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**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
MONDAY, SEPTEMBER 18, 2017**

(Revised 9-18-17)

**TOWNSHIP OF WYCKOFF
48 HOUR NOTICE**

The purpose of this Notice is to comply with the Open Public Meetings Act and advise the public that the Township Committee of the Township of Wyckoff shall cancel its Tuesday, September 19, 2017 regularly scheduled 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting. In its place the Township Committee shall conduct its 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting on Monday, September 18, 2017. The meetings are conducted in the second floor Court Room in Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481.

The purpose of the date change is for the Wyckoff Township Committee to achieve a quorum. All business items scheduled for the Wyckoff Township Committee meetings remain as is.

FORMAL ACTION WILL BE TAKEN

Joyce C. Santimauro
Municipal Clerk

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**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
MONDAY, SEPTEMBER 18, 2017 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Rudolf E. Boonstra
2. Roll call of Township Committee
3. Reading of "Open Work Session 48 Hour Notice" statement by Mrs. Santimauro

The purpose of this Notice is to comply with the Open Public Meetings Act and advise the public that the Township Committee of the Township of Wyckoff shall cancel its Tuesday, September 19, 2017 regularly scheduled 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting. In its place the Township Committee shall conduct its 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting on Monday, September 18, 2017. The meetings are conducted in the second floor Court Room in Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481.

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The purpose of the date change is for the Wyckoff Township Committee to achieve a quorum. All business items scheduled for the Wyckoff Township Committee meetings remain as is.

4. Ten Minute public comment period, two (2) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
5. Mayor and Municipal Clerk to sign documents
6.
 - a. Finance Committee to review and sign vouchers
 - b. Report of Township Committee
 - c. Report of Administrator
 - d. Report of Attorney
7. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
8. Reconvene Work Session Meeting
9. Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL WORK SESSION MEETINGS
AND ALL TOWNSHIP COMMITTEE BUSINESS MEETINGS
FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
MONDAY, SEPTEMBER 18, 2017 - 8:00 PM**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
MONDAY, SEPTEMBER 18, 2017**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute
3. Invocation
4. Reading of the "Open Public Meetings Act 48 Hour Notice" statement by Mrs. Santimauro

The purpose of this Notice is to comply with the Open Public Meetings Act and advise the public that the Township Committee of the Township of Wyckoff shall cancel its Tuesday, September 19, 2017 regularly scheduled 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting. In its place the Township Committee shall conduct its 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting on Monday, September 18, 2017. The meetings are conducted in the second floor Court Room in Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481.

The purpose of the date change is for the Wyckoff Township Committee to achieve a quorum. All business items scheduled for the Wyckoff Township Committee meetings remain as is.

5. Roll call of the Township Committee
6. Public Comment period, five (5) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
7. Approval of the following Township Committee meeting minutes:

Township Committee Regular Work Session and Regular Business Meeting
Minutes from September 5, 2017.

MOTION: CAROLAN SECOND SCANLAN
CAROLAN YES MADIGAN YES SCANLAN YES SHANLEY YES
BOONSTRA YES

8. **Consent Agenda:** All matters listed below are considered by the Township Committee to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Township Committee, that item will be removed from the Consent Agenda and considered separately:

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

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
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#17-243	Review of Best Practices Checklist
#17-244	Payment of Bills
#17-245	Reduce Performance Guarantee – Capital One Bank

II Motions

- a. Approve the Chamber of Commerce Santa Comes to Wyckoff and Tree Lighting Ceremony on Friday, December 8, 2017 on Town Hall front lawn after providing a certificate of insurance.
- b. Approve Wyckoff Newcomers Club request to use the Larkin House parking lot on Saturday October 28, 2017 from 3:00pm – 6:00pm for a Trunk or Treat event after providing a certificate of insurance.
- c. Appointment of subcommittee of two (2) Township Committee members consisting of Committeemen Scanlan and Madigan to investigate the lawful alternatives available to allow the voters of Wyckoff a voice regarding the selection of Wyckoff's Mayor.
- d. Approve the request from Township Employee Maryellen Tafrate to place pink ribbons around Town Hall in recognition of the month of October as Breast Cancer Awareness Month.
- e. Approve the Special Event request from the Zabriskie House Board of Trustees for an open house at the Zabriskie House on Saturday, October 7 from noon to 3 pm and ten (1) day temporary signs advertising the event.

III Ordinance – Introduction

#1841 - AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 186-26, "OFF-STREET PARKING," TO AMEND PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY, INCLUDING SCHOOLS AND HOUSES OF WORSHIP

Following is the vote on the Consent Agenda:

MOTION: _____ CAROLAN _____ SECOND _____ SHANLEY _____

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CAROLAN YES MADIGAN YES SCANLAN YES SHANLEY YES
BOONSTRA YES

IV Adjourn

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

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

Meeting Called To Order

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

Flag Salute

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

Invocation

The Invocation was given by Mayor Rudolf E. Boonstra.

Attendance

Township Committee Present: Mayor Rudolf E. Boonstra; **Committee Present:** John A. Carolan, Thomas J. Madigan, Brian D. Scanlan and Timothy E. Shanley

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
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Staff Present: Joyce C. Santimauro, Municipal Clerk, Township Attorney Robert Landel and Thomas Garlick, Esq..

Staff Absent: Township Administrator Robert J. Shannon,

Open Public Meeting Act Statement:

Township Clerk Joyce Santimauro read the "Open Public Meetings Act 48 Hour Notice" Statement:

"The purpose of this Notice is to comply with the Open Public Meetings Act and advise the public that the Township Committee of the Township of Wyckoff shall cancel its Tuesday, September 19, 2017 regularly scheduled 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting. In its place the Township Committee shall conduct its 7:30 p.m. Work Session Meeting and the 8:00 p.m. Public Business Meeting on Monday, September 18, 2017. The meetings are conducted in the second floor Court Room in Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481.

The purpose of the date change is for the Wyckoff Township Committee to achieve a quorum. All business items scheduled for the Wyckoff Township Committee meetings remain as is."

Public Comment

Committeeman Carolan made a motion to open the meeting for public Comment; Seconded by Committeeman Scanlan. All voted in favor.

James Savage, 448 B Bromley Place. Mr. Savage hand delivered a letter dated September 18, 2017 with other correspondence and photos to the Township Committee and Clerk as he approached the Dias. Mr. Savage said he would speak on behalf of Spring Meadow Condominium Association about the Pulis Field lighting spillover and the 12 foot berm along the Spring Meadow property and issues he indicated that have not been resolved. He said regarding the berm several pine trees had been planted too far apart, the immense amount of weeds growing on the berm are choking out the pine trees, six (6) pine trees have died and need to be replaced and the weeds need to be removed from the berm; regarding the spill over lighting to the residents of Bromley Place, Musco Lighting has not completely resolved the light issue and that four (4) more lighting shields need to be installed. Mr. Savage said he wanted a final resolution to these issues, he would like the dead trees replaced, additional new trees installed and for the weeds covering the berm to be removed and for the berm to be maintained. Mr. Savage expressed his frustration over the time frame to resolve the Pulis Field lighting and berm issues.

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Mayor Boonstra responded by stating his priorities which were the spill over lighting from the Pulis Field lights affecting the residents on Bromley and the berm landscaping. He said that Musco Lighting have already put additional shields on the Pulis Field lighting and they will be back to install more lighting shields to defray the light from shining on the back of the condos on Bromley Place. A purchase order has been issued to Borst Landscape, as per the plan design, and this fall Borst Landscaping will install new and replacement evergreens on the 12 foot berm between Spring Meadow condominiums and Pulis Field. One of the goals was to let the landscaping fill in naturally.

Mayor Boonstra said he received a call from a Spring Meadow resident who complained about the landscaping on the south side of the property. Scott Fisher, the Township's DPW manager, will look at the landscaping and determine whose landscaping this is. Mr. Savage asked what the town procedure was regarding receiving a complaint about a dead tree on town property. The Mayor responded by saying the complaints are received by Shade Tree Commission secretary, who then forwards the information to the Shade Tree Commission for their evaluation.

Vincent Tortorelli, 39 Princeton Avenue. Mr. Tortorelli said he represented the people who signed the petition for the mayoral selection and he wanted to thank the Township Committee for the time and the attention they have spent on this already. Mr. Tortorelli reiterated what Mayor Boonstra had said during the regular work session meeting and that is that Committeeman Scanlan and Committeeman Madigan will each be nonpartisan members of the subcommittee looking into Wyckoff's mayoral selection. Mr. Tortorelli asked if the subcommittee's determination will be shared at a public meeting and he asked about the time frame of the completed study on the mayor selection. Mayor Boonstra answered that in the petition it said the findings of the subcommittee would be shared with the public during a public meeting. The Mayor also said that the findings and determination of the subcommittee on the selection process of the mayor would be completed before the end of 2017. The Township Committee will be transparent with this when the topic comes to fruition.

Committeeman Carolan made a motion to close the public comment time of the regular business meeting; Seconded by Committeeman Scanlan with an affirmative vote.

Approval of the following Township Committee meeting minutes:

Township Committee Regular Work Session and Regular Business Meeting
Minutes from September 5, 2017.

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MOTION: CAROLAN SECOND SCANLAN
CAROLAN YES MADIGAN YES SCANLAN YES SHANLEY YES
BOONSTRA YES

Mayor Boonstra asked for a motion and a second to include on the Consent Agenda the names of Committeemen Scanlan and Madigan as the subcommittee of two (2) Township Committee members to investigate the lawful alternatives available to allow the voters of Wyckoff a voice regarding the selection of Wyckoff's Mayor.

MOTION: CAROLAN SECOND SHANLEY
CAROLAN YES MADIGAN YES SCANLAN YES SHANLEY YES
BOONSTRA YES

Township Attorney Robert Landel referenced the language change in Ordinance #1841 that was discussed during the Regular Work Session portion of this meeting as follows:

Section 186-26. Off-street parking.

- C. Schedule of off-street parking requirements for the B-1, B-1A, B-2 and B-3 Zones.

[Amended 9-7-2004 by Ord. No. 1477]

Use

1 Space Required for Each Square Foot
footage of Gross Floor Area Designated
Below, with Calculations Based Upon
Exterior Use Building Dimensions.

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):

#17-243 Review of Best Practices Checklist

WHEREAS, the State's Fiscal Year 2012 Appropriations Act or 2012 State Budget (P.L. 2011, c.85) requires the Division of Local Government Services to determine how much of each municipality's final 5% allocation of its CMPTRA

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and ETR aid (referred to as State aid) will be disbursed based upon the results of a Best Practices Inventory to be completed by each municipality by October 20, 2017; and,

WHEREAS, the Best Practices Checklist was completed and submitted to the State before October 20, 2017 and was discussed at the Township Committee's September 18, 2017 Public Business Meeting; and,

WHEREAS, the Township Administrator and the Chief Financial Officer have certified the results of the checklist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they acknowledge the responses in the checklist, certified by the Township Administrator and the Chief Financial Officer, that were discussed and instruct the Municipal Clerk to certify and transmit to the Division of Local Government Services full completion of this requirement.

BE IT FURTHER RESOLVED that the public is advised that Consolidated Municipal Property Tax Relief Aid (CMPTRA) and Energy Tax Receipts (ETR) are not State aid, they are municipal taxes that were originally assessed and collected by the municipal government to fund municipal programs and services. The State took over their collection and never provided municipal governments with the full statutory distribution of ETR and CMTRA because the State retains for State use the revenue increases in those taxes. These State actions may help the State; however, they simply transfer the obligation to Wyckoff taxpayers to be funded through property taxes; and,

BE IT FURTHER RESOLVED that the Township of Wyckoff response to the Best Practices Checklist require the State of New Jersey to provide full funding of the remaining 5% payment.

#17-244 Payment of Bills

WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

WHEREAS, the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

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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. 16450 – 16473 Payroll A/C, Direct Deposit Vouchers no. 8328 - 8381, Library Payroll check nos. 1347 - 3171, Library Direct Deposit Vouchers no. 3171 - 3204, Claims Wire nos. 170904, 170905 & 170906, check no. Affordable Housing Trust A/C check #1006, Claims check nos. 077275 – 077320 and Manual checks no. 077272 & 077273.

#17-245 Reduce Performance Guarantee- Capital One Bank

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

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

WHEREAS, in an email dated July 26, 2017 Ms. Coral Silsbe, Penn Consulting Group, requested a reduction in the performance guarantee; and,

WHEREAS, the Township Consulting Engineer, Peter Ten Kate of Boswell/McClave Engineering in a letter dated September 12, 2017 is recommending the following reduction:

<u>Total Performance Guarantee</u>	<u>Current Performance Guarantee</u>	<u>30% Performance to be Held by Township</u>	<u>*Amount of Performance Guarantee to be released to Capital One Bank</u>

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Performance Cash Bond	\$39,600.00	\$11,880.00	\$27,720.00
Performance Surety Bond	<u>\$356,400.00</u>	<u>\$106,920.00</u>	<u>\$356,400.00</u>
Total	\$396,000.00	\$118,800.00	\$277,200.00

WHEREAS, the Performance Bond amounting to \$356,400.00 will be returned upon receipt of new Performance bond in the amount of \$106,920.00.; and

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Consulting Engineer to refund to Vericon Construction \$27,720.00 of the Performance Cash Bond and upon submission of a new performance surety bond in the amount of \$106,920.00 the township will return the current performance surety bond in the amount of \$356,400.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Consulting Engineer, Peter Ten Kate, Boswell/McClave Engineering, 330 Phillips Avenue, PO Box 3152, South Hackensack, NJ 07606-1722, a copy will also be given the Mark DiGennaro the Township Engineer and to Vericon Construction, 1063 Route 22 East, Mountainside, NJ 07092.

II Motions

- a. Approve the Chamber of Commerce Santa Comes to Wyckoff and Tree Lighting Ceremony on Friday, December 8, 2017 on Town Hall front lawn after providing a certificate of insurance.
- b. Approve Wyckoff Newcomers Club request to use the Larkin House parking lot on Saturday October 28, 2017 from 3:00pm – 6:00pm for a Trunk or Treat event after providing a certificate of insurance.
- c. Appointment of subcommittee of two (2) Township Committee members consisting of Committeemen Scanlan and Madigan to investigate the lawful alternatives available to allow the voters of Wyckoff a voice regarding the selection of Wyckoff's Mayor.
- d. Approve the request from Township Employee Maryellen Tafrate to place pink ribbons around Town Hall in recognition of the month of October as Breast Cancer Awareness Month.
- e. Approve the Special Event request from the Zabriskie House Board of Trustees for an open house at the Zabriskie House on Saturday,

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October 7 from noon to 3 pm and ten (1) day temporary signs advertising the event.

III Ordinance – Introduction

#1841 - AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 186-26, "OFF-STREET PARKING," TO AMEND PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY, INCLUDING SCHOOLS AND HOUSES OF WORSHIP

ORDINANCE #1841

AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 186-26, "OFF-STREET PARKING," TO AMEND PARKING REQUIREMENTS FOR PLACES OF ASSEMBLY, INCLUDING SCHOOLS AND HOUSES OF WORSHIP

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the Code of the Township of Wyckoff is amended at Chapter 186, "Zoning," Section 186-26, "Off-Street Parking," Subparagraph B, "Schedule of Off-Street Parking Requirements for Specific Uses."

SECTION 1 - Chapter 186, "Zoning," Section 186-26, "Off-Street Parking," Subparagraph B, "Schedule of Off-Street Parking Requirements for Specific Uses," shall be amended as follows:

Section 186-26. Off-street parking.

- B. Schedule of off-street parking requirements for specific uses.
[Amended 11-15-1982 by Ord. No. 885; 9-7-2004 by Ord. No. 1477]

Permitted Use	Off-Street Parking Spaces Required
Places of assembly, including schools and churches houses of worship	1 space per 3 seats of seating accommodations in largest assembly room; where benches are provided, each 22 inches of bench shall be considered 1 seat; in an area where no fixed seats, 1 for

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each 50 square feet of assembly space.

SECTION 2 - Chapter 186, "Zoning," Section 186-26, "Off-Street Parking," Subparagraph C, "Schedule of Off-Street Parking Requirements for the B-1, B-1A, B-2 and B-3 Zones," shall be amended as follows:

Section 186-26. Off-street parking.

- C. Schedule of off-street parking requirements for the B-1, B-1A, B-2 and B-3 Zones.
[Amended 9-7-2004 by Ord. No. 1477]

Use	1 Space Required for Each Square Foot <u>footage</u> of Gross Floor Area Designated Below, with Calculations Based Upon Exterior Use Building Dimensions.
Churches and similar places of worship <u>Houses of worship</u> including accessory buildings incidental thereto (see Article IV)	1 space per 3 seats of seating accommodations; where benches are provided, each 22 inches of bench shall be considered 1 seat; in an area where no fixed seats, 1 for each 50 square feet of assembly space.

SECTION 3 - All other parts of Chapter 186 of the Code of the Township of Wyckoff shall remain in full force and effect.

SECTION 4 - Upon introduction, this Ordinance shall be referred to the Planning Board of the Township of Wyckoff for its review and comment.

SECTION 5 - This Ordinance shall become effective immediately or as soon as permitted by relevant New Jersey statutes upon passage and publication as required by law.

Following is the vote on the Consent Agenda:

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MOTION: CAROLAN SECOND SHANLEY
CAROLAN YES MADIGAN YES SCANLAN YES SHANLEY YES
BOONSTRA YES

IV Meeting adjourned 8:27 p.m.

Rudolf E. Boonstra
Mayor

Joyce C. Santimauro
Municipal Clerk