

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Kevin J. Rooney
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Meeting open for the Work Session ten minute total public comment period for any item on or off the agenda. Two (2) minutes per speaker.
5. Mayor and Municipal Clerk to sign documents
6.
 - a. Finance Committee to review and sign vouchers
 - b. Report of Township Committee
 - c. Report of Administrator
 - d. Report of Attorney
7. 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 REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016

REVISED
TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
3. Roll call of the Township Committee
4. Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker
5. Approval of the following Township Committee meeting minutes:

Township Committee Regular Work Session and Regular Business Meeting Minutes from September 20, 2016.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

6. Public Hearing on Bergen County Open Space Grant Application for the Park Improvement Program

Vote to open public hearing for public comment on Bergen County Open Space Grant Application for the Park Improvement Program:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

Vote to close public comment on Bergen County Open Space Grant Application for the Park Improvement Program:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

7. **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):

- #16-252 Purchase of Police Vehicle from State Contract
- #16-253 Authorize Bond Release for Block 216 Lot 13.04 and Block 216 Lots 13.01, 23.01, 24.01, 25 & 34
- #16-254 Payment of Bills
- #16-255 Award Contract for Supplemental Snow Plowing
- #16-256 Extend Contract for Purchase of Ice Control Materials
- #16-257 Extend Contract for the Marketing of Recyclable Organic Leaves
- #16-258 Authorize Bergen County Open Space Grant Application

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

- #16-259 Refund Certain Overpaid Taxes, Escrows, etc.
- #16-260 Put the Brakes on Fatalities Day
- #16-261 Review of Best Practices Check List
- #16-C12 Closed Session – NJSA 10:4-12(b)7 – Pending Litigation

II Motions

- a. Approve Eastern Christian Children’s Retreat request for their “52nd Annual Country Fair” at Memorial Field on September 23, 2017 (Raindate October 7, 2017).
- b. Authorize Wyckoff Reformed Church’s ten (10) day temporary sign request advertising their “Annual Holiday Fair”, scheduled for November 19, 2016.

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

III Ordinance – Public Hearing/Further Consideration

#1814 – AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 177, “VEHICLES AND TRAFFIC” ARTICLE XIII, TRAFFIC CONTROL FOR STREETS AND HIGHWAY CONSTRUCTION, SECTION 177-53 “ADOPTION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS; PENALTY.”

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

- 8. Presentation of Colors
- 9. Flag Salute lead by Lieutenant Charles VanDyk
- 10. Invocation by Reverend Andy Kadzban from Wyckoff Reformed Church
- 11. Promotion of Acting Police Chief David V. Murphy to Wyckoff Chief of Police

MOTION: ROONEY SECOND: BOONSTRA
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

- 12. Mayor Kevin J. Rooney to administer the Oath of Office to Police Chief David V. Murphy.
- 13. Recognition of Officer Terrence Murphy and the efforts of the Wyckoff Police Department and the Wyckoff Volunteer Ambulance Corps.
- 14. Adjourn

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

MEETINGS

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

Meeting Called To Order

Mayor Kevin J. Rooney called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

Attendance

Township Committee Present: Mayor Kevin J. Rooney; Committee Present: Rudolf E. Boonstra, Thomas J. Madigan and Brian D. Scanlan

Township Committee Member Absent: John A. Carolan

Staff Present: Township Administrator Robert J. Shannon, Joyce C. Santimauro, Municipal Clerk and Township Attorney Robert Landel.

Open Public Meeting Act Statement

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

Meeting Open for Public Comment

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

No one came forward to speak.

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

Approval of the following Township Committee meeting minutes:

Township Committee Regular Work Session and Regular Business Meeting Minutes from September 20, 2016.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

Public Hearing on Bergen County Open Space Grant Application for the Park Improvement Program

Mayor Rooney said this is the time and place for accepting public comment relative to the Township of Wyckoff's application to the Bergen County Open Space Municipal Park Improvement Grant program. Notice was published both as a legal advertisement and a display advertisement in the Bergen Record prior to tonight's meeting.

The Township's application has been available for public inspection since September 12, 2016 in the office of the Municipal Clerk. The grant application requests \$12,000 for electrical efficiencies and energy savings on two (2) outdoor sports lighting systems at Memorial Field and a safety improvement replacing loose and deteriorated fencing at the Wyckoff Community Playground, also at

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

Memorial Field. The application includes a \$12,000 municipal matching appropriation if the Township is successful.

Vote to open public hearing for public comment on Bergen County Open Space Grant Application for the Park Improvement Program:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

No one came forward to make a statement

Vote to close public comment on Bergen County Open Space Grant Application for the Park Improvement Program:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

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

I Resolutions (Adoption of the following):

#16-252 Purchase of Police Vehicle from State Contract

WHEREAS, the Township of Wyckoff has a fleet of police vehicles; and,

WHEREAS, a need exists to purchase one (1) replacement police vehicle; and,

WHEREAS, Acting Police Chief David V. Murphy has recommended purchasing one (1) Police Interceptor Vehicle; and,

WHEREAS, the Wyckoff Police staff have obtained price quotes from both the New Jersey State contract pricing and the Cranford Police Cooperative Pricing System and the State of New Jersey Pricing System offered the lowest responsible pricing; and,

WHEREAS, a recommendation by the Township Administrator and Acting Police Chief is to purchase the aforementioned police vehicle from the State of New Jersey contract, #88728 for a 2017 Ford Police Interceptor utility all-wheel drive vehicle; and,

WHEREAS, the CFO has issued an encumbrance of funds certification from Account #6-1-26-316-020 and 6-1-25-240-020.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract is hereby awarded to the current state contract vendor, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034 for the purchase of one (1) police vehicle for \$25,479.00

#16-253 Authorize Bond Release for Block 216 Lot 13.04 and Block 216 Lot 13.01, 23.01, 24.01 25 & 34

WHEREAS, the following was deposited as a Performance Guarantee with the Municipal Clerk for the Boulder Run shopping center by Hekemian & Co. Mgmt. Co. in 2008:

Performance cash	\$437,280.00
Performance bond	\$3,935,520.00

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

WHEREAS, Township of Wyckoff Resolution #09-223 approved on October 6, 2009 authorized the following performance guarantee reduction #1:

<u>Current Performance Guarantees</u>	<u>Recommended Amount to be held/retained</u>	<u>Amount to be Released</u>
Performance Bond: \$3,935,520.00	\$1,062,590.00	\$2,872,930.00
Performance Cash: \$ 437,280.00	\$ 118,066.00	\$ 319,214.00
 Total Performance Bond: \$4,372,800.00	 \$1,180,656.00	 \$3,192,144.00

WHEREAS, Township of Wyckoff Resolution #14-161 approved on May 20, 2014 authorized the following performance guarantee reduction #2:

<u>Current Performance Guarantees</u>	<u>Recommended Amount to be Held.as Maintenance</u>	<u>Bond Amount to be Released</u>
Performance Bond \$1,062,590.00	\$491,940.00	\$1,062,590.00
Performance Cash \$ 118,066.00	\$118,066.00	\$0.00
 Total \$1,180,656.00	 \$610,006.00	 \$1,062,590.00

WHEREAS, the \$491,940.00 bond was not submitted to the Municipal Clerk as requested therefore the \$1,062,590.00 bond was retained by the township; and,

WHEREAS, in a letter dated January 20, 2016 Bryan S. Hekemian, President of Hekemian & Co. Inc. requested the two (2) year maintenance guarantee to be refunded; and,

WHEREAS, in an e-mail dated September 22, 2016 the Township Engineer recommends refunding the two (2) year Maintenance Guarantee and Performance Bond as follows:

Two (2) year cash maintenance bond	\$118,066.00
Performance bond	\$1,062,590.00

WHEREAS, in a letter dated September 21, 2016 the Township's Consulting Engineer, Mr. Peter TenKate, is recommending the two (2) year maintenance guarantee & performance bond be refunded to the developer as follows:

Two (2) year cash maintenance bond	\$118,066.00
Performance bond	\$1,062,590.00

WHEREAS, the Chief Financial Officer has verified the funds & recommends the following refund of the engineering escrow balance to the developer:

Engineering escrow balance	\$11,485.41
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NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they accept and concur with the Township Consulting Engineer, Township Engineer and Chief Financial Officer to refund the following to the developer:

Two (2) year cash maintenance bond	\$118,066.00
Performance bond	\$1,062,590.00
Engineering escrow balance	\$11,485.41

BE IT FURTHER RESOLVED, the Municipal Clerk will forward a copy of this resolution to the Township's Consulting Engineer Peter Tenkate at Boswell/McClave Engineering, the Township Engineer, Chief Financial Officer and Mr. Bryan Hekemian, Hekemian & Co., Inc. 505 Main St., PO Box 667, Hackensack, NJ 07602-0667

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

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,

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. 15359 – 15394 Payroll A/C, Direct Deposit Vouchers no. 6432 - 6482, Library Payroll check nos. 1250 - 1253, Library Direct Deposit Vouchers no. 2347 - 2376, Voided Payroll check nos. 15395 – 15400, Claims Wire nos. 161001, 161002 & 161003, check no. 02331 Accutrack A/C and Claims check nos. 074885 – 074985.

#16-255 Award Contract for Supplemental Snow Plowing

WHEREAS, The Township of Wyckoff consist of over 92 miles of municipal roads, approximately 12 municipal facilities with parking areas and a commuter parking lot that require snow plowing and 2.5 miles of county roads that require salting; and,

WHEREAS, The Township Committee has determine to supplement the municipal DPW efforts in times of snow emergencies with eight additional contracted snow plow vehicles and operators; and,

WHEREAS, a legal advert soliciting competitive bids was published in the September 12, 2016 issue of the Bergen Record; and,

WHEREAS, a notice was posted on The Township of Wyckoff's official website in the jobs and bids section easily accessed from the home page indicating bid specifications are available; and,

WHEREAS, on September 22, 2016 at 1p.m. the below listed bids were received, publicly opened and their contents read aloud as follows:

Bidder

William D. Severs Company	11/01/16-04/30/17	11/01/17-04/30/18
109 Lawrence Road	\$126.00 per hour	\$128.50 per hour
Mahwah, New Jersey 07430	\$132.00 per hour	\$135.00 per hour

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

WHEREAS, the Township Administrator and the Certified DPW Manager have reviewed the bids and recommend an award to the lowest responsive and responsible bidder; and,

WHEREAS, the Chief Financial Officer has issued a certificate reflecting that available funds exist in account #6-1-26-290-050 for this purpose; and,

WHEREAS, in accordance with NJAC 5:34-5.3, d (2), this contract award is subject to the availability and appropriation annually of sufficient funds in future years.

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the following contract is hereby awarded to the lowest responsive and responsible bidder; William D. Severs, Co., 109 Lawrence Road, Mahwah, NJ 07430 for the provision of eight snow plow trucks with operators during snow emergencies for a cost of

11/01/16-04/30/17

A. standard rate \$126.00 per hour
B. Sat./Sun./Holiday rate \$132.00 per hour

11/01/17-4/30/18

A. \$128.50 per hour
B. \$135.00 per hour

BE IT FURTHER RESOLVED, that the Township Committee at its' sole discretion may extend the contract for two (2) one (1) year periods in accordance with the bid specifications.

#16-256 Extend Contract for Purchase of Ice Control Materials

WHEREAS, the Township Committee awarded a two (2) year contract for the purchase of ice control materials (granular sodium chloride treated with liquid magnesium – an organic based performance enhancer ice control material) not available on county or state contracts; and,

WHEREAS, a recommendation was received from the certified Public Works Manager that the contract is performed efficiently and effectively and he recommends the contract be extended for one two (2) year period; and,

WHEREAS, the bid specification and the resolution of award provided for a contract extension; and,

WHEREAS, the Chief Financial Officer has issued a certificate of available funds indicating adequate funds exist in 6-01-26-290-140; and,

WHEREAS, the Chief Financial Officer indicates that this award appropriating adequate funds in the 2016 budget and in accordance with NJAC 5:30-5.5(d)1 ii; and,

WHEREAS, the Township Attorney and the Township Administrator have reviewed this procurement and concur with the recommendation: and,

NOW THEREFOR BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a two (2) year contract extension to December 31, 2018 is authorized to Morton Salt, 123 North Upper Wacker Drive, Chicago, IL 60606 for \$91.37 per ton of salt.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the Public Works Manager, Accounts Payable Clerk and the Chief Financial Officer.

#16-257 Extend Contract for the Marketing of Recyclable Organic Leaves

WHEREAS, the Township Committee awarded a three (3) year contract to market recyclable organic leaves into leaf compost which the Department of Public Works collects from its residential curbside leaf collection program via resolution #12-202; and,

WHEREAS, a recommendation was received from the certified Department of Public Works Manager that the contract is performed efficiently and effectively and he recommends the contract be extended for one two (2) year period; and,

WHEREAS, the bid specification and resolution of award provided for this contract extension option.

WHEREAS, the Chief Financial Officer indicates that a certificate of available funds is not required for this contract award because the Township is not expending funds in this contract; and,

WHEREAS, the Township Administrator and Township Attorney have reviewed this procurement and concur with the recommendation.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a two (2) year contract extension through 2017 is awarded to Abma Farm, Inc., 700 Lawlins Road, Wyckoff, NJ 07481 to market its recyclable organic leaves for zero cost in exchange for the leaves

#16-258 Authorize Bergen County Open Space Grant Application

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Township Committee of the Township of Wyckoff desires to further the public interest by obtaining a matching grant of \$12,000 from the County Trust Fund to fund the following project: Improvements to Memorial Field; and,

WHEREAS, the governing body/board has reviewed the County Trust Fund Program Statement and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as many be required; and,

WHEREAS, as part of the application process, the governing body/board received held the required Public Hearing to receive public comments on the proposed park improvements in the application on October 4, 2016; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

WHEREAS, the applicant is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above named project and ensure its completion on or about the project contract expiration date.

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

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of October 13, 2016 as established by the County; and,
2. That in the event of a County Trust Fund award that may be less than the grant amount requested above, the Township Committee has or will secure the balance of funding necessary to complete the project or modify the project as necessary; and,
3. That the Township Committee of the Township of Wyckoff is committed to providing a dollar for dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application its Trust Fund contract or other documentation will be considered eligible for reimbursement.
5. That the Township Committee of the Township of Wyckoff agrees to comply with all applicable federal, state, and local laws, rules and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

#16-259 Refund Certain Overpaid Taxes, Escrows, etc.

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Treasurer is hereby authorized and directed to return certain monies as follows:

BUILDING DEPT.:

Montone Remodeling & Construction, 454 Wagaraw Road, Fair Lawn, New Jersey 07410 – Refund of Performance Guarantee, Road Opening Permit & Inspection fees – Block 516/Lot 25 – 522 Ravine Court - \$1,700.00

Peter Szwed, Prominent Properties, 152 West Saddle River Road, Saddle River, New Jersey 07458 – Refund of CO Inspection due to overpayment – Block 214/Lot 41 – 231 Crescent Avenue - \$50.00

Ridgewood Water, 131 North Maple Avenue, Ridgewood, New Jersey 07450 – Refund of Engineering Escrow – Block 443/Lot 50.01 - \$1,990.00

BOARD OF ADJUSTMENT:

Thomas & Rosemary Seifert, 288 Morse Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 255/Lot 12 - \$424.36

Peter & Beverly TenKate, 268 Monroe Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 256/Lot 4 - \$560.13

Joseph Polise, 541 Richard Place, Wyckoff, New Jersey 07481 – Return of Escrow – Block 377/Lot 30 - \$420.50

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

James Pesce, 460 Carlton Road, Wyckoff, New Jersey 07481 – Return of Escrow – Block 312/Lot 5 - \$557.50

James & Tracey Sinoway, 385 Carriage Lane, Wyckoff, New Jersey 07481 – Return of Escrow – Block 351/Lot 2 - \$253.93

Richard DiMartino & Laura Blackmer, 282 Sycamore Court, Wyckoff, New Jersey 07481 – Return of Escrow – Block 208.01/Lot 19 - \$424.36

TAX REFUND:

Bart & Tracey Gerber, 514 Spencer Drive, Wyckoff, New Jersey 07481 – Refund of 2016 Sewer overpayment – Block 511/Lot 16 - \$234.76

RECREATION:

Lisa Deleo, 628 Wishing Well Road, Wyckoff, New Jersey 07481 – Basketball Refund - \$73.00

#16-260 Put the Brakes on Fatalities Day

WHEREAS, across the nation, traffic crashes caused 35,092 fatalities in 2015, and are the leading cause of death for young people ages 15 to 34; and,

WHEREAS, in New Jersey, 562 individuals lost their lives in traffic crashes in 2015; and,

WHEREAS, alcohol-related crashes accounted for 28% of the State's traffic fatalities, while 26% of all fatal crashes involved traveling at unsafe speeds; and,

WHEREAS, motorcyclists, bicycle riders and pedestrians face increased risks on New Jersey's roadways, as people opt for alternative modes of transportation; and,

WHEREAS, 50 motorcyclists, 17 bicyclists and 173 pedestrians were killed in New Jersey in traffic-related crashes in 2015; and,

WHEREAS, safer driving behaviors such as buckling up, every ride; obeying posted speed limits; stopping for pedestrians in crosswalks and using crosswalks when walking; avoiding aggressive driving behaviors; never driving impaired; wearing proper safety gear while riding a motorcycle or bicycle; and, focusing solely on driving by avoiding distractions, can dramatically reduce the number of traffic-related injuries and deaths.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey do hereby proclaim October 10, 2016, **Put the Brakes on Fatalities Day** and call upon everyone to put these lifesaving behaviors into practice to improve safety on the roadways in our community and throughout the State.

#16-261 Review of Best Practices Check List

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 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 21, 2016; and,

WHEREAS, the Best Practices Checklist was completed and submitted to the State by October 21, 2016 and was discussed at the Township Committee's October 4, 2016 Public Business Meeting; and,

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

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.

#16-C12 Closed Session – NJSA 10:4-12(b)7 – Pending Litigation

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

WHEREAS, the “Open Public Meetings Act”, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and,

WHEREAS, it was necessary for the Township Committee of the Township of Wyckoff to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b (7) and designated below:

a. NJSA 10:4-12b(7) - Pending Litigation

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on October 4, 2016, hereby authorize, that an Executive Session closed to the public shall be conducted on October 4, 2016, in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

II Motions

- a. Approve Eastern Christian Children’s Retreat request for their “52nd Annual Country Fair” at Memorial Field on September 23,

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

- 2017 (Raindate October 7, 2017).
- b. Authorize Wyckoff Reformed Church's ten (10) day temporary sign request advertising their "Annual Holiday Fair", scheduled for November 19, 2016.

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

III Ordinance – Public Hearing/Further Consideration

#1814 – AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 177, "VEHICLES AND TRAFFIC" ARTICLE XIII, TRAFFIC CONTROL FOR STREETS AND HIGHWAY CONSTRUCTION, SECTION 177-53 "ADOPTION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS; PENALTY."

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1814 , entitled:

#1814 – AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 177, "VEHICLES AND TRAFFIC" ARTICLE XIII, TRAFFIC CONTROL FOR STREETS AND HIGHWAY CONSTRUCTION, SECTION 177-53 "ADOPTION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS; PENALTY."

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

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

COMMITTEEMAN SCANLAN: Seconded.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1814 , and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN SCANLAN: Seconded.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1814 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN BOONSTRA: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

TOWNSHIP OF WYCKOFF

#1814 – AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 177, “VEHICLES AND TRAFFIC” ARTICLE XIII, TRAFFIC CONTROL FOR STREETS AND HIGHWAY CONSTRUCTION, SECTION 177-53 “ADOPTION OF MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS; PENALTY.”

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that Section 177-53, “Adoption of Manual on Uniform Traffic Control Devices for Streets and Highways; penalty is supplemented and amended as follows:

SECTION 1 Chapter 177-53 is hereby amended and supplemented to read as follows:

177-53. Adoption of Manual on Uniform Traffic Control Devices for streets and highway; penalty.

The Township Committee hereby finds and declares that problems of traffic control occur when traffic must be moved through or around road or street construction, maintenance operations and utility work, above or below ground, which requires blocking the roadway and obstruction the normal flow of traffic; and that such obstructions are or can become dangerous when not properly controlled. In order to better promote the public health, safety, peace and welfare, it is necessary to establish controls and regulations directed to the safe and expeditious movement of traffic through construction and maintenance zones and to provide safety for the work forces performing these operations. Therefore, the Township Committee does hereby adopt the current Manual on Uniform Traffic Control Devices, 2009 MUTCD with revisions 1 and 2, May 2012, hereafter known as “MUTCD,” except as hereby amended and supplemented, as it controls and regulates whenever construction, maintenance operations or utility work obstructs the normal flow of traffic. Any person, contractor or utility work obstructs the normal flow of traffic. Any person contractor or utility who fails to comply with the provision of MUTCD while performing such work is in violation of this section.

A.
Preconstruction meetings are required. It shall be the responsibility of the person, contractor or utility, in the case of a public utility as required under the public utility agreement, Section 16:25-9.2, [1] wishing to conduct work on, under or above the roadway to contact the Traffic Bureau of the Township of Wyckoff Police Department in order to arrange a preconstruction meeting in order to submit plans for the safe movement of traffic during such period of construction

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

work. Any person, contractor or utility who fails to comply with this section prior to the start of such work or whose plans are not approved by the Traffic Bureau of the Township of Wyckoff Police Department is in violation of this section.

[1]

Editor's Note: The public utility agreement is on file in the Township offices.

B.

Emergency contact phone numbers. The person, contractor or utility shall provide the Traffic Bureau with at least two emergency contact phone numbers to be called in case of emergency problems at the construction or maintenance site prior to the start of any work. If for any reason emergency contacts cannot be reached or if the emergency contact person does not respond to a call from the Police Department to correct a hazardous condition, the Township may respond to correct such hazardous condition. The reasonable fees for such emergency services by the Township shall be charged to the person, contractor or utility responsible for the condition.

C.

Time limits. There shall be no construction, maintenance operations or utility work on any roadway in the Township before the hour of 9:00 a.m. or after 4:00 p.m. This time limit may be adjusted to permit work prior to 9:00a.m. or after 4:00p.m. by the officer in charge of the Traffic Bureau of the Township of Wyckoff Police Department. If it is determined by the officer in charge of the Traffic Bureau that the construction or maintenance operation prior to 9:00 a.m. or after 4:00 p. m. would substantially delay traffic or cause a safety or health hazard, the work shall then be permitted only between 9:00 a.m. and 4:00 p.m.

D.

~~Road closing and detours. Road closings and/or traffic detours shall not be permitted unless approved by the Township of Wyckoff Police Traffic Bureau.~~

Road closing and detours: Road and/or lane closures and traffic detours shall not be permitted unless approved by the Wyckoff Police Department Traffic Safety Bureau. It shall be the responsibility of the person, contractor or utility to provide a detailed outline of the proposed road and/or lane closure and traffic detour prior to any work beginning. This must approved by Wyckoff Police Traffic Bureau (or his /her designee).

E.

~~Traffic control officers. Traffic control officers shall be posted at all construction sites when determined by the Township of Wyckoff Police Traffic Bureau that the same is necessary to provide for the safety and expeditious movement of traffic.~~

Traffic control officers: For the purpose of this article, a traffic control officer is that individual who is responsible for traffic control at a roadway work/maintenance site and is a Township of Wyckoff Police Officer.

1. Traffic control officers and police emergency vehicles shall be posted at all roadway/maintenance work sites when determined by the Wyckoff Police Traffic Safety Bureau that the same is necessary to provide for the safety and expeditious movement of traffic.

2. Civilian flaggers shall not be used unless the Township of Wyckoff Police Department cannot provide traffic control officers with an emergency vehicle or approved by the Wyckoff Police Traffic Safety Bureau. Civilian Flaggers shall not be used a traffic control officers in any work/maintenance zone, which contains an intersection with traffic control device, or cause an impact/delay, which creates unsafe travel at any intersection with in the Township of Wyckoff. In those cases a traffic control officer must be used.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

3. Civilian flaggers must meet qualification set forth in Section 6E of the MUTCD and is a certified flagger by Rutgers University or comparable organization. Civilian flaggers must be in possession of their certification when working in any work/maintenance zone and be able to present them upon request. These assignment shall be approved by the Chief of Police, Wyckoff Police Traffic Safety Bureau (or his/her designee)

F.
~~Stop work. The Traffic Bureau of the Township of Wyckoff Police Department shall have the authority to stop work, including the removal of equipment and vehicles and stored material within the street right of way, backfilling of open excavations and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation of this section.~~
Stop Work: The Traffic Safety Bureau and Township of Wyckoff Police Officers shall have the authority to stop all work, including the removal of equipment and vehicle and stored material within the work/maintenance zone (street right of way) backfilling of open excavations and/or other related work, in order to abate any nuisance and/or safety hazard or for any violation this section.

G.
Violations and penalties.

(1)
Any person, contractor or utility who commits a violation of this article shall, upon conviction thereof for a first offense, pay a fine of not less than \$100 nor more than \$500 and/or be imprisoned in the County Jail for a term not exceeding 90 days; for a second offense, upon conviction thereof, pay a fine of not less than \$250 and/or be imprisoned in the County Jail for a term not exceeding 90 days; for a third or subsequent conviction, pay a fine or not less than \$500 and/or be imprisoned in the County Jail for a term not exceeding 90 days.

(2)
A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

SECTION 2- Except as herein amended and supplemented, all other provision of Chapter 177 of the Code of the Township of Wyckoff, Vehicles and Traffic, shall remain in full force and effect.

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

Presentation of Colors

Flag Salute

The Township Committee proceeded with the Pledge of Allegiance led by Lieutenant Charles VanDyk.

Invocation

The Invocation was given by Reverend Andy Kadzban from Wyckoff Reformed Church.

Promotion of Acting Police Chief David V. Murphy to Wyckoff Chief of Police

MOTION: ROONEY SECOND: BOONSTRA
BOONSTRA YES CAROLAN ABSENT MADIGAN YES SCANLAN YES
ROONEY YES

Mayor Kevin J. Rooney Administered the Oath of Office to Police Chief David V. Murphy.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

**Wyckoff Mayor Kevin J. Rooney Swears-In New
Police Chief**

Tonight, Mayor Kevin J. Rooney officially swore-in Acting Chief David Murphy as the Wyckoff Chief of Police.

“Acting Chief of Police David Murphy will continue to serve as Wyckoff’s top law enforcement officer and I am extremely proud to remove the word ‘Acting’ from his title,” said Wyckoff Township Mayor Kevin J. Rooney. “Chief of Police Murphy has earned this position and the confidence of the residents of Wyckoff, by his dedication and commitment to improve our police department and keep all of our residents safe.”

The new Chief of Police has 21 years of law enforcement experience. Of those 21 years, he has spent the last 10 in a police leadership position.

He is a highly trained and decorated officer and has received the END DWI Award twice, an Assembly Commendation regarding the END DWI initiative, numerous Letters of Merit for his work as a law enforcement officer, and two Written Commendations regarding his response to armed robberies of a jewelry store in 2001 and 2011.

During his career, Chief Murphy has received the 9-11 Dana Hannon Distinguished Service Award and served our township as a volunteer firefighter for 25 years including Wyckoff Fire Department Chief for four years.

Mayor Rooney concluded, “The citizens of Wyckoff will be proud of their police force under steady leadership and professionalism demonstrated by Chief Murphy. Making David Murphy the permanent Chief of Police was an easy decision for me to make as Mayor and the rest of the township committee.”

Recognition of Officer Terrence Murphy and the efforts of the Wyckoff Police Department and the Wyckoff Volunteer Ambulance Corps.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 4, 2016**

**Wyckoff Mayor Kevin J. Rooney Recognizes
Heroic Police Officer**

Tonight, Mayor Kevin J. Rooney honored Police Officer Terrence Murphy for going above and beyond the call of duty by saving the life of a young Wyckoff resident.

Mayor Rooney stated, "Officer Terrence Murphy personified his oath by saving the life of a young man with a serious injury. His actions demonstrate the very best of law enforcement officers and their respect for the residents they serve. We are fortunate to have Officer Terrence Murphy on the force protecting the well-being of our fellow residents, business owners and visitors."

The Mayor recognized the courageous actions of Officer Terrence Murphy. On August 22, 2016, Officer Murphy and Officer Kevin Pinches responded to a call for medical assistance. Officer Murphy immediately recognized that this was not going to be an ordinary call for assistance. Officer Murphy found that the young man severely injured himself by putting his arm through an old glass plate window of a side door to a garage. The teen had struck an artery and was losing a large amount of blood. Due to the training he had received, Officer Murphy recognized that he had only a few minutes to act. After assessing the trauma, Officer Murphy took action immediately.

Remembering that Officer William Plisich had stocked a "Quik-Clot" bandage (primarily used for bullet wounds) in his medical bag, Officer Murphy put the lifesaving tool to work and affixed it to the wound while applying direct pressure. Officer Murphy was able to control and stop the active bleeding. In the meantime, Wyckoff Volunteer Ambulance Corps members Hayley Rooney and Jen Martin arrived on scene and took over the young man's care.

Both Wyckoff police officers traveled to the hospital with the injured teen. Once at the hospital, the teen was immediately brought into surgery. If not for the actions of Officer Murphy, the outcome of this incident would have been gravely different.

At the conclusion of the presentation, Mayor Rooney added, "As Mayor and Police Commissioner, I feel that it is my responsibility to recognize members of our police department that go above and beyond the call of duty or in the case of Officer Murphy, whom take quick and decisive action which ultimately saves a life. The fine work of the officers and first responders involved demonstrates the devotion and esteem these civil servants have for our community. The entire township committee shares in honoring Officer Terrence Murphy for his heroic actions."

IV Meeting adjourned 9:30 p.m.

Kevin J. Rooney
Mayor

Joyce C. Santimauro
Municipal Clerk