

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
MONDAY, SEPTEMBER 17, 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

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

Absent: Committeewoman Melissa D. Rubenstein

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 the 8:00 p.m. Business Agenda:

The Administrator reported that this evening's agenda is as submitted. The Municipal Clerk has provided revised copies of Resolutions #18-262 and #18-264 where minor typographical errors have been resolved.

The Administrator reminded the governing body that a public hearing on Ordinance #1861 is on the agenda for Township Committee consideration. This ordinance is recommended by Police Chief Murphy.

Review of Policy Action Items:

1. The Administrator reviewed a draft letter that Mayor Scanlan prepared to respond to the Orange & Rockland Utilities regarding their corporate counsel's reply to the New Jersey Board of Public Utilities. All governing body members approved the letter and will be finalized for mailing this week.
2. An invitation was received from the Ramapo/Indian Hills Regional High School's Superintendent requesting elected officials and critical staff to attend a meeting on Thursday, September 27, 2018 at 8:00 a.m. at the board office located in Indian Hills High School. A number of governing body members advised they will attend this meeting. Mr. Shannon will prepare an Open Public Meetings Act Compliance statement in this regard.

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3. The Administrator reminded the governing body that the County of Bergen Open Space Division has scheduled the Township to present its land acquisition grant application to the Bergen County Open Space Advisory Board on Wednesday, October 3, 2018 at 7:00 p.m. in the Bergen County Administration Building. Previously, the Township has been successful with these grants when all governing body members were able to attend. The attendance of all governing body members represents a significant statement on the importance of this grant application. Mr. Shannon will also prepare a similar Open Public Meetings Act Compliance statement.
4. A special meeting of the Planning Board has been scheduled for Monday, October 15, 2018 to consider the Fair Share Housing Element, Re-examination Report and the court settlement on the affordable housing plan and litigation.
5. A report prepared by Nancy Cole indicates that the Township's number of followers are increasing each month and following the Township's social media accounts.
6. A significant core requirement was completed on Friday, September 14, 2018 for the annual JIF renewal for the 2019 insurance coverage. The Administrator thanked Denise Capparelli for her assistance with the various schedules requiring completion.
7. Another significant core requirement is the completion of the Joint Insurance Fund Employment Practices Liability Program will be completed this evening when the governing body adopts Resolution #18-254. This resolution will then be added to each succeeding Reorganization Meeting. The completion of this core requirement limits the Township's deductible and caps its co-pay in the event of a loss.
8. Today, the Township received from the Joint Insurance Fund (JIF) approval of its cyber-crime insurance coverage protection plan. The Township has been certified at the highest level specifically, in the event of a loss, the Township would be reimbursed three-quarters (3/4) of the \$10,000 deductible. Mr. Shannon concluded that safety and risk management is a positive fiscal indicator as well as keeping the employees safe from workplace injuries while maintaining a safe environment in all Township facilities.
9. Mayor Scanlan made comment that the Administrator's response for information concerning scheduling the Bergen County Clerk's Satellite Office for a three (3) day period as a service to residents indicated a number of dates in 2019. These dates will be reviewed by staff personnel and a recommendation to be determined at the next meeting. Committeeman Madigan suggested avoiding these meeting dates in April due to the numerous holidays that month.

Report of the Administrator:

1. On Thursday, August 30, 2018 the Recreation Department conducted the second of two "Movies at Memorial" (the Summer Movies in the Park Program). Approximately 150 residents attended and Recreation Director stated that this program was very successful.
2. The Township Committee conducted its third quarter Employee Safety Committee Meeting on Wednesday, August 29, 2018.

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3. Correspondence was received from the Construction Code Official that a \$1,500 penalty was issued to the owner at 284 Martom Road for performing work without a building permit. Performing work without permits is the primary reason that municipalities are mandated by the county to perform costly revaluations.
4. JIF is providing a safe patient lifting program for emergency first responders on Tuesday, September 18, 2018 at 7:30 p.m. at the Fair Lawn Community Center. This information has been forwarded to the Wyckoff Volunteer Ambulance Corp, the Wyckoff Volunteer Fire Department and the Wyckoff Police Department.

Township Committee Reports:

Rudy Boonstra:

1. Mr. Boonstra and Mayor Scanlan met on Saturday, September 8, 2018 with members of the Bergen County Open Space Advisory Board for a tour of the Maple Lake property.
2. Mr. Boonstra attended the Planning Board Meeting on Wednesday, September 12, 2018 where three (3) applications were reviewed for completeness. Planner Elizabeth McKenzie was present at the meeting and provided the Planning Board with a grand tour of the Master Plan and Fair Share Plan history and the process moving forward. Ms. McKenzie is in the process of completing the additional reports that will be submitted prior to the October 15, 2018 public hearing. Mr. Boonstra advised that the application for 406 Highland Avenue was carried to the October Planning Board Meeting.
3. This evening's agenda includes the public hearing and adoption of Ordinance #1861, prepared by the Police Traffic Safety Officer to provide uniformity concerning safer restrictions on all roads leading into the public schools in Wyckoff.
4. The Planning Board has approved the site plan application for the new Shop Rite however, Mr. Boonstra noticed at the construction site on Greenwood Avenue a trailer labeled Recruitment Office and Training Center. The Township Attorney will review the Planning Board resolution of approval since the Township's zoning code only permits a construction trailer for the construction company and advise the governing body in this regard.

Thomas Madigan:

1. Mr. Madigan congratulated Bob Shannon on the celebration of his son's wedding in Maine.
2. Mr. Madigan attended the 911 Memorial Service at Fire Company #1 last Tuesday.
3. The month of September is "Childhood Cancer Awareness Month" and Mr. Madigan is wearing a gold tie this evening in support of childhood cancer awareness.

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4. On the agenda this evening, the governing body will adopt a resolution recognizing and providing awareness for National Suicide Prevention Month. This awareness assists families who have suffered a loss in this manner. The resolution recognizes the family of Jimmy Ganley who passed in 2013. The Ganley Foundation provides many awareness programs in schools and the community.
5. Mr. Madigan cautioned motorists to drive safely as school is back in session. Both he and Committeeman Boonstra, members of the Police Committee have been speaking with the police department and are pleased that patrols have increased around and at the exterior of schools. The schools are responsible for security in the schools.
6. Mr. Madigan attended the Memorial Field Artificial Turf Project Fundraiser on Saturday, September 8, 2018 at the Roger Schnorrbusch residence and thanked all the volunteers who worked diligently at the very successful fundraiser.

Timothy Shanley:

1. Mr. Shanley also attended the 911 Memorial Service and recognized Mayor Scanlan for his thoughtful remarks.
2. The “Movies at Memorial” on Thursday, August 30, 2018 were well attended.
3. Mr. Shanley participated in the Ridgewood Water webinar last week. The webinar focused on Ridgewood’s efforts to activate a number of wells which are not functioning. Ridgewood Water believes if these wells can be placed “online,” they would increase the production of water by one million gallons per day. Mr. Shanley asked a question during the webinar and was disappointed with Ridgewood’s response that their targeted date to bring these wells “online” is sometime in the Summer of 2019. Previously, the Township Committee was informed the target date would be sometime in the Winter of 2018.
4. Mr. Shanley asked the Township Attorney what options the Township has to force Ridgewood Water out of Wyckoff. For example, can the municipality select another water provider? Mr. Shanley explained that Wyckoff customers do not have “a seat at the table.” The Ridgewood Water System provides water to four (4) communities, Ridgewood, Wyckoff, Glen Rock and Midland Park and only Ridgewood has representation. The Township Attorney advised he would begin his research in this regard.
5. A flyer was received at 5:00 p.m. today advising that Ridgewood Water will be conducting an open house in Wyckoff at the Wyckoff Public Library on Thursday, October 4, 2018 from 6:00 to 8:00 p.m. The Administrator will contact Ridgewood Water to inquire as to the purpose of the public hearing. For example, is it a requirement with the Federal Clean Water Act or a Ridgewood Water Initiative to provide information to residents. It was also noted that Ridgewood is providing a similar open house in Midland Park, Ridgewood and Glen Rock. Committeeman Boonstra suggested that questions should be asked regarding the process to lift the restrictions to connect new homes to the water system. The Township Committee instructed the Administrator to provide the Ridgewood Water information to residents in the next weekly E-News communication and placed on the Township’s social media sites.

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6. The Wyckoff Parks and Recreation Advisory Board is conducting a meeting this evening.
7. Mr. Shanley attended the Memorial Field Artificial Turf Fundraiser on Saturday, September 8, 2018 and described the event as well organized and well attended. The fundraising total has not been tabulated at this time however, Mr. Shanley celebrated his 50th Birthday recently and established on his Facebook Page an opportunity for anyone who would like to recognize his birthday, to make a donation to the Memorial Field Artificial Turf Project. To date, \$1,400 has been contributed from his friends and neighbors.
8. The Wyckoff Zoning Board of Adjustment will meet on Thursday, September 20, 2018.

Mayor Scanlan:

1. Mayor Scanlan, Committeeman Boonstra and Committeeman Madigan attended the Fire Company #1 Fundraiser at the Wyckoff Family YMCA Lakehouse/Beach on Thursday, September 6, 2018.
2. A second comedy nigh fundraiser for the fire department is scheduled for Thursday, October 25, 2018 at St. Nicholas Greek Orthodox Church to benefit Sicomac Engine Co. #3.
3. On Friday, September 7, 2018 Mayor Scanlan attended the 5th Congressional Mayors Day in Washington D.C. at his own expense. He met with Congressman Josh Gottheimer and officers from the various federal agencies for the purpose of discussion of how to direct additional tax money back to Wyckoff from the taxes paid by residents to the federal government.
4. Mayor Scanlan participated and attended the St. Elizabeth's Church Food Truck Event on Friday, September 7, 2018.
5. On Saturday, September 8, 2018 Mayor Scanlan and Committeeman Boonstra attended a walk-thru of the Maple Lake property with representatives of the Bergen County Open Space Advisory Board.
6. Mayor Scanlan attended the Football Boosters/Wyckoff Parks and Recreation Foundation Fundraiser on Saturday, September 8, 2018.
7. On Monday, September 10, 2018 Mayor Scanlan visited the three (3) firehouses in Wyckoff and recognized Firefighter Joe Alvarez who is a career firefighter as well as a volunteer firefighter in Wyckoff. Mr. Alvarez is a member of Task Force One which was deployed to North Carolina to assist with the rescue efforts due to Hurricane Florence. Mr. Alvarez and his team have been involved in the rescue of over 100 people thus far. Mayor Scanlan commented that his brother resides in Wilmington, NC whereby he was evacuated from the area due to flooding conditions.
8. Mayor Scanlan attended the 911 Memorial Service and provided fitting remarks at this very moving service.
10. Mayor Scanlan attended the recent Planning Board Meeting and recognized Planner Elizabeth McKenzie for doing an excellent job assembling the many issues for the Planning Board concerning the Far Share Plan and Housing Element.

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11. On Sunday, September 16, 2018 Mayor Scanlan attended an Eagle Scout Code of Honor conducted at the Wyckoff Public Library where Zachary DeCurtis was presented with the rank of Eagle Scout. Zachary's project consisted of a "Peace Garden" at Lincoln School.
12. Mayor Scanlan extended condolences to Congressman Josh Gottheimer, whose mother, Gwenn Feldman, died last week.
13. Mayor Scanlan provided a maintenance proposal from Rosarian Michael Mitchell for the Gardens of Wyckoff and presented the proposal to Committeeman Shanley for review and consideration at the next Wyckoff Parks and Recreation Advisory Board Meeting.
14. Mayor Scanlan and Committeeman Madigan, as the Environmental Commission Liaison, received a proposal from Junior Environmental Commission Member Nick Rea to perform a junior commissioner compost project.

Township Attorney Report:

1. Mr. Landel reported that at last meeting the governing body asked him to review Chapter 183 – Water Emergencies of the Code of the Township of Wyckoff regarding a news article that Ridgewood Water has the ability to disconnect water service to a Wyckoff residential home. Mr. Landel has reviewed that section and Ridgewood Water cannot discontinue water service for non-payment of a water bill. However, language exists that Ridgewood Water may disconnect service for violation of the emergency water restrictions. A discussion resulted as to the enforcement procedure of that code and a suggestion that that section of the code be deleted. It was noted that a need does exist for reasonable water restrictions. Mr. Landel will perform a legal review of the ordinance and prepare a report.
2. Mr. Landel has performed research as requested by the governing body regarding the advisory, consultive and deliberative exemption to the Open Public Records Act. A legal opinion is distributed in that regard for clarity.
3. Previously, Mr. Landel has circulated a draft copy of the floor area ratio ordinance.
4. The Township Attorney advised there is a pending tax appeal with Munico (owner of the Boulder Run Shopping Center). The Township's Tax Appeal Attorney, John Lloyd has a conflict of interest and is unable to defend this tax appeal on behalf of the Township Committee. A number of deadlines are approaching and Mr. Landel requested approval from the governing body to have substitute counsel defend the Township on this regard. The Township Committee approved the request.

Township Committee Comments

Mayor Scanlan: "I just wanted to note for the record that there is no reporter in the court room this evening."

Mr. Boonstra: "Are we doing the minutes verbatim ongoing now? It's two (2) full meetings they have been done verbatim."

Mayor Scanlan: "I see no reason for verbatim as long as the comments in the minutes are civilized."

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Mr. Madigan: "I did note at the last two (2) meetings the township committee discussions were verbatim, I was going to comment when the minutes came up, and not that I have an issue but, the township committee discussion was verbatim the last meeting, but members of the audience comments were not verbatim. I'm wondering about the inconsistency."

Mrs. Santimauro: "I did the public comment portion during the business meeting and your discussions, I did those verbatim."

Mr. Madigan: "Any particular reason why one was one way and the other wasn't?"

Mr. Shannon: "As it relates to the first meeting where there was back and forth discourse with the governing body I was instructed by the Mayor to do those minutes verbatim. Quite frankly, the second meeting where Joyce did the minutes there was also a back and forth discourse with the township committee, the thinking was that no matter how good of a job we did in summarizing the minutes, in that portion where there was a back and forth discourse nobody was going to be happy."

Mr. Madigan: "Well, my only comment would be that the first meeting was like kind of spicy, yet the last meeting the comments from the audience especially with Mr. Melchionne, clarified a lot of the reason that the first meeting was so spicy, yet that's not in the minutes. Wouldn't verbatim help to clarify things? There was a lot of accusations and finger pointing from the first meeting, and yet, when things were read into the record from the audience in the second meeting that was not so important. One effects the other, they are not getting the full story, particularly when I was on the opposite end of it. "

Mr. Shannon: "Would you like Joyce to go back to Mr. Melchionne's comments and the others she will."

Mr. Madigan: "Well, you did with the others and I agree it's a lot of work."

Mrs. Santimauro: "That's no problem."

Mr. Madigan: "I think it would complete the overall picture. So if we are going to do them verbatim, we should do them verbatim."

Mrs. Santimauro: "Ok, that's fine."

Mr. Madigan: "I'm not complaining, it would just complete the overall picture. It's just conspicuous that they were different."

Mr. Shannon: "I understand that, I'm also saying that when Mr. Melchionne was speaking there wasn't a back and forth discussion with the governing body arguing with him. The minutes were done verbatim when the governing body was arguing back and forth."

Mr. Madigan: "My only comment is, and again not to belabor it, that there was a lot of dialogue at the first meeting when the draft was introduced, one paragraph was immediately taken out. We contained the second meeting in the same paragraph and there was a member of the audience who totally cleared up what the paragraph was all about. It's nowhere in the minutes. Maybe we are doing the minutes here for political reasons I don't know. If we are going to do minutes verbatim I would like to have them verbatim."

Mrs. Santimauro: "Tom, I'll do all the public comments verbatim it's not a problem. I don't plan to do all future minutes verbatim."

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Mr. Boonstra: "That comes back to my point, I understand the verbatim was at the Mayor's request."

Mayor Scanlan: "Two things, it was preempted in that I didn't think that anybody was going to be satisfied with a summary of comments, there was a lot of back and forth and how do you summarize the back and forth, I am not entirely clear. I did not instruct Joyce to say, well, do the township committee verbatim and everybody else from the audience summarized. That's the way it was done."

Mr. Boonstra: "Back to my original question."

Mayor Scanlan: "There is a precedent in the January 1 minutes where the minutes were done verbatim regarding the governing body's comments. When there is a contentious issue, we have done the verbatim in the past and not just this year, but I am not suggesting that that be the practice."

Mr. Boonstra: "That was my question, we have done two (2) in a row now and that's my question. If in your judgement it was preemptive, ok, I understand what you are saying."

Mr. Madigan: "Again, since it ended up being contentious, for many reasons and we are not going to go into it, but if there were things that were issues that came up the second time and my position was we had an initial draft and Mr. Shanley took a lot of time to do a complete resolution on many things, yet the last meeting when you look at the last minutes we keep talking about the draft resolution, so let's be extra clear and extra sensitive and extra responsive for people who come and speak up to clarify comments. They talk about the one side, or one group that's wrong or whatever and they say it's not true I think it should be reflected, because otherwise you don't have a complete story. Unless this is totally political."

Mayor Scanlan: "I think we will strike from the 8:00 pm agenda the approval of the September minutes and we will vote on them at the first meeting in October."

Mrs. Santimauro: "Will do."

Mr. Shannon: "For the purpose of clarity Joyce will do Mr. Melchionne's comments verbatim?"

Mr. Madigan: "No, his name came to mind because he directly addressed the major objection that everybody kept having, yet it's not in there. I think everybody should be verbatim, all people who made comments. Start to finish and then hopefully we will go back to minutes being what they normally are in summary."

Mr. Shanley: "I agree."

Mayor Scanlan: "That's fine. I'm pointing out we don't video cast our meetings, which would probably reduce the work load of our township clerk in preparing minutes, then they could be summarized. If anybody really wanted to they could watch the video."

Mr. Madigan: "Ok, but you already pointed out that there is nobody here from the press but this meeting is being filmed."

Mayor Scanlan: "It's not professionally filmed, whether something happens with that or not who knows."

Mr. Madigan: "The last two (2) meetings were filmed."

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Mayor Scanlan: “Tom, including four people who support you.”

Mayor Scanlan: “I think it would be good if the township had its own official filming of the meetings and broadcast them so the people could see what we do here.”

Mr. Madigan: “I’m certainly in favor of transparency. The last time we brought up this subject was a year ago, you did nothing, nothing was planned, nothing was brought out and I haven’t heard anything since.”

Mr. Shanley: “We haven’t had a committee report on the committee that was formed.”

Mr. Madigan: “I totally support transparency.”

Mayor Scanlan: “Then should we have an explanation of this.”

Mr. Madigan: “There’s a committee, there’s a subcommittee set up.”

Mr. Shanley: “Melissa and Rudy are on it.”

Mr. Madigan: “How’s that going?”

Mr. Boonstra: “Never asked us to set up a meeting.”

Mr. Madigan: “Let’s call the kettle black.

Mayor Scanlan: “You have been opposed though in the past.”

Mr. Madigan: “I was opposed last year based upon the cost implications, it was not budgeted and a concern of theatrics, that’s why we put together a subcommittee. You are the chairperson, put a subcommittee meeting together. My position is I am totally in favor of full transparency at all times.”

Mr. Shanley: “My concern was that I wanted to make sure it was done the right way and that’s why the committee was set up.”

Mayor Scanlan: “Ok. Good, it seems like everybody is in favor.”

The Work Session Meeting adjourned at 7:55p.m.

Brian D. Scanlan
Mayor

Joyce C. Santimauro
Municipal Clerk