

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

Mayor Brian D. Scanlan opened the Open Work Session Meeting at 7:00 p.m. in the second floor municipal court room.

Municipal Clerk Santimauro 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 and 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 mailed to said newspapers."

Present: Mayor Brian D. Scanlan, Committeemen Thomas J. Madigan, Rudolf E. Boonstra, Timothy E. Shanley and Melissa D. Rubenstein

Also Present: Township Administrator Robert J. Shannon, Jr., Township Attorney Robert Landel, Municipal Clerk Joyce C. Santimauro and Thomas Garlick, Esq.

Mayor Scanlan 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, with a motion from Committeeman Shanley, seconded by Committeeman Madigan.

1. Richard Lynch, 377 Sicomac Avenue introduced himself as a past President of the Wyckoff Historical Society and a Zabriskie House Trustee. Dr. Lynch referred to an article in the recent newspaper concerning a historic home in Midland Park, built in 1736 which is in jeopardy of being demolished. The Borough of Midland Park does not have a historic preservation commission and historic preservation element of their master plan. Dr. Lynch explained the various projects the Wyckoff Historical Society has performed including providing bronze plaques for historic homes as well as grave stone restorations at the Union Cemetery off of Franklin Avenue. This Fall, the Wyckoff Historical Society will conduct a historic walking tour on the second Saturday in October. Dr. Lynch asked the Township Committee to "take the next step" to protect the approximately thirteen (13) colonial era historic homes in the Township of Wyckoff and establish a historic commission and a historic preservation element of the Master Plan.

2. Ted L'Estrang, 43 Prospect Hill Road, Cuddebackville, New York advised the governing body that July 20th marked the 19th anniversary that the Chinese Communist Party has persecuted prisoners of conscience in China and harvest their organs. Mr. L'Estrang explained how the Chinese government has a policy to harvest organs from prisoners and people of conscience that are placed in jail. The international community is objecting to this new form of genocide. Mr. L'Estrang is visiting all municipalities in Bergen County to request that they join in the opposition to this practice which continues in China. Copies of resolutions were distributed to the Municipal Clerk for governing body dissemination.

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

Mayor Scanlan advised that the Finance Committee has reviewed and signed vouchers.

The Township Committee received a presentation by Ms. Kerry Plugh, Director of Local Government Services for the New Jersey Department of Environmental Protection (NJDEP). Ms. Plugh stated that she is the liaison to municipalities for

PAGE NO.

**TOWNSHIP OF WYCKOFF
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SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

twenty-one (21) programs that the NJDEP provides related to municipal government. She is here this evening to offer her services should the need arise. Mayor Scanlan advised Ms. Plugh that the Township suffers from a recurring problem where the New Jersey Department of Transportation (NJDOT) utilizes the Route 208 southbound Russell Avenue infield as a "dumping ground" and construction yard. This is one of the few gateways into Wyckoff and the NJDOT creates a negative impact or view of the Township of Wyckoff for the many visitors and motorists who enter into the town. Ms. Plugh's assistance is requested to prevent this problem from continuing.

Committeeman Madigan inquired how the NJDEP can limit the number of new house water connections a water purveyor can provide and Ridgewood Water prevents new house connections in Wyckoff but permits water connections in Ridgewood. Ms. Plugh responded that the NJDEP regulates every water system's allocation capacity but will further research this matter.

Administrator Shannon then asked Ms. Plugh if she could play a role with the NJDEP Leadership by cautioning them to stop balancing their budget on the backs of the municipal taxpayers when the NJDEP encourages recycling and leaf composting. However, in 1968 when the Township instituted its leaf compost facility, the municipality paid NO fee to the NJDEP. The current cost now is \$21,000 per year and the town is required to pay NJDEP for the right to use township property for leaf composting even though the NJDEP encourages leaf composting as a recycling action. Every five (5) years, Wyckoff must submit a new site plan that must comply with the NJDEP's new cost generative rules in order to continue the leaf compost facility operational. It is understood that the NJDEP has made their services a revenue producing function to assist with their budget, it simply shifts the obligation from State taxpayers to municipal taxpayers. Ms. Plugh requested the Township send a letter in this regard. Mr. Shannon again stressed to Ms. Plugh, when in conversation with high level NJDEP decision makers, please convey to them that these actions are cost generative to the taxpayers.

Secondly, Mr. Shannon asked Ms. Plugh what the NJDEP is doing to assist municipalities with the current situation regarding the overseas markets requiring recyclables with less than half of one percent contamination rate. In the Township of Wyckoff, our recycling program had to switch from single stream recycling (which saved the town \$200,000 a year) to dual stream recycling. The local regional recycling markets were of little help however, the Township Committee has confronted this problem and is acting responsibly because encouraging recycling is a good thing for the community and State. Ms. Plugh stated that this issue is not just a Wyckoff problem – it is a State problem. She encouraged the governing body to send a letter defining this matter of importance.

Committeewoman Rubenstein asked Ms. Plugh if she had any environmental educational or environmental awareness programs that the governing body may provide to the public library. Our library does a fantastic job with programs for young children and including environmental awareness would be a great fit. Ms. Plugh will forward that information to the Township.

The Township Committee thanked Ms. Plugh for her time and expertise this evening.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

Review of the 8:00 p.m. Agenda:

The Administrator reviewed the following:

1. A resolution has been proposed to appoint a law enforcement humane officer and team because the ASPCA has been disbanded. The team will consist of Police Officer Mike Teegan and Animal Control Officer Carol Tyler.
2. The Wyckoff Chamber of Commerce will make three (3) presentations this evening. The first presentation is the three (3) winners of their photo contest. The second presentation will be to the Wyckoff Volunteer Ambulance Corp and the third presentation goes to the Wyckoff Volunteer Fire Department.
3. The Municipal Clerk has advised that two (2) resolutions will be considered at the August 21, 2018 meeting for the renewal of the liquor license currently sited at the Brownstone Inn. Then a person to person transfer of that liquor license will follow.

Policy Action Items:

1. With regard to the affordable housing litigation, Mayor Scanlan requested a review of the letter agreement with the intervenor. Mr. Landel advised that he must review this agreement in Closed Session this evening.
2. Mayor Scanlan reported that an Artificial Turf Field Committee Meeting will be conducted by Committeewoman Rubenstein and Committeeman Shanley on Thursday, August 9, 2018 at 7:00 p.m.
3. On Monday, August 6, 2018 a Fire Truck Committee, consisting of Mayor Scanlan, Committeeman Madigan and Administrator Shannon met with the fire department to review the fire apparatus replacement schedule and their plan.
4. As it relates to the Joint Insurance Fund (JIF) Land Use Training, part of the Risk Management Program, Mr. Landel will instruct the Township Committee, the Planning Board and Board of Adjustment members on Monday, August 20, 2018 at 7:00 p.m. and Monday, September 24, 2018 at 7:00 p.m.
5. With regard to a successor to Elizabeth McKenzie, the current Affordable Housing Planner who is retiring, a subcommittee was established to evaluate options and report any progress to the governing body.
6. The Township Committee discussed the Ridgewood water matters specifically, the governing body's attempt to effectuate change through legislation and involvement of the Board of Public Utilities and the Governor's Office. A response was received from the Board of Public Utilities indicating they have no jurisdiction over Ridgewood Water since a law was passed which allows them to charge their own water rates. The Township Committee indicated that the Board of Public Utilities responded with book knowledge as opposed to reading the entire communication. When an automatic 5% is taken from the water utility annually to use as a revenue source for their operating budget and at the same time, allocate expenses, they are in fact "double dipping" and not charging a uniform water rate. A Township Committee consensus existed for the Administrator to contact the lawyer and request a meeting for an update with all three (3) municipalities for further discussion.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

7. Mayor Scanlan discussed the Township Committee's many efforts to prod Orange & Rockland Utilities to being more responsive and to encourage best practices to prevent the duration that Wyckoff residents spent without power this past March due to Winter Storms Riley and Quinn. A response was received from the Board of Public Utilities which essentially states they cannot mandate the disfranchising of Wyckoff from Orange & Rockland Utilities service area. That decision would have to be negotiated between Orange & Rockland and another utility that would purchase their infrastructure. The governing body was surprised it took five (5) months to respond with their decision and also with the lack of assistance with communication improvements and the number of line technicians on the ground when power is deactivated. Committeewoman Rubenstein commented that the Orange & Rockland letter to the Board of Public Utilities did not address the request for a process to assist the most vulnerable (residents who require life support equipment). The Board of Public Utilities report did state that Orange & Rockland does give priority to customers in New York.
8. Mayor Scanlan discussed the request from Committeeman Madigan for information regarding how to protect historic structures in Wyckoff. Essentially, with guidance from Mr. Landel's Office, the governing body could consider a historic preservation element of the Master Plan by establishing one (1) of two (2) types of historic preservation commissions. The commissions would consist of seven (7) to nine (9) individuals and would require the identification of historic homes. The real concern is that a home deemed historic and listed on the State or County list of historic properties could still be demolished by a new purchaser. The Administrator was asked to request if any of the municipalities in Northwest Bergen County had such a historic preservation commission. The Township Committee discussed various options and determined to reconsider this request at the first meeting in September.

At 8:00 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to conduct the Public Business Meeting.

At 8:25 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

9. In accordance with the public comment at the Public Business Meeting by Kenneth Porro, member if the Ramapo/Indian Hills Board of Education, the busing dispute presented to the governing body for guidance at last meeting, appears to have been resolved. However, the Administrator stated there a "few loose ends" that require completion. After meeting with residents at the last meeting, the Administrator was tasked to review the two (2) frequently asked questions posted on the Ramapo/Indian Hills Board of Education website. The first FAQ left out the fact that the municipality can require subscription busing, but may only be done through an interlocal services agreement with the board of education and the board of education must provide the busing. The second unanswered FAQ is the demand from a resident that the Township Committee has an obligation to provide a safe sidewalk route to schools. From that comment, the police department inspected the walking route from the Hartung neighborhood where there are no sidewalks to Eder Avenue. The Township Attorney's Office has advised that there is no

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

statute or case law that compels a municipality to provide a safe sidewalk route to school. Therefore, the second FAQ response should be sent to the school board members.

Review of the 2018 Municipal Road Resurfacing Project:

This year, by the Township Committee appropriating extra finds in the 2018 Capital Budget to address the condition of the municipal roads, the Administrator explained the process that a municipality follows to determine which roads to pave is similar to an analogy of a "medical triage". There may be many roads that need attention however, the roads selected are the roads in most need of repaving. The following roads were paved:

1. Martom Road
 2. Anthony Place
 3. Van Houten Avenue (Martom to RWD Water property)
 4. Pathway Manor (Voorhis to Martom)
 5. West Shore Drive (Pathway to cul-de-sac)
 6. Harding Road
 7. Van Schiak Lane
 8. Timberline Drive
 9. Hickory Hill Road
 10. Merrywood Drive (top only)
 11. Squawbrook Road
 12. Ravine Court
 13. Ravine Avenue (Grandview to Spencer)
 14. Spencer Drive (portion)
 15. Lakeview Drive (Cedar Hill to Carriage)
 17. Sheldon Street
 18. Allison Way/Carriage Lane (Lakeview Drive from Cedar Hill)
 19. Lake Road, Domm Court & Nydam Lane
 20. Overlook Drive & Buena Vista Way
 21. West Shore Drive
 22. Buckingham Circle
 23. Raymond Lane
 24. Eugene Way
 25. Norma Street
 26. Crescent Avenue paved with a \$167,500 State grant.
 27. Lafayette Avenue paved with a \$215,000 State grant.
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10. Mayor Scanlan reviewed the memorandum regarding a recommendation that the 2018 New Jersey Department of Transportation Grant Application should be for Greenwood Avenue which connects to two (2) County roads specifically, Wyckoff Avenue and Godwin Avenue. The Township Committee agreed.
 11. A communication was received from Ridgewood Water regarding water conservation. Mayor Scanlan and Committeeman Shanley will contact the Director of Ridgewood Water and the Mayor of the Village of Ridgewood to discuss this matter.
 12. A written proposal to purchase 500 – 32 gallon recycling barrels with lids for approximately \$9,600 is provided for consideration. Each barrel would be sold for \$20.00, limiting two (2) barrels per resident. The governing body discussed this at length as another technique to encourage recycling. The Clerk's Office has received many inquiries with regard to the sale of recycling barrels. The barrels will be blue and the recycling logo white. A discussion ensued and a consensus reached to move forward with the purchase due to the lead time for delivery.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

13. The Administrator requested authority from the Township Committee to launch the new recycling "app", Recycle Coach. The recycling app was vetted by Denise Capparelli and is expected to be a significant and useful tool to help residents with the new dual stream recycling program.
14. A recommendation was received from Lakeland Bank for the return of escrow deposit and surety cash to guarantee the construction in interior block parking when and if it is invoked. A question was raised by Mayor Scanlan if the recommendation dealt with the interior block parking surety, the driveway bond cash surety or the engineering escrow deposit. The Administrator will request a revised report from the Township Engineer for governing body consideration.
15. At the next meeting on Tuesday, August 21, 2018 the New Jersey Police Chief's Association will be present to present the accreditation status to the Township Committee and Police Chief Murphy.

Report of the Administrator:

1. Mr. Shannon thanked the Township Attorney for agreeing to provide the land use liability protection training.
2. Mayor Scanlan, Committeeman Boonstra and Mr. Landel will meet with the Bergen County Open Space Staff on Thursday, August 16, 2018 at 10:00 a.m. to discuss the Maple Lake Open Space Land Acquisition Grant Application.
3. With regard to the signage at Wyckoff and Franklin Avenues to implement the ordinance adopted at last meeting to prohibit right turns onto Franklin Avenue from Wyckoff Avenue for vehicles over ten (10) tons. The signage, posted by Bergen County does not appear to be adequate. Additional signs including pictorials that demonstrate the size of a prohibited truck have been ordered and will be posted by the DPW.
4. The Administrator provided an update concerning the new registrants to social media and the E-News communication. Every month, these communication sources are increasing exponentially and it helps promote our program, "If you don't connect with us, we cannot connect with you."
5. The Wyckoff Volunteer Fire Department Annual Fireworks Fundraiser is scheduled for Saturday, September 1, 2018. A public service announcement has been posted on the municipal social media sites.
6. The October public business meeting dates have been changed to October 2nd and October 16th.
7. In the field of safety, three (3) new safety guidelines have been issued to our inspectors this week.
8. The meeting minutes from the recent fire department truck meeting will be provided by Friday, August 10, 2018.
9. The Administrator thanked Mr. Landel and his office staff for their assistance with the complex and lengthy OPRA form from the Fair Share Audit Team.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

10. The Summer Recreation Camp Program for children in grades 1-4 experienced 744 campers. Additionally, twenty-nine (29) camp counsellors and thirty-two (32) counsellors in training had their first opportunity at a work force experience.
The middle school camp which provides Summer Camp for 226 – fifth, sixth, seventh & eighth graders was conducted as per a bid contract by the Wyckoff Family YMCA.
The Summer Recreation Program also offered eight (8) separate sports clinics of which a total of 214 children participated.
11. A form has been updated for clarity and also branded which allows property owners who wish to install sprinkler systems in the unpaved right-of-way to do so however, they incur any and all liability that may be caused due to snow plowing, etc. and indemnifies the municipality.
12. Mr. Shannon thanked the governing body for their courage and responsiveness in confronting and addressing the recycling issue recently "dropped" on the community doorstep. Recycling is a good public policy which required a thorough and responsible approach. The Township Staff has been working to achieve that goal from social media posting to direct mail newsletter to our posters at the commuter bus stop, the Library, the Larkin House Senior Center and the Wyckoff YMCA, to providing thorough and complete answers to residents who call Town Hall. The Township Committee thanked the Administrator and his Staff for their response to the challenge.
13. Mayor Scanlan questioned the memo from the CFO/Tax Collector regarding a policy that addresses payment with cash. A brief discussion resulted on whether payment with cash can be limited or abolished. The Administrator recommended the Finance Committee meet with the CFO on this matter to reach a recommendation.
14. The Administrator reviewed a survey of eight (8) other communities which similar to Ridgewood can adopt water rates by a simple majority vote of their governing body.

Township Committee Report:

Rudy Boonstra:

1. Mr. Boonstra attended the latest Planning Board Meeting where the Snyder Family Homestead property at the corner of Ravine Avenue and Wiltsie Court is a proposed subdivision.
2. A memorandum from the Police Department was distributed advising that a review of the signage on the roads leading to each school could be improved. A resident from Calvin Court reported that parents are parking where children ride their bicycles.
3. On Tuesday, August 21, 2018 the Police Chiefs Association will be in attendance for a ceremony to present the Wyckoff Police with accreditation.
4. A senior police sergeant will be retiring effective 12/31/18 and a process needs to begin to recruit a replacement officer. The Township Committee approved.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

5. This past week, a traffic detail was conducted at the intersection of Wyckoff Avenue and Main Street with the New Jersey Division of Motor Vehicles. Approximately twenty-six (26) summonses were issued. The Township will issue a public service announcement on its website and e-news to explain why this type of enforcement creates a safer community.

Melissa Rubenstein:

1. Ms. Rubenstein attended the Design Review Advisory Board Meeting this evening where it was determined to refer the proposed bank design at 345 Franklin Avenue to the Planning Board.
2. A vacancy stills exists on the Wyckoff Board of Health.
3. As way of leading by example, the Township Committee may consider banning plastic water bottles from their meetings.
4. Ms. Rubenstein expressed her condolences to Temple Beth Rishon for the loss of Cantor Ilan Mamber who served the temple for three (3) decades.

Thomas Madigan:

1. Mr. Madigan attended the recent meeting of the Zabriskie House Trustees where the preservation of the structure was discussed.
2. The Environmental Commission did not meet in the month of July. A meeting is scheduled this month.
3. Mr. Madigan thanked the Chamber of Commerce specifically, President Howie Felixbrod for his leadership and his many meritorious gestures to benefit the community.

Timothy Shanley:

1. Mr. Shanley attended the last meeting of the Board of Adjustment where one (1) application was denied when a property owner installed an air conditioning unit without a permit, then applied for a variance. The Board of Adjustment required the air conditioning unit to be removed and relocated to the rear yard. The Board also granted the variance for the Old Woods Road home construction after the first meeting of which eleven (11) residents spoke and the applicant subsequently reduced the square footage of the structure.
2. At a recent Special Meeting for the Christian Health Care Center, the Board of Adjustment approved the revised site plan and the approval of the Bergen County required traffic signal at the intersection of Sicomac Avenue and Cedar Hill Avenue. The Christian Health Care Center must now apply to the Passaic County Planning Board since the property borders two (2) municipalities and two (2) county roads.
3. At the next public business meeting, Mr. Shanley intends to propose a resolution that focuses on Cancer Awareness Month, specifically, a program entitled "Going Gold" for childhood cancer awareness.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**

Mayor Scanlan:

1. Mayor Scanlan noted that no reporter was present this morning.
2. On Wednesday, August 1, 2018 Mayor Scanlan attended a benefit performance of the musical Oklahoma at the Adler Center in Maywood. It was a benefit for the Aphasia Organization, as it relates to brain injuries.
3. Mayor Scanlan, Committeeman Madigan and Administrator Shannon attended a meeting on Monday, August 6, 2018 with the Wyckoff Volunteer Fire Department to address the inventory of fire vehicles. Currently, there is a thirty-two (32) year old fire truck that the fire department proposes to replace. A follow-up meeting will be scheduled.
4. The Administrator reminded the Township Committee that he has been summoned for Jury Duty on Wednesday, August 8, 2018 at the Bergen County Justice Center.

At 9:20 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to enter into Closed Session discussion via Resolutions #18-C19, #18-C20 and #18-C21.

At 10:30 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

A motion by Committeeman Boonstra, seconded by Committeewoman Rubenstein to authorize Mayor Scanlan sign the agreement letter with the intervenor in the Affordable Housing Litigation. All governing body members voting yes.

Committeeman Madigan proposed a resolution to express to Congressman Gottheimer the concern that the Wyckoff Post Office is not responding to his multiple requests for the post office to replace the outside postal drop box for mail at the post office. Midland Park has two (2) outside postal drop boxes, Ridgewood has three (3) boxes, Franklin Lakes also has three (3) boxes and Waldwick has two (2) boxes. The Township Committee determined to wait two (2) more weeks before adopting this resolution.

Mr. Landel suggested the Township Committee appoint specialized legal counsel to defend the Township in the Tax Appeal Litigation initiated by the owners of the Boulder Run Shopping Center. Mr. Landel will recommend counsel.

The Open Work Session Meeting adjourned at 10:35 p.m.

Brian D. Scanlan
Mayor

Joyce C. Santimauro
Municipal Clerk

PAGE NO.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 7, 2018 – 7:00 P.M.**