

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, SEPTEMBER 5, 2023

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, SEPTEMBER 5, 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 by Rev. Wesley Kenyon, Wyckoff Assembly of God
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 and state your name 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 FISHER
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

7. Approval of the August 15, 2023 Work Session & Business meeting minutes:

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

8. Ordinances – Public Hearing / Further Consideration:

Mayor Madigan, I have several Ordinance for Public Hearing / Further Consideration on tonight's agenda. The first is **ORDINANCE #1991** which is

**AN ORDINANCE TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT
IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE
RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS
THEREFORE AND TO AUTHORIZE APPROPRIATIONS OF \$125,000**

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 #1991, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward 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 #1991 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 #1991, 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 #1991 on second reading by title only.

COMMITTEE PERSON FISHER: 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 #1992** which is

AN ORDINANCE TO DELETE CHAPTER 54 (POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND ORGANIZATION), SECTION 54-6.7 (MARSHALS), AND TO AMEND AND SUPPLEMENT ARTICLE VI (SPECIAL LAW ENFORCEMENT OFFICERS) OF THE CODE OF THE TOWNSHIP OF WYCKOFF

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 #1992, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

(Public Comments are heard here.)

At the Conclusion of public comments:

COMMITTEE PERSON BOONSTRA: I move that the Public Hearing on Ordinance #1992 be closed.

COMMITTEE PERSON MELCHIONNE: Seconded

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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 #1992, 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 #1992 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 third Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1993** which is

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 183 (WATER EMERGENCIES) OF THE CODE OF THE TOWNSHIP OF WYCKOFF BY DELETING AND REPLACING IT IN ITS ENTIRETY WITH A NEW CHAPTER 183

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 #1993, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward 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 #1993 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 #1993, 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 #1993 on second reading by title only.

COMMITTEE PERSON FISHER : Seconded.

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ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

I have a fourth Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1994** which is

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 54
(POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND
ORGANIZATION), SECTION 54-3.3 (QUALIFICATIONS FOR
MEMBERSHIP) OF THE CODE OF THE TOWNSHIP OF
WYCKOFF**

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 #1994, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

(Public Comments are heard here.)

At the Conclusion of public comments:

COMMITTEE PERSON BOONSTRA : I move that the Public Hearing on Ordinance #1994 be closed.

COMMITTEE PERSON MELCHIONNE : 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 #1994, 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 #1994 on second reading by title only.

COMMITTEE PERSON MELCHIONNE : Seconded.

ROLL CALL VOTE

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:

I **Resolutions (Adoption of the following)**:

- #23-249 Authorize the Award of a Contract for Professional Services:
Financial Advisor/Continuing Disclosure Agent.
- #23-250 Close Completed Capital Grant Receivables and Authorizations

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|---------|---|
| #23-251 | Authorization of Vouchers and Payment of Bills |
| #23-252 | Return of Certain Overpaid Taxes, Fees, etc. |
| #23-253 | Authorize SSA - Bergen County Emergency Tree Removals |
| #23-254 | Awarding Contract #2023-09 – Supply, Delivery & Installation of Flexi-Pave on Walking Trail at Russell Farms Community Park |
| #23-255 | Awarding Contract #2023-10 – Supply & Delivery of Building Materials for Police/Field Maintenance Pole Barn |
| #23-256 | Contract Change No. 1 – Contract 2023-06 – Road Improvement Program 2023 |
| #23-257 | Appointment of SLEO III Police Officers |
| #23-258 | Professional Service Appointment for 2023 |
| #23-259 | Close Out of Affordability Assistance Program Grant with Christian Health for the Renovation of Evergreen Court Unit #27 |

II Ordinances – Introduction
None

III Motions

- A. Approve application for Bethany Church, 568 Wellington Drive, to install a 30' x 60' tent in their parking lot for one day - September 16, 2023.
- B. Approve application for St. Elizabeth Church, 700 Wyckoff Avenue, to hold a parish picnic on September 17, 2023 from 12:00 pm to 4:00 pm. The event includes a kids entertainment trailer, lawn games, a beer garden, and a band. St. Elizabeth's has applied to the NJ ABC for a Social Affairs Permit.
- C. Approve application for Wyckoff Volunteer Fire Company #1 to hold their Beach Party fundraiser at the Wyckoff Family YMCA on September 7, 2023 from 6:00 pm to 10:00 pm. The Volunteer Fire Department has applied to the ABC for a Social Affairs Permit.
- D. Approve application for Chabad Jewish Center of NWBC to hold their Menorah Lighting and Celebration on Thursday, December 7, 2023 beginning at 6:00 pm in the front parking lot of Memorial Town Hall.
- E. Accept application of Jack W. Kane as a Junior Firefighter member of Fire Company #1.
- F. Approve application of the Zabriskie House Trustees to hold a Halloween Family event on Saturday, October 28, 2023 from noon to 3:00 pm.
- G. Approve application of the Zabriskie House Trustees to hold their Holiday Open House event on Saturday, December 2, 2023 from 10:00 am to 3:00 pm.
- H. Approve Lincoln Elementary School fundraising block party on Sunday, September 3, 2023 from 1:00 pm to 5:00 pm which will result in road closures on Manor Road, Van Blarcom Lane, and Meadowbrook Road.
- I. Approve application of Wyckoff Volunteer Fire Department to operate a Beer Garden to raise funds at the Fireworks event on Saturday, September 23, 2023. Fenced in area located in the parking lot of the Wyckoff Public Library.
- J. Approve application of Wyckoff Volunteer Fire Department to post 3' x 5' Fireworks banners for the ten-day period immediately preceding the event.

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 MELCHIONNE
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

10. Special Law Enforcement Officers – Oaths of Office

11. Adjourn

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

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

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

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, SEPTEMBER 5, 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, September 5, 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, September 1, 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, September 1, 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 September 5, 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 David Becker

Mayor Madigan's Comments:

"I'd like to introduce our new Township Attorney, David Becker. As you all know, Rob Landel, our long time Township Attorney was appointed to the Superior Court as a Judge. David Becker has been serving as our Zoning Board of Adjustment Attorney for several years. We're happy to welcome him aboard.

I'd also like to thank Ari Bernstein, who's been filling in at the last several Township Committee meetings and has been available to us whenever we needed him. I want to thank him for his service to the Township. I went to see him last week and to personally thank him on behalf of the governing body for his service which is really appreciated.

Also, as a follow up to the public comments at our last several meetings, about the possibilities for a crosswalk on Wyckoff Avenue at Spring Meadow Drive, we are going to establish a sub-committee and we'll have Scott Fisher represent the Township Committee. Mr. Fisher will work together with our Police Chief and with our Administrator, Matt Cavallo. Rudy Boonstra will be the liaison from the Police Committee and Scott Fisher has a lot of background as our former Public Works Director. Mr. Litt was interested in finding out and pursuing additional information. Rather than continuing to have discussion here regarding this issue, the discussion will move to the subcommittee.

The last thing I just want to mention is that our local schools will reopen this week. I would urge everybody to be cautious and we wish the students, staff, and teachers a productive and safe year."

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

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

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Janet Tuomey:

"I was wondering if any of the members of the Township Committee know about the Franklin Lakes / Cigna situation and if that was finally settled."

Tim Shanley:

"The situation is still evolving. Franklin Lakes kept postponing the meeting on this issue. I was at their last meeting, so it'll be part of my report.

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

Administrator's Review of the 8:00 p.m. Agenda:

1. The agenda is a little out of order this evening because of the appointment that we have at our eight o'clock meeting for the Special Law Enforcement Officers (SLEO III's) for our schools.
2. The first ordinance for public hearing this evening is an ordinance to provide for a capital improvement for \$125,000 for the restrooms at Memorial Field. That's partially being funded with a \$75,000 grant from the New Jersey Local Recreation Improvement Grant through the Department of Community Affairs (DCA). The balance is coming from the open space funds.
3. The second ordinance amends our police department table of organization to specifically allow for the hiring of special threes (SLEO III's). The reason why this is taken out of order is technically, this ordinance should be passed first, then the resolution should be passed hiring new officers. Then we swear them in, just due to the time constraints for the fact that schools opened this week. That's why this has all been taking place in that order.
4. The third ordinance is amending our current Chapter 183 - Water Emergencies and replacing it with a new Chapter 183 pretty much setting the water restrictions at what has been Phase Two in our current ordinance as the standard and eliminating Phase One.
5. Finally, Ordinance #1994 amends our qualifications for employment as a full-time police officer in our police department.
6. There are several resolutions for consideration this evening: Resolution #23-249 authorizes a contract for our financial advisor and our continuing disclosure agent. This has to do with our capital debt and must be reported to the federal government. This advisor will assist the municipality with that reporting.
7. Resolution #23-250 closes completed capital grants. The Township has several projects where we have grants that have been open for several years. There is no money left to be expended or to be received on these grants.
8. Resolution #23-253; the County of Bergen has advised us that they will be continuing their program of removing emergency trees in the county right of way that has been standard for a while whenever we call to say there is an emergent tree. However, we currently have to sign a hold harmless agreement with Bergen County to remove each individual tree. Therefore, this resolution authorizes Mr. Cavallo to sign the standard blanket agreement on behalf of the town every time we have a tree that requires removal by the county so we can get it done in an expeditious manner.

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9. Resolution #23-254 authorizes Contract 2023-9, which is contract number two for the flexi-pave walkway at Russell Farms Community Park in 2019. The town received a grant with including matching funds which were \$90,000 for the installation and completion of the flexi-pave walkway at Russell Farms Community Park. If you recall, about three meetings ago, we awarded another contract because we had received such a good price from the vendor. We went out to bid again to utilize the remainder of that grant. So, this contract award will exhaust the balance of that 2019 grant plus \$7,000 roughly from the Open Space Trust Fund.
10. Resolution #23-255 authorizes Contract 2023-10 for the purchase of the building material for the police field maintenance pole barn. We expect the bid to come in under the bid threshold of about \$15,000. But with other projects we've had going on this year, we started approaching our thresholds with some of our vendors. The bid received is just under \$8,000 for the purchase of that material. I'll have an update on that in my upcoming report.
11. Resolution #23-256 is a change order for the road improvement project which is ongoing right now. This is a \$0 change order. It's strictly a materialistic change order, changing the date, the substantial completion date required in the contract from last Friday to next Friday. And the reason for that is, we worked out an agreement with the vendor that they're going to pave West Main Street on a Saturday so as to cause the least interruption to the businesses on West Main Street. So, West Main Street will be paved this Saturday, weather permitting. The change order changes the completion date of the contract to next Friday, weather permitting. If there is a delay and we need to change it, the date will get automatically moved.
12. Resolution #23-257 authorizes the appointment of our Special Law Enforcement Officers (SLEO III's). These six (6) officers, hired for the school year, are to be placed in our K-8 elementary schools and also one officer in St. Elizabeth's School.
13. Resolution #23-258 authorizes a professional service appointment of our new Township Attorney for the remainder of the year.
14. Resolution #23-259 closes out the Affordability Assistance Program Grant with Christian Health for the renovations of Evergreen Court, Apt. #27.
15. Ordinances #1995 and #1996 are both going to be pulled from this evening's agenda for additional work that needs to be completed by our professionals.
16. There are several motions which will get read into the record at our eight o'clock business meeting.

Administrator's Report:

1. The garbage collection schedule has reverted back to once-a-week collection. Recycling schedules remain the same.
2. The 9/11 Remembrance Ceremony will be held on Monday, September 11th at Fire Co. #1 beginning at 6:30 p.m. with a "Pot Luck" supper to follow.
3. The Annual Fireworks Display is scheduled for Saturday, September 23, 2023 at the Memorial Field Complex. The new Memorial Field Snack Stand will be open for refreshments.

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4. The Township of Wyckoff conducted a note sale last week for a nine (9) month rollover of municipal notes totaling \$5,443,000 at an interest rate of 4.09%. Notes from two (2) years ago reflected an interest rate of just 1 ½ %.
5. The paving program is progressing. The Recycling Center will be closed on Saturday, September 9th due to the paving of West Main Street.
6. With regard to the 2024 Municipal Calendar, there are three (3) advertisement spaces remaining if anyone is interested in placing an ad. Please contact Denise Capparelli in this regard.
7. The material for the police department field maintenances pole barn was delivered last week. Construction will begin next week.
8. The DPW Crew has been repairing numerous drainage areas on the north side of the Russell Farms Community Park in preparation for the new flexi-pave path installation. New signs have been ordered for Wyckoff Community Park as well as a "Rules and Regulations" sign for the Gardens of Wyckoff. Also, the entrance sign to the Gardens of Wyckoff has been removed for restoration.

Township Committee Reports:

Peter Melchionne:

1. Mr. Melchionne welcomed newly appointed Township Attorney David Becker.
2. The Wyckoff Volunteer Fire Department has received 442 calls for assistance to date. Since last meeting, the firefighters have assisted on two (2) mutual aid calls.
3. The 9/11 Remembrance Ceremony will be held on Monday, September 11th at Fire Company #1 at 6:30 p.m.
4. Fire Company #1 will hold their Annual Beach Party Fundraiser on Thursday, September 7, 2023 at the Wyckoff Family YMCA. Fire Co. #1 will also sponsor a "Poker Night Fundraiser" on Thursday, September 30, 2023.
5. The Wyckoff Environmental Commission did not conduct an August meeting.
6. The Recycling Center now has the secure shredding bins available for residents to deposit their material to be shredded.
7. The Fall Shredfest & Recycling Event is set for Friday, September 8, 2023 at the Wyckoff Community Park beginning at 9:00 a.m. A Styrofoam recycling opportunity will also be available as well as collection of unused/expired medications..

Rudy Boonstra:

1. Mr. Boonstra advised that the Sicomac Sanitary Sewer Project is moving forward. Materials have been delivered to the DPW Garage for storage. The final phases of permitting and engineering requirements were unfortunately not completed in order to initiate work during the Summer

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school shutdown. Therefore, the project, which should begin soon, will need to operate around the school in-session schedule.

2. The engineering requirements for the Morley Drive Sanitary Sewer Extension is now underway and should be completed soon.
3. Mr. Boonstra welcomed and congratulated David Becker as the newly appointed Township Attorney.
4. Mr. Boonstra thanked Police Chief Murphy and his Staff on the implementation of the Special Law Enforcement Officers (SLEO III's) designated for the elementary schools this semester. These officers will be sworn in this evening. Mr. Boonstra also thanked the school administration and board members from St. Elizabeth's School for their cooperation, outreach and assistance with the Police Committee and the Wyckoff Police Department.

Scott Fisher:

1. Prior to vacation, Mr. Fisher received a call from a resident on Hill Street regarding problems with an easement in the rear yard. There are a row of trees planted by the owner of the Garden State Farm adjacent to her yard. The DPW Manager and the Zoning Enforcement Officer were asked to assess the resident's concern. Apparently, the resident thanked the town for removing a tree from across the street however, there was no remedial activity to her rear yard. Mr. Fisher requested the Zoning Enforcement Officer to follow-up in this regard.
2. Mr. Fisher has offered his assistance to the group looking to plant a tree in memory of Ted Kramer. However, the group has now decided to install a memorial bench in lieu of the tree.
3. Mr. Fisher welcomed Township Attorney David Becker and looks forward to working with him in the future.

Timothy Shanley:

1. Mr. Shanley attended the Board of Adjustment Meeting on Thursday, August 17, 2023 where a portion (located in Wyckoff & Midland Park) of the 714 Godwin Avenue property was discussed. The Midland Park Board of Adjustment had recently approved a four (4) unit affordable housing structure for US Military Service Veterans to be built on this property. However, the structure to be built would be located solely on the Midland Park side of the property. Therefore, no action was required by the Wyckoff Zoning Board. However, the engineers have concerns with a drainage easement at the rear of the property. Mayor Madigan visited the property recently and it was his understanding the property had some sort of water preserve in the rear therefore, any potential trapped water should not be an issue.

The Township Attorney provided a background summary concerning the above referenced property:

"An application was initially filed and heard by the Midland Park Zoning Board, which the subject lot contained a portion of land located in Wyckoff. The Applicant, at that time, made a request to the Wyckoff Zoning Board that it waive jurisdiction since none of the proposed improvements would be located on nor affect the lands located in Wyckoff. The Wyckoff Board declined to waive jurisdiction at that time,

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informing the Applicant that it could file an application and be heard simultaneously to that in Midland Park, or wait to file with Wyckoff until a decision was made in Midland Park. The Applicant decided to wait and hold off filing in Wyckoff, and subsequently its application was denied in Midland Park.

The Applicant then filed an action in lieu of prerogative writ, in which a settlement with the Borough of Midland Park occurred before such action was decided by the Superior Court. The settlement allowed for the Applicant to file a new application with changes (which is allowed by case law), which it did but with a different attorney/law firm representing it. This new and different application was then approved by the Midland Park Zoning Board.

Several months passed before the attorney for the applicant contacted the Wyckoff Zoning Board, again requesting Wyckoff waive jurisdiction or provide direction as to how it should proceed in Wyckoff. The Wyckoff Zoning Board was again reluctant to waive jurisdiction but instructed the applicant's attorney to provide all materials related to the approved application to the Township Engineer (Mark DiGennaro) for his review and to report his findings to the Board. Materials were provided, Mr. DiGennaro did a review and provided a memo to the Board based upon his examination. The memo stated that all improvements would be on the Midland Park portion of the property and no improvements on the Wyckoff portion (no disturbance of the lands within Wyckoff). The Wyckoff lands would now contain a conservation easement so that no future buildings or improvement could be constructed therein. Based upon this analysis and report, the Wyckoff Zoning Board determined that they did not need to review or hear an application from the applicant as to this project since the lands in Wyckoff will not be affected and that the stormwater measures proposed exceed both Wyckoff and Midland Park standards, where none currently exist. Additionally, upon review of the conservation easement by this attorney, the responsibility for maintaining this easement is with the owner/applicant and the Borough of Midland Park. The only recommendation was that a drainage pipe running across an adjacent commercial property, via an easement, be evaluated if it had not been evaluated to date. Such request to be made to the Borough of Midland Park and or the Applicant if such evaluation had not yet occurred."

2. Mr. Shanley reported that the football/cheerleading season will begin on Saturday, September 9, 2023. The Recreation Department will hold a Pep Rally on Friday, September 8th. Good Luck to the players and cheerleaders this season!!
3. The Wyckoff Fireworks Committee met (organized by Mr. Cavallo) and received a commitment from Roger Schnorrbusch, President of the Wyckoff Football Boosters will share the proceeds of the sales at the new Snack Stand at Memorial Field with the Wyckoff Volunteer Fire Department. The Fireworks Committee also discussed the possibility of moving the fireworks display to an evening in August next year, thereby alleviating the conflict with the St. Nicholas Greek Church Festival.
4. Mr. Shanley attended the special meeting in Franklin Lakes regarding the Cigna property. Assemblyman DePhillips and Senator Corrado also were in attendance. Essentially, the Franklin Lakes Planning Board met with the developer where they determined to remove the two (2) massive warehouses previously slated for construction onto the property. Subsequently, it may potentially house 500 units and a large federal office building. However, the traffic logistics have yet to be reviewed and

**TOWNSHIP OF WYCKOFF
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determined at this point. The Franklin Lakes Planning Board is meeting this evening to further discuss the modified site plan.

5. Mr. Shanley attended the Ramapo/Indian Hills Board of Education Meeting on Monday, August 28th. The meeting was lengthy however, the board approved the curriculum for the school year. Also, the Ramapo High School Football Raiders won their first football game on Friday.
6. Mr. Shanley wished all "Back to School" students a safe and productive year.

Mayor Thomas Madigan:

1. Mayor Madigan and the Township Committee were saddened to hear of the passing of Joseph Desiderio, former Principal of Washington Elementary School and Eisenhower Middle School. Mr. Desiderio was a great community guy, great father – a genuinely wonderful person.
2. Mayor Madigan wished the Wyckoff students a safe and rock-solid year.
3. The Fall Newsletter highlights the Annual Fireworks Display to be held on Saturday, September 23, 2023. Roger Schnorrbusch, President of the Wyckoff Football Boosters will share the proceeds of the sales with the Wyckoff Volunteer Fire Department on the evening of the event.
4. The 911 Remembrance Ceremony on Monday, September 11th will honor the eleven (11) residents who were lost at the World Trade Center on that fateful day.
5. Mayor Madigan wished Committeeman Melchionne a very happy birthday!!

Township Attorney Report:

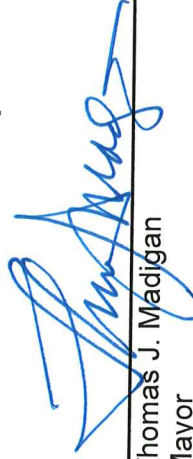
1. Mr. Becker thanked the Township Committee for the opportunity to serve as Township Attorney. Mr. Becker has been a resident of Wyckoff for thirty (30) years and is looking forward to serving this wonderful community.

Mayor Madigan asked for a motion to close the Work Session:

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

With an affirmative vote, the motion is approved.

Adjourn the Open Work Session Meeting at 7:35 p.m.



Thomas J. Madigan
Mayor



Nancy A. Brown
Municipal Clerk

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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 Reverend Wesley Kenyon, Wyckoff Assembly of God.

RE: Township Committee Meeting of Tuesday, September 5, 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, September 5, 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.

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, September 1, 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, September 1, 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 prior to the commencement of the meeting or go directly to our YouTube Channel, "Township of Wyckoff".

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

NOTICE TO PUBLIC

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

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

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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 David Becker.

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.

Janet Tuomey

I wanted to give you some information about the Tree of Heaven tonight. This tree is an invasive species and we've found some nearby and around our Spring Meadow development, which is the community I live in.

Based on all the people who have gathered in the room, I can see that this is going to be a very happy evening and I don't want to put any dampers on it. I would like permission to leave you information on this issue so that perhaps next time we can discuss it, if that's all right with you. Thank you very much. The picture I have provided is one of the trees located in the berm on Spring Meadow Drive.

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

With an affirmative vote, the motion is approved.

Approval of the August 15, 2023 Work Session & Business meeting minutes:

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

With an affirmative vote, the motion is approved.

Ordinances – Public Hearing / Further Consideration:

Mayor Madigan, I have several Ordinance for Public Hearing / Further Consideration on tonight's agenda. The first is **ORDINANCE #1991** which is

**AN ORDINANCE TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT
IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE
RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS
THEREFORE AND TO AUTHORIZE APPROPRIATIONS OF \$125,000**

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 #1991, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

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

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At the Conclusion of public comments:

COMMITTEE PERSON SHANLEY: I move that the Public Hearing on Ordinance #1991 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 #1991, 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 #1991 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.

ORDINANCE #1991

AN ORDINANCE TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS THEREFORE AND TO AUTHORIZE APPROPRIATIONS OF \$125,000.

WHEREAS, the Township of Wyckoff has made an application to the State of New Jersey, Department of Community Affairs for a Local Recreational Improvement Grant to receive grant funds for Restroom Facilities at Memorial Field; and,

WHEREAS, the Township of Wyckoff has received a notice that it is the recipient of a grant in the amount of \$75,000 for Restroom Facilities at Memorial Field; and,

WHEREAS, the Township of Wyckoff has entered into a contract with the State of New Jersey, Department of Community Affairs to participate in the receipt of grant funds made available.

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

SECTION 1. The Township of Wyckoff, in the County of Bergen shall proceed with Restroom Facilities at Memorial Field.

SECTION 2. The cost of implementing shall be paid by the Township out of funds to:

- a. \$75,000 to be authorized specifically for Restroom Facilities at Memorial Field.

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- b. \$50,000 Grant match from Municipal Open Space.
- c. Total appropriation authorized is \$125,000.

SECTION 3. It is hereby determined and stated:

- a. Said purpose is not a current expense. The same is an Improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefited. It is not necessary to finance this authorization by the issuance of obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.
- b.
- c. The total authorized appropriation in the ordinance is \$125,000.

SECTION 4. The monies which the Township of Wyckoff is authorized to receive pursuant to the terms of the State of New Jersey, Department of Community Affairs for a Local Recreational Improvement Grant, shall, when received, be placed in a capital improvement fund of the Township of Wyckoff for the purpose set forth in Section 1 of this ordinance.

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

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

I have a second Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1992** which is

AN ORDINANCE TO DELETE CHAPTER 54 (POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND ORGANIZATION), SECTION 54-6.7 (MARSHALS), AND TO AMEND AND SUPPLEMENT ARTICLE VI (SPECIAL LAW ENFORCEMENT OFFICERS) OF THE CODE OF THE TOWNSHIP OF WYCKOFF

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 #1992, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

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

At the Conclusion of public comments:

COMMITTEE PERSON BOONSTRA: I move that the Public Hearing on Ordinance #1992 be closed.

COMMITTEE PERSON MELCHIONNE: Seconded

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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 #1992, 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 #1992 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.

ORDINANCE #1992

AN ORDINANCE TO DELETE CHAPTER 54 (POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND ORGANIZATION), SECTION 54-6.7 (MARSHALS), AND TO AMEND AND SUPPLEMENT ARTICLE VI (SPECIAL LAW ENFORCEMENT OFFICERS) OF THE CODE OF THE TOWNSHIP OF WYCKOFF

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, New Jersey, that those portions of the aforesaid set forth below are hereby amended as follows and that those portions not set forth below shall remain unchanged:

SECTION 1. Section 54-6.7 (Marshals) of Chapter 54 (Police Department), Article I (Establishment and Organization) shall be deleted in its entirety and Reserved.

SECTION 2. Chapter 54 (Police Department), Article VI (Special Law Enforcement Officers) shall be deleted in its entirety and supplemented as follows:

CHAPTER 54 Police Department

ARTICLE VI Special Law Enforcement Officers

§ 54-11 Appointments.

The Township Committee may, as they deem necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities permitted by this article as authorized by *N.J.S.A. 40A:14-118* and within the conditions

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and limitations as may be established pursuant to the Special Law Enforcement Officers' Act.

§ 54-12 Term.

Special law enforcement officers may be appointed for terms not to exceed one (1) year.

A. Special law enforcement officers so appointed shall not be permanently appointed members of the police force of the Township.

B. Their powers and duties, as determined pursuant to the Special Law Enforcement Officers' Act, shall cease at the expiration of their appointed term.

§ 54-13 Classifications.

There shall be three classifications for special law enforcement officers.

A. Class One — SLEO I.

(1) Officers of this class shall be authorized to perform routine traffic detail, spectator control, similar duties, issue summonses for disorderly persons and petty disorderly persons offenses, violations of municipal ordinances, and violations to Title 39 of the Revised Statutes.

(2) Use of a firearm by an officer of this class shall be strictly prohibited, and no SLEO I officer shall be assigned any duties which may require the carrying or use of a firearm.

(3) The total complement of Class One special law enforcement officers shall not exceed 20% of the total number of permanently appointed officers.

B. Class Two — SLEO II.

(1) Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanently appointed law enforcement officer. The use of firearms by an officer of this class may be authorized only after the officer has been fully certified as completing training as prescribed by the Commission.

(2) The total complement of Class Two special law

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enforcement officers shall not exceed 25% of the total number of permanent officers.

C. Class Three — SLEO III.

(1) Officers of this class shall be authorized to exercise full powers and duties similar to those of a permanently appointed law enforcement officer while providing security at a public or nonpublic school or a county college, on the school or county college premises during hours when the public or nonpublic school or county college is normally in session or when it is occupied by public or nonpublic school or county college students or their teachers/professors. While on duty in the jurisdiction of employment, an officer may respond to offenses or emergencies off school or county college grounds if they occur in the officer's presence while traveling to a school facility or county college, but an officer shall not otherwise be dispatched or dedicated to any assignment off school or county college property.

(2) There shall be no limit to the number of Class Three special law enforcement officers.

§ 54-14 Qualifications.

A. No person may be appointed as a special law enforcement officer unless the person:

- (1) Is a resident of the State of New Jersey and maintains residency in the State of New Jersey during the term of appointment.
- (2) Is able to read and speak the English language well and intelligently.
- (3) Possesses a high school diploma or its equivalent.
- (4) Is sound in body and of good health and able to perform the physical functions of the duties assigned.
- (5) Must be of good moral character and shall not have been convicted of any crime or offense involving dishonesty or which would make them unfit to perform the duties of

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their office.

- (6) Possess a valid driver's license that is valid in the State of New Jersey.
- (7) Has successfully undergone the same psychological testing required of all permanently appointed law enforcement officers.
- (8) Each applicant shall be at least 21 at the time of appointment to a permanently appointed position in the Department as evidenced by a birth certificate.
- (9) Every applicant appointed to a special law enforcement officer position shall have fingerprints taken and subjected to a criminal background check.
- (10) No person shall be appointed to serve as a special law enforcement officer in the Township during which time they are presently a special law enforcement officer in another local unit within the State of New Jersey, nor shall a permanently appointed law enforcement officer of any local unit within the State of New Jersey be appointed as a special law enforcement officer in the Township. No public official with responsibility for setting law enforcement policy or exercising authority over the budget of the Township or supervision of the Police Department shall be appointed as a special law enforcement officer.
- (11) Before any special law enforcement officer is appointed pursuant to the Special Law Enforcement Act, the Chief of Police or, in their absence, the chief law enforcement officer of the Township shall ascertain the eligibility and qualifications of the applicant and report those determinations in writing to the appointing authority.
- (12) Any person who at any time prior to their appointment had served as a duly qualified, fully trained, permanently appointed law enforcement officer in any municipality of this state and who was separated from that prior service in good standing shall be

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eligible to serve as a special law enforcement officer consistent with guidelines promulgated by the Police Training Commission (hereinafter the "Commission"). The Commission may waive training requirements set forth in this subsection with regard to any person eligible to be appointed as a special law enforcement officer pursuant to the provisions of this subsection. No person may commence their duties as a special law enforcement officer unless he has successfully completed a training course approved by the Commission, and no special law enforcement officer may be issued a firearm unless he has successfully completed the basic firearms course approved by the Commission for permanently appointed police and semiannual requalification examinations.

B. In addition to the requirements in Section A, no person may be appointed as a Class Three special law enforcement officer unless the person:

- (1) Is a retired law enforcement officer who has previously served as a duly qualified, permanently appointed, full-time law enforcement officer in any municipality, county, agency of this state, bi-state agency, or federal agency and must be living in the State of New Jersey.
- (2) Retired from that agency in good standing (necessary to have a letter of good standing issued by the agency from which the officer retired, listing the date and type of retirement. A copy will be submitted to the Commission).
- (3) Must be less than 65 years of age at the time of appointment.
- (4) Passes a psychological exam.
- (5) Passes a medical exam and has a doctor complete the Medical Certification Form (Form PTC 8A).
- (6) Passes a Drug Test pursuant to Attorney General's Law Enforcement Drug Testing Policy.

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- (7) Has an updated background investigation.
- (8) A new SLEO III's break in service may not exceed three years.
- (9) Once the SLEO III is appointed, the Township shall ensure that the SLEO III:
 - i. Completes SRO training within 12 months of being appointed.
 - ii. Conforms to Attorney General's Mandatory in-service training requirements.
 - iii. Is a uniformed officer displaying the Special Law Enforcement Officer Class III patch provided by the Commission.
 - iv. Acts under the authority of the Police Department.
 - v. Completes Agency Training.
 - vi. Is appointed yearly and is less than 65 years of age (can only be reappointed up to age 65).
 - vii. Adheres to any other required mandates by the Commission.

§ 54-15 General Rules and Regulations.

- A. Every special law enforcement officer's uniform shall include an insignia issued by the Commission which clearly indicates the officer's status as a special law enforcement officer and the type of certification issued pursuant to the Special Law Enforcement Act.
- B. Special law enforcement officers shall be under the supervision and direction of the Chief of Police or, in the absence of the Chief, the chief law enforcement officer of the Township.
- C. Special law enforcement officers shall comply with all of the rules and regulations applicable to the conduct and decorum of the permanently appointed law enforcement officers of the Township, as well as any rules and regulations applicable to the conduct and decorum of special

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law enforcement officers.

D. The Chief of Police or, in the absence of the Chief, the chief law enforcement officer of the Township wherein the officer is appointed may at their discretion authorize special law enforcement officers, when on duty, to exercise the same powers and authority as permanently appointed law enforcement officers of the Township, including but not limited to the carrying of firearms and the power of arrest, subject to rules and regulations, not inconsistent with certifications of the Special Law Enforcement Act.

E. The Chief of Police or, in their absence, the chief law enforcement officer of the Township may assign Class One and Class Two special law enforcement officers to perform authorized duties at most 25 hours per week.

(1) Special law enforcement officers may be assigned without limit during periods of emergency.

(2) The Chief of Police or, in their absence, the chief law enforcement officer of the Township may designate one special law enforcement officer to whom the limitations of hours set forth in this Article shall not be applicable.

F. The uniform of special law enforcement officers shall be determined by the Chief of Police.

§ 54-16 Use of Firearms.

A. No special law enforcement officer may carry a firearm except while engaged in the actual performance of the officer's official duties and when specifically authorized by the Chief of Police or, in the absence of the Chief, the chief law enforcement officer of the Township to carry a firearm, and provided that the officer has satisfactorily completed the basic firearms course required by the Commission for permanently appointed law enforcement officers and annual requalification examination as required for permanently appointed officers of the Township.

(1) A special law enforcement officer shall be deemed to be on duty only while he is performing public functions on behalf of the Township and assigned by the Chief of

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Police or, in their absence, the chief law enforcement officer of the Township and when he is receiving compensation, if any, from the Township at the rates established by Township.

(2) Private security duties.

(a) A special law enforcement officer shall not be deemed to be on duty for purposes of the Special Law Enforcement Act while performing private security duties for private employers which duties are not assigned by the Chief of Police or, in their absence, the chief law enforcement officer of the Township or while receiving compensation for those duties from a private employer.

(b) A special law enforcement officer may, however, be assigned by the Chief of Police or, in their absence, the chief law enforcement officer of the Township to perform public safety functions for a private entity if the Chief of Police or, in their absence, the chief law enforcement officer of the Township supervised the performance of the public safety functions. If the Chief of Police or, in their absence, the chief law enforcement officer of the Township assigns the public safety duties and supervises the performance of those duties, then, notwithstanding that the Township is reimbursed for the cost of assigning a special law enforcement officer at a private entity, the special law enforcement officer shall be deemed to be on duty.

B. Ownership and supply of firearms.

(1) A special law enforcement officer shall only use a firearm supplied by the Township.

C. No special law enforcement officer shall carry a handgun when off duty, except Class Three special law enforcement officers that are permitted

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to carry a handgun as a retired law enforcement officer pursuant to Federal and State law.

§ 54-17 Law Enforcement-Related Employment; Approval By Chief.

Special law enforcement officers shall only accept law enforcement-related employment with the prior approval of the Chief of Police. The Chief of Police shall have the sole discretion to approve the law enforcement-related employment of any special law enforcement officer.

§ 54-18 Procedure for Requesting Assignment of Special Law Enforcement Officers; Liability; Insurance Coverage.

Any organization or contractor that desires to hire special law enforcement officers shall submit the request in writing to the Chief of Police on a form prescribed by the Chief of Police. The organization or contractor shall hold the Township harmless from any and all claims that may arise as a result of the assignment of the special law enforcement officer to the organization or contractor. In addition, the organization or contractor shall submit with its application a certificate of insurance showing evidence of at least \$1,000,000 in both personal and comprehensive general liability insurance and \$300,000 in property damage coverage. A nonprofit, religious, or charitable organization may submit a certificate of insurance in coverage amounts less than those set forth herein upon the organization's representation contained in its request that obtaining the required coverage would impose an undue hardship on the organization.

§ 54-19 Fees.

The organization or contractor that hires a special law enforcement officer shall pay a fee to the Township as established in Chapter 113, Fees.

SECTION 3. If any section, sub-section, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 4. All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 5: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

I have a third Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1993** which is:

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AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER
183 (WATER EMERGENCIES) OF THE CODE OF THE
TOWNSHIP OF WYCKOFF BY DELETING AND REPLACING IT
IN ITS ENTIRETY WITH A NEW CHAPTER 183

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 #1993, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

There being no one stepping forward 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 #1993 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 #1993, 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 #1993 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.

ORDINANCE #1993

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER
183 (WATER EMERGENCIES) OF THE CODE OF THE
TOWNSHIP OF WYCKOFF BY DELETING AND REPLACING IT
IN ITS ENTIRETY WITH A NEW CHAPTER 183

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, New Jersey, that those portions of the aforesaid set forth below are hereby amended as follows and that those portions not set forth below shall remain unchanged:

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SECTION 1. Chapter 183 (Water Emergencies) shall be deleted in its entirety and supplemented as follows:

CHAPTER 183 WATER EMERGENCIES

§ 183-1 Purpose.

The purpose of this Chapter is to limit, restrict and regulate the use of water provided by Ridgewood Water by customers of Ridgewood Water during periods of use and emergency, as hereinafter defined, in order to ensure public health and safety.

§ 183-2 Definitions.

For the purposes of this Chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

CALENDAR YEAR

January 1 to December 31 of any given year.

CONVENTIONAL IRRIGATION SYSTEM OR DEVICE

Hose end irrigation systems and automatic irrigation devices.

DRIP/MICRO IRRIGATION

An irrigation method that saves water and fertilizer by allowing water to drip slowly to the roots of many different plants, either onto the soil surface or directly onto the root zone, through a network of valves, pipes, tubing, and emitters.

EMERGENCY

Any period of water shortage or imminent water shortage caused by drought; lack or failure of proper pumping equipment, storage, or other facilities; acts of God or public enemies; or excessive demand upon or use of water facilities or capacity.

HAND-HELD HOSE

A hose designed to be operated while being held in the hand and equipped with a nozzle that automatically shuts off when released.

IRRIGATION

The watering or sprinkling (including automatic sprinkling) of lawns, shrubs, and gardens.

NJDEP

New Jersey Department of Environmental Protection.

NJPDES

New Jersey Pollution Discharge Elimination System.

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RIDGEWOOD WATER

The Department of Water Supply of the Village of Ridgewood.

SMART CONTROLLER

A weather-based irrigation controller or soil moisture-based irrigation controller meeting criteria specified and labeled as being compliant under the United States Environmental Protection Agency Water Sense Program, meeting the guidelines prescribed by Ridgewood Water and approved by permit from Ridgewood Water.

WATER

That water delivered and/or supplied to any persons by Ridgewood Water. This definition shall not include water pumped from private wells for residential irrigation purposes provided that the property owner maintaining the private well has provided their name and address to the Township.

§ 183-3 Declaration of emergency.

The Village Manager is authorized, in their discretion, in consultation with the Director of Ridgewood Water, to determine and declare the existence and extent of an emergency with respect to the water supply of the Village of Ridgewood. The determination of the Village Manager shall apply to the Township of Wyckoff, and notification of the emergency shall be promulgated to all such communities in the most reasonably expeditious manner. Interim emergency regulations may be adopted without notice by the Village Manager of the Village of Ridgewood and shall apply to the Township of Wyckoff and shall be promulgated in the most reasonably expeditious manner to all the communities.

§ 183-4 Public notice.

Public notice of the declaration of an emergency and the determinations made by the Village Manager of the Village of Ridgewood shall be made in the most expeditious manner by publication in the legal newspaper for the Village of Ridgewood and, for the other communities served by Ridgewood Water, by posting in each municipal building and at such other public places as shall be designated by the Village Manager and the local administrators or Clerks of the serviced communities. Notice shall also be disseminated through the press and the public in general. The emergency shall remain in effect until declared at an end by the Village Manager of the Village of Ridgewood.

§ 183-5 Regulations.

The following irrigation schedule and water emergency regulations are hereby adopted to become effective as set forth herein:

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A. Irrigation schedule, effective year-round:

- (1) All nongovernmental properties: Irrigation by a conventional irrigation system or device may only be done on Tuesday and Saturday for odd-numbered addresses and Wednesday and Sunday for even-numbered addresses.
- (2) Governmental properties: Irrigation by a conventional irrigation system or device may only be done on Monday and Friday.
- (3) Irrigation using a hand-held hose or drip/micro irrigation system shall be allowed any day.

B. The emergency stages shall be as follows:

Stage of Emergency Regulation	Drought Emergency Condition	User Restrictions
III	Pending / Critical	Mandatory restriction of irrigation for all properties to the use of a hand-held hose on Tuesdays and Saturdays for properties with odd-numbered addresses and Wednesdays and Sundays for properties with even-numbered addresses. No irrigation of any kind shall be allowed on Mondays, Thursdays, or Fridays.
IV	Critical	Irrigation is prohibited at any time. Exceptions for irrigation using a hand-held hose may be allowed under conditions prescribed by the Village Manager of the Village of Ridgewood.

C. Stage III and Stage IV emergency regulations shall become effective upon declaration of each stage by the Village Manager of the Village of Ridgewood. The cleaning of cars, houses, or property, filling of swimming pools, or other outdoor water usage, including by water pumped from private wells, shall be prohibited during Stage III and Stage IV.

D. Exceptions to the user restrictions shall be determined by the Village Manager of the Village of Ridgewood or a Village of Ridgewood employee designated by the Village Manager. The request for an exception shall be submitted on forms prepared by Ridgewood Water and shall include any required documentation. Exceptions will automatically be denied for customers with bill balances beyond 120 days. Exceptions are subject to renewal annually and

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may be voided at any time due to an emergency. The exceptions may include the following:

- (1) Outdoor irrigation necessary for the establishment of newly sodded or seeded grass lawns or landscaping within the first 21 consecutive days of planting.
- (2) Irrigation of lawns or plantings with smart controllers, approved by permit from Ridgewood Water, and limited to the irrigation hours specified in Section E of this Chapter.
- (3) Outdoor water use from rain harvesting (rain barrels, etc.), gray water, or reclaimed water. Use of gray or reclaimed water must have an approved NJPDES permit issued through the NJDEP.
- (4) Outdoor irrigation necessary for one day only where treatment with an application of chemicals require immediate watering to preserve an existing landscape or to establish a new landscape.
- (5) Other outdoor water usage.

E. Irrigation shall not be conducted between 10:00 a.m. and 6:00 p.m. on any day. Irrigation using automatic systems, including Smart Controllers, may only be used between 3:00 a.m. and 7:00 a.m.

F. All automatic irrigation systems shall be equipped with an operational automatic rain sensor device. Each rain sensor device shall be capable of and programmed to interrupt the automatic irrigation cycle when 1/4 inch of rain has fallen.

§ 183-6 Violations and penalties.

- A. It shall be unlawful and a violation hereof for any person to use water in violation of this Chapter. Penalties for any property owner(s) found to be in violation of the provisions of this chapter shall be as follows per violation per individual block and lot location:

Number of violations within a calendar year		Penalty
First and second occurrences		Warning only
3rd occurrence		\$100
4th occurrence		\$250
Over four occurrences		\$500 per occurrence

- B. Failure to comply with any section of this Article or pay penalties imposed shall result in an issued summons to appear in court.

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§ 183-7 Enforcement.

The enforcement of the provisions of this Chapter shall be the responsibility of the Code Enforcement Officer, Construction Code Official, Zoning Official, Superintendent of Public Works, Township Administrator, or the Police Department of the Township of Wyckoff.

SECTION 2. If any section, sub-section, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

SECTION 4: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

I have a fourth Ordinance for Public Hearing / Further Consideration on tonight's agenda. It is **ORDINANCE #1994** which is

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 54
(POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND
ORGANIZATION), SECTION 54-3.3 (QUALIFICATIONS FOR
MEMBERSHIP) OF THE CODE OF THE TOWNSHIP OF
WYCKOFF**

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 #1994, and all persons who wish to be heard, please state your name before making your statement. If you wish to make a comment, please step forward to the microphone.

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

At the Conclusion of public comments:

COMMITTEE PERSON BOONSTRA: I move that the Public Hearing on Ordinance #1994 be closed.

COMMITTEE PERSON MELCHIONNE: 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 #1994, after public hearing and further consideration is hereby adopted, and the Municipal Clerk is hereby authorized

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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 #1994 on second reading by title only.

COMMITTEE PERSON MELCHIONNE : Seconded.

ROLL CALL VOTE

BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

ORDINANCE #1994

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 54 (POLICE DEPARTMENT), ARTICLE I (ESTABLISHMENT AND ORGANIZATION), SECTION 54-3.3 (QUALIFICATIONS FOR MEMBERSHIP) OF THE CODE OF THE TOWNSHIP OF WYCKOFF

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, in the County of Bergen, New Jersey, that those portions of the aforesaid set forth below are hereby amended as follows and that those portions not set forth below shall remain unchanged:

SECTION 1. Chapter 54 (Police Department), Article VI (Special Law Enforcement Officers), Section 3 (Qualifications for membership) shall be deleted in its entirety and supplemented as follows:

CHAPTER 54 POLICE DEPARTMENT

ARTICLE I Establishment and Organization

§ 54-3 Qualifications for membership.

A. Eligibility

(1) No person shall be appointed as a member of the Police Department unless they possess requisite qualifications prescribed by the applicable statutes and laws of New Jersey and unless they:

- (a) Are a citizen of the United States and the State of New Jersey.
- (b) Are physically and mentally sound and emotionally stable and possess the necessary ability to understand and obey orders and to perform the duties required of the Police Department.

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- (c) Are able to read, write and speak the English language well and intelligently and:

1. Graduated from a senior high school or vocational high school, evidenced by a high school diploma or possession of an approved high school equivalent certificate; and
 2. Possess a bachelor's degree from an accredited college or university, or possess an associate's degree or at least 60 college credits from an accredited college or university plus at least twenty-four (24) months of military experience or satisfactory employment as a full-time law enforcement officer (preferred); or
 3. Possess an associate's degree or at least 60 college credits from an accredited college or university plus at least twenty-four (24) months of satisfactory employment in a law enforcement-related field.
- (d) Are of good moral character.
- (e) Are not less than 21 years of age and not more than 35 years of age at the time of appointment.

(2) The Township Committee may require a Police Training Commission (hereinafter "Commission" or "PTC") PTC Basic Course for Police Officers (hereinafter "BCPO") certification or PTC BCPO certification eligible depending on recruiting goals (current PTC BCPO certificate holders, Alternate Route graduates and Class II Special Law Enforcement waiver eligible graduates)

(3) Candidates who meet all of the requirements in this Subsection by the closing date of the application for the selection process shall be eligible to participate in the selection

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process set forth herein below in Subsections B through H in this Section.

B. Written examination.

- (1) Eligible candidates will submit to a written test administered by the New Jersey State Association of Chiefs of Police (or prepared and administered by such other person, association, or organization as may be authorized by the Township Committee), which test shall constitute 30% of the overall total score for each eligible candidate, based on a test that contains a maximum value of 100 points, with 30 points being the highest possible score for such oral examination. For example, a candidate who receives 70 points out of the total 100 possible total points for the written test shall receive 21 points toward their overall total score ($70 \text{ points} \times 30\% = 21 \text{ points}$). In advance of such written test, the minimum threshold/score required to be eligible for hire shall be established by the Township Committee, and such minimum threshold/score shall be communicated, in writing, to all eligible candidates for hire prior to their taking said test. Only those candidates who achieve such minimum score shall be eligible to continue forward in the hiring process (e.g., 70% or 80% required on the written test as the minimum score to continue).

- (2) A ranked list of eligible candidates for hire shall be created based on the outcome of the aforesaid written test.

- (3) A predetermined number of candidates, as may be evaluated by the Township Committee, each of whom must receive at least 70 points out of the possible 100 points on the above-written test, will advance to the physical fitness screening based on the written test scores.

- C. Physical fitness screening.** A physical fitness screening test shall be conducted on all candidates for permanent appointment as a Police Officer. The Chief of Police, or designee, shall notify those candidates who qualify for the

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physical fitness screening. The notification shall include the date, time, and location of the screening test. Only those candidates who achieve the minimum threshold score referenced in Subsection B of this Section are eligible to continue forward in the hiring process and are eligible to participate in the physical fitness screening.

(1) The physical fitness screening test is designed to confirm the physical ability to perform entry-level training and perform the essential functions of an entry-level law enforcement officer, which shall include the following:

- (a) A vertical jump of 15 inches or more to take place on a level surface.
- (b) Twenty-eight sit-ups in one minute or less, to take place on a level surface.
- (c) A 300-meter run in 70.1 seconds or less to be conducted on a level running track or roadway.
- (d) Twenty-four push-ups in one minute or less, to take place on a level surface; and
- (e) A 1.5 mile run in 15 minutes and 55 seconds or less, to be conducted on a level running track or roadway.

(2) The physical fitness screening test shall be conducted in accordance with the Commission's Physical Conditioning Directive. There shall be a rest in between each component of the physical fitness screening test. All fitness requirement tests shall be conducted within one continuous eight-hour period.

(3) During both the sit-up and push-up components of the physical requirement, the designated proctor shall verbally notify the candidate of the successful repetition completed (that is, "one complete, two complete, three complete").

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- (4) The candidate is required to successfully complete all five components of the physical fitness screening test in order to be found physically fit. There shall be no retesting for failure to complete all five components of the physical fitness screening test. Candidates found to be physically fit will advance to the oral interviews.

D. Oral interviews.

- (1) The Chief of Police, or designee, shall notify those candidates who qualify for the oral interviews. The notification shall include the date, time, and location of the first oral interview, which is one of two interviews. Only those candidates who achieve the minimum threshold score referenced in Subsection B and the physical fitness screening test in Subsection C of this Section are eligible to continue forward in the hiring process and eligible to participate in the oral interviews.
- (2) The first oral interview will be conducted by the Chief of Police, and other Department members, as designated by the Chief of Police. The first oral examination and assessment (which examination and assessment shall have 100 points as its maximum score) shall account for 20% of the candidate's overall total score, with 20 total points being the highest possible score for such oral examination and assessment. By way of example, a candidate receiving a score of 80 points on their first oral examination shall receive 16 total points towards their overall total score ($80 \times 20\% = 16$ total points). The first oral examination shall utilize the same criteria for each of the candidates who are interviewed.
- (3) The panel conducting the first oral interview will determine which top candidates (with a minimum of five candidates) will appear for the final interview based upon the candidates' first interview scores and the number of vacancies.

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(4) The final oral interview will be conducted by a panel comprised of the members of the Township Police Committee, the Township Administrator, and the Chief of Police. The final oral interview shall have 100 points as its maximum score and shall account for 50% of the candidate's overall total score, with 50 points being the highest possible score. For example, a candidate receiving a score of 80 points shall receive 40 points toward their overall total score ($80 \times 50\% = 40$ points). Upon completion of the scoring for the final oral interview by the Township Police Committee, said Police Committee shall make its recommendation to the Township Committee as to the hiring for the position(s) of police officer.

(5) The Township Committee shall make the final decision as to which candidate(s) shall be selected/hired for the available position(s) from among those candidates who participate in both of the foregoing oral interviews.

E. Background Investigation. A background investigation will be conducted on all candidates for all positions prior to appointment, which, at a minimum, shall include the records relating to the following:

(1) Educational background, including transcripts and disciplinary records from high school and any post-high school education;

(2) Military service, if applicable;

(3) Motor vehicle history in this State and any other state;

(4) Employment, including:

(a) A review of the current National Decertification Index to determine if the candidate has been decertified as a law enforcement officer or has had their license or certification as a law enforcement officer revoked or denied or otherwise limited or restricted;

(b) A review of Commission adverse license actions and any other records that the Commission maintains;

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- (c) A review of disciplinary records held by any other law enforcement unit, including Federal and other states, if permissible;
 - (d) A review of all employment-related information from each of the candidate's current and previous employers, as well as any records that may be held by law enforcement units that rejected a candidate's completed application; and
 - (e) Written communication with each of the candidate's references, including a written reference from each law enforcement unit, which reference shall address whether that employer is aware of any conduct committed by the candidate that could provide a basis for an adverse licensure action, including conduct that was under investigation, even if the investigation was not completed; and
- (5) Fingerprinting of the candidate and conducting a fingerprint-based search of the New Jersey State Police, the Federal Bureau of Investigation, and other relevant databases to determine the existence of any warrants, arrests, or criminal records including, but not limited to:
- (a) National Crime Information Center (NCIC) to include New Jersey and Interstate Identification Index (III) systems;
 - (b) New Jersey motor vehicle history and, if necessary, surrounding states;
 - (c) E-courts, to include Automated Traffic Systems (ATS) and Automated Criminal System(ACS);
 - (d) Promis Gavel;
 - (e) A check in accordance with the Prison Rape Elimination Act (PREA), 28 CFR 115.317, if applicable;
 - (f) The Domestic Violence Registry

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established pursuant to N.J.S.A.
2C:25-34; and

(g) Any other database that may be a successor database to those above or where information obtained during the background check indicates that additional relevant information may be found.

(6) A candidate must be found to not have engaged in any prior conduct or behavior that would provide the grounds for an adverse licensure action pursuant to the Police Licensure Act, as codified at N.J.S.A. 52:17B-66 et seq. and the related rules and regulations pertaining to the Act.

F. Medical examination. A medical examination will be conducted on all sworn candidates prior to appointment but after being given a conditional offer of employment to certify the general health of each candidate. The medical examination shall be conducted by a physician, advance practice nurse, or physician assistant licensed in New Jersey who is familiar with the responsibilities of a law enforcement officer, which, at a minimum, shall include the following:

(1) Completion of a comprehensive medical history questionnaire;

(2) Submission to a medical examination that shall include the following minimum requirements:

(a) A medical history;

(b) A medical examination; and

(c) Laboratory tests, including a Complete Blood Count (CBC); urinalysis; Tuberculosis; Electrocardiogram (ECG), and cardiac stress test;

(3) The medical examination shall consist of criteria aimed at identifying conditions that may potentially exclude a candidate from entry into a basic entry-level training program;

(4) The Medical History Statement and Medical Examination Report are valid for a one-year period, to be measured from the date of the

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examining examiner's signature;

- (5) The examiner shall note if the candidate has any medical and physical conditions that may interfere with the candidate's ability to perform the essential functions of an entry level law enforcement officer; and
- (6) If the medical examination yields results indicating that the candidate has medical or physical conditions that may interfere with the candidate's ability to perform the essential functions of a law enforcement officer, the candidate or licensee may obtain a second opinion, which shall be conducted at the candidate's expense. The Township will consider any second opinion, but the final decision regarding medical fitness for duty rests with the Township.
- (7) A candidate must be found medically fit in order to proceed with the selection process.
- (8) Those candidates who are enrolled in the Police Academy on the date they submit their application for employment or who were so enrolled within six months of such date may be exempt from the preceding exam, or any portion of the preceding exam, at the sole discretion of the Chief of Police.

G. Drug screening test. A drug screening test shall be conducted in a manner consistent with the current applicable Attorney General's Law Enforcement Drug Testing Policy

H. Psychological examination. A psychological examination of each candidate for a sworn position shall be conducted prior to appointment but after being given a conditional offer of employment. The psychological examination shall be conducted by a psychiatrist or psychologist licensed in New Jersey who is familiar with the responsibilities of a law enforcement officer, which, at a minimum, shall include the following:

- (1) A written personality examination, such as NEO-PI-R, the Inwald Personality Inventory, or such other functionally equivalent examination; and

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(2) A psychological evaluation that shall include screening for psychopathological disorders, personality characteristics, substance abuse problems, job-relevant traits, and their functional competencies, such as stress tolerance, impulse control, anger management, the ability to function as part of a team, adaptability (work-life balance, rotating shifts), and freedom from discriminatory bias.

(3) The licensed psychologist or psychiatrist shall state whether the individual is psychologically fit to effectively perform the duties of a Police Officer.

(4) A candidate must be found psychologically fit in order to proceed with the selection process.

I. Selection process for nonsworn positions. All vacancies for nonsworn positions will be selected at the sole discretion of the Township, pursuant to current policies and procedures. At a minimum, the selection process for nonsworn positions shall include:

- (1) Advertisement of the position, unless a current Township employee is qualified.
- (2) Resume review.
- (3) Oral review.
- (4) Background check consistent with Subsection E of this Section.
- (5) Execution by the candidate of a confidentiality and nondisclosure agreement.

J. Probationary period.

- (1) All appointees to the Police Department shall have a probationary period of twenty-four (24) months from the date of hire or the date of BCPO certification by the Commission, whichever is later, during which they will serve at the will of the Township Committee. No person holding such a probationary appointment shall be given or accept a permanent appointment unless such person has received BCPO

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certification by the Commission.

Continuation in the service is dependent upon the conduct of the appointee and fitness to perform duties. At the termination of the probationary period, if the conduct or capability of the probationer has not been satisfactory, they shall be notified by the Township Committee, and they will not receive a permanent appointment, and their employment shall be terminated.

(2) At, during, or before the end of the probationary period, the Township Committee may discontinue the service of any such appointee if the working test indicates that the appointee is unable or unwilling to perform the duties of the position satisfactorily or is of such reputation, habits, and dependability as not to merit continuation in the police service. Failure or inability to understand the functioning, application, and use of any police equipment shall be sufficient reason for discontinuance of any such appointee, though discontinuance may be made for causes other than those enumerated herein.

K. Oath. Every member of the Police Department, before entering upon the performance of the duties, shall take and subscribe to an oath or affirmation to uphold and defend the provisions of the Constitution of the United States of America and the Constitution of the State of New Jersey, to obey the laws of the State of New Jersey and the ordinances of the Township of Wyckoff and the rules and regulations established by the Department and the orders of their superiors in office, and to faithfully, justly and impartially discharge the duties of the office, and shall file such oath or affirmation with the Clerk of the Township and shall sign the Police Register.

SECTION 2. If any section, sub-section, paragraph, sentence, or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 3. All ordinances or parts of ordinances that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

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SECTION 4: This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

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):

**#23-249 Authorize the Award of a Contract for Professional Services:
Financial Advisor/Continuing Disclosure Agent**

WHEREAS, there exists a need in the Township of Wyckoff for a disclosure specialist to comply with SEC Rule 15c2-12, MSRB disclosure requirements as per State of New Jersey Local Finance Notice 2014-9 to provide advice for all long and short term bond and note sales and any and all other debt service issuances and market disclosure requirements; and,

WHEREAS, the Township wishes to retain a firm or individual for the provision of professional services of Financial Advisor/Continuing Disclosure Agent for the Township Committee; and,

WHEREAS, funds to pay said professional firm or individual are available by way of budget and bond ordinance to compensate said individual or firm; and,

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that a resolution authorizing appointment for professional services without competitive bids must be publicly advertised;

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

1. The recitals set forth above are hereby incorporated into the body of this resolution.
2. Phoenix Advisors, LLC is hereby awarded a contract to perform the services of the Financial Advisor for the Township Committee which contract is not to exceed the sum of \$17,500 annually.
3. The Mayor and Municipal Clerk are authorized to sign any documents necessary to formalize the above contract.
4. This appointment will expire on December 31, 2023.
5. The Municipal Clerk is hereby authorized and directed to publish notice of this appointment in the official newspaper within ten (10) days from the date hereof.
6. The parties agree to incorporate into this contract the mandatory Equal Employment Opportunity Language pursuant to N.J.S.A. 10:5-31 et seq., and N.J.A.C. 17:27.

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE "LEGAL" PORTION OF THE 2023 MUNICIPAL BUDGET ACCOUNT 23-01-20-155-020 AND BOND ORDINANCE #1988. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, SEPTEMBER 5, 2023



AGREEMENT
for
MUNICIPAL ADVISOR SERVICES

THIS AGREEMENT (the "Agreement"), made and entered into on Sept. 5, 2023 by and between Wyckoff Township, 3490 Franklin Avenue, Wyckoff, NJ 07481 (the "Client"), and Phoenix Advisors, LLC, 625 Farnsworth Avenue, Bordentown, NJ 08505 ("Phoenix Advisors"),

WITNESSETH:

WHEREAS Phoenix Advisors has expertise across a variety of disciplines, including but not limited to municipal advisor services, continuing disclosure, rating agency surveillance, project finance, debt management and financial consulting, and being duly registered as a Municipal Advisor with the Securities and Exchange Commission (the "SEC") and the Municipal Securities Rulemaking Board (the "MSRB"), is qualified to perform such professional services;

WHEREAS the Client desires to engage Phoenix Advisors to perform the professional services set forth in the exhibits hereto; and

WHEREAS the terms and conditions under which Phoenix Advisors will provide such services to the Client are set forth herein;

NOW, THEREFORE, THE PARTIES HERETO, IN CONSIDERATION OF MUTUAL COVENANTS HEREIN CONTAINED AND OTHER GOOD AND VALUABLE CONSIDERATION, EACH INTENDING TO BE LEGALLY BOUND, HEREBY AGREE AS FOLLOWS:

General. Phoenix Advisors will perform the professional services set forth in the exhibits hereto.

Term. This Agreement shall have a term of one (1) year from the effective date noted above. This Agreement is subject to annual renewal and may be terminated by either the Client or Phoenix Advisors upon thirty (30) days prior written notice.

General Compensation. The client agrees to the compensation schedule as set forth in the exhibits hereto. There shall be no additional charge for out-of-pocket expenses incurred by Phoenix Advisors unless specifically agreed. Should any modification of fees become appropriate, the client shall receive written notification. In the event of termination of the agreement, Phoenix Advisors reserves the right to receive payment of its fee, calculated on a pro rata basis, for all services rendered under this Agreement up to and including the date of termination.

Professional Qualifications for Municipal Advisor Services. Under SEC and MSRB regulations, municipal advisor professionals owe a fiduciary duty to the Client. Any person that provides advice to municipal entities concerning the issuance of municipal securities must be registered with the SEC and the MSRB. Any Phoenix Advisors professional providing municipal advisory

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advice to our clients must hold a Series 50 Municipal Advisor Representative license. Phoenix Advisors professionals who supervise the provision of municipal advisory advice must hold a Series 54 Municipal Advisor Principal license. All Phoenix Advisors municipal advisor professionals hold the appropriate licenses. All licensees are subject to continuing education protocols.

Neither Phoenix Advisors nor any individual representing Phoenix Advisors possesses any authority concerning any decision of the Client or any official of the Client beyond the rendition of information or advice. Phoenix Advisors does not provide legal or accounting advice. None of the services contemplated in this Agreement shall be construed as legal advice or a substitute for legal services. The Client hereby acknowledges its responsibilities concerning federal securities laws and represents its intention to comply in all respects with federal securities laws. Phoenix Advisors and the Client agree, at their own expense, to operate in full compliance with all governmental laws, regulations, and requirements applicable to the duties conducted hereunder. Phoenix Advisors and the Client will obtain and maintain in force, at its own expense, all licenses, permits, and approvals required for its performance under this Agreement and will obtain all required authorizations and approvals prior to commencement of the services.

Disclosure of Conflicts of Interest. The MSRB requires Phoenix Advisors to provide written disclosure to the Client about material conflicts of interest. Disclosures required by the MSRB are set forth in the exhibits hereto.

Limitation of Liability. Under federal regulations, Phoenix Advisors has a fiduciary duty to our clients. We utilize extensive market data when providing advice regarding a financing, and we will bring our experience and available resources to bear to achieve a successful closing of your transaction. After closing, market movement, or other changing circumstances in the marketplace over which Phoenix Advisors has no control, may occur. While neither positive nor negative market movement can be guaranteed, Phoenix Advisors shall not be held responsible for any market realities that may negatively affect your financing. By understanding and accepting these limitations, the Client is *not* waiving any of its legal rights under applicable securities laws, nor any other laws the Client may be legally prevented from waiving.

Entire Agreement. The Agreement and all exhibits thereto constitute the entire agreement of the parties hereto and supersede all prior or contemporaneous oral or written communications, proposals and representations with respect to its subject matter, and this Agreement, including all exhibits thereto, prevails over any conflicting or additional terms of any quote, order, acknowledgment, or similar communication between the parties during the term of this Agreement, including all exhibits thereto, unless such additional terms are consented to by both parties in writing.

Severability and Survival. If any provision of this Agreement is held to be invalid or unenforceable for any reason whatsoever, the remaining provisions shall remain valid and unimpaired, and shall continue in full force and effect. The covenants set forth above shall survive and shall continue to be binding notwithstanding the termination of this Agreement for any reason whatsoever.

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Applicable Law. This Agreement shall be governed by the laws of the State of New Jersey.

IN WITNESS WHEREOF, The Client and Phoenix Advisors have caused this Agreement to be duly executed by their authorized representatives, as of the effective date noted above.

WYCKOFF TOWNSHIP

By: 
Authorized Signatory

PHOENIX ADVISORS, LLC

By: 
David B. Thompson, Chief Executive Officer

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COMPENSATION

Phoenix Advisors' non-hourly compensation is all-inclusive – we do not charge for out-of-pocket expenses, fees for travel time or attendance at meetings without prior notification. We are always available to answer conceptual questions and discuss market conditions and strategies for potential projects. When you request specific services (per below), you will receive a separate engagement letter detailing compensation and the Scope of Services to be provided.

PROPOSED FEES FOR SERVICES (per transaction, except as otherwise indicated):

Bond Issuance:

\$9,500 plus \$0.50 per \$1,000 issued
➤ minimum of \$13,500

Note Issuance*:

\$1,000 plus \$0.25 per \$1,000 issued

* An additional fee of \$2,000 applies when notes are sold with a Preliminary Official Statement.

Continuing Disclosure Services:

- \$1,600 annual base fee for up to three (3) outstanding issues, plus:
 - \$100 for each additional issue with continuing disclosure obligations.
 - \$450 set-up charge per new issue, discounted to \$200 if Phoenix Advisors is Municipal Advisor on the transaction.
 - \$250 for each Event Notice filed under SEC Rule 15c2-12, waived if Phoenix Advisors is Municipal Advisor on the transaction.

All fees are accumulated and invoiced annually.

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#23-250 Close Completed Capital Grant Receivables and Authorizations

WHEREAS, certain Grant Receivables and Grant Reserves for prior years remain and these legislative grants programs are now completed and closed; and

WHEREAS, the CFO, Municipal Accountant, and Boswell Engineering have reviewed and audited the account and state that all monies have been received from the 2020 Bergen County Open Space Trust, and NJDOT; and

WHEREAS, the Bergen County Open Space and Community Development have determined the receivables for these grants to be complete and closed.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Chief Financial Officer is instructed to cancel the following dedicated balances and make necessary adjustments for Ordinance Receivables and authorizations as follows:

Ord #1909	2020 OST Russell Pk Imp II Authorizations Municipal Open Space Trust	\$7,940.14 \$7,940.14
Ord #1905	2020 County OST- Install Turf Field Municipal Open Space	\$48,722.95 \$ 48,722.95
Ord #1929	2020 NJDOT Mountain Ave Reconst Authorization 2020 NJDOT Mountain Ave Grant Receivable Capital Fund Balance	\$45,601.92 \$ 40,079.02 \$ 5,522.90

#23-251 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. 20895 – 20920 Payroll A/C, Direct Deposit Vouchers no. 19329 - 19405, Library Payroll check nos. 1756 - 1759, Library Direct Deposit Vouchers no. 7992 - 8016, Claims Wire nos. 230807 - 230809, 230901 – 230903, check no. 1194 Accutrack A/C, Claims check nos. 090814 – 090937 and Trs. Dog Trust - \$88.87.

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#23-252 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 DEPARTMENT:

Steven Cherry, 744 Frederick Court, Wyckoff, New Jersey 07481 – Refund of Permit #23-0776 - \$310.00.

TAX REFUND:

Antonio & Joanna Centola, 53 John Street, Wyckoff, New Jersey 07481 – Refund of Tax Overpayment – Block 516/Lot 58 - \$3,160.14

Zipp & Tannenbaum, LLC, 280 Raritan Center Parkway, Edison, New Jersey 08837 – State Tax Court Reduction – Block 216/Lot 13.06 – 411 Greenwood Avenue - \$20,011.16

Corelogic, 3001 Hackberry Road, Irving, TX 75063 – Refund of Tax Overpayment – Block 391/Lot 34 – 330 Sicomac Avenue - \$3,333.49

RECREATION:

Carlos Moisa, 512 Clinton Avenue, Wyckoff, New Jersey 07481 – Tennis Refund - \$85.00

Janice Kochanik, 749 Hickory Hill Road, Wyckoff, New Jersey 07481 – Tennis Refund - \$85.00

Michelle Ridgeway, 119 Wood Street, Wyckoff, New Jersey 07481 – Tennis Refund - \$85.00

#23-253 Authorize SSA - Bergen County Emergency Tree Removals

WHEREAS, the Township of Wyckoff has entered into a shared service agreement with the County of Bergen for the emergency removal of shade trees from the county right-of-way; and,

WHEREAS, the County has long provided emergency tree removals for Wyckoff; and,

WHEREAS, Bergen County now requires a Hold Harmless and Indemnification Agreement for the removal of any tree along a county roadway; and,

WHEREAS, the Township of Wyckoff's Shade Tree Commission understands and agrees to comply with this new requirement.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township Administrator is authorized to sign all Hold Harmless and Indemnification Agreements for the removal of trees along county roads.

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TEMPORARY SHARED SERVICE AGREEMENT

THIS AGREEMENT, entered into on the ___ day of _____, 2023, by and between:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, located at One Bergen County Plaza, Hackensack, New Jersey 07601, hereinafter referred to as the “County”; and

The TOWNSHIP OF WYCKOFF, a body politic and corporate of the State of New Jersey, located at 340 Franklin Avenue, Wyckoff, New Jersey 07481, hereinafter referred to as the “Municipality”

WHEREAS, while it is not the responsibility of the County to remove dead or dying trees within the Municipalities of Bergen County, as part of the County’s concept of providing shared services to local municipalities, the County of Bergen cooperates with local municipalities in removing dead or dying trees located within the public right of way along County roadways; and

WHEREAS, in order to aid Bergen County Municipalities in the removal of dead or dying non-County trees, municipalities may send a written request under the Counties tree program. As a courtesy, the County will determine if the requested tree falls within its removal criteria; and

WHEREAS, the County has received a request from the Municipality to lend assistance in the removal of _____ and the County has evaluated the area and determined that the County has the resources to assist; and

WHEREAS, the Municipality shall provide uniformed police officers, and be solely responsible for the cost thereof, if needed for the safety of the personnel for the tree removal; and

WHEREAS, the County requires that this Agreement be entered into by the County and the Municipality in order to perform the Work.

NOW THEREFORE, in consideration of the foregoing and in accordance with the terms and conditions set forth hereinafter, the parties hereto hereby agree to be legally bound as follows:

1. The Work to be performed by the County shall be strictly limited to the removal of a dead or dying tree within the public right of way abutting a County Road.
2. This Agreement shall be deemed to be effective from the date hereof.
3. Insurance.

**TOWNSHIP OF WYCKOFF
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(a) During the performance of the Work, the Municipality shall, at its sole cost and expense, obtain and maintain throughout the course of the performance of the Work the following minimum coverages of insurance:

1. Workers' Compensation (statutory) and Employer's Liability (\$1,000,000),
 2. Commercial General Liability insurance with limits of at least \$1,000,000 Per Occurrence/\$ 2,000,000 Aggregate for bodily or personal injury (including death) and property damage and shall include contractual liability coverage with limits not less than those set forth above,
 4. Commercial Automotive Liability - \$1,000,000 Combined Single Limit.
- (b) Prior to the performance of any Work, the Municipality shall provide the County with a certificate of insurance on Acord Form 25 or its equivalent ("Certificate"). The Certificate shall set forth evidence that the coverages required in this Agreement are in full force and effect. The Municipality shall furnish to the County copies of any endorsements that are subsequently issued amending limits of coverage or providing coverage for the County or any additional insured as required by this Agreement. The Certificate of Insurance shall name the County of Bergen as Certificate Holder and Additional Insured under the Commercial General Liability and Commercial Auto Liability policies. The Certificate shall provide for at least thirty (30) days prior written notice to the County of the cancellation or material modification of any policy of insurance maintained pursuant to this Agreement. All such coverages are to be provided on a "primary" basis regardless of any other insurance the County may have or may elect to purchase and maintain.

5. The Municipality, to the fullest extent permitted by law shall indemnify, defend, and hold harmless the County of Bergen and all of their parents, subsidiaries, siblings, directors, officers, shareholders, partners (general and limited), members, managers, agents, legal representatives and other affiliated entities from and against all costs of investigation, claims, damages, demands, liens, claims of lien, losses, actions or liability of any kind which may be asserted against them or suffered by them, including, without limitation, reasonable attorneys' fees, statutory or administrative fines or penalties, and litigation costs ("Claims") to the extent such arise out of or are in connection with, directly or indirectly, this Agreement or the performance of the Work alienated herein, whether or not negligence on the part of the County of Bergen, and any of its employees, officials, agents, volunteers or representatives contributed thereto.

6 Any notice required to be given under this Agreement shall be made in writing via certified mail, return receipt requested, or by nationally recognized overnight mail service to the following persons:

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If to the County:

**John E. Ten Hoeve, Jr., Deputy County Counsel
Office of the County Counsel
One Bergen County Plaza, Room 580
Hackensack, NJ 07601**

If to the Municipality: Township of Wyckoff

**Nancy A. Brown, Township Clerk
340 Franklin Avenue
Wyckoff, NJ 07481**

Any person to whom notice must be given may be changed by notice by one party to the other party given, as set forth above.

7. This Agreement constitutes the entire Agreement between the parties and may not be modified or amended, except in writing and signed by both parties.

8. This Agreement may be executed in one or more counterparts, each of which should be deemed an original, but which together shall constitute one in the same instrument.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be signed and attested by their proper corporate officers, and their corporate seals to be hereto affixed, the day and year first above written.

Attest:

COUNTY OF BERGEN

By:

James J. Tedesco III, County Executive or
Thomas J. Duch, County Counsel/ County
Administrator

Attest:

TOWNSHIP OF WYCKOFF

By:

Matthew A. Cavallo,
Township Administrator

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#23-254 Awarding Contract #2023-09 – Supply, Delivery & Installation of Flexi-Pave on Walking Trail at Russell Farms Community Park

WHEREAS, on August 29, 2023, the Township received bids for Contract No. 2023-09 – SUPPLY, DELIVERY, AND INSTALLATION OF FLEXI-PAVE MATERIAL OR APPROVED EQUAL ON WALKING TRAIL AT RUSSELL FARMS COMMUNITY PARK – CONTACT #2; and

WHEREAS, one (1) bid was received for Contract No. 2023-09; and

WHEREAS, the apparent lowest responsive and responsible bid was submitted by Waters & Bugbee, Inc. in the base bid amount of \$35,406.25; and

WHEREAS, the Township Administrator and the Public Works Superintendent have reviewed and recommended the Contract award be made to Waters & Bugbee, Inc., as the lowest responsive and responsible bid.

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 contract for Contract No. 2023-09 be awarded to the lowest responsive and responsible bidder, Waters & Bugbee, Inc., 75 South Gold Drive, Hamilton, NJ 08691 for the base bid amount of \$35,406.25.

BE IT FURTHER RESOLVED that this expenditure shall be charged against the Bergen County Open Space Trust Fund Park Improvement Grant, the Municipal Open Space Trust Fund or any other account that may be deemed appropriate by the Chief Financial Officer or his designee.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk, and any other officer as may be deemed appropriate are hereby authorized to enter into an agreement or any other required documents for the aforementioned services, a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE 2023 MUNICIPAL BUDGET ACCOUNTS C-04-56-922-001 AT \$26,535.00 AND S-16-54-950-000 AT \$8,871.25. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
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UNOFFICIAL BID RESULTS
TOWNSHIP OF WYCKOFF

SUPPLY, DELIVERY, AND INSTALLATION OF FLEXI-PAVE MATERIAL
WALKING TRAIL AT RUSSELL FARMS COMMUNITY PARK -

CONTRACT NAME CONTRACT 2

CONTRACT No. 2023-09

BID DATE/TIME August 29, 2023 at 11:00 a.m.

APPARENT LOWEST BIDDER

	COMPANY NAME	Waters & Bugbee, Inc.
	CONTACT	Michael B. Rice
	ADDRESS	75 South Gold Drive
	CITY/STATE/ZIP	Hamilton, NJ 08691
	PHONE	609-584-1100
	FAX	609-584-2200
	EMAIL	bids@watersandbugbee.com
<u>Line Item</u>	<u>Description</u>	<u>Unit Price</u> <u>Extended Total</u>
1) BASE BID	Supply, deliver and install 1,375 sq. Feet of Flexi-Pave HD 2000, or approved equal, material on the recreational trails at the Russell Farms Community Park as per the bid specifications.	\$25.75 \$35,406.25
	REQUIRED DOCUMENTS	SUBMITTED?
	Bid Guarantee	BID BOND
	Document Checklist	YES
	Vendor Information Sheet	YES
	Business Registration Certificate	YES 0097190 VALID-CHECK OK
	Public Works Contractor Registration Certificate	YES 60176 EXP--04/03/2024
	Affirmative Action Compliance Affidavit	Yes
	New Jersey Anti-Discrimination Provisions	YES
	Americans with Disabilities Act of 1990 Language	YES
	Ownership Disclosure Certification Form	YES
	Acknowledgement of Principal	YES
	Principal Subcontractor Declaration	YES - NO SUBCONTRACTORS
	Principal Subcontractor(s) BRCs (if applicable)	N/A
	Principal Subcontractor(s) PWCRCs (if applicable)	N/A
	Non Collusion Affidavit	YES
	Prevailing Wage Compliance Declaration	YES
	Prohibited Russia-Belarus Activities & Iran Investment Activities	YES
	Consent of Surety	YES
	Equipment Certification	YES
	Performance Record to Accompany Form of Proposal	YES
	Certification of Bidder's Status on the State Treasurer's List of	YES
	Acknowledgment of Receipt of Addenda	YES - NO ADDENDA ISSUED
	Bid Proposal Form	YES

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#23-255 Awarding Contract #2023-10 – Supply & Delivery of Building Materials for Police/Field Maintenance Pole Barn

WHEREAS, on August 29, 2023, the Township received bids for Contract No. 2023-10 – SUPPLY AND DELIVERY OF BUILDING MATERIAL FOR POLICE/FIELD MAINTENANCE POLE BARN; and

WHEREAS, one (1) bid was received for Contract No. 2023-10; and

WHEREAS, the apparent lowest responsive and responsible bid was submitted by Continental Hardware, Inc., in the base bid amount of \$7,869.15; and

WHEREAS, the Township Administrator and the Public Works Superintendent have reviewed and recommended the Contract award be made to Continental Hardware, Inc., as the lowest responsive and responsible bid.

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 contract for Contract No. 2023-10, be awarded to the lowest responsive and responsible bidder, Continental Hardware, Inc., 400 Delancy Street, Newark, New Jersey 07105 for the base bid amount of \$7,869.15.

BE IT FURTHER RESOLVED that this expenditure shall be charged against the Municipal Open Space Trust Fund or any other account that may be deemed appropriate by the Chief Financial Officer or his designee.

BE IT FURTHER RESOLVED that the Mayor, the Municipal Clerk, and any other officer as may be deemed appropriate are hereby authorized to enter into an agreement or any other required documents for the aforementioned services, a copy of which shall be available for public inspection in the Office of the Municipal Clerk.

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE 2023 MUNICIPAL BUDGET ACCOUNT S-16-54-950-000. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

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UNOFFICIAL BID RESULTS

TOWNSHIP OF WYCKOFF

CONTRACT NAME SUPPLY AND DELIVERY OF BUILDING MATERIAL FOR POLICE/FIELD MAINTENANCE POLE BARN

CONTRACT No. 2023-10

BID DATE/TIME August 29, 2023 at 11:00 a.m.

APPARENT LOWEST BIDDER

COMPANY NAME		Continental Hardware, Inc.		
CONTACT		Adam Martignetti		
ADDRESS		400 Delancy Street		
CITY/STATE/ZIP		Newark, New Jersey 07105		
PHONE		973-589-3929		
FAX		973-589-3923		
EMAIL		amartignetti12@gmail.com		
Line Item	Description	QTY	Unit Price	Extended Total
1	4 X 8 - 3/4" FIR PLYWOOD CD-X	56 PC	\$ 39.00	\$2,184.00
2	4 X 8 - 3/4" CCA / ACQ TREATED PLYWOOD UNDERLAYMENT	11 PC	\$ 49.75	\$547.25
3	4 X 8 - 1/2" FIR / PINE PLYWOOD AC GRADE	50 PC	\$ 22.50	\$1,125.00
4	5' X 200' TYVEK HOMEWRAP	2 RL	\$ 197.00	\$394.00
5	3' X 100' TYVEK HOMEWRAP	1 RL	\$ 98.50	\$98.50
6	4 X 8 - 1/2" PERMABASE TILE BACKER	67 PC	\$ 37.00	\$2,479.00
7	2 X 4 - 10' DOUG FIR #2 & BTR	60 PC	\$ 6.90	\$414.00
8	2 X 6 - 10' DOUG FIR #2 & BTR	22 PC	\$ 10.20	\$224.40
9	2 X 6 - 8' DOUG FIR KD #2 & BTR	26 PC	\$ 7.30	\$189.80
10	2 X 6 - 8' SYP PRESSURE TREATED #1 SELECT	26 PC	\$ 8.20	\$213.20
TOTAL		\$7,869.15		
Bid Guarantee		NOT REQUIRED		
Document Checklist		YES		
Vendor Information Sheet		YES		
Business Registration Certificate		YES	0423397	VALID-CHECK OK
Public Works Contractor Registration Certificate		NOT REQUIRED		
Affirmative Action Compliance Affidavit		YES - UNDER BID THRESHOLD - NOT REQUIRED		
New Jersey Anti-Discrimination Provisions		YES		
Americans with Disabilities Act of 1990 Language		YES		
Ownership Disclosure Certification Form		YES		
Acknowledgement of Principal		YES		
Principal Subcontractor Declaration		NOT REQUIRED		
Principal Subcontractor(s) BRCs (if applicable)		NOT REQUIRED		
Principal Subcontractor(s) PWCRCs (if applicable)		NOT REQUIRED		
Non Collusion Affidavit		YES		
Prevailing Wage Compliance Declaration		NOT REQUIRED		
Prohibited Russia-Belarus Activities & Iran Investment Activities		YES		
Consent of Surety		NOT REQUIRED		
Equipment Certification		NOT REQUIRED		
Performance Record to Accompany Form of Proposal		NOT REQUIRED		
Certification of Bidder's Status on the State Treasurer's List of Debarred, Suspended, and Disqualified Contractors		YES		
Acknowledgment of Receipt of Addenda		YES - NO ADDENDA ISSUED		
Bid Proposal Form		YES		

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#23-256

Contract Change No. 1 – Contract 2023-06 – Road
Improvement Program 2023

WHEREAS, J.A. Alexander, Inc. and the Township of Wyckoff have heretofore entered into an Agreement, more particularly known as Contract No. 2023-06 – “Road Improvement Program 2023” for the furnishing of labor, equipment, and materials in the amount not to exceed \$1,010,226.22, in accordance with the requirements of the Local Public Contract Law, N.J.S.A. 40A:11-1, et seq.; and

WHEREAS, the Township Committee has received Contract Change Order No. 1 for the within the contract, which is a zero-dollar change order changing the required date of substantial completion in the contract from Friday, August 25, 2023, to Friday, September 16, 2023 (weather permitting); and

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

WHEREAS, the within Contract Change Order No. 1 is in the best interests of the Township.

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 for Contract No. 2023-06 be approved; and

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. 2023-06 on behalf of the Township.

TOWNSHIP OF WYCKOFF
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TOWNSHIP OF WYCKOFF
CONTRACT CHANGE

Project Title Road Improvement Program 2023 Contract No. 2023-06

Award Resolution No. 23-215

Contractor I.A. Alexander, Inc.
130 John F. Kennedy Dr., No.
Bloomfield, New Jersey 07003

Change Order No. 1 Close Out? Yes ☐ No ☒

Necessity for Change and/or Statement: The contractor will accommodate the Township's request to improve certain roadways on Saturday, September 9, 2023 (weather permitting). Amend date of substantial completion from Friday, August 25, 2023, to Friday, September 16, 2023 (weather permitting). No dollar value change.

Is proposed change an alternate bid?	Yes ☐	No ☒
Is stake out required?	Yes ☐	No ☒
Will change affect expiration or extent of insurance?	Yes ☐	No ☒
Will operation and maintenance cost be affected?	Yes ☐	No ☒
Will change affect other prime contractors?	Yes ☐	No ☒
Will change alter size of project?	Yes ☐	No ☒
Has consent of surety been obtained?	Yes ☐	Not Necessary ☒
Is money available under bond?	Yes ☒	No ☐
Is a supplemental bond required?	Yes ☐	No ☒
If a close out, has a maintenance bond been submitted?	Yes ☐	No ☐

* If yes, attach additional sheet of explanation.

Original Contract Award	\$	1,010,226.22
Previous Change Orders	\$	-
Revised Contract	\$	1,010,226.22
Change Order (plus)	\$	-
Change Order (minus)	\$	-
Revised Contract	\$	1,010,226.22

Requested by: Joseph Vander Plaats Date: 9/5/23
Joseph Vander Plaats, Public Works Manager

Recommended by: Matthew Cavallo Date: 9-5-23
Matthew Cavallo, Township Administrator/
Qualified Purchasing Agent

Contractor: Charles J. Howard Date: 9-5-23
J.A. Alexander, Inc.

Project Manager/Estimator
Title John J. McGee Date: 9/5/23

Approved: Thomas J. Madigan Mayor
Attest: Nancy A. Brown Date: 9-5-23
Nancy A. Brown, Municipal Clerk

Change Order Resolution No. 23- 256

TOWNSHIP OF WYCKOFF
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#23-257

Appointment of SLEO III Police Officers

WHEREAS, Chief David V. Murphy has recommended to the Township Committee of the Township of Wyckoff the appointment of Special Law Enforcement Officers Class Three (SLEO III) for the 2023/2024 School year; and

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 following SLEO III police officers are appointed for one year commencing September 1, 2023:

- | | |
|---------------------|----------|
| 1. Francesco Aquila | SLEO III |
| 2. Antoine Atme | SLEO III |
| 3. Robert Feeney | SLEO III |
| 4. Anthony Ferreira | SLEO III |
| 5. Luis Mendez | SLEO III |
| 6. James Sisto | SLEO III |

BE IT FURTHER RESOLVED that a copy of this resolution shall be provided to the Police Chief and the Payroll Certifying Officer.

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David V Murphy
Chief of Police

WYCKOFF POLICE DEPARTMENT

340 Franklin Avenue
Wyckoff, New Jersey 07481



Antoine Atme is a retired Police Sergeant from the Passaic County Sheriff's Department where he served for 27 years. He brings 5 years experience as a SLEO III Officer to Coolidge School.

Francesco Aquila is a retired Police Captain from the City of Hackensack where he served 25-years. He will be the SLEO III Officer for St. Elizabeths

Anthony Ferreira is a retired Police Sergeant from Fair Lawn where he served the community for 29 years. He brings 5 years experience as a SLEO III Officer to Lincoln School.

Robert Feeney is a retired Police Officer from Wayne where he served the community for 25 years. He will be the SLEO III Officer for Sicomac School.

James Sisto is a retired Lieutenant from the New Jersey State Police. His career as a State Police Officer spanned 29 years. Prior to accepting the position with Wyckoff, he worked security for the Garfield Board of Education. He will be the SLEO III Officer for Eisenhower School.

Luis Mendez is a recently retired Police Captain from the city of Newark where he served for 25 years. He will be the SLEO III Officer for Washington School.

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#23-258 Professional Service Appointment for 2023

WHEREAS, long-time Township Attorney Mr. Robert Landel, Esq., has accepted an appointment as a Superior Court Judge on June 30, 2023; and

WHEREAS, the Township Committee desires to appoint Eric David Becker, Esq. of the Law Office of Eric David Becker, LLC as its Township Attorney due to his skill and legal acumen as an attorney licensed to practice law in New Jersey and the practical, thorough, and complete legal advice he has rendered to the Zoning Board of Adjustment in previous years; and

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

WHEREAS, each business entity has completed and submitted a Business Entity Disclosure Certification; and

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

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Available of Funds indicating that adequate funds have been appropriated in the 2023 Municipal Budget for fees reasonably required in the line item, legal services, and costs – other expense.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff that a contract for this remainder of the 2023 calendar year is hereby awarded to Eric David Becker, Esq. of the Law Office of Eric David Becker, LLC, 253 Madison Avenue, Wyckoff, NJ 07481 for Township Attorney services at a rate of \$6,000.00 monthly retainer for general services/\$200.00 per hour for non-general service legal work/\$100.00 per hour for paralegal work up to \$70,000.00 without further authorization of the Township Committee.

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

CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE "LEGAL SERVICES AND COSTS", "OTHER EXPENSE" PORTIONS OF THE 2023 MUNICIPAL BUDGET ACCOUNT 23-01-20-155-020 FOR THE FOLLOWING PROFESSIONAL SERVICES FOR THE CALENDAR YEAR 2023. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

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AGREEMENT FOR LEGAL SERVICES
TOWNSHIP OF WYCKOFF

This Agreement made and entered into this 5th day of September, 2023, effective as of September 5, 2023, by and between the Township of Wyckoff (the "Township") and Eric David Becker, Esq.; Law Office of Eric David Becker, LLC (the "Attorney"), 253 Madison Avenue, Wyckoff, New Jersey, 07481.

WITNESSETH:

WHEREAS, the Township Committee of the Township of Wyckoff passed Resolution No. 23-258 awarding a contract for Legal Services to the Attorney for a period commencing September 5, 2023 and terminating on December 31, 2023 (the "Contract Period"); and

WHEREAS, the Township wishes to engage the professional services of the Attorney to perform legal services for the Township for the period commencing September 5, 2023 and terminating on December 31, 2023 or immediately upon notice as provided herein (the "Contract Period"); and

WHEREAS, the Township and the Attorney do hereby wish to enter into this Agreement for professional services (the "Contract").

NOW, THEREFORE, the Township and the Attorney mutually agree as follows:

1. **APPOINTMENT:** The Township hereby retains the Attorney for the Contract Period and the Attorney hereby accepts such appointment.
2. **SCOPE OF PROFESSIONAL SERVICES:** The Attorney shall act as Township Attorney for the Township of Wyckoff and shall do, perform and carry out all necessary professional services in a satisfactory and proper manner, as determined by the Township.
3. **PAYMENT** The Township agrees to pay the Attorney the following:
 - a. Fees: Attorney shall be paid a monthly retainer in the amount of Six Thousand Dollars (\$6,000) per month worked, or any portion thereof. The following services shall be included in the monthly retainer: attendance at all Committee meetings; regular or special; review/draft resolutions and ordinances; review minutes; legal advice and/or opinions, written and oral, upon any question of law (except matters dealing with litigation, hearings, arbitrations, negotiations, Court proceedings (including County Tax Board and Tax Court), and labor and employment issues) pertaining to Township affairs submitted by the Township Administrator or Committee majority. These services shall be known as "General Services." Compensation for any and all legal services outside of the "General Services" which the Township may require for litigation, labor and employment issues, prosecution and/or defense of all legal actions, hearings, arbitrations and court proceedings against the Township, its employees, departments and agencies thereof, shall be paid at the Township's current established hourly billing rate for professional legal services of \$200.00 per hour for all attorney legal work performed. Furthermore, the Township shall pay the Attorney \$100.00 per hour for any paralegal work performed on services other than General Services. The Township shall also be responsible for the payment of all litigation costs such as court costs, stenographic fees, sheriff's fees, expert witness fees, investigative services, document

**TOWNSHIP OF WYCKOFF
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reproduction (.02 per page or actual cost if outside service is utilized), overnight mail, and all other expenses incurred exclusively resulting from the professional services rendered as Township Attorney. The Township Administrator can direct the Attorney to perform such additional services as he determines necessary outside the scope of the General Services outlined herein.

b. Payment/Monthly Invoices: The Township agrees pay the Attorney for General Services on a monthly basis at the rate indicated above. Furthermore, the Attorney shall submit monthly invoices for any and all additional professional services rendered outside of the General Services and for any expenses incurred. Township shall pay all invoices within thirty (30) days of their receipt by the Township subject to the Township's right to withhold payment for any bill in dispute until such disputes are resolved to the mutual satisfaction of the parties. The Township will notify the Attorney in writing of any disputed bills within thirty (30) days of their receipt. Such notice will identify the disputed charge, the basis for the dispute and the proposed remedy.

4. TERMINATION: Subject to any prohibitions under the law, the Township or the Attorney may terminate this Contract for any reason at any time; the Township, by adoption of a Resolution to such effect providing the Attorney with notice or the Attorney, by providing notice to the Township Clerk in writing. Should this Contract be so terminated, the Attorney shall be entitled to compensation for services rendered prior to the date of termination, including payment of the full retainer for every month or portion of any month worked prior to termination.

5. BINDING OF PARTIES: The Township and the Attorney agree to be bound and do hereby bind themselves as far as duties required of the Attorney and payment therefore by the Township.

6. NO EMPLOYER - EMPLOYEE RELATIONSHIP: Notwithstanding anything to the contrary herein, the Township and the Attorney agree that this Contract shall not be deemed to create an employer-employee relationship between the Township and the Attorney, and that no rights and privileges of a Township's employees shall inure to the Attorney hereby.

7. MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE: During the performance of this Contract, the Attorney agrees to comply with the requirements of N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27) as follows:

a. During the performance of this contract, the Attorney agrees as follows: The Attorney or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the Attorney will ensure that equal opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Attorney agrees to post in conspicuous places, available to employees and applicants for employment,

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notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

- b. The Attorney or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the Attorney, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.
- c. The Attorney or subcontractor, will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the Attorney's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- d. The Attorney or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans With Disabilities Act.
- e. The Attorney or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.
- f. The Attorney or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- g. The Attorney or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.
- h. In conforming with the targeted employment goals, the Attorney or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.
- i. The Attorney and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C.17:27.

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8. **GOVERNING LAW:** This Contract shall be deemed to be a Contract under the laws of the State of New Jersey and for all purposes, including interpretation hereof and performance hereunder, shall be governed in accordance with the laws of the State of New Jersey.
9. **ENTIRE AGREEMENT:** This Contract fully and completely expresses the parties' understandings and agreements, supersedes any understandings or agreements previously made between the parties. Moreover, this Contract may not be changed or orally terminated by either party. It may be amended only by a written agreement, executed by both parties hereto.
10. **DEFAULT AND CURE:** The Attorney will be deemed to be in default of this Agreement if the Attorney fails to fully perform all of the services set forth in paragraph 2 above. The Township shall notify the Attorney of its default, and the Attorney shall have fourteen (14) days within which to cure its default.
11. **SEVERABILITY AND LEGALITY:** The parties understand that this Agreement is governed by the Laws of the State of New Jersey. If any provision of this Agreement is deemed unenforceable, illegal or inconsistent with the then current Statutes or Rules or Regulations, such Statutes or Rules or Regulations shall govern. However, to the extent that enforceable provisions of this Agreement continue to exist and are not inconsistent with such Statutes or Rules or Regulations, they shall remain binding upon the parties.
12. **MODIFICATION OR WAIVER:** No modification or waiver of any of the terms of this Agreement, including this provision, shall be held valid unless in writing and signed by the party or parties sought to be charged. No waiver of any breach or default hereunder shall be deemed a waiver of any subsequent breach or default of the same or similar nature.
13. **COMPLETE AGREEMENT:** This Agreement contains the entire understanding of the parties and there are no representations, covenants or promises other than those expressly set forth herein.
14. **SECTION HEADINGS:** The section headings contained in this Agreement are for reference purposes only, and shall not in any way affect the meaning or interpretation of this Agreement.
15. **BINDING EFFECT:** This Agreement is intended to bind and shall inure to the benefit of the parties hereto and their respective successor Townships, administrations, officers, directors, agents, successors, assigns and affiliates.

{SIGNATURE PAGE NEXT}

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IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first written above, effective as of September 5, 2023.

TOWNSHIP OF WYCKOFF

LAW OFFICE OF ERIC DAVID BECKER,
LLC

BY: 
Thomas J. Madigan, 9/5/23
Mayor

BY: , Esq. 9/5/23

Attest: 
Nancy A. Brolyn, 9/5/23
Municipal Clerk

This Agreement is being executed in two original copies.

PAGE NO.

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**TOWNSHIP OF WYCKOFF
NOTICE OF CONTRACT AWARD**

The Township of Wyckoff has awarded contracts for Professional Services in 2023 without competitive bidding as professional services pursuant to NJSA 40A:11-5-(1)(a). The contracts and the resolutions authorizing the services are available for public inspection in the office of the Municipal Clerk.

Eric David Becker, Esq.
Township Attorney
One (1) year
Up to \$70,000

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#23-259 Close Out of Affordability Assistance Program Grant with
Christian Health for the Renovation of Evergreen Court Unit
#27

WHEREAS, an Affordable Housing Assistance Program Grant to Christian Health in the amount of \$28,850 is hereby awarded for the renovations of Evergreen Court Apartment #27 in accordance with the request for funding/project budget request by Resolution No. 23-218; and,

WHEREAS, a detailed report of actual costs incurred, along with supporting contractor invoices, updated "after" photographs of the primary areas renovated, and confirmation from the Construction Code Official that all permits required have been obtained, inspected, approved, and closed out has been received by the Township; and,.

WHEREAS, the final project cost for the renovations to the unit amounts to \$29,016.00, a \$166 increase from the approved grant award; and,

WHEREAS, funds are available under the Affordable Housing Assistance Program Grant, and the Township Administrator recommends increasing the grant award to \$29,016.00.

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 Affordable Housing Assistance Program Grant awarded to Christian Health for the renovations of Evergreen Court Apartment #27 be increased by \$166 to \$29,016.00, and the withheld grant funds totaling \$7,378.50 shall be released to Christian Health.

CERTIFICATION

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE AFFORDABLE HOUSING TRUST FUND ACCOUNT T-12-99-870-878. NOT TO EXCEED THE MAXIMUM AMOUNT AS SET FORTH ABOVE.

II **Ordinances – Introduction**
None

III **Motions**

- A. Approve application for Bethany Church, 568 Wellington Drive, to install a 30' x 60' tent in their parking lot for one day - September 16, 2023.
- B. Approve application for St. Elizabeth Church, 700 Wyckoff Avenue, to hold a parish picnic on September 17, 2023 from 12:00 pm to 4:00 pm. The event includes a kids entertainment trailer, lawn games, a beer garden, and a band. St. Elizabeth's has applied to the NJ ABC for a Social Affairs Permit.
- C. Approve application for Wyckoff Volunteer Fire Company #1 to hold their Beach Party fundraiser at the Wyckoff Family YMCA on September 7, 2023 from 6:00 pm to 10:00 pm. The Volunteer Fire Department has applied to the NJ ABC for a Social Affairs Permit.
- D. Approve application for Chabad Jewish Center of NWBC to hold their Menorah Lighting and Celebration on Thursday, December 7, 2023 beginning at 6:00 pm in the front parking lot of Memorial Town Hall.
- E. Accept application of Jack W. Kane as a Junior Firefighter member of Fire Company #1.

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- F. Approve application of the Zabriskie House Trustees to hold a Halloween Family event on Saturday, October 28, 2023 from noon to 3:00 pm.
- G. Approve application of the Zabriskie House Trustees to hold their Holiday Open House event on Saturday, December 2, 2023 from 10:00 am to 3:00 pm.
- H. Approve Lincoln Elementary School fundraising block party on Sunday, September 3, 2023 from 1:00 pm to 5:00 pm which will result in road closures on Manor Road, Van Blarcom Lane, and Meadowbrook Road.
- I. Approve application of Wyckoff Volunteer Fire Department to operate a Beer Garden to raise funds at the Fireworks event on Saturday, September 23, 2023. Fenced in area located in the parking lot of the Wyckoff Public Library.
- J. Approve application of Wyckoff Volunteer Fire Department to post 3' x 5' Fireworks banners for the ten-day period immediately preceding the event.

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 MELCHIONNE
BOONSTRA YES FISHER YES MELCHIONNE YES
SHANLEY YES MADIGAN YES

With an affirmative vote, the motion is approved.

SLEO III Presentation and Oath of Office:

Mayor Madigan:

"I just wanted to take a minute to thank Chief David Murphy for all the hard work that he's put into the hiring of the new Special Law Enforcement Officers since we talked to the school administration way back in November. The K-8 School Administration came back to us towards the end of April. From the end of April to now, Chief Murphy, with the assistance of Lt. Joseph Soto and Lt. Kevin Kasak, was able to do all of the behind the scenes work and interviewing to hire the six officers you will meet tonight.

I'm glad to see several of our other police officers take the time to come this evening. Thank you all for your service to the Township, and for helping to move this process forward.

I'd also like to take the time to recognize several members of the Board of Ed, who came this evening. I think that's a nice endorsement of the program and the direction we're all moving in. I'd like to recognize Superintendent Dr. Kerry Postma, who's with us tonight, School Board President Louis Cicerchia, Board members Frank Barbagallo, Dr. Kathleen Greaney, Tony Molina, Georgina Nico, James Shappert, and the Business Administrator, Patricia Salvati.

I also see that many of the principals who I've had the pleasure of knowing over the years took the time out to come as well as other people from the schools. I think it's a nice tribute that they would come out tonight. I want to welcome Scott Blake from Washington School, Steve Asimo, whom I know from Sicomac School, Rob Famularo from Coolidge School, Assistant Superintendent Grace White, Stacey Lindzenbold, and Brian Faindrich from Eisenhower Middle School. Also, I'd like to welcome Patrick Lee and Diane Cheramella. If I missed anyone, I apologize.

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Also, after we do the swearing in and take a couple of pictures, I want to thank the generosity of the Wyckoff Education Foundation for supplying some refreshments for tonight. Please, take the opportunity to enjoy the refreshments and to say hello to people you know people and to people you may not know.

I'm going to invite Chief David Murphy to step forward and to read the names of the Special Law Enforcement Officers. We have six SLEO officers that have been hired by the township. Five will go to the Wyckoff K-8 schools and then one officer will be at St. Elizabeth's School."

Chief David Murphy:

"Gentlemen, I just want to say thank you. Thank you to Mayor Madigan and to the entire Township Committee. Also, thanks to Matt Cavallo, our Township Administrator for all the hard work and support. Thank you Superintendent Postma and your administration to all the principals that are here tonight. Thank you. And finally, thank you Father Steven, and the whole St. Elizabeth's school staff and Administration. Thank you for everything you've done to make this program work. This is a collaborative program. This isn't something we just dreamed up. This is something that's been a goal for all of us. And, unfortunately, it's something we have to do. I also thank the parents who have had to embrace this program. All of you will see these officers every day. When everyone works together, and everyone is on board, it makes the program that much easier.

Obviously, we all share one common goal, which is school security for our children and our teachers. That's the goal of this whole program, if you really boil it down. That our teachers and students can go to school every day, and not have to deal with the pressures of the outside world and worry about their safety. Your goal is to teach those children, let them learn, let them grow within your school buildings safely and not be afraid of anything. That's what we're here tonight. That's why these six gentlemen will be working daily in the schools.

My police officers will still be in our schools every day. They do school walkthroughs at any school that they can, whenever they can. They're out there and they will still continue to do that. That's a commitment from us and we'll never let that end. Lt. Joe Soto and I, we've been in the schools for 25 years. We've been teaching students for many years. There are other programs that my department has been involved in at our schools for all these years. That commitment is still there from us, and we will still be in your schools. We will still be there for wherever you need. Again, thank you to everyone for coming on board with this program. It's a necessity, unfortunately, in the world we live in, but it's a challenge that we are ready to take on and together we will have a successful program.

So let me take introduce these gentlemen one at a time and have them come forward.

Antoine Atme is a retired Police Sergeant from the Passaic County Sheriff's Department where he served for 27 years. He brings 5 years of experience as a SLEO III Officer to Coolidge School.

Francesco Aquila is a retired Police Captain from the City of Hackensack where he served 25-years. He will be the SLEO III Officer for St. Elizabeths School.

Anthony Ferreira is a retired Police Sergeant from Fair Lawn where he served the community for 29 years. He brings 5 years of experience as a SLEO III Officer to Lincoln School.

Robert Feeney is a retired Police Officer from Wayne where he served his community for 25 years. He will be the SLEO III Officer for Sicomac School.

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James Sisto is a retired Lieutenant from the New Jersey State Police. His career as a State Police Officer spanned 29 years. Prior to accepting the position with Wyckoff, he worked security for the Garfield Board of Education. He will be the SLEO III Officer for Eisenhower School.

Luis Mendez is a recently retired Police Captain from the city of Newark where he served for 25 years. He will be the SLEO III Officer for Washington School."

After the introductions, group photos were taken of the officers and those in attendance to celebrate the occasion.

Meeting was adjourned at 8:27pm

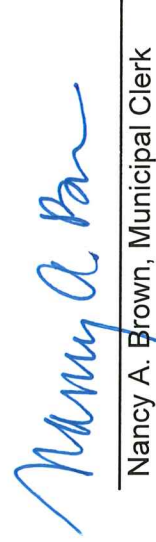
Chair: May I have a motion to and a second to adjourn the Business Meeting?

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

With an affirmative vote, the motion is approved.

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


Mayor Thomas J. Madigan


Nancy A. Brown, Municipal Clerk

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, SEPTEMBER 5, 2023

TOWNSHIP OF WYCKOFF
MUNICIPAL CLERK'S OFFICE

SPECIAL EVENT APPLICATION

(All Special Events are Permitted for a Maximum ten-day period)

Please type or print clearly and submit original copy with a detailed event description and any layout schematics:

Saint Elizabeth Church

Applicant/Business Name			
700 Wyckoff Ave			
Business Address			
201-891-1122	Susan Jansson	Block/Lot	
Business Telephone	Contact/Applicant Name		
2019887833	susan@saintelizabeths.org		
Contact Telephone	Contact Email Address		
September 17, 2023	4 hours		
Date of Event	Duration of Event (Days and/or hours)		

signed via ScanlessDocs.com

Key: 1377651-406852291-E04284646d
 Applicant Signature

REQUIRED INFORMATION: (Check all that apply)

- ☐ **Temporary Signage** Attach detailed drawing/art including dimensions; location(s) of temporary sign(s) and dates of the ten-day period requested. (10 days is the max. number of days for temporary signage). Specific Dates: _____
- ☐ **Special Activities** Attach detailed description with specific location of special activities at the above address.
- ☐ **Food and/or Drink** Any food or beverage vendors will REQUIRE a Wyckoff Board of Health License.
- ☐ **Special Temporary Props** Attach specific description of items to be utilized.
- ☐ **Tent** Attached map detailing the precise location of where the tent is proposed to be located. Tents larger than 900 SF will require a permit. Please contact wyckoffbuildingsinsp@wyckoff-nj.com for more information on permits.

Official Use

Review by Zoning Enforcement Official
 Review by Police Traffic Safety Officer
 Permission Obtained from Township Committee
 Nancy A. Brown, Municipal Clerk

Date: 8/28/23 Approved: ☒ Denied: ☐
 Date: 8/28/23 Approved: ☒ Denied: ☐
 Date: 9/5/23 Approved: ☒ Denied: ☐

signed via ScanlessDocs.com

Key: 84c102797d6d1148610364321206

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
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