAPTER 157 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SEWERS, BY REPLACING SECTION 157-62, SCHEDULE OF CHARGES, CHARGES FOR SEWER SERVICE, ESTABLISHING 2023 SEWER CHARGES FOR THE USE OF THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY

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 FISHER
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

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10. Ordinances – Public Hearing / Further Consideration:

Mayor Madigan, I have an Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1973** which is

FIXING THE SALARIES, COMPENSATION, AND RETAINERS OF THE PAID POLICE OFFICERS OF THE TOWNSHIP OF WYCKOFF, N.J., FOR THE YEARS 2023-2026.

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, 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.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #1973, and all persons who wish to be heard, please state your name and address before making your statement. If you wish to comment, please dial 201-891-7000, ext. #2220, or step to the microphone.

(Public Comments are heard here.)

At the Conclusion of public comments:

COMMITTEE PERSON SHANLEY : I move that the Public Hearing on Ordinance #1973 be closed.

COMMITTEE PERSON BOONSTRA : Seconded

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #1973, after public hearing and further consideration 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.

COMMITTEE PERSON BOONSTRA : I move Ordinance #1973 on second reading by title only.

COMMITTEE PERSON SHANLEY : Seconded.

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

I have a second Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1974** which is

AN ORDINANCE TO AMEND CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 146-35, "SPECIFIC REGULATIONS."

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, 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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CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #1974, and all persons who wish to be heard, please state your name and address before making your statement. If you wish to comment, please dial 201-891-7000, ext. #2220, or step to the microphone.

(Public Comments are heard here.)

At the Conclusion of public comments:

COMMITTEE PERSON SHANLEY: I move that the Public Hearing on Ordinance #1974 be closed.

COMMITTEE PERSON FISHER: Seconded

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #1974, after public hearing and further consideration 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.

COMMITTEE PERSON SHANLEY: I move Ordinance #1974 on second reading by title only.

COMMITTEE PERSON FISHER: Seconded.

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

11. Adjourn

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

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

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, FEBRUARY 21, 2023 – 7:00 P.M.**

OPEN PUBLIC MEETINGS ACT

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, February 21, 2023 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, February 17, 2023. 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, February 17, 2023 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 February 21, 2023.

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.

Nancy A. Brown
Municipal Clerk

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Mayor Thomas J. Madigan opened the Open Work Session Meeting at 7:00 p.m. in the second-floor municipal court room.

Nancy A. 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."

Present: Mayor Thomas J. Madigan, Township Committee Rudolf E. Boonstra, Scott A. Fisher, Peter J. Melchionne and Timothy E. Shanley
Also Present: Township Administrator Matthew A. Cavallo, Municipal Clerk Nancy A. Brown and Township Attorney Robert E. Landel

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

Mayor Madigan 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 Boonstra, all voting yes to open the ten (10) minute public comment period.

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

Township Attorney Report:

1. Mr. Landel attended a meeting with the Zoning Subcommittee; Mark DiGennaro, Thomas Gensheimer, Scott Fisher and Rudy Boonstra as well as the Administrator and the Township Planner. The Planning Board Chair and the Zoning Board Attorney were also in attendance at the meeting. The purpose of this meeting was to review various zoning issues and planning issues that Wyckoff is confronting. Mr. Landel noted several of the issues discussed specifically, parking problems/constraints, solar panels, electric vehicle charging stations, outdoor dining, signage, climate change and 5g services. Mr. Landel has already drafted several ordinances to amend a number of these issues.
2. Mr. Landel presented an overview of potential development on two (2) large parcels of property, a five (5) acre parcel on Squawbrook Road and a three (3) acre parcel on Franklin Avenue that will require serious consideration in the near future as it relates to the Township's affordable housing mandates/responsibilities.
3. After a lengthy discussion with the Township Planner at the Zoning Subcommittee Meeting, a determination was reached to conduct a re-examination of the master plan to address the numerous anticipated changes.

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Administrator's Report:

1. A stump removal Purchase Order has been cut and is expected to be completed before the next meeting.
2. The Township is currently out to bid to construct the Pole Barn behind the Police Department. Bids open this Thursday, February 23, 2023.
3. Bids will go out this Friday, February 23, 2023 for Extractors/Dryers for turnout gear for the fire department. This equipment will be purchased with the DCA Firefighters Grant the Township received last year.
4. The town is preparing the specs to complete the walking path at the Russell Farm Community Park and begin the walking path at the Memorial Field Complex. More to come on this at the next meeting.
5. The Fire Department, Diana and Matt were able to finalize this year's application for the Assistance to Firefighters Grant (AFG) from FEMA. We applied to upgrade the radios to improve interoperability with other agencies.
6. The Finance Committee has diligently worked to finalize this year's budget. More information to come at the March meeting but at this time we are expecting an on-time introduction.
7. Non-paper and cardboard collection at the Recycling Center is now comingled. Not to be confused with a single stream. The glass container has been removed, and now glass, aluminum, tin, and plastic are incorporated into the same container.
8. Reminder that there are new procedures for the collection of bulk items placed curbside this year. Bulk items are now collected on the last Thursday of each month; the first bulk collection of the year will be held on February 23. Pickups must be scheduled online through the Clerk's Office no later than this Friday, February 17, at 3 p.m. We are looking into being able to accept bulk waste at the Recycling Center but more on this at our next meeting.
9. Information will be communicated this week regarding the new bulk dumpster available at the Recycling Facility beginning the first week of March. Bulk items and non-building materials may be brought to the Recycling Center after purchasing a sticker for each item at a cost of \$5 from the Clerk's Office. Items without stickers will not be accepted. This service is in addition to the curbside bulk waste collection.
10. Additionally, the town is setting-up a container at the Recycling Center where residents can dispose of papers requiring confidential shredding throughout the year. More details as they become available, but we expect this to commence in March.
11. For everyone who had a parking pass in 2022 and did not renew for 2023, your pass is now expired. Renewals and new passes are available from the Clerk's Office.

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12. 2023 Animal Licensing is continuing online. In addition, our 2023 Rabies Clinic will be on Saturday, March 18, 2023. Helpful directions can be found on our website.
13. The Chief Financial Officer has reported that the Annual Financial Statement was filed online.
14. Preparations have begun on the Spring Newsletter. Detailed information on the changes in garbage and recycling collection will be included in the publication.
15. Information has been posted-online; on our social media and in the E-News concerning those looking to purchase Memorial Day Military Tribute Banners. Banners are now \$160 this year.

Township Committee Reports:

Rudy Boonstra:

1. Mr. Boonstra reported that the last Planning Board Meeting approved the six (6) foot fence application along Franklin Avenue opposite Zabriskie Pond. A six (6) foot fence in that location exceeds the allowable limit however, the fence will be moved a short distance from the roadway. The property owners will also construct a tennis court on that property.
2. The Planning Board approved the Ridgewood Water treatment building on Hartung Drive on the far end at the corner of Covington Place. It will resemble that of a residential home and hopefully emerge as an enhancement to the neighborhood. The Planning Board has scheduled a special meeting for Thursday, March 30, 2023 for the Ridgewood Water treatment facility at the Cedar Hill Avenue wellfield.
3. There was a public hearing for completeness for Hackensack Meridian at the Planning Board. They are proposing to open a walk-in clinic in the Stop & Shop Building facing Godwin Avenue. There is a 6,000 sq. ft. space that would occupy the medical facility walk-in urgent center.
4. Mr. Boonstra reported that the Board of Health had a lengthy discussion on new procedures for grease trap inspections that the State has promulgated. The Administrator was asked to review the ordinance that reflects this procedure.
5. Mr. Boonstra advised that Dr. Steve Clarke, President of the Wyckoff Board of Health, recently communicated with Police Chief Murphy and Sgt. Ferriera after the train wreck in Ohio. Dr. Clarke is concerned with the freight line that traverses through Wyckoff. However, as far as the police department is aware, the freight is most likely construction debris and recyclables – no combustible contaminants. Chemical “gondola” tank cars are mandated to be properly labeled when transporting toxic materials. The police department will remain vigilant on this matter.
6. Zabriskie House Trustee Joyce Santimauro, Trish Landel and Jean Hildebrandt are working on Springtime tours at the Zabriskie House for fourth grade students.
7. Mr. Boonstra and Mayor Madigan attended an Eagle Scout Court of Honor on Saturday, February 11, 2023 at the Wyckoff Public Library.

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8. The Township Engineer, Mark DiGennaro has been e-mailed the new elevations to lower the grade of the sewer pipe on Sicomac Avenue for the Terhune Terrace/Sicomac Avenue sanitary sewer project for The Barn Original. The Eastern Christian Children's Retreat/HOPE Christian Services is proposing to construct a new group home to the left of The Barn. By lowering the sewer, this new structure will have access to the sanitary sewer. Mr. DiGennaro must now apply for an amended TWA Permit for inclusion into this project.
9. There was no Design Review or Historic Preservation Meeting this month.
10. Mr. Boonstra announced that both he and Mayor Madigan will participate in the FLOW Follies scheduled for March 3, 4, 5, 2023. Anyone interested, please join us.

Scott Fisher:

1. Mr. Fisher was unable to attend the Wyckoff Board of Education K-8 Meeting due to the duration of the recent Planning Board Meeting. Thank you to Mr. Landel for moving several of the lengthy agenda items forward.
2. Mr. Fisher asked for guidance from the Administrator with regard to the construction company responsible for performing the drainage work under Route 208 North and South. A sizable amount of debris has remained at the site however, the contractor has been absent for over three (3) weeks. Mr. Fisher indicated this project may be supervised by the State of New Jersey however, the impacted neighborhoods should be cleaned up.

Timothy Shanley:

1. Mr. Shanley attended the Recreation Advisory Board Meeting where the lacrosse coaches were approved. Spring recreation baseball and softball registrations are completed and the number of sign-ups are very good.
2. The Zoning Board met on Thursday, February 16, 2023 and the three (3) applications requiring revised plans were approved. Two (2) applications were carried to the March meeting. A setback variance on Lakeview Drive was approved.
3. The Fireworks Committee met today and both Mr. Shanley and Committeeman Melchionne chose Saturday, September 23, 2023 for the Fireworks Display Event. Unfortunately, this is the same day as Wyckoff Day and the St. Nicholas Greek Festival. Roger Schnorrbusch, President of the Wyckoff Football Boosters has expressed an interest in sponsoring the food for the event.
4. Mr. Shanley was unable to attend the Ramapo/Indian Hills Regional Board of Education Meeting due to a conflict with the Recreation Advisory Board Meeting.

Peter Melchionne:

1. Since experiencing this very mild Winter, the DPW has been working on the shade tree lists and also assisted PSE&G who removed five (5)/six (6) very large trees in town.

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2. The potholes are continuing to be filled thanks to the mild weather. The DPW was able to borrow two (2) different types of asphalt hot boxes and expect to acquire one of these boxes in the near future.
3. Work is set to begin on the on the press-box at Memorial Field. Plans were finalized, materials ordered, along with some site improvements around the snack stand at the field. The decorative light poles will continue to be installed from the library down to the recreation building.

Mayor Madigan:

1. Mayor Madigan congratulated Mr. Cavallo as he celebrates his first year as the Administrator for the Township of Wyckoff. Thank you for your diligence and hard work.
2. Mayor Madigan thanked Committeemen Melchionne, Fisher and the Administrator for their conscientious work with the curbside garbage/recycling contract. This contract was a rather complex challenge.
3. Mayor Madigan was excited to announce that at the business meeting this evening, the Township will swear in two (2) new probationary police officers to the Wyckoff Police Department.
4. As Committeeman Melchionne made mention, the Finance Committee is working diligently on the 2023 Municipal Budget. Many thanks to the department heads for “sifting” through many difficult budget decisions.
5. Mayor Madigan gave a “shout-out” to his Granddaughter Daniela who turns 17 tomorrow and will take her driving test.
6. Mayor Madigan, Fire Commissioner and the governing body discussed the upcoming Fireworks Display Event tentatively scheduled for Saturday, September 23, 2023. Of concern, there are two (2) events (Wyckoff Day & the Greek Festival) previously scheduled on that date as well.

Motion to enter a Closed Session Discussion in accordance with Resolution #23-C3 from the Open Public Work Session Meeting at 7:39 p.m.:

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

Resolution: Adoption of the following:

#23-C3 Closed Session Discussion

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 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:

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N.J.S.A. 10:4-12b (7) – Pending Litigation

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 February 21, 2023, meeting, hereby authorize, that an Executive Session closed to the public shall be conducted on February 21, 2023, in the Municipal Court Room at 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 related to the specific items designated above.

Motion to exit the Closed Session Discussion and re-enter the Work Session Meeting at 7:59 p.m.:

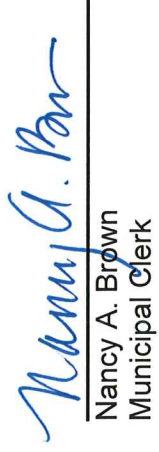
MOTION: BOONSTRA SECOND SHANLEY
BOONSTRA YES FISHER YES MADIGAN YES MELCHIONNE YES
SHANLEY YES

Adjourn the Open Work Session Meeting at 8:00 p.m.

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



Thomas J. Madigan
Mayor



Nancy A. Brown
Municipal Clerk

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
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TUESDAY, FEBRUARY 21, 2023**

Meeting Called to Order

Mayor Thomas J. Madigan 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 Thomas J. Madigan.

Invocation

The Invocation was offered by Committeeman Rudolf E. Boonstra.

RE: Township Committee Meeting of Tuesday, February 21, 2023 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, February 21, 2023 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.

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Attendance

Township Committee Present: Mayor Thomas J. Madigan; Committee Present: Rudolf E. Boonstra, Scott A. Fisher; Peter J. Melchionne, and Timothy E. Shanley.

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 Melchionne. All voted in favor.

There being no callers after several minutes had passed and with no one stepping forward, Mayor Madigan requested a motion to close the public comment period.

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

With an affirmative vote, the motion is approved.

Swearing in of Kathleen Powderley & Marisa Santo as Probationary Officers for the Wyckoff Police Department

Mayor Madigan welcomed the large group gathered to support the two new officers being sworn in as Probationary Police Officers. There were many family members, friends and fellow officers from Wyckoff, Waldwick and Midland Park in attendance.

Mr. Boonstra

I just have a few comments about how we got to this point with these two well qualified officers and then I'll hand it back over to the mayor, to talk about the two candidates. Over the past dozen or 15 years, I've participated in many hiring processes for police officers in Wyckoff. In fact, most of the officers that we've hired in the last 15 years, I was part of the process of hiring them. It's a rewarding process. It's a difficult process. It's a process that requires your best judgment and in Wyckoff we always have pursued candidates who took the alternate route. Now everyone here knows what that means to become a police officer. One of the main reasons we've done that is because these officers are self-motivated, and they really want to do what they're doing, and to become police officers. And as such, they're excellent candidates.

In the process this year we started with about 14 applicants. And we had a committee of police officers, superior officers, patrol officers and sergeants who did the screening. There were several levels of screening that brought the final number of candidates down to a smaller number. These candidates were brought to the Police Committee consisting of Chief Murphy, Administrator Cavallo, Mayor Madigan and myself. We met each of these candidates, and we interviewed and questioned them, and we conversed with them directly. Throughout this process we are always looking for the best candidates and to move the best candidates forward. For all the years I've done this, we've always looked for the best candidates, regardless of personality or whatever, we want the best people for the township of Wyckoff and fortunately we were able to hire two officers this year.

We clearly have the best candidates in my mind, and they both happen to be women, which is terrific. I'm just I'm just thrilled with that. That's our process and

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that's what got us to where we are tonight. It was a good process and we're very happy with the outcome. Mayor, I'll hand it back to you now.

Mayor Madigan

Thank you. We do have a gratifying selection process. I'm going to read you a bio of the candidates, and just so you know, we're going to do this one at a time. I'm going to do Kathleen first. We're going to hear about her. We're going to swear her in. We're going to have some photos; we're going to have family photos. I am the father of seven kids so we like lots of photos.

Mayor Madigan read Kathleen Powderley's bio:

Kathleen graduated from the Bergen County Police Academy in December 2022. While attending the academy, she was named Executive Officer of her class because of her leadership abilities and lead by example attitude. Kathleen is a graduate of Salve Regina University with a bachelor's degree in Administration of Justice. She is currently completing her master's degree in Homeland Security with a concentration in leadership and justice.

While attending the police academy Kathleen worked as a part time dispatcher for the Ho-Ho-Kus Police Department. She is trained in woman's self-defense which has given her the ability to better understand the importance of properly and lawfully protecting oneself during difficult situations. While attending college and during summer breaks Kathleen kept with her ambition of being a police officer a reality by working as security for businesses and schools. When time permits, Kathleen volunteers her time to her community.

Kathleen's training and her strong desire to be a police officer makes her the ideal new officer for the Township of Wyckoff.

Mayor Madigan administered the Oath of Office to Kathleen Powderley and then the group posed for various photos.

Mayor Madigan read Marissa Santo's bio:

Marisa will be graduating from the Atlantic County Police Academy this Friday, February 24, 2023. Marisa graduated from William Paterson University with a Bachelor of Arts degree in Psychology, Criminology & Criminal Justice; giving her a better understanding of an individual's thoughts and behavior which will aid her in her law enforcement career.

Prior to attending the Academy and while in college Marisa worked as a dispatcher for the Waldwick Police Department. She gained valuable experience and knowledge of the life of an officer. It was there that she realized a career in law enforcement was truly what she wanted. Marisa has certifications in Basic Life Support CPR/AED and NJ Emergency Medical Dispatch Certification, NECI Basic 911 certification.

Marisa's training, experience and dedication to law enforcement has made her a well-qualified new officer for the Township of Wyckoff.

Mayor Madigan administered the Oath of Office to Marissa Santo and then the group posed for various photos.

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Approval of the February 7, 2023 Work Session & Business meeting minutes:

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

With an affirmative vote, the motion is approved.

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):

#23-130 Award Contract #2022-08A – Curbside Collection of Solid Waste, Recyclable Materials, and Vegetative Waste – REBID #1

WHEREAS, on Thursday, September 29, 2022, the Township of Wyckoff received bids for Contract No. 2022-08 – CURBSIDE COLLECTION OF SOLID WASTE, RECYCLABLE MATERIALS, AND VEGETATIVE WASTE; and

WHEREAS, one (1) bid was received from Gaeta Recycling Co, Inc. (hereinafter known as "Gaeta"); and

WHEREAS, upon review of the bid submissions, it was determined that changes to the bid specifications and rebid were necessary, and Contract No. 2022-08 was rejected by the Township Committee via Resolution #22-267 on November 1, 2022; and

WHEREAS, on Thursday, December 1, 2022, the Township of Wyckoff received bids for Contract No. 2022-08A – CURBSIDE COLLECTION OF SOLID WASTE, RECYCLABLE MATERIALS, AND VEGETATIVE WASTE – REBID #1; and

WHEREAS, one (1) bid was received from Gaeta; and

WHEREAS, as it was necessary to review the bid specifications and the Proposal from Gaeta, the Township Committee awarded a negotiated extension to the previous Contract with Gaeta, which was set to expire on December 31, 2022, for a period of two months via Resolution 22-291 on December 20, 2022, pursuant to N.J.S.A. 40A:11-15; and

WHEREAS, Gaeta has agreed to extend the pricing on their proposal submitted in response to Contract #2022-12 until February 28, 2022; and

WHEREAS, the Public Works Manager and the Public Works Committee recommended that the Township Committee award a contract to Gaeta as follows:

Line Items 1A, 1B, 1A, 2B, 3A, 3B, 4A, 4B, 5.1A, 5.1B, 5.2A, and 5.2B
– No Award

Line Item 1C – Once a week (9 months) and Twice per week (3 months)
Solid Waste Collection per the requirements and specifications described in SECTION 5.3.1 of the Specifications.

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Year 1 (March 1, 2023 – February 29, 2024)	\$ 1,119,300
Year 2 (March 1, 2024 – February 28, 2025)	\$ 1,173,900
Year 3 (March 1, 2025 – February 28, 2026)	\$ 1,228,500
Year 4 (March 1, 2026 – February 28, 2027)	\$ 1,283,100
Year 5 (March 1, 2027 – February 29, 2028)	\$ 1,365,000

Line Item 2C – Curbside Collection of Recyclable Material per the requirements and specifications described in SECTION 5.3.2 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 712,600
Year 2 (March 1, 2024 – February 28, 2025)	\$ 747,450
Year 3 (March 1, 2025 – February 28, 2026)	\$ 782,480
Year 4 (March 1, 2026 – February 28, 2027)	\$ 817,700
Year 5 (March 1, 2027 – February 29, 2028)	\$ 868,000

Line Item 3C – Recycling Center Container Service per the requirements and specifications described in SECTION 5.3.3 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 24,300
Year 2 (March 1, 2024 – February 28, 2025)	\$ 25,920
Year 3 (March 1, 2025 – February 28, 2026)	\$ 27,000
Year 4 (March 1, 2026 – February 28, 2027)	\$ 28,080
Year 5 (March 1, 2027 – February 29, 2028)	\$ 29,160

Line Item 4C – Curbside Collection of Vegetative Waste per the requirements and specifications described in SECTION 5.3.4 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 61,500
Year 2 (March 1, 2024 – February 28, 2025)	\$ 64,500
Year 3 (March 1, 2025 – February 28, 2026)	\$ 67,500
Year 4 (March 1, 2026 – February 28, 2027)	\$ 70,500
Year 5 (March 1, 2027 – February 29, 2028)	\$ 75,000

Line Item 5.1C – Curbside Collection of Bulk Waste per the requirements and specifications described in SECTION 5.3.5.1 of the Specifications.

Year	Price Per Truck, Per Pickup
Year 1 (March 1, 2023 – February 29, 2024)	\$ 2,050
Year 2 (March 1, 2024 – February 28, 2025)	\$ 2,150
Year 3 (March 1, 2025 – February 28, 2026)	\$ 2,250
Year 4 (March 1, 2026 – February 28, 2027)	\$ 2,350
Year 5 (March 1, 2027 – February 29, 2028)	\$ 2,500

Line Item 5.2C – Curbside Collection of Bulk Waste CAUSED BY NATURAL DISASTERS per the requirements and specifications described in SECTION 5.3.5.2 of the Specifications.

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Year	Price Per Truck, Per Pickup
Year 1 (March 1, 2023 – February 29, 2024)	\$ 2,050
Year 2 (March 1, 2024 – February 28, 2025)	\$ 2,150
Year 3 (March 1, 2025 – February 28, 2026)	\$ 2,250
Year 4 (March 1, 2026 – February 28, 2027)	\$ 2,350
Year 5 (March 1, 2027 – February 29, 2028)	\$ 2,500; and

WHEREAS, the Township Administrator/Qualified Purchasing Agent/Certified Recycling Coordinator has reviewed this recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Contract #2022-08A is hereby awarded to the Gaeta Recycling Co, Inc., 278-282 West Railway Avenue, Paterson, New Jersey 07503 for a period of 5 years beginning March 1, 2023, and ending February 29, 2028, as follows:

Line Items 1A, 1B, 1A, 2B, 3A, 3B, 4A, 4B, 5.1A, 5.1B, 5.2A, and 5.2B
– No Award

Line Item 1C – Once a week (9 months) and Twice per week (3 months) Solid Waste Collection per the requirements and specifications described in SECTION 5.3.1 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 1,119,300
Year 2 (March 1, 2024 – February 28, 2025)	\$ 1,173,900
Year 3 (March 1, 2025 – February 28, 2026)	\$ 1,228,500
Year 4 (March 1, 2026 – February 28, 2027)	\$ 1,283,100
Year 5 (March 1, 2027 – February 29, 2028)	\$ 1,365,000

Line Item 2C – Curbside Collection of Recyclable Material per the requirements and specifications described in SECTION 5.3.2 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 712,600
Year 2 (March 1, 2024 – February 28, 2025)	\$ 747,450
Year 3 (March 1, 2025 – February 28, 2026)	\$ 782,480
Year 4 (March 1, 2026 – February 28, 2027)	\$ 817,700
Year 5 (March 1, 2027 – February 29, 2028)	\$ 868,000

Line Item 3C – Recycling Center Container Service per the requirements and specifications described in SECTION 5.3.3 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 24,300
Year 2 (March 1, 2024 – February 28, 2025)	\$ 25,920
Year 3 (March 1, 2025 – February 28, 2026)	\$ 27,000
Year 4 (March 1, 2026 – February 28, 2027)	\$ 28,080
Year 5 (March 1, 2027 – February 29, 2028)	\$ 29,160

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Line Item 4C – Curbside Collection of Vegetative Waste per the requirements and specifications described in SECTION 5.3.4 of the Specifications.

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 61,500
Year 2 (March 1, 2024 – February 28, 2025)	\$ 64,500
Year 3 (March 1, 2025 – February 28, 2026)	\$ 67,500
Year 4 (March 1, 2026 – February 28, 2027)	\$ 70,500
Year 5 (March 1, 2027 – February 29, 2028)	\$ 75,000

Line Item 5.1C – Curbside Collection of Bulk Waste per the requirements and specifications described in SECTION 5.3.5.1 of the Specifications.

Year	Price Per Truck, Per Pickup
Year 1 (March 1, 2023 – February 29, 2024)	\$ 2,050
Year 2 (March 1, 2024 – February 28, 2025)	\$ 2,150
Year 3 (March 1, 2025 – February 28, 2026)	\$ 2,250
Year 4 (March 1, 2026 – February 28, 2027)	\$ 2,350
Year 5 (March 1, 2027 – February 29, 2028)	\$ 2,500

Line Item 5.2C – Curbside Collection of Bulk Waste CAUSED BY NATURAL DISASTERS per the requirements and specifications described in SECTION 5.3.5.2 of the Specifications.

#23-131 Awarding Contract Change Order #1 for Contract #2022-08A-Curbside Collection of Solid Waste, Recyclable Materials, and Vegetative Waste – REBID #1

WHEREAS, Gaeta Recycling Co, Inc. (hereinafter known as “Gaeta”) and the Township of Wyckoff have heretofore entered into an Agreement, more notably known as 2022-08A – CURBSIDE COLLECTION OF SOLID WASTE, RECYCLABLE MATERIALS, AND VEGETATIVE WASTE – REBID #1 for the furnishing of labor, equipment, and materials in accordance with the requirements of the Local Public Contract Law, *N.J.S.A. 40A:11-1, et seq.*; and

WHEREAS, the Township has further reviewed the Contract with Gaeta and has determined to modify some of the requirements of Gaeta and the Township, which has resulted in a decrease in some of the line item pricing; and

WHEREAS, the Township Committee has received Contract Change Order No. 1 for Contract 2022-08A which outlines the changes to the requirements outlined in the Specifications and the resulting decreases in line-item pricing; and

WHEREAS, Contract Change Order No. 1 does not expand the scope of the contract; and

WHEREAS, the within Contract Change Order No. 1 and Contract Close-Out is in the best interests of the Township; and

WHEREAS, the Public Works Manager and the Public Works Committee recommended that the Township Committee award Change Order No. 1 to Gaeta; and

WHEREAS, the Township Administrator/Qualified Purchasing Agent/Certified Recycling Coordinator has reviewed this recommendation and concurs.

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NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, that Contract Change Order No. 1 be approved as follows:

Line Item 1C

Once a week (9 months) and Twice per week (3 months) Solid Waste Collection per the requirements and specifications described in SECTION 5.3.1 of the specifications.

Change:

Hauler will collect eight cans per week with once-per-week pickup and four cans per collection with twice-per-week pickup. The Township will expand the collection of bulk waste at the Recycling Facility to lower the amount of MSW in the waste stream.

Year	Original Award	Change Order #1	Increase (Decrease)
1	\$ 1,119,300	\$ 1,092,000	(\$ 27,300)
2	\$ 1,173,900	\$ 1,174,000	(\$ 100)
3	\$ 1,228,500	\$ 1,214,850	(\$ 13,650)
4	\$ 1,283,100	\$ 1,283,100	(\$ -0-)
5	\$ 1,365,000	\$ 1,351,350	(\$ 13,650)

Line Item 2C

Curbside Collection of Recyclable Material per the requirements and specifications described in SECTION 5.3.2 of the specifications.

Change:

Hauler will no longer own the recyclable material collected or be responsible for marketing the recyclable material collected curbside or at the Recycling Center. The Township will enter into a separate contract to recycle marketable material.

Year	Original Award	Revise Award CC #1	Increase (Decrease)
1	\$ 712,600	\$ 624,000	(\$ 88,600)
2	\$ 747,450	\$ 670,800	(\$ 76,650)
3	\$ 782,480	\$ 694,200	(\$ 88,280)
4	\$ 817,700	\$ 733,200	(\$ 84,500)
5	\$ 868,000	\$ 772,200	(\$ 95,800)

Line Item 3C

Recycling Center Container Service per the requirements and specifications described in SECTION 5.3.3 of the Specifications.

Change:

Hauler will no longer be responsible for pulling and transporting recyclable material to the transfer station of the marketer. The Township will assume this responsibility. The Hauler will still be responsible for providing the containers utilized at the Recycling Center. Additionally, the hauler will provide the Township with an enclosed dumpster and compactor to collect mixed paper.

In addition, the Hauler will provide the Township with 96-gallon secure document shredding containers for use at the Recycling Facility to allow the Township to expand the service of secure

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document destruction to the residents year-round shall provide the destruction service at no cost to the Township. All paper shredded shall be the property of the Hauler.

Year	Original Award	Revise Award CC #1	Increase (Decrease)
1	\$ 24,300	\$ -0-	(\$ 24,300)
2	\$ 25,920	\$ -0-	(\$ 25,920)
3	\$ 27,000	\$ -0-	(\$ 27,000)
4	\$ 28,080	\$ -0-	(\$ 28,080)
5	\$ 29,160	\$ -0-	(\$ 29,160)

Line Item 4C

Curbside Collection of Vegetative Waste per the requirements and specifications described in SECTION 5.3.4 of the specifications.

Change:

The Township will have the option to cancel the remainder of vegetative waste collection annually before January 1 of each calendar year beginning in 2024.

No Change in Pricing

Line Item 5.1C

Curbside Collection of Bulk Waste per the requirements and specifications described in SECTION 5.3.5.1 herein (price per truck, per pickup).

Change:

The Hauler will provide a 40-yard container for placement at the Recycling Center. The Township will accept Bulk Waste at the Recycling Center to lower the amount of bulk collected curbside once per month. The 40-yard container will be pulled and transported to the transfer station by the Township for disposal as Type 13 Waste. In addition, the Township will encourage the drop off of material at the site instead of curbside collection whenever possible.

Year	Original Award	Revise Award CC #1	Increase (Decrease)
1	\$ 2,050	\$ 1,650	(\$ 400)
2	\$ 2,150	\$ 1,800	(\$ 350)
3	\$ 2,250	\$ 1,950	(\$ 300)
4	\$ 2,350	\$ 2,000	(\$ 350)
5	\$ 2,500	\$ 2,100	(\$ 400)

BE IT FURTHER RESOLVED that award of this contract has been certified by the Chief Financial Officer for the calendar year 2023. Therefore, the remainder of the award is subject to the funds for the remainder of the contract being certified annually by the Chief Financial Officer to meet the extended obligation pursuant to N.J.A.C. 5:30-5.5(d)(2).

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BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk, and any other appropriate officer are authorized to execute Contract Change Order No. 1 for Contract No. 2022-08A on behalf of the Township.

CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON JANUARY 1, 2023, JANUARY 1, 2024, JANUARY 1, 2025, JANUARY 1, 2026 AND JANUARY 1, 2027 IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN THE 2023, 2024, 2025, 2026 AND 2027 ANNUAL BUDGET AND SUBSEQUENT ANNUAL BUDGETS AS REQUIRED. THE BUDGETORY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4(a).

#23-132 Award Contract #2023-02N –Marketing of Recyclable Materials

WHEREAS, the Township has a need to market the recyclable material collected curbside and at the Recycling Center; and

WHEREAS, N.J.S.A. 40A:11-5(1)(s) permits contracting units to negotiate and award contracts for the marketing or recyclable materials recovered through a recycling program without public advertising for bids and bidding therefor and to be awarded by resolution; and

WHEREAS, the Township has negotiated a contract with Get-A-Can, Inc. for the marketing of recyclable materials as follows:

Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 73,000
Year 2 (March 1, 2024 – February 28, 2025)	\$ 76,650
Year 3 (March 1, 2025 – February 28, 2026)	\$ 80,480
Year 4 (March 1, 2026 – February 28, 2027)	\$ 84,500
Year 5 (March 1, 2027 – February 29, 2028)	\$ 88,000

WHEREAS, the Township will have the option to cancel the remainder of this contract annually before January 1 of each calendar year beginning in 2024; and

WHEREAS, the Public Works Manager and the Public Works Committee recommended that the Township Committee award a contract to Get-A-Can, Inc; and

WHEREAS, the Township Administrator/Qualified Purchasing Agent/Certified Recycling Coordinator has reviewed this recommendation and concurs.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Contract #2023-N is hereby awarded to the Get-A-Can, Inc., 278-282 West Railway Avenue, Paterson, New Jersey 07503 for a period of 5 years beginning March 1, 2023, and ending February 29, 2028, as follows:

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Year	Lump Sum Price
Year 1 (March 1, 2023 – February 29, 2024)	\$ 73,000
Year 2 (March 1, 2024 – February 28, 2025)	\$ 76,650
Year 3 (March 1, 2025 – February 28, 2026)	\$ 80,480
Year 4 (March 1, 2026 – February 28, 2027)	\$ 84,500
Year 5 (March 1, 2027 – February 29, 2028)	\$ 88,000

WHEREAS, the Township will have the option to cancel the remainder of this contract annually before January 1 of each calendar year beginning in 2024.

BE IT FURTHER RESOLVED that award of this contract has been certified by the Chief Financial Officer for the calendar year 2023. Therefore, the remainder of the award is subject to the funds for the remainder of the contract being certified annually by the Chief Financial Officer to meet the extended obligation pursuant to *N.J.A.C. 5:30-5.5(d)(2)*.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk, and any other appropriate officer are authorized to execute an Agreement to effectuate Contract #2023-02N on behalf of the Township.

CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON JANUARY 1, 2023, JANUARY 1, 2024, JANUARY 1, 2025, JANUARY 1, 2026 AND JANUARY 1, 2027 IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN THE 2023, 2024, 2025, 2026 AND 2027 ANNUAL BUDGET AND SUBSEQUENT ANNUAL BUDGETS AS REQUIRED. THE BUDGETARY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4(a).

#23-133 Extraordinary Unspecifiable Service Appointment – Rocket Graphics

WHEREAS, the Township of Wyckoff requires the following Service for the current year:

Graphic Artist/For Municipal Calendar/Newsletters

WHEREAS, in accordance with NJSA 40:11-2(7) the Township of Wyckoff desires to procure the services of Rocket Graphics; and,

WHEREAS, the Township Committee of the Township of Wyckoff has determined to appoint Rocket Graphics due to its significant experience with producing the Townships calendars, newsletters and the public information awards that have resulted. The owner of Rocket Graphics is the former editor of the Wyckoff News and has an extensive background in public sector communications; and,

WHEREAS, NJSA 5:34-2a(12) lists and NJSA 5:34-2.4(a) lists public relations consultants as approved Extraordinary Unspecifiable Services; and,

WHEREAS, it is anticipated that the expenditures for this professional service may exceed the sum of \$17,500 in said calendar year; and,

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WHEREAS, the Local Public Contracts Law requires the resolution authorizing award of contracts for Extraordinary Unspecifiable Services without competitive bids, and the contract itself to be made available for public inspection; and,

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Availability indicating that adequate funds have been appropriated in the current year Temporary Budget and adequate funds will be appropriated in the current year Municipal Budget when adopted under the following line item in said Budgets:

Administration - other expense

WHEREAS, the Township Attorney has reviewed this procurement and approves.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the following contract is awarded as an Extraordinary Unspecifiable Services (E.U.S.) in accordance with above:

1. Rocket Graphics
5 Sicomac Road
North Haledon, NJ 07508
\$70.00 per hour/ Up to \$17,000
2. The Municipal Clerk is directed to issue an E.U.S. contract letter.
3. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which exempts from competitive bidding "E.U.S. Services".
4. The Township Clerk shall execute a public notice of said appointments in the official newspaper of the township as required by law.

#23-134 Authorization of Vouchers and 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. 20568 – 20583 Payroll A/C, Direct Deposit Vouchers no. 18136 - 18218, Library Payroll

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check nos. 1704 - 1708, Library Direct Deposit Vouchers no. 7608 - 7631, Claims Wire nos. 230403, 230404 & 230405, Claims check nos. 089598 – 089678 and Trs. Dog Trust - \$478.62.

#23-135 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:

BUILDING DEPT:

Erik Moses, 48 N. Maple Avenue, #504, Ridgewood, New Jersey 07450 – Refund of Certificate of Approval for Resale due to overpayment – Block 510/Lot 18.02 – 545 Spencer Drive - \$80.00

Rebecca Buchanan, 88 Van Blarcom Lane, Wyckoff, New Jersey 07481 – Refund for Certificate of Approval for Resale application – Block 208.1/Lot 43 - \$247.74

TAX REFUND:

Anthony J. Graceffo, Esq., for Sahadi, 302 Union Street, Hackensack, New Jersey 07601 – State Tax Court Reduction – Block 346/Lot 8.03 – 453 Wyckoff Avenue - \$1,027.60

Winne, Banta, Basralian & Kahn, PC, 21 Main Street, Suite 101, Hackensack, New Jersey 07601 – State Tax Court Reduction – Block 216.01/Lot 24.01 – 327 Franklin Avenue - \$59,227.21.

#23-136 Authorization to Apply – Sustainable Jersey PSE&G Grant

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and,

WHEREAS, the Township of Wyckoff strives to save tax dollars, assure clean land, air and water, improve working and living environments; and,

WHEREAS, the Township of Wyckoff is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called the Sustainable Jersey Small Grants Program.

WHEREAS, the Environmental Commission/Green Team plan to use the funds from Sustainable Jersey/PSE&G to update outdoor signage at Russell Farms Community Park to educate residents and visitors on how the park supports the environmental and sustainability efforts in Wyckoff.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the Wyckoff Environmental Commission is authorized to submit a Sustainable Jersey/PSE&G Small Grant Application for \$2,000 for the program to provide funds to update outdoor signage at Russell Farms Community Park.

#23-137 Release Performance Cash Surety – Block 498, Lot 96.22

WHEREAS, Mr. James McCarthy, Principal at McCarthy Builders, LLC, 12 Siena Way, Oakland, New Jersey 07436, in an email to the Township Engineer, has

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requested the release of a \$10,000 Performance Cash Surety for road opening / landscape & driveway construction related to construction of a detention basin at 20 Ravine Avenue; and,

WHEREAS, the Township issued a road opening permit for landscape and driveway improvements to Mr. James McCarthy, Principal at McCarthy Builders, LLC, 12 Siena Way, Oakland, New Jersey 07436 in April 2021; and,

WHEREAS, Mr. James McCarthy, homeowner at 20 Ravine Avenue, Wyckoff, New Jersey 07481 posted the following with the Municipal Clerk on April 16, 2021, for site improvements/road opening permit:

Performance Cash Surety	\$10,000.00
Landscape Cash Surety	\$ 2,500.00

WHEREAS, the Township's Engineer, Mr. Mark Di Gennaro, in an email dated February 15, 2023, states that the Engineering inspections have taken place and the balance of \$10,000 being held as Performance Cash Surety is approved to be released; and

WHEREAS, the Township's Engineer, Mr. Mark Di Gennaro, in an email dated February 15, 2023, states that the Engineering inspections have taken place and the balance of \$2,500.00 being held as Landscaping Cash Surety is approved to be released; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, and State of New Jersey that they hereby accept the recommendation of the Township Engineer, Mr. Mark Di Gennaro to release the \$10,000.00 and the \$2,500.00 Landscaping Cash Surety to Mr. James McCarthy.

BE IT FURTHER RESOLVED, that the Municipal Clerk will forward a copy of this resolution to the Township Engineer, Mr. Mark Di Gennaro, and to Mr. James McCarthy, Principal at McCarthy Builders, LLC, 12 Siena Way, Oakland, New Jersey 07436.

#23-138 Authorize a Settlement Agreement and Release

WHEREAS, Docket No. BER-L-005147-22 was filed in the Superior Court of New Jersey in which certain wrongful acts are alleged (the "Complaint"); and

WHEREAS, Plaintiff and the Township have reached an agreement on the resolution of the Complaint and desire and intend to memorialize the settlement by execution of a Settlement Agreement and Release (the "Agreement"); and

WHEREAS, it is in the best interest of the Township to settle the aforementioned Complaint, pursuant to the terms to be outlined in a proposed Settlement Agreement and Release, which terms have been presented to the Township Committee by Special Counsel.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, that the settlement of the Complaint pursuant to the terms presented by Counsel is approved and that a form of Agreement reflecting the terms of the settlement be executed on behalf of the Township by the Mayor.

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into any agreement necessary with the Bergen County Municipal Joint Insurance Fund to implement the Settlement terms.

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BE IT FURTHER RESOLVED that the Township Administrator, Clerk, and Chief Financial Officer are authorized to take all further steps required by the terms of the Settlement to implement same further.

#23-139 Authorize a Settlement Agreement and Release

WHEREAS, Docket No. 2:22-cv-02453-MCA-MAH was filed in the District Court of New Jersey in which certain relief is requested by the Township (the "Complaint"); and

WHEREAS, the Township and the Defendant have reached an agreement on the resolution of the Complaint pursuant to the terms presented by Counsel and desire and intend to memorialize the settlement by execution of a Settlement Agreement and Release (the "Agreement"); and

WHEREAS, it is in the best interest of the Township to settle the aforementioned Complaint, pursuant to the terms as by Special Counsel.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, that the settlement of the Complaint is approved and that a form of Agreement reflecting the terms of the settlement be executed on behalf of the Township by the Mayor.

BE IT FURTHER RESOLVED that the Township Administrator, Clerk, and Chief Financial Officer are authorized to take all further steps required by the terms of the Settlement to implement same further.

#23-C3 Closed Session

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 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:

N.J.S.A. 10:4-12b (7) – Pending Litigation

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 February 21, 2023, meeting, hereby authorize, that an Executive Session closed to the public shall be conducted on February 21, 2023, in the Municipal Court Room at 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 related to the specific items designated above.

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II

Ordinances – Introduction

ORDINANCE #1975

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

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

SECTION 1. **Chapter 123. Historic Preservation.**

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

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

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

123-2. Purposes.

By adopting this article, it is the intention of the Township Committee, simultaneously herewith, to create an agency which will work with and advise the Township Committee, Planning Board and the Zoning Board of Adjustment with respect to historic landmarks within the Township of Wyckoff and the effect of development applications thereon. Said agency is to be known as the “Historic Preservation Commission” and shall be established pursuant to Chapter 40 of the Code of the Township of Wyckoff.

- A. The establishment of the Historic Preservation Commission and the designation of historic landmarks within the Township are intended to foster the protection, enhancement and perpetuation of especially noteworthy examples or elements of the Township’s environment to:

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1. Safeguard the heritage of Wyckoff by preserving resources within the Township which reflect elements of its cultural, social, economic and architectural history;
2. Encourage the continued use of historic landmarks and to facilitate their appropriate use;
3. Promote appreciation of historic landmarks for education, pleasure and the welfare of the local population;
4. Discourage the unnecessary demolition of historic resources;
5. Encourage the proper maintenance and preservation of historic settings and landscapes;
6. Encourage beautification and private reinvestment;
7. Encourage the appropriate alteration of historic landmarks;
8. Promote the conservation of historic landmarks and invite and encourage voluntary compliance.

123-3. Designation of historic landmarks.

A. The Commission, as part of the preparation of an Historic Element to be provided to the Planning Board for the Master Plan of the Township of Wyckoff shall consider for historic landmark designation, any buildings, structures, objects and sites within the Township which merit historic landmark designation and protection, possessing integrity of location, design, setting, materials, workmanship and association, and being:

1. Of particular historical significance to the Township of Wyckoff by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state or community;
2. Associated with historic personages important in national, state or local history;
3. The site of an historic event which had a significant effect on the development of the nation, state or community;
4. An embodiment of the distinctive characteristics of a type, period or method of architecture or engineering;
5. Representative of the work of an important builder, designer, artist or architect;
6. Significant for containing elements of design, detail, materials or craftsmanship which represent a significant innovation; or
7. Able or likely to yield information important in prehistory or history.

B. As part of a periodic review of the Historic Element of the Master Plan, the Commission may make a list of potential historic sites for landmark designation. For each landmark,

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there shall be a description of the landmark, pursuant to this article to include a description of the landmark's location and boundaries, and a map siting. The Commission shall, by certified mail, return receipt requested, notify, in writing, the property owner of a potential landmark designated site and provide the landowner an opportunity to meet voluntarily and informally with the Commission on such designation.

- C. The list of potential landmarks, as well as the descriptions, significance, location, boundaries and map siting of each, shall be subject to and contained within the Historic Preservation Element of the Master Plan as amended from time to time. The Commission shall provide its recommendations for inclusion in the Historic Preservation Element of the Master Plan to the Planning Board which shall hold hearings pursuant to statute.
1. All hearings on historic landmark ordinances for historic sites as designated in the appropriate element of the Master Plan shall be conducted before the Township Committee according to law.
- D. Copies of the designation list and historic site maps as adopted shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be served by certified and regular mail upon each owner and included on the list.

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

- A. All development activities including but not limited to those which require a permit or a development application, that affect an historical landmark shall be reviewed by the Commission, except as set forth in Subsection C below. Such review shall be required for but not be limited to the following actions:
1. Demolition of an historic landmark.
 2. Relocation of an historic landmark.
 3. All changes in the exterior architectural appearance of any historic landmark by addition, alteration, or replacement.
 4. Site plans or subdivisions affecting an historic landmark.
 5. Zoning variances affecting an historic landmark.
- B. Before an applicant prepares plans, the applicant may bring a tentative proposal to the Commission for informal review and comment. Discussions of such proposals shall be open to the public, but they will not result in any definitive action by the Commission.
- C. Review by the Commission is not required for the following:
1. When an historic landmark requires immediate emergency repair to preserve the continued habitability of the

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landmark and/or health and safety of its occupants or others, emergency repairs may be performed in accordance with Township codes without the necessity of first obtaining the Commission's review. Under such circumstances, the repairs performed shall only be such that are necessary to maintain the habitability of the structure. A request for the Commission's review shall be made as soon as possible, and no additional work shall be performed upon the structure until an appropriate request for approval is made and obtained in accordance with the procedures set forth in this article. All work done under this section shall conform to the criteria and guidelines for review of applications as adopted by the Commission in accordance with this article.

2. For changes to the interior of structures.
3. For ordinary repairs and maintenance which do not constitute a change to the appearance of the structure. The following are the only activities which do not require Commission review according to these criteria:

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

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

D. Any property owner and/or tenant of any property subject to this article to which changes or alterations are proposed shall not be relieved of any obligations under this article because no building and/or development application is otherwise required.

E. The Commission shall hear such applications, employing its procedure used for all other applications, and shall prepare a written report on the application of this article's provisions concerning historic preservation to any of those aspects of the change, activity or action proposed and shall submit its report to the Planning Board as the case may be in accordance with this article.

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

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

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

123-6. Criteria for review of application.

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

- A. In regard to all applications affecting an historical landmark,

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the following factors shall be considered:

1. The impact of the proposed change on the historical and architectural significance of the landmark.
2. The landmark's importance to the public and the extent to which its historical or architectural interests would be adversely affected to the detriment of the public interest.
3. The hardship to the property owner if the application were denied or conditions were imposed.

B. In regard to an application for new construction, alterations, additions, repairs or replacements affecting an historic landmark, the following criteria shall be considered:

1. Height. The height of the proposed building shall be visually compatible with adjacent buildings.
2. Proportions of the building's front facade. The relationship of the width of the building to the height of the front elevations shall be visually compatible with the buildings and places to which it is visually related.
 - a. Proportion of openings within the facility. The relationship of the width of windows to the height of windows in a building shall be visually compatible with the buildings and places to which it is visually related.
3. Relationship of materials, texture, and color. The relationship of materials, texture and color of the facade and roof of a building shall be visually compatible with the predominant materials used in the building to which it is visually related.
4. Exterior features. A structure's related exterior features, such as lighting, fences, signs, sidewalks, driveways and parking areas, shall be compatible with the features of those structures to which it is visually related and shall be appropriate for the historical period for which the structure is significant.

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

1. Its historic, architectural, cultural, or scenic significance.
2. Its potential for use for those purposes currently permitted by the Zoning Ordinance.
3. Its structural condition and the economic feasibility of alternatives to the proposal.
4. Its importance to the community and the extent to which its historical or architectural value is such that its removal would be detrimental to the public interest.
5. The extent to which it is of such old, unusual, or uncommon design, craftsmanship, texture or material that it could be reproduced only with great difficulty and expense or other hardship to the property owner.

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6. The extent to which its retention would promote the general welfare by maintaining and increasing real estate values, generating business, attracting tourists, attracting new residents, stimulating interest and study in architecture and design, or making the municipality an attractive and desirable place in which to live.
- D. In regard to an application to move any historic landmark, the following matters shall be considered:
 1. The historic loss to the site of the original location.
 2. The reasons for not retaining the landmark or structure at its present site.
 3. The compatibility, nature, and character of the current and of the proposed surrounding areas as they relate to the protection of interests referred to in this article.
 4. The probability of significant damage to the landmark or structure itself.
 5. The hardship to the property owner if the application were denied or conditions were imposed.

123-7. Violations and penalties.

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

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

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

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

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.
BE IT FURTHER RESOLVED that award of this contract has been certified by the Chief Financial Officer for the calendar year 2023. Therefore, the remainder of the award is subject to the funds for the remainder of the contract being certified annually by the Chief Financial Officer to meet the extended obligation pursuant to *N.J.A.C. 5:30-5.5(d)(2)*.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk, and any other appropriate officer are authorized to execute an Agreement to effectuate Contract #2022-08A on behalf of the Township.

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CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON JANUARY 1, 2023, JANUARY 1, 2024, JANUARY 1, 2025, JANUARY 1, 2026 AND JANUARY 1, 2027 IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN THE 2023, 2024, 2025, 2026 AND 2027 ANNUAL BUDGET AND SUBSEQUENT ANNUAL BUDGETS AS REQUIRED. THE BUDGETARY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4(a).

ORDINANCE #1976

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

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

SECTION 1. **Chapter 40. Historic Preservation Commission.**

40-1. Historic Preservation Commission.

- A. There is hereby created in and for the Township of Wyckoff a commission to be known as the "Historic Preservation Commission."
- B. The Historic Preservation Commission shall consist of seven members and two alternates who shall serve without compensation except that the Commission members shall be reimbursed for expenses incurred in the performance of official business approved in advance by the Township Committee.
- C. Membership.
 - 1. The Commission positions shall be filled by persons who are interested in and qualified to contribute to the preservation of historic landmarks which shall include historic buildings, structures, sites and objects. The Commission shall comprise the following categories:
 - a. Class A: persons who are knowledgeable in building design and construction or in architectural history.
 - b. Class B: persons who are knowledgeable or have demonstrated an interest in local history.
 - c. Class C: persons who are residents of the Township and who hold no other municipal office, position or employment, except they may be

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members on the Planning Board or Zoning Board of Adjustment

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

40-2. Duties.

The Historic Preservation Commission shall have the responsibility to:

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- A. Prepare a survey of historic landmarks of the municipality pursuant to criteria identified in the survey report;
- B. Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements;
- C. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program, if any;
- D. Advise the Zoning Board of Adjustment or Planning Board (hereinafter, "Land Use Board"), as the case may be, on applications for development pursuant to N.J.S.A. 40:55D-110;
- E. Provide written reports pursuant to N.J.S.A. 40:55D-111 and § 123-4 of this article on the application of the Zoning Ordinance provisions concerning historic preservation; and
- F. Carry out such other advisory, educational and informational functions as will promote historic preservation in the Township including, but not limited to, the following:
 - 1. To review historical survey material and, if necessary, to update such material at least once every year to incorporate any newly required historical documentation and to reflect changes to the resource's integrity or condition.
 - 2. To recommend sites to be designated as historic landmarks in accordance with the procedures established in this article.
 - 3. To conduct research on and, if necessary, to nominate any additional significant resources to the State and National Register of Historic Places. If the Township becomes certified under the state's Certified Local Government (CLG) Program, the Commission shall, in accordance with the state's CLG guidelines, nominate, review and comment on all state and national registered nominations for historic resources with the Township of Wyckoff.
 - 4. To assist other public bodies in aiding the public in understanding historic resource significance and methods of preservation.
 - 5. To advise the Township Committee on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, places and structures; to prepare long-range plans; for the purpose of securing state, federal and other grants in aid to assist in carrying out the other purposes of this article.
 - 6. To secure the voluntary assistance of the public and (within the limits of the budget established by the Township Committee for the Historic Commission's operation) to retain consultants and experts and incur

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expenses to assist the Historic Preservation Commission in its work.

7. To cooperate with local, county, state or national historical authorities, governmental bodies or organizations to maximize their contributions to the intent and purposes of this article.
8. To advise and assist property owners and other persons and groups, including neighborhood organizations, who are interested in historic preservation.
9. Within the limits of its budget, to undertake educational programs, including the preparation of a publication aimed at stimulating interest in and sensitivity to historic preservation; and the placing of historic markers on structures.
10. To report at least annually to the Planning Board on the state of historic preservation in the Township and recommend measures to improve same.
11. To adopt and promulgate such regulations and procedures not inconsistent with this article as are necessary and proper for the effective and efficient performance of the duties herein assigned.
12. To perform any other lawful activities which shall be deemed necessary to further the purposes of this article.

SECTION 2.

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

SECTION 3.

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

ORDINANCE #1977

AN ORDINANCE TO AMEND CHAPTER 157 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SEWERS, BY REPLACING SECTION 157-62, SCHEDULE OF CHARGES, CHARGES FOR SEWER SERVICE, ESTABLISHING 2023 SEWER CHARGES FOR THE USE OF THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that an Ordinance entitled "An Ordinance Providing for and Establishing Sewer Service Charges for the Use of the Sanitary Sewer System of the Township of Wyckoff, Bergen County, New Jersey," (adopted April 1, 1970, as Ordinance No. 607), be amended as follows:

SECTION 1. Chapter 157, Sewers, Part 2, Article XI, Section 157-62, Schedule of Charges, is hereby replaced with the following:

A. The sewer service charge hereby established for 2023 shall be sufficient to:

- (1) cover all the charges, costs and expenses related to the sewer service, such as, but not limited to, the charges of the Northwest Bergen County Utility Authority, the charges of the Boroughs of Midland Park and Waldwick,

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pump stations and ejector station operation and maintenance costs, and all the costs incurred by the Township of Wyckoff in collecting its sewer service charges; and,
(2) create a reasonable reserve for maintenance and repairs.

B. The sewer service charge shall be an annual charge commencing upon the date upon which a building connection is approved by the Township, and such charge shall be on the following basis and this rate shall stay in effect until subsequently modified by ordinance amendment:

<u>TYPE OF SERVICE</u>	<u>ANNUAL CHARGE</u>
A. Single Family Residential Dwelling Unit - (house, condominium, townhouse or six or more apartment units contained in same building.....charge per unit -	\$486.00
B. Two Family Residential Dwelling.....plus \$2.85 per 1000 gallons for flow in excess of 156,000 gallons.	\$546.00
C. Three (3) to Five (5) Family Residential dwelling units.....charge per unit - \$262.00 each plus \$2.85 per 1,000 gallons for flow in excess of 208,000 gallons.	
D. Commercial\$486.00 plus \$2.85 per 1,000 gallons for flow in excess of 104,000 gallons.	
E. Combination Commercial/Residential Dwelling Unit: 1. Commercial and one separate detached residential dwelling unit\$898.00 plus \$2.85 per 1,000 gallons for flow in excess of 145,600 gallons.	
2. Commercial with one residential dwelling unit within same structure.....\$650.00 plus \$2.85 per 1,000 gallons for flow in excess of 145,600 gallons	
F. Commercial(s) with two (2) to five (5) residential dwelling units.....charge per unit - \$486.00 plus \$218.00 per dwelling unit. Flow in excess of 104,000 gallons plus 41,600 gallons for each residential dwelling unit will be charged at \$2.85 per 1,000 gallons.	

SECTION 2. Except as hereby amended, Chapter 157 is hereby ratified and reaffirmed and shall continue in full force and effect.

SECTION 3. The invalidity of any section or provisions of this amendment to the ordinance shall not invalidate any other sections or provisions thereof.

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

III Motions

a. Motion to approve Bergen County’s request for permission to conduct aerial spraying for mosquito larvae in Wyckoff for the 2023 mosquito season.

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 FISHER
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

Mayor Madigan, I have an Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1973** which is

FIXING THE SALARIES, COMPENSATION, AND RETAINERS OF THE PAID POLICE OFFICERS OF THE TOWNSHIP OF WYCKOFF, N.J., FOR THE YEARS 2023-2026.

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, 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.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #1973, and all persons who wish to be heard, please state your name and address before making your statement. If you wish to comment, please dial 201-891-7000, ext. #2220, or step to the microphone.

There being no callers after several minutes had passed, Mayor Madigan requested a motion to close the public comment period.

At the Conclusion of public comments:

COMMITTEE PERSON SHANLEY : I move that the Public Hearing on Ordinance #1973 be closed.

COMMITTEE PERSON BOONSTRA : Seconded

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #1973, after public hearing and further consideration 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.

COMMITTEE PERSON BOONSTRA : I move Ordinance #1973 on second reading by title only.

COMMITTEE PERSON SHANLEY : Seconded.

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

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I have a second Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1974** which is:

AN ORDINANCE TO AMEND CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 146-35, "SPECIFIC REGULATIONS."

for second reading, by title only, and a copy of this Ordinance has been posted on our municipal website, 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.

CHAIRPERSON: This is the time and place for the Public Hearing on Ordinance #1974, and all persons who wish to be heard, please state your name and address before making your statement. If you wish to comment, please dial 201-891-7000, ext. #2220, or step to the microphone.

There being no callers after several minutes had passed, Mayor Madigan requested a motion to close the public comment period.

At the Conclusion of public comments:

COMMITTEE PERSON SHANLEY: I move that the Public Hearing on Ordinance #1974 be closed.

COMMITTEE PERSON FISHER: Seconded

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance #1974, after public hearing and further consideration 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.

COMMITTEE PERSON SHANLEY: I move Ordinance #1974 on second reading by title only.

COMMITTEE PERSON FISHER: Seconded.

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

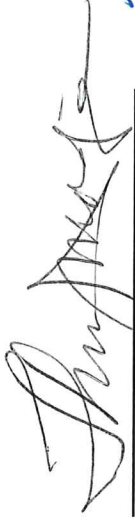
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Meeting was adjourned at 8:38pm

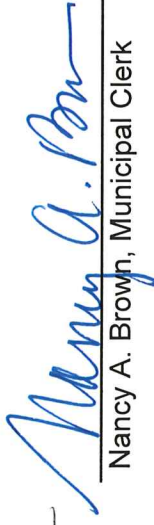
Chair: May I have a motion to and a second to adjourn the Business Meeting?

MOTION: BOONSTRA SECOND SHANELY
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

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



Mayor Thomas J. Madigan



Nancy A. Brown, Municipal Clerk

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WYCKOFF POLICE DEPARTMENT

340 Franklin Avenue
Wyckoff, New Jersey 07481



David V Murphy
Chief of Police

Kathleen Powderley

Kathleen graduated from the Bergen County Police Academy in December 2022. While attending the academy, she was named Executive Officer of her class because of her leadership abilities and lead by example attitude. Kathleen is a graduate of Salve Regina University with a bachelor's degree in Administration of Justice. She is currently completing her master's degree in Homeland Security with a concentration in leadership and justice. While attending the police academy Kathleen worked as a part time dispatcher for the Ho-Ho-Kus Police Department. She is trained in woman's self-defense which has given her the ability to better understand the importance of properly and lawfully protecting oneself during difficult situations. While attending college and during summer breaks Kathleen kept with her ambition of being a police officer a reality by working as security for businesses and schools. When time permits, Kathleen volunteers her time to her community.

Kathleen's training and her strong desire to be a police officer makes her the ideal new officer for the Township of Wyckoff.

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WYCKOFF POLICE DEPARTMENT

340 Franklin Avenue
Wyckoff, New Jersey 07481



David V Murphy
Chief of Police

Marisa Santo

Marisa will be graduating from the Atlantic County Police Academy this Friday, February 24, 2023. Marisa graduated from William Paterson University with a Bachelor of Arts degree in Psychology, Criminology & Criminal Justice; giving her a better understanding of an individual's thoughts and behavior which will aid her in her law enforcement career. Prior to attending the Academy and while in college Marisa worked as a dispatcher for the Waldwick Police Department. She gained valuable experience and knowledge of the life of an officer. It was there that she realized a career in law enforcement was truly what she wanted. Marisa has certifications in Basic Life Support CPR/AED and NJ Emergency Medical Dispatch Certification, NECI Basic 911 certification.

Marisa's training, experience and dedication to law enforcement has made her a well-qualified new officer for the Township of Wyckoff.