

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
MUNICIPAL COURT ROOM
TUESDAY, APRIL 1, 2008**

Mayor Richard C. Alnor called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 p.m.

The Township Committee then proceeded with the Pledge of Allegiance.

Reverend Wiley gave the Invocation.

Clerk Santimauro read the "Open Public Meetings 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."

She noted those present: Committeemen Galenkamp, Boonstra, Connolly, Fiorenzo and Mayor Alnor.

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

Absent: None

APPROVAL OF MINUTES

Approval of the following Township Committee minutes:

Township Committee Work Session Minutes from March 11, 2008

MOTION : Galenkamp **SECOND:** Alnor
GALENKAMP Yes **BOONSTRA** Yes **FIORENZO** Absent
CONNOLLY Yes **ALNOR** Yes

Township Committee Work Session and Regular Meeting Minutes from March 18, 2008

MOTION : Galenkamp **SECOND:** Alnor
GALENKAMP Yes **BOONSTRA** Yes **FIORENZO** Absent
CONNOLLY Yes **ALNOR** Yes

MEETING OPEN FOR PUBLIC COMMENT

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

No one came forward.

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

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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):

**#08-103 New Jersey Department of Environmental Protection
Recycling Tonnage Grant Application Report**

WHEREAS, in 1987, the New Jersey Statewide Mandatory Source Separation and Recycling Act (the Act), specifically N.J.S.A. 13:1E-99.16, mandated the governing body of each municipality to submit an annual Recycling Tonnage Report summarizing the amount of material recycled during the previous calendar year. This report is to be sent to the New Jersey Department of Environmental Protection (DEP), Solid and Hazardous Waste Management Program; and,

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use tonnage grants when available to develop new municipal recycling programs and to continue and to expand existing programs; and,

WHEREAS, the New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, pursuant to the "Clean Communities and Recycling Grant Act", P.L. 2002, c.128, twenty-five percent (25%) of the annual Clean Communities Fund, up to \$4,000,000 will be made available for the Municipal Recycling Tonnage Grant Program; and,

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifying records of materials collected and claimed by the municipality; and,

WHEREAS, a resolution authorizing this municipality to apply for the 2007 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Wyckoff Township Committee to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and,

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WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township of Wyckoff hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Irene McCall to ensure that the application is properly filed.

BE IT FURTHER RESOLVED, that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

#08-104 Extend Contract

WHEREAS, the Township of Wyckoff awarded a contract on March 20, 2006 via resolution #06-101 for the care and maintenance of the Gardens at Wyckoff Rose Garden to Rose Gardens by Michael, Inc., 322 Main Street, Ridgefield Park, NJ 07660; and,

WHEREAS, the bid specification and the award resolution both provide the Township of Wyckoff, at its sole discretion based on a recommendation from the DPW Manager, to extend the contract for a second two (2) year period; and,

WHEREAS, the DPW Manager recommends a contract extension after a finding that the contract was performed in an effective and efficient manner; and,

WHEREAS, the CFO has indicated that the CPI difference for calendar year 2007 is 2.8% as issued by the U.S. Department of Labor, Bureau of Statistics; and,

WHEREAS, the CFO has issued a certificate indicating the adequate funds exist in account #8-01-26-310-024 for this procurement; and,

WHEREAS, in accordance with N.J.S.A. 40A:11-15 this contract award is subject to the availability and appropriation annually of sufficient funds in 2009; and,

WHEREAS, the Township Administrator and Township Attorney have reviewed this procurement and approve.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen that a two year contract extension is hereby authorized to Rose Gardens by Michael, Inc., 322 Main Street, Ridgefield Park, NJ 07660 for a twelve (12) month cost starting in April, 2008 for \$16, 834 and for a twelve (12) month cost starting in April, 2009 for \$16,834.

BE IT FURTHER RESOLVED that the Municipal Clerk shall provide a copy of this resolution to the DPW Manager and Accounts Payable Clerk.

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CERTIFICATION OF AVAILABILITY OF FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE 2008 PARKS MAINTENANCE BUDGET.

DIANA MCLEOD
CHIEF FINANCIAL OFFICER

#08-105 **Extend Contract**

WHEREAS, the Township of Wyckoff awarded a contract on March 20, 2006 via resolution #06-102 for the care and maintenance of the Wyckoff Community Park to LTI, Inc., 34 Woodland Rd., Roseland, NJ 07068; and,

WHEREAS, the bid specification and the award resolution both provide the Township of Wyckoff, at its sole discretion based on a recommendation from the DPW Manager, to extend the contract for a second two (2) year period; and,

WHEREAS, the DPW Manager recommends a contract extension after a finding that the contract was performed in an effective and efficient manner; and,

WHEREAS, the CFO has indicated that the CPI difference for calendar year 2007 is 2.8% as issued by the U.S. Department of Labor, Bureau of Statistics; and,

WHEREAS, the CFO has issued a certificate indicating the adequate funds exist in account #8-01-28-375-020 for this procurement; and,

WHEREAS, in accordance with N.J.S.A. 40A:11-15 this contract award is subject to the availability and appropriation annually of sufficient funds in 2009; and,

WHEREAS, the Township Administrator and Township Attorney have reviewed this procurement and approve.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen that a two year contract extension is hereby authorized to LTI, Inc., 34 Woodland Rd., Roseland, NJ 07068 for a twelve (12) month cost starting in 2008 for \$9,478 and for a twelve (12) month cost starting in 2009 for \$9,478.

BE IT FURTHER RESOLVED that the Municipal Clerk shall provide a copy of this resolution to the DPW Manager and Accounts Payable Clerk.

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CERTIFICATION OF AVAILABILITY OF FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS HAVE BEEN APPROPRIATED IN THE 2008 PARKS MAINTENANCE BUDGET.

DIANA MCLEOD
CHIEF FINANCIAL OFFICER

#08-106 Payment of Bills

WHEREAS, the two Committeemen acting as the Finance Committee have approved and signed vouchers, also recommending payment; 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 proper officers of the Township be, and they are hereby authorized and directed to draw checks against the funds of the Township of Wyckoff in payment of such vouchers covered by checks no. 65372 - 65464 Payroll A/C, checks no. 051674 - 051745 Claims A/C and check no.2065 Accutrack A/C.

Listing of said checks is attached to the official minutes.

#08-107 Endorsing an Increase in State Police Surcharges to Fund State Budget Shortfalls in Lieu of Reliance Upon Local Purpose Tax Increases

WHEREAS, Governor Jon S. Corzine's proposed Fiscal Year 2009 budget identifies a shortfall in New Jersey State Police funding; and

WHEREAS, the administration plans to start charging municipalities for State Police services, and doing so would negatively affect municipal budgets and thus require municipalities to raise local purpose taxes; and

WHEREAS, the aforementioned proposed budget calls for cuts in municipal aid which also would require municipalities to raise local purpose taxes; and

WHEREAS, Directive 15 from the Governor also requires municipalities to meet new security requirements in their courts, resulting in additional capital expenditures in municipal budgets while no state funding offsets are provided; and

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WHEREAS, on February 22, 2007, many mayors, other elected and appointed municipal officials met with the Attorney General and State Police offering a solution to the State Police budget shortfall – namely, increasing surcharges on fines levied by the State Police; and

WHEREAS, P. L. 2007, c.335 (C. 39:2A-36.1) allows the Motor Vehicle Commission governing Board to increase the surcharges listed in that statute; and

WHEREAS, charging those who violate state statutes would fund the State Police Budget shortfall in lieu of relying on New Jersey property taxpayers is a sensible solution to address the problem; and

WHEREAS, on March 19, 2008, Mayors, elected and appointed officials met again with the Governor's Deputy Chief of Staff, other members of the administration, and the State Police, reiterating this fair solution, and recommended that the administration set the appropriate surcharge rates that would cover the shortfall, as well as that monies collected may also be returned to communities to cover additional court security expenses.

THEREFORE, BE IT RESOLVED, that the governing body of the Township of Wyckoff, County of Bergen, hereby resolves that it endorses the sensible solution proposed – to raise surcharges on motor vehicle fines rather than rely on New Jersey property tax payers to fund any State Police shortfall,

AND BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, Senator O'Toole, Assemblymen Russo and Rumana.

#08-108 Designation of Special Police

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the following person is designated as Special Police for the current year:

Special Class 1B - Jacob R. Miller - 1 year

#08-C5 Closed Session – PBA Negotiations

WHEREAS, the Township Committee of the Township of Wyckoff is subject to certain requirements of the "Open Public Meetings Act", N.J.S.A. 10:4-6, 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 is 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 and designated below:

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PBA Negotiations

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 April 1, 2008, that an Executive Session closed to the public shall be held on April 1, 2008, 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.

II Motions

- a. Approve the request from Miller's pharmacy for a promotional event with a temporary tent to be installed on their parking lot on April 10, 2008 from 11 am – 2 pm.

Following is the vote on the Consent Agenda:

MOTION : Galenkamp **SECOND: Fiorenzo
**GALENKAMP Yes BOONSTRA Yes FIORENZO Yes
CONNOLLY Yes ALNOR Yes****

III Ordinances – Public Hearings/Further Consideration

#1578 - AN ORDINANCE TO AMEND CHAPTER 157 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SEWERS, BY SUPPLEMENTING PART 2, ARTICLE XI, CHARGES FOR SEWER SERVICE, ESTABLISHING 2008 SEWER CHARGES FOR THE USE OF THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY

TOWNSHIP CLERK: Mr. Chairman, I have Ordinance #1578, entitled:

#1578 - AN ORDINANCE TO AMEND CHAPTER 157 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SEWERS, BY SUPPLEMENTING PART 2, ARTICLE XI, CHARGES FOR SEWER SERVICE, ESTABLISHING 2008 SEWER CHARGES FOR THE USE OF THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY

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.

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

COMMITTEEMAN FIORENZO: Seconded.

MOTION : Galenkamp **SECOND:** Fiorenzo
GALENKAMP Yes **BOONSTRA** Yes **FIORENZO** Yes **CONNOLLY** Yes
ALNOR Yes

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1578, and all persons who wish to be heard, please state your name and address before making your statement.

No one came forward.

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

COMMITTEEMAN FIORENZO: Seconded.

MOTION : Galenkamp **SECOND:** Fiorenzo
GALENKAMP Yes **BOONSTRA** Yes **FIORENZO** Yes **CONNOLLY** Yes
ALNOR Yes

TOWNSHIP CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1578 be, and the same is hereby adopted, and the Township 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 GALENKAMP: I move the ordinance.

COMMITTEEMAN FIORENZO: Seconded.

MOTION : Galenkamp **SECOND:** Fiorenzo
GALENKAMP Yes **BOONSTRA** Yes **FIORENZO** Yes **CONNOLLY** Yes
ALNOR Yes

ORDINANCE #1578

AN ORDINANCE TO AMEND CHAPTER 157 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SEWERS, BY SUPPLEMENTING PART 2, ARTICLE XI, CHARGES FOR SEWER SERVICE, ESTABLISHING 2008 SEWER CHARGES FOR THE USE OF THE SANITARY SEWER SYSTEM OF THE TOWNSHIP OF WYCKOFF, BERGEN COUNTY, NEW JERSEY.

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BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, Bergen County, New Jersey, that an Ordinance entitled "An Ordinance Providing for and Establishing Sewer Service Charges for the Use of the Sanitary Sewer System of the Township of Wyckoff, Bergen County, New Jersey," (adopted April 1, 1970 as Ordinance No. 607), be amended as follows:

SECTION 1. Chapter 157, Sewers, Part 2, Article XI, Section 157-62, Schedule of Charges, is hereby amended as follows:

The sewer service charge hereby established for 2008 shall be sufficient to:

- A. (1) cover all the charges, costs and expenses related to the sewer service, such as, but not limited to, the charges of the Northwest Bergen County Utility Authority, the charges of the Boroughs of Midland Park and Waldwick, pump stations and ejector station operation and maintenance costs, and all the costs incurred by the Township of Wyckoff in collecting its sewer service charges; and, (2) create a reasonable reserve for maintenance and repairs.
- B. The sewer service charge shall be an annual charge commencing upon the date upon which a building connection is approved by the Township, and such charge shall be on the following basis and this rate shall stay in effect until subsequently modified by ordinance amendment:

<u>TYPE OF SERVICE</u>	<u>ANNUAL CHARGE</u>
A. Single Family Residential Dwelling Unit - (house, condominium, townhouse or apartment in an apartment house)	\$414.00
B. Two Family Residential Dwelling Unit	466.00
plus \$2.36 per 1000 gallons for flow in excess of 156,035 gallons.	
C. Pre-existing Residential Home - Multi-family Structure containing three (3) or more units.....	...222.00
each plus \$2.36 per 1,000 gallons for flow in excess of 208,050 gallons.	
D. Commercial	414.00
plus \$2.36 per 1,000 gallons for flow in excess of 104,025 gallons.	

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- E. Combination Commercial/Residential Dwelling Unit:
 - 1. Commercial and one separate residential dwelling unit770.00
plus \$2.36 per 1,000 gallons for flow in excess of 145,635 gallons.
 - 2. Commercial and one multi-family dwelling unit557.00
plus \$2.36 per 1,000 gallons for flow in excess of 145,635 gallon
- F. Commercial and two or more multi-family dwelling units414.00
plus \$182.00 each. Flow in excess of 104,025 gallons plus 41,635 gallons for each multi-family dwelling unit will be charged at \$2.36 per 1,000 gallons.

SECTION 2. Except as hereby amended, Chapter 157 is hereby ratified and reaffirmed and shall continue in full force and effect.

SECTION 3. The invalidity of any section or provisions of this amendment to the ordinance shall not invalidate any other sections or provisions thereof.

SECTION 4. This ordinance shall take effect upon passage and publication as required by law.

#1579 – AN ORDINANCE TO INCREASE THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA:4-45.14)

TOWNSHIP CLERK: Mr. Chairman, I have Ordinance #1579, entitled:

#1579 – AN ORDINANCE TO INCREASE THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (NJSA:4-45.14)

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 CONNOLLY: I move the Ordinance on second reading Title only.

COMMITTEEMAN GALENKAMP: Seconded.

MOTION : Connolly **SECOND:** Galenkamp
GALENKAMP Yes **BOONSTRA** Yes **FIorenzo** Yes **CONNOLLY** Yes
ALNOR Yes

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CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1579, and all persons who wish to be heard, please state your name and address before making your statement.

No one came forward.

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

COMMITTEEMAN GALENKAMP: Seconded.

MOTION : Connolly **SECOND:** Galenkamp
GALENKAMP Yes **BOONSTRA** Yes **FIorenzo** Yes **CONNOLLY** Yes
ALNOR Yes

TOWNSHIP CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1579 be, and the same is hereby adopted, and the Township 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 CONNOLLY: I move the ordinance.

COMMITTEEMAN GALENKAMP: Seconded.

MOTION : Connolly **SECOND:** Galenkamp
GALENKAMP Yes **BOONSTRA** Yes **FIorenzo** Yes **CONNOLLY** Yes
ALNOR Yes

ORDINANCE #1579

AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK.

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two (2) succeeding years; and,

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WHEREAS, the Township Committee of the Township of Wyckoff, County of Bergen finds it advisable and necessary to increase its CY2008 Budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 3.5% increase in the budget for said year, amounting to \$106,591.04 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY2008 Budget year, the final appropriations of the Township of Wyckoff shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$373,068.64 and that the CY 2008 Municipal Budget for the Township of Wyckoff be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two (2) succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within five (5) days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within five (5) days after such adoption.

III Adjourn

The meeting was adjourned at 8:09 p.m.

Richard C. Alnor
Mayor

Joyce C. Santimauro
Municipal Clerk