

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

Mayor David N. Connolly called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 p.m.

Reverend Hansen gave the Invocation.

Clerk Santimauro read the "Open Public Meetings Act" Statement: "The 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 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."

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

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

APPROVAL OF MINUTES

Approval of the following Township Committee minutes:

Township Committee Regular and Work Session Meeting from January 23, 2007

MOTION: Galenkamp **SECOND:** Alnor

GALENKAMP Yes ALNOR Yes MC NAMARA Yes FIORENZO Yes CONNOLLY Yes

MEETING OPENED 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.

CONSENT AGENDA

Clerk Santimauro read the following Consent Agenda into the record: "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":

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

I. Resolutions (Adoption of the following)

#07-84 Authorize Shared Services Contract with Bergen County for Mandate Compliance

WHEREAS, the Township of Wyckoff is required by Federal Law to comply with the Bloodborne Pathogen Mandate; and,

WHEREAS, participating in a regionalized program of the Bergen County Health Department (BCHD) is a cost effective manner to comply; and,

WHEREAS, the Chief Financial Officer has issued a Certificate of Available Funds indicating that sufficient funds are available in account #7-01-27-335-020.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that a contract is awarded for a not to exceed amount of \$6,000.00 for the B.C.H.D. to perform the Bloodborne Pathogen Mandate compliance.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk can sign the attached agreement.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, DIANA MC LEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT ADEQUATE FUNDS WILL BE APPROPRIATED IN THE 2007 MUNICIPAL BUDGET.

DIANA MC LEOD
CHIEF FINANCIAL OFFICER

#07-85 2007 Professional Appointments

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the following are the appointments for the current year:

<u>POSITION</u>	<u>APPOINTEE</u>	<u>TERM</u>
First Assistant Prosecutor	Christopher Martin	1 year
Second Assistant Prosecutor	Douglas Doyle	1 year

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

#07-86 Release Bond 437/9

WHEREAS, David & Delores Goetschius, 790 Mountain Avenue, posted a \$10,000.00 bond in April 2005 with the Municipal Clerk pursuant to a Board of Adjustment resolution that stipulated a \$10,000.00 bond be posted during the home renovation while the family resided in an on-site trailer. The release of the \$10,000.00 bond would occur at that point in time when the trailer was removed from the site and the Certificate of Occupancy was issued for the renovated home; and,

WHEREAS, David & Delores Goetschius in a letter dated January 5, 2007 have requested the release of their \$10,000.00 bond; and,

WHEREAS, The Construction Official in a notation dated January 30, 2007 is recommending the release of the \$10,000.00 bond.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they concur with the recommendation of the Construction Official to release the \$10,000.00 bond to Mr. & Mrs. Goetschius.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Construction Official, Building Department Secretary and Mr. & Mrs. Goetschius, 790 Mountain Avenue, Wyckoff, NJ 07481.

#07-87 Reduce Performance Guarantee 517/3.01

WHEREAS, Hasco LLC (Hawthorne Chevrolet) posted the following with the Municipal Clerk in October 2005 for site improvements:

Performance bond	\$119,880.00
Performance cash	\$ 13,320.00
Engineering escrow	\$ 5,550.00

WHEREAS, in a letter dated November 28, 2006 Glenn Dougherty, Controller Hawthorne Chevrolet, requested the release of the Performance Guarantee; and,

WHEREAS, the Township Consulting Engineer, Pete Ten Kate of Boswell Engineering in a letter dated December 26, 2006 has recommended a reduction in the Performance Guarantee:

Performance bond	\$ 26,649.00
Performance cash	\$ 13,320.00

WHEREAS, the \$119,880.00 Performance Bond currently held by the Township of Wyckoff will not be released until such time that the reduced Performance Bond of \$26,649.00 is submitted to the Township Clerk.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that they accept the recommendation of the Township's Consulting Engineer to reduce the Performance Bond from \$119,880.00 to \$26,649.00.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to the Construction Official, Building Department Secretary and Glenn Dougherty, Hawthorne Chevrolet, 1180 Goffle Road, P.O. Box 8, Hawthorne, NJ 07607.

#07-88 Reduce Performance Guarantee 351/12,15-17 & 19

WHEREAS, in October 2006 the Cedar Hill Sewer Project on behalf of the Cedar Hill Avenue sewer extension participants deposited the following with the Municipal Clerk:

Performance Cash	\$18,132.00
Engineering escrow	\$ 500.00
Legal escrow	\$ 500.00

WHEREAS, Colonnelli Brothers, Inc. in October 2006 posted the following with the Municipal Clerk:

Performance Bond	\$163,188.00
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WHEREAS, Pete Ten Kate, the Township's Consulting Engineer with Boswell Engineering, in a letter dated January 24, 2007 is recommending the following two (2) year Maintenance Guarantee:

Maintenance Bond	\$ 20,398.50
Maintenance Cash	\$ 2,266.50

WHEREAS, the \$163,188.00 Performance Bond will not be released until the Maintenance Bond of \$20,398.50 is submitted to the Municipal Clerk; and,

WHEREAS, \$2,266.50 Performance Cash will be retained as a two (2) year Maintenance Cash and \$15,865.50 of the Performance Cash will be returned; and,

WHEREAS, any balance in the engineering/legal escrow accounts will not be released until this account is closed; and

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they concur with the recommendation of the Township Consulting Engineer as follows:

1. The \$163,188.00 Performance Bond will not be released until the Maintenance Bond of \$20,398.50 is given to the Municipal Clerk and the usual and customary two (2) copies of the as-built survey is submitted to Boswell Engineering and approved by Boswell Engineering.
2. \$2,266.50 Performance Cash will be retained as a two (2) year Maintenance Cash and \$15,865.50 of the Performance Cash will be returned.
3. A copy of this resolution will be forwarded to the Construction Official, Building Department Secretaries, Peter Ten Kate of Boswell Engineering and Ms. Nadia Bahri, 46 Hurley Avenue, Wyckoff, NJ 07481.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

#07-89 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. 62515 - 62611 Payroll A/C, checks no. 48091 - 48186 Claims A/C and checks no. 1988 – 1995 Accutrack A/C.

Listing of said checks is attached to the official minutes.

#07-90 Return of Certain Overpaid Taxes, Escrow Monies, Recreation Fees, etc.

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

BOARD OF ADJUSTMENT:

Vicki Sherman Lococo, 313 Squawbrook Road, Wyckoff, New Jersey 07481 – Return of Escrow – Block 437/Lot 12 - \$122.72

Raymond & Cecilia Altonaga, 432 Lake Road, Wyckoff, New Jersey 07481 – Return of Escrow – Block 201.01/Lot 5 - \$87.78

Susan Greaney, 293 Voorhis Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 287/Lot 3 - \$122.25

TAX REFUND:

Countrywide Tax Service, Tax Dept., P.O. Box 10211, Van Nuys, CA 91410-0211 – Refund for overpayment of 2006 4th Quarter Taxes – Block 497/Lot 31 – 549 Lafayette Avenue - \$2,959.91

RECREATION:

Robert Bruno, 360 Voorhis Avenue, Wyckoff, New Jersey 07481 – Basketball Refund - \$275.00

Yasemin Dawakjy, 215 Sunrise Drive, Wyckoff, New Jersey 07481 – Lacrosse Refund - \$60.00

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

#07-C2 Closed Session – Pending Litigation

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the public shall be excluded from the discussion and action upon the following item:

Pending Litigation

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 Grace United Methodist Church to waive the building permit fees for the boiler replacement.

Following is the vote on the Consent Agenda:

MOTION: Fiorenzo **SECOND: Alnor
GALENKAMP Yes ALNOR Yes MC NAMARA Yes FIORENZO Yes CONNOLLY Yes**

III Ordinance – Public Hearing/Further Consideration

FINAL PASSAGE

TOWNSHIP CLERK: Chairman, I have Ordinance #1550, entitled:

AN ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE TOWNSHIP OF WYCKOFF (FIRE DEPARTMENT) TO EXPAND MEMBERSHIP OF THE WYCKOFF FIRE DEPARTMENT TO INDIVIDUALS RESIDING IN BORDERING MUNICIPALITIES

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

COMMITTEEMAN GALENKAMP: Seconded.

MOTION: Alnor **SECOND: Galenkamp
GALENKAMP Yes ALNOR Yes MC NAMARA Yes FIORENZO Yes CONNOLLY Yes**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1550, and all persons who wish to be heard, please state your name and address before making your statement.

No one came forward.

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

COMMITTEEMAN GALENKAMP: Seconded.

**MOTION: Alnor SECOND: Galenkamp
GALENKAMP Yes ALNOR Yes MC NAMARA Yes FIORENZO Yes CONNOLLY Yes**

TOWNSHIP CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1550 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 ALNOR: I move the ordinance.

COMMITTEEMAN GALENKAMP: Seconded.

**MOTION: Alnor SECOND: Galenkamp
GALENKAMP Yes ALNOR Yes MC NAMARA Yes FIORENZO Yes CONNOLLY Yes**

ORDINANCE 1550

AN ORDINANCE TO AMEND CHAPTER 34 OF THE CODE OF THE TOWNSHIP OF WYCKOFF (FIRE DEPARTMENT) TO EXPAND MEMBERSHIP OF THE WYCKOFF FIRE DEPARTMENT TO INDIVIDUALS RESIDING IN BORDERING MUNICIPALITIES

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 34-4, Qualifications for membership, is amended to read as follows:

SECTION 1 - Chapter 34, Fire Department, Section 34-4, Qualifications for membership:

- B. Such applicant shall have been a resident of the Township of Wyckoff or a municipality bordering the Township of Wyckoff for at least one (1) year or be presently employed full-time [thirty-five (35) hours per week] within the Township of Wyckoff. Any member who shall move his or her residence from the Township of Wyckoff or such bordering municipality may remain a member in good standing of the Wyckoff Fire Department so long as his or her residence remains in a municipality which borders on the Township of Wyckoff. In the event that employment is no longer within the Township of Wyckoff or residence is not within the Township or in a bordering municipality, a member may request a leave of absence for one (1) year. If such request is not received within sixty (60) days after moving from the Township of Wyckoff, the bordering municipality, or termination of employment, said member shall be notified in writing that he or she has been removed from the rolls of the Wyckoff Fire Department. If, after a leave

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, FEBRUARY 6, 2007 - 8:00 PM**

of absence for one (1) year, a member continues to reside outside the Township of Wyckoff or outside a bordering municipality or is not employed within the Township of Wyckoff [thirty-five (35) hours per week], he or she shall cease to be a member of the Wyckoff Fire Department and shall forfeit all rights and privileges accruing from such membership, except those benefits provided to exempt members by law.

SECTION 2 - Except as hereby amended, all other Sections of Chapter 34 shall remain in full force and effect.

SECTION 3 - This Ordinance shall take effect upon final passage and publication according to law.

This meeting adjourned at 8:19 p.m.

David N. Connolly
Mayor

Joyce C. Santimauro
Municipal Clerk