

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, JULY 3, 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 and Timothy E. Shanley

Absent: Melissa D. Rubenstein

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

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.

There was no public comment.

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

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

Review of 8:00 pm Agenda

Mayor Scanlan asked the Administrator to review the 8:00 pm agenda and the Administrator reported the following:

1. Three (3) ordinances are on the agenda for introduction this evening.
2. Resolution #18-215 has been amended to reflect a road closure for Lafayette Avenue.
3. Mayor Scanlan suggested regarding Ordinance #1860, which is the marijuana prohibition ordinance, that paraphernalia be further defined. Mr. Landel read the definition of paraphernalia as it relates to marijuana from the New Jersey Criminal Code and a discussion ensued by the governing body as to what is paraphernalia, for example, would that include rolling papers? Additional language was added to the ordinance that states "including but not limited to marijuana equipment and/or devices".

Township Committee Reports:

Timothy E. Shanley

Mr. Shanley reported on the two (2) meetings that were held at Ridgewood Water, specifically, June 25 & June 27, 2018 where the Village of Ridgewood Council reestablished the water rates from 2010 to 2017 and for 2018. These were the water rates that Judge Friscia determined were arbitrary and capricious. The village council accepted the report without change from their expert. The village council discounted everything the tri-municipal alliance expert testified regarding the water rates. Mr. Fiorenzo, the attorney for the tri-municipal alliance, cross examined his expert first, because the village lawyer would not allow Mr. Fiorenzo to cross examine the village expert until after the municipal

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expert was cross examined and questions were asked from the village council. The public hearing lasted until 3:00 am in the morning, because even though Mr. Rogers said they have scheduled Wednesday, July 27th he did not say so until Mr. Fiorenzo asked him specifically if their expert would be available on Wednesday July 27th, which he replied he would not be available. On the 27th the Ridgewood Village Council met and four of the five members voted, one member was absent. It appears that the Village Council wanted to complete this Ordinance before July 1st, because on July 1st the new government of Ridgewood is reorganized and a new mayor and deputy mayor were selected. Mr. Shanley indicated that the Village Council did not exercise their fiduciary responsibility to the water rate payers of Wyckoff, Glen Rock and Midland Park. Mr. Shanley suggested a committee be established of members of all four communities to explore setting up a municipal utilities authority so that Glen Rock, Midland Park and Wyckoff would have a seat at the table rather than having to suffer the crumbs from the Ridgewood table. The Township Committee will adopt Resolution #18-215 later this evening.

Mr. Shanley reported that he attended the regular meeting of the Wyckoff Zoning Board and that a variance application for a home on Old Woods Road brought out 11 members of the public who spoke against an applicant who proposes to build a 7,000 sf house on a 33,000 sf lot. All the surrounding home owners are against it due to the size of the proposed home and the fact that there is a proposal to remove a large number of trees. The Board of Adjustment was able to send the application to the Shade Tree Commission who will be meeting on July 17th to review the proposal for tree removal.

Mr. Shanley said that the Zoning Board has set aside July 10th and July 24th as special meetings to continue the application of the Christian Health Care Center, which is required because the County of Bergen is requiring a traffic signal at the intersection of Cedar Hill Avenue and Sicomac Avenue.

Mr. Shanley reported that on June 22nd he attended the Men's Softball Homerun Derby fundraiser. He thanked Howie Felixbrod for serving food to the football boosters and he thanked Dylan Hartigan for singing the National Anthem.

Mr. Shanley reported that the Parks and Recreation Board cancelled their last meeting did reschedule and have the meeting on July 16

Thomas Madigan:

Mr. Madigan reported he sent a follow up letter to Michelle Damieni the Public Affairs Representative for O&R requesting an update on the points that he specifically raised to improve boots on the ground, improve communication and improve response during times of emergencies.

Mr. Madigan also reported that he attended the Ridgewood Water marathon meeting, which went on to 3:00 am in the morning. Mr. Madigan indicated that Mr. Shanley provided a thorough update of the meeting and described the process as a total sham. Mr. Madigan indicated that the Village Council's comments were inaudible because they all spoke fast and placed their mouths close to the microphones making their comments garbled.

Mr. Madigan thanked Mr. Landel for fine tuning the ordinance to prohibit marijuana sales.

Mr. Madigan indicated that John Adams, a member of a Green Team task force had a proposal and was supposed to attend the meeting tonight. He has gone over Mr. Shannon's head, he has gone over Mr. Madigan's head and wanted to go to the Township Committee to run a styrofoam operation at our Department of Public Works recycling center for a regional area of Bergen County. Mr. Adams must have changed his mind and did not want to attend the Township Committee

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meeting tonight. Mr. Madigan wanted to ensure that the Township Committee was firmly against Mr. Adams styrofoam proposal at the Wyckoff Recycling Center for a number of good reasons. The Township Committee members all agreed. Mayor Scanlan said the focus now needed is to be on the big changes we were making in our recycling program and educating residents on clean recycling and the switch to dual stream. Mr. Madigan asked the Administrator to respond to Mr. Adams request, the Administrator said that he had told Mr. Adams that the proposal would not work, the recycling center is for Wyckoff residents, we have attendants who check I.D.'s and that the Department of Public Works Manager Scott Fisher said the area of the recycling center is all utilized for various recycling and public works functions and that there is no available space.

Rudy Boonstra:

Mr. Boonstra indicated that the first phase of the road paving is on schedule. He also reported that the Northwest Bergen Utilities Authority has submitted an application to the Department of Environmental Protection for a TWA permit, which is a permit to allow the sewer extension to service the Knolls section of town.

Mr. Boonstra said that Lieutenant Charles Van Dyke is starting his 40th year this month with the Wyckoff Police Department and that his dedication to the township and service to the residents of Wyckoff is greatly appreciated.

Mr. Boonstra has attended two affordable housing meetings with the intervener who owns the Maple Lake property. The meeting on July 2, 2018 conducted by Township Attorney Robert Landel drew about 35 residents from the Canterbury Road area.

Mr. Boonstra reported that he also attended the Home Run Derby fund raiser.

Mr. Boonstra reported that there is an application for a two (2) lot subdivision to the Planning Board regarding the former Synder homestead on Ravine Avenue.

Mayor Brian Scanlan:

Mayor Scanlan said that there is no reporter in the audience this evening.

Mayor Scanlan reported that longtime volunteer firefighter John Ruit III passed away this morning and requested a moment of silence at the 8:00 pm meeting in remembrance of John Ruit.

Mayor Scanlan stated that on the agenda tonight is a motion to approve the New Jersey State Firefighter's application for Jr. Firefighter Clayton Alnor to be a full member of the Wyckoff Fire Department now that he has reached the age of 18. His mother and father are both long time volunteers, Clayton's father Rick Alnor has been Mayor of Wyckoff and Fire Chief. At the July 17, 2018 the Mayor will have the honor of swearing in Clayton's younger brother Carson Alnor as a Wyckoff Junior Volunteer Firefighter.

Mayor Scanlan extended congratulations to Bob Shannon, Nancy Cole and Diana McLeod for completing the first on-line form and payment process and he encouraged the team to move forward with additional on-line forms.

Mr. Scanlan reported that although he missed the prior library meeting he did monitor the status the of the meeting and he thanked Mr. Shannon for working with the librarian in terms of seeking out a CDBG grant to replace the chair lift at the library.

Mayor Scanlan said that last night he, Township Committeeman Boonstra and Township Attorney Landel met with between 30-35 residents from Canterbury Lane and Maple Drive to update them on the affordable housing litigation with the

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intervenor who wishes to develop his Maple Lake property for affordable housing and market rate housing.

Administrator's Report

1. Administrator Shannon wished everyone a Happy July 4th and suggested that everyone take time to reflect on the significance of the holiday.
2. The Administrator reported that a communication was received from the Joint Insurance Fund (JIF) regarding land use liability and requested authority for Mr. Landel to conduct a land use liability seminar which will provide additional insurance coverage and protection for members planning board, zoning board and township committee utilizing the JIF power point training program.
3. The Administrator reported that a communication was received from the Alcoholic Beverage Control Commission (ABC) providing authorization for the township committee to renew the inactive liquor license that is currently cited at the Brownstone Inn. Mr. Landel will draft the resolution in this regard.
4. The Administrator reported regarding a dispute that occurred between the property owners on 75 & 79 Colgate on Saturday when a tree contractor, who was authorized by the township to remove an obviously dead tree hanging over an adjacent home. The property owner at 79 Colgate has made statements that in 1975 the township gave them permission to utilize a paper street, which is the extension of Lebanon Street up to Colgate. The Administrator said the responsible thing may be to prevent a future claim of adverse possession to possibly vacate the road in which the four (4) property owners would each receive a quarter and that would place the paper street in taxable property and would produce taxes. Before any such thing would be done a report from the police, fire and DPW would be needed to determine if a public purpose exists for that paper street. The township committee members were asked between now and the next meeting to take a look at the property and it can be further discussed next week.
5. The Administrator indicated that a new procedure has been implemented for vendors who come to town hall to perform a repair, a situation was experienced where a Verizon tech responded, made a repair and left and didn't realize he shut down the town hall telephone system, which resulted in a lot of time over the weekend for the Administrator and CFO to attempt to correct the phone outage.
6. The Administrator pointed out that in the packet was a reply from the zoning officer; occasionally the town receives an inquiry whether a property owner can keep chickens on their property.
7. The township received an inquiry from Kerry Plugh, who is a DEP staffer whose job it is to visit municipalities. She will attend the township committee meeting on August 7.
8. The Administrator reported that the second quarter training report was issued to the Joint Insurance Fund (JIF).
9. The Administrator said that both open space grant applications were submitted to Bergen County.
10. The Administrator reported that a request was submitted to Bergen County to pave a section of Sicomac Avenue between Franklin Lakes and Cedar Hill Avenue.
11. The Administrator indicated that a fairness hearing on the fair share plan before the court is scheduled for Wednesday, July 18 starting at 3:00 pm before

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Judge Toskos, Room 424, Bergen County Justice Center, 10 Main Street, Hackensack, NJ.

12. The Administrator suggested that the resolution adopted requesting a committee be formed to address water rate increases be sent to Governor Murphy and the Director of the Division of Local Government Services. Township Committee agreed.

13. Mayor Scanlan will also contact Glen Rock Mayor Packer and suggest that he utilize the township committee's letter that was sent to District #40 legislators asking for change to be implemented through legislation by sending it to District #38 legislators.

14. The Administrator indicated that his staff is researching the other eight (8) utilities that are allowed to increase water rates simply by a vote of their governing body to see if they are experiencing any similar problems as experienced by Ridgewood Water using surplus from water rate payers as a revenue producing source for their general fund budget.

15. Regarding last meeting's discussion with representatives of Orange & Rockland (O&R), where it became clear that the O&R program to provide assistance to residents with special needs children or special needs adults, does not produce useful assistance. A suggestion was made that the Board of Public Utilities be contacted and asked to mandate a specific program for folks with special needs from utilities.

16. The Administrator indicated that the New Jersey Board of Public Utilities has not responded to the township committee's resolution requesting to leave the Orange & Rockland franchise area. Mayor Scanlan reported that he has heard O&R has responded to the Board of Public Utilities. The Administrator will request through OPRA a copy of that response.

17. The Administrator reviewed the list of township committee meeting dates for 2019 and list of 12 holidays when town hall will be closed in 2019. Township committee approved. April 27, 2019 was approved for Team Up to Tidy Up.

18. The Administrator indicated a successor appointment to the position of Affordable Housing Planner is required.

19. An email was received on June 11, 2018 from Lisa Fonti who resides on Coolidge Terrace. Ms. Fonti indicated she was writing on behalf of young moms who live within close distance to any of our firehouses and she was objecting to the fire alert siren. The following reply was provided to Ms. Fonti:

June 22, 2018

Dear Ms. Fonti,

Your email of June 11, 2018 addressed to the Township Committee was reviewed with the Fire Chiefs and the Fire Officers who volunteer at our three fire companies, as well as with Mayor and Fire Commissioner Brian Scanlan.

The short answer to your question, is that the radio technology pager system does not function consistently. Since the Township has the responsibility to provide public safety, having multiple, overlapping notification systems is reasonable for the population of a community the size of Wyckoff (Eight square miles / 16,000 residents). The fire siren is still the most reliable, efficient and inexpensive way to notify the members despite the other methods that are also in use. The fire houses all have generator backups in case of loss of electricity and are activated through radio a signal which makes them low cost to operate.

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Fire alert sirens serve three key purposes to the public by:

1. Reminding drivers that there may be emergency responders on the road and preventing accidents involving fire trucks as they respond to the incident.
2. Alerting and calming the person who requested assistance that help is on the way.
3. Serving as a backup when pagers or cell phone notifications are not received because the firefighter is in a 'dead' zone.

However, let me apprise you of the limitations and changes that the Wyckoff Volunteer Fire Department has performed to make the fire alert siren less frequent, yet still serve its purpose.

- In recent years, the number of fire alert sirens was cut back from seven (7) to three (3). The three (3) sirens exist at our three (3) fire houses. This decision was based on the premise that when a home is purchased in proximity of a fire house, it is reasonable to expect a fire alert siren and responding fire trucks exiting the fire station. This is similar to when a home is purchased next to a school, business district, public park or house of worship, one should expect the activity associated with that facility to have an impact.
- The hours that the fire siren is scheduled to alert the volunteer fire fighters (who consider these time frames essential for the use of the fire siren) to an alarm of fire was previously reduced to:
Monday – Friday 7:00 am to 9:00 pm
Saturday & Sunday 11:00 am to 7:00 pm

These are the times when our firefighters are less likely to hear a notification by pager/cell phone. We are fortunate to have a dedicated group of volunteers who can cover the weekday daylight hours (typically some volunteer departments struggle with this coverage, because firefighters are at work, often outside of the town they volunteer in.) These daytime Wyckoff volunteers frequently have their own businesses and work in town, but often the work is outside (for instance, in landscaping and construction), and the siren is necessary because they might not otherwise hear an alert sent by radio or cell phone.

Your letter states, "That your husband only gets to sleep in on Saturdays and the (siren sounds) as it does on most Saturdays at 7 am". Since the Wyckoff siren does not activate for an alarm of fire prior to 11 am on Saturdays, possibly you can hear the alert siren from an adjacent municipality.

- The number of revolutions (times the siren sounds) and the period of those revolutions (time of each revolution) which occur when the siren sounds has been reduced to Four (4) revolutions. Again, our volunteer fire fighters consider this reduction the minimum for the function of alerting fire fighters to an alarm of fire.

Some additional facts regarding the Wyckoff Volunteer Fire Department which are worth transmitting:

1. The Wyckoff Volunteer Fire Department has reduced the cost of residential and commercial fire protection insurance. The Wyckoff Volunteer Fire Department has earned a Class 3 rating based on surveys conducted through the Insurance Service Office (ISO)'s Public Protection Classification (PPC) system. A rating of 1 is considered the best, while a 10 indicates no recognized protection. The PPC plays an important role in the underwriting process at insurance companies. In

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fact, most U.S. insurers – including the largest ones, use PPC information as part of their decision-making when deciding what business to write; coverages to offer or prices to charge for personal or commercial property insurance.

A Class 3 rating for a fire department staffed by all volunteers is considered excellent. Wyckoff (one of 566 municipalities in New Jersey) is one of only 63 paid and/or volunteer fire departments in New Jersey to have earned a Class 3 or better rating. In the U.S., only 1,998 fire departments from 47,648 communities that were evaluated by ISO received a Class 3 rating. Our fire department leadership has just completed the rigorous examination by the ISO to renew our rating. ISO requires the firefighters be alerted by redundant systems. For Wyckoff, the sirens are a core element of the daytime redundancy.

2. The Wyckoff Volunteer Fire Department is fully volunteer and not a paid fire department. In 2017, our volunteers logged more than 25,000 hours in training and fire calls. The fact that Wyckoff has men and women who are willing to devote many hours each year from their personal lives to training and then devote time to leaving their homes, family dinners, and their children's sporting events to respond to an alarm of fire is a significant expression of citizenship, but it limits also directly reduces your property taxes.

Just look up the amount of municipal taxes paid in Ridgewood (the closest municipality to Wyckoff with a paid Fire Department) for a home of similar size to yours. All tax assessments and tax payment amounts are public information. An easy search on the Wyckoff web site shows that the total taxes for your home on Coolidge Terrace in 2017 is \$14,546.40. 14% of that total tax bill, or \$2,036.50 is for all municipal services including the Fire Department.

3. When an alarm of fire is activated from a home, the Wyckoff Volunteer Fire Department cannot simply take your assumption that it is, "most likely someone's detector accidentally went off". That may be so, but obviously we can't ignore the alarms. At times there is indeed a fire, and sometimes a life-threatening structure fire. Since the Township has a responsibility for fire response, a multi-notification system is reasonable to achieve that responsibility.

I know that this is not the answer you desired, however, but we do hope it gave you sufficient background on why the siren is an integral part of our volunteer fire department service.

Thank you for writing to us.

Sincerely,

Brian D. Scanlan, Mayor
Rudolf E. Boonstra
Thomas J. Madigan
Melissa D. Rubenstein
Timothy E. Shanley
Tim Brock, Fire Chief Wyckoff Volunteer Fire Department

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Mayor Scanlan asked Township Attorney Rob Landel if he had an update

Township Attorney Report

1. Mr. Landel indicated that he had completed the ordinance to prohibit the sale of marijuana in Wyckoff. He thanked Mr. Madigan for drafting that ordinance.

2. Mr. Landel reported that he, Mayor Scanlan and Mr. Boonstra met with Canterbury Road neighbors last night. Mr. Landel called the intervener's attorney asking if the buffer could be increased in size and reduce the height of the building. He is expecting a reply soon.

3. Mr. Garlick from Mr. Landel's office is working on the resolution to renew the liquor license for the Brownstone Inn and tie it to the sale of the liquor license.

Motion by Mr. Boonstra; Seconded by Mr. Shanley to adjourn the work session meeting. All voted in favor.

Mayor Brian D. Scanlan

Joyce C. Santimauro, Municipal Clerk