

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR MEETING
TUESDAY, MARCH 6, 2007 – 8:00 P.M.**

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.

Committeeman Harold Galenkamp 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
February 20, 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.

Ed Oldziej, 285 Wyckoff Avenue came forward to address the Township Committee. Mr. Oldziej said he was opposed to the referendum initiated by the Friends of Wyckoff that was passed by the voters regarding Open Space and the subsequent tax because the town is developed. Also, the Wyckoff zoning allows for open space since most of the zoning for a home is over a half acre. Mr. Oldziej urged the Township Committee to repeal the Open Space Referendum, because in his opinion it's a burden on the tax payers.

Joe Kroth, 496 Sicomac Avenue came forward to address the Township Committee. Mr. Kroth suggested there is interest in the repeal of the Open Space Referendum. Mr. Kroth said that "they are not Friends of Wyckoff".

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

The Mayor wanted to put on the record that Ryan Cascardo, who will be appointed as an Apprentice Volunteer Fire Fighter this evening, is from Boy Scout Troop 77 and is about to become an Eagle Scout.

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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":

I. Resolutions (Adoption of the following)

#07-94 Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to the purchase of police vehicles; and,

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$50,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for the purchase of police vehicles in the amount of \$50,000.00.
2. That said emergency temporary appropriation will be provided for in the 2007 Budget under the title of: **Police Department -Other Expense.**
3. That one (1) certified copy of this resolution be filed with the Director of Local Government Services.

#07-95 Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to the contractual payment to PBA for miscellaneous benefits; and,

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$75,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for payment of PBA Miscellaneous Insurance Benefits as per contract in the amount of \$25,000.00.
2. That said emergency temporary appropriation will be provided for in the 2007 Budget under the title of: **General Liability Insurance - Other Expense.**

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3. One (1) certified copy of this resolution be filed with the Director of Local Government Services.

#07-96 Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to the contractual payment of natural gas utility expenses; and,

WHEREAS, the total emergency temporary resolutions adopted in the year 2007 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$85,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made for payment of Natural Gas Utility Expenses in the amount of \$10,000.00.
2. That said emergency temporary appropriation will be provided for in the 2007 Budget under the title of: **Natural Gas - Other Expense.**
3. That one (1) certified copy of this resolution be filed with the Director of Local Government Services.

#07-97 Purchase of Police Cars From State Contract

WHEREAS, the Township of Wyckoff has a fleet of police vehicles; and,

WHEREAS, a need exists to purchase two (2) replacement police cars; and,

WHEREAS, the Wyckoff Police Chief has recommended purchasing two (2) 2007 model replacement police cars; and,

WHEREAS, a recommendation by the Township Administrator and Police Chief to purchase the two (2) police cars from the New Jersey State Contract #A45069 is made to utilize existing state contract pricing for the police cars before 3/15/07.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that a contract is hereby awarded to the current State Contract vendor, Warnock Auto, 175 Route 10, P.O. Box 524, East Hanover, New Jersey 07936 for two (2) 2007 model police cars totaling \$41,519.18

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#07-98 Release Maintenance Bond 238/13

WHEREAS, Studio 247 Inc. deposited the following with the Township Clerk's office on March 28, 2005 for site improvements at 247 Madison Avenue:

Performance Guarantee	\$9,120.00
Engineering Escrow	\$4,560.00

WHEREAS, a reduction in the performance guarantee according to Resolution #06-169 for Block 238 Lot 13 was authorized by the Township Committee on July 24, 2006 as follows:

Existing Performance Guarantee	\$9,120.00
Retain	\$6,750.00 – streetscape improvement
Release to developer	\$2,370.00

WHEREAS, Resolution # 06-194 authorized releasing \$3,560.00 of the engineering escrow to the developer and the Township of Wyckoff retained \$1,000.00; and,

WHEREAS, Resolution #06-208 authorized the release of the remaining \$1,000.00 for professional services to Studio 247 Inc.; and,

WHEREAS, the performance bond in the amount of \$18,240.00 will be released to Paul Ferraro, Studio 247 Inc., upon the submission of a two (2) year maintenance bond in the amount of \$10,260.00.

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 release the performance bond (\$18,240.00) upon the submission of the two (2) year maintenance bond (\$10,260.00).

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Township Building Inspector, Building Department Staff and Paul Ferraro, Studio 247 Inc., 247 Madison Avenue, Wyckoff, NJ 07481.

#07-99 Release Maintenance Guarantee 498/96.01, 96.05 & 96.06

WHEREAS, Robert Milanese of Barrister Home Construction, Inc. deposited the following with the Municipal Clerk for the Snyder Farm Subdivision Block 498 Lots 96.01, 96.05 & 96.06; and,

Performance cash	\$ 41,688.00
Performance bond	\$416,880.00
Monuments	\$ 4,400.00
Engineering escrow	\$ 19,300.00

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WHEREAS, Township of Wyckoff Resolution #02-113 dated April 2, 2002 authorized a reduction in the performance bond:

<u>Performance Bond Reduction</u>	<u>From</u>	<u>To</u>
	\$416,880.00	\$138,960.00

The performance cash of \$41,688.00 was not reduced at this time; and,

WHEREAS, Township of Wyckoff Resolution #04-80 established a two (2) year maintenance guarantee as follows:

Maintenance Bond	\$52,110.00
Maintenance Cash	\$ 5,810.00

WHEREAS, Mr. Robert Milanese in a letter dated January 24, 2007 has requested the release of his maintenance guarantee; and,

WHEREAS, the Township's Consulting Engineer, Peter Ten Kate from Boswell Engineering is recommending the release of the Two (2) Year Maintenance Guarantee for Snyder Farm; and

WHEREAS, as built drawings have been reviewed and approved by the Township's Consulting Engineers.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey as follows:

The Township Committee accepts the recommendation of the Township's Consulting Engineer to release the Two (2) year Maintenance Bond \$52,110.00 and Maintenance Guarantee \$5,810.00 plus interest to Mr. Robert Milanese, Barrister Home Construction, Inc. 648 WyckOff Avenue, Wyckoff, NJ 07481; the Township's Consulting Engineer, Peter Ten Kate at Boswell Engineering, Building Inspector and Building Department staff.

#07-100 Authorize Escrow Agreement

WHEREAS, the Township of Wyckoff (as a New Jersey Municipality has a COAH approved Development Fee Ordinance) is required to complete a COAH Report annually regarding activity in its' Development Fee Ordinance #1535; and,

WHEREAS, the Township of Wyckoff adopted Development Fee Ordinance #1535 on 6/5/06; and,

WHEREAS, the aforementioned Annual Report requires the Township of Wyckoff to authorize an Escrow Agreement for Housing Trust Fund related to its Development Fee Ordinance #1535; and,

WHEREAS, the Township Attorney has reviewed the agreement and approves as to its' language and form.

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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen State of New Jersey that the Mayor is hereby authorized to sign the attached escrow agreement for Housing Trust Fund.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide certified copies to the Planning Board Secretary, Chief Financial Officer, Township Attorney and the Township's Planner.

#07-101 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. 62723 - 62818 Payroll A/C, checks no. 048275 - 048378 Claims A/C, checks no. 2000 – 2002 and Voided checks no. 048202 & 048262.

Listing of said checks is attached to the official minutes.

#07-102 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:

BUILDING DEPT.:

Jeffrey Smith, 402 Lafayette Avenue, Wyckoff, New Jersey 07481 – Refund for Permit #05-1186 issued 12/6/05 – no work performed - \$1217.60

Reiner Group, 11-07 River Road, Fair Lawn, New Jersey 07410 – Refund for Permit #06-0656 – no work performed - \$108.40.

RECREATION:

Rob O'Shea, 343 Allison Way, Wyckoff, New Jersey 07481 – Lacrosse Refund - \$40.00

#07-103 Establish Fees for Recreational Purposes

WHEREAS, Resolution #07-21 established fees for the use of recreational facilities and participation in recreation programs; and,

WHEREAS, the Recreation Director recommends amending Section One (1) items one (1) through fifteen (15) (Recreation fees as listed on the attached sheet); and,

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WHEREAS, all other provisions of Resolution #07-21 remain in force.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that Resolution #07-21, Section 1, Program Fees are amended pursuant to the Recreation Director's attached recommendation and all other provisions of Resolution #07-21 remain in force.

#07-C3 Closed Session – PBA Salary Negotiation

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:

**PBA Salary Negotiation
Litigation – PBA Shift Exchange Grievance**

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 Motion

- a. Approve the application of Apprentice Volunteer Fire Fighter Ryan Alexander Cascardo into the Wyckoff Fire Company #1.

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

#1551 - AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "LAND USE PROCEDURES", SPECIFICALLY, SECTION 46-30 "FEES", TO INCREASE THE FEE FOR SPECIAL PUBLIC HEARINGS.

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ORDINANCE #1551

TOWNSHIP CLERK: Chairman, I have Ordinance #1551, entitled:

#1551 - AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF WYCKOFF "LAND USE PROCEDURES", SPECIFICALLY, SECTION 46-30 "FEES", TO INCREASE THE FEE FOR SPECIAL PUBLIC HEARINGS.

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

COMMITTEEMAN ALNOR: Seconded.

**MOTION: FIORENZO SECOND: ALNOR
GALENKAMP YES CONNOLLY YES ALNOR YES MC NAMARA YES FIORENZO YES**

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1551, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN ALNOR: Seconded.

**MOTION: FIORENZO SECOND: ALNOR
GALENKAMP YES CONNOLLY YES ALNOR YES MC NAMARA YES FIORENZO YES**

TOWNSHIP CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1551 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 FIORENZO: I move the ordinance.

COMMITTEEMAN ALNOR: Seconded.

**MOTION: FIORENZO SECOND: ALNOR
GALENKAMP YES CONNOLLY YES ALNOR YES MC NAMARA YES FIORENZO YES**

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ORDINANCE 1551

AN ORDINANCE TO AMEND CHAPTER 46 OF THE CODE OF THE TOWNSHIP OF WYCKOFF “LAND USE PROCEDURES”, SPECIFICALLY, SECTION 46-30 “FEES”, TO INCREASE THE FEE FOR SPECIAL PUBLIC HEARINGS.

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 46-30, “Fees”, is hereby amended as follows:

SECTION 1 – Section 46-30 Fees.

- B. In addition to those established elsewhere by ordinance, applicants or appellants to the Planning Board, Board of Adjustment, Zoning Administrator or Township Committee shall pay the following applicable fees:
- (22) Special public hearings. Request by the applicant for a separate meeting other than the regularly scheduled meeting: ~~(five hundred seventy dollars (\$575.))~~ one thousand dollars (\$1,000.).

SECTION 2 - Except as hereby amended, all other Sections of Chapter 46-30 shall remain in full force and effect.

SECTION 3 - This Ordinance shall take effect upon final passage and publication as required by law.

This meeting adjourned at 8:14 p.m.

David N. Connolly
Mayor

Joyce C. Santimauro
Municipal Clerk