

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016**

(Revised 10-25-16)

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Kevin J. Rooney
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Meeting open for the Work Session ten minute total public comment period for any item on or off the agenda. Two (2) minutes per speaker.
5. Mayor and Municipal Clerk to sign documents
6.
 - a. Finance Committee to review and sign vouchers
 - b. Report of Township Committee
 - c. Report of Administrator
 - d. Report of Attorney
7. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
8. Reconvene Work Session Meeting
9. Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL WORK SESSION MEETINGS
AND ALL TOWNSHIP COMMITTEE BUSINESS MEETINGS**

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Flag Salute
3. Invocation will be given by Pastor Wesley Kenyon from Wyckoff Assembly of God Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker
7. Approval of the following Township Committee meeting minutes:
8. Township Committee Regular Work Session Minutes from September 20, 2016, Emergency Meeting Minutes from October 4, 2016 and Regular Work Session and Regular Business Meeting from October 4, 2016.

MOTION: BOONSTRA SECOND CAROLAN
BOONSTRA YES CAROLAN ABSTAIN MADIGAN YES SCANLAN ABSENT
ROONEY YES

9. **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):

- | | |
|---------|--|
| #16-263 | Establish Lien for Block 349 lot 72 – 312 James Way |
| #16-264 | Establish Lien for Block 304 Lot 1 – 94 Midland Avenue |
| #16-265 | Authorize Shared Service Agreement with Bergen County for Repaving |
| #16-266 | Reduction of 2016 Tax Levy Due to County Board Judgements |
| #16-267 | Authorize Participation in Law Enforcement 1033 Program |
| #16-268 | Payment of Bills |
| #16-269 | Award Contract – Crescent Avenue Improvements |
| #16-270 | Refund Landscape Bond – 147 Wyckoff Avenue |
| #16-271 | Refund Landscape Bond – 130 Starr Place |
| #16-272 | Refund Landscape Bond – 524 Clinton Avenue |
| #16-C13 | Closed Session – NJSA 10:4-12b (7) - Contract Negotiations |

II Motions

- a. Approve two (2) ten day temporary sign requests from the Zabriskie House Trustees to advertise an open house on November 5th and the Holiday Open House on December 3rd.
- b. Authorize the New Jersey State Firemen's Association application for Ryan M. Petit into the Wyckoff Volunteer Fire Department.
- c. Approve Wyckoff Family YMCA's ten (10) day temporary sign request to advertise their annual Holiday Marketplace.
- d. Approve the Junior Volunteer Firefighter application from Julia DeKorte into Volunteer Fire Company #1

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016

III Ordinances – Introductions

#1816 - AN ORDINANCE TO AMEND CHAPTER 148 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, “PEDDLING AND SOLICITING,” BY ADDING NEW SECTION 148-12, “DO NOT KNOCK REGISTRY”

#1817 - AN ORDINANCE TO CREATE NEW CHAPTER 144, “PROHIBITION OF SHORT TERM RENTAL PROPERTY,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO PROHIBIT THE SHORT TERM RENTAL OF RESIDENTIAL DWELLING UNITS WITHIN THE TOWNSHIP OF WYCKOFF

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND CAROLAN
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT
ROONEY YES

IV Ordinance – Public Hearing/Further Consideration

#1815-AN ORDINANCE TO AMEND CHAPTER 186-28 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, “SIGNS,” TO REPLACE SUBSECTION 186-28D.(5) REGARDING POLITICAL SIGNS

MOTION: CAROLAN SECOND BOONSTRA
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT
ROONEY YES

V Adjourn

PAYMENT OF CLAIMS MAY BE PAID AT ALL TOWNSHIP COMMITTEE
WORK SESSION MEETINGS AND ALL TOWNSHIP COMMITTEE REGULAR
MEETINGS

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016**

Meeting Called To Order

Mayor Kevin J. Rooney called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

Flag Salute

The Township Committee proceeded with the Pledge of Allegiance led by Mayor Kevin J. Rooney.

Invocation

The Invocation was given by Pastor Wesley Kenyon from Wyckoff Assembly of God Church.

Attendance

Township Committee Present: Mayor Kevin J. Rooney; Committee Present: Rudolf E. Boonstra, John A. Carolan and Thomas J. Madigan

Township Committee Member Absent: Brian D. Scanlan

Staff Present: Joyce C. Santimauro, Municipal Clerk and Township Attorney Robert Landel.

Staff Absent: Township Administrator Robert J. Shannon

Open Public Meeting Act Statement

Municipal Clerk Santimauro read the "Open Public Meeting 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."

Meeting Open for Public Comment

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

No one came forward to speak.

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

Approval of the following Township Committee meeting minutes:

Township Committee Regular Work Session Minutes from September 20, 2016, Emergency Meeting Minutes from October 4, 2016 and Regular Work Session and Regular Business Meeting from October 4, 2016.

MOTION: _____ BOONSTRA _____ SECOND _____ CAROLAN _____
BOONSTRA YES CAROLAN ABSTAIN MADIGAN YES SCANLAN ABSENT
ROONEY YES

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:

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, OCTOBER 25, 2016**

I Resolutions (Adoption of the following):

#16-263 Establish Lien for Block 349 Lot 72- 312 James Way

WHEREAS, the residential home and land at 312 James Way, Block 349/Lot 72 is owned by Ronald Gilmour; and,

WHEREAS, the Township Committee of the Township of Wyckoff has established a property maintenance code known as Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, all the owners of property in the Township of Wyckoff are required to comply with the provisions in Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, adjacent property owners and neighbors have brought property maintenance violations to the attention of the Zoning Administrator and the Zoning Administrator has issued an abatement notice in compliance with Chapter 152 to the owner and mortgagee of 312 James Way. The Zoning Administrator has attempted to obtain compliance through letters and telephone calls as detailed on the attached certification with the result that the owner and mortgagee have failed to abate the violations enumerated in the abatement notice; and,

WHEREAS, the property owner has the duty to remove the violations after notice has been issued; and

WHEREAS, the Zoning Administrator has filed a certification dated October 11, 2016 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of \$ 500.00 as the verified charge to abate certain violations; and,

WHEREAS, the attached certificate with attachments is presented to the Township Committee for their examination and if found correct, to be charged against the lands upon which the violation existed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they have examined the certification dated October 11, 2016 from the Zoning Administrator and find it to be correct and cause the cost of \$ 500.00 to be charged against the land, namely Block 349/Lot 72, known as 312 James Way as a lien on the property for the cost to abate the property maintenance violation.

BE IT FURTHER RESOLVED, that the amount of \$ 500.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the taxes next to be assessed and levied upon Block 349 Lot 72, 312 James Way. This amount shall bear interest at the same rate as taxes and shall be collected and enforced by the Tax Collector and in the same manner as taxes.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution and certification to the property owner, the Wyckoff Tax Collector, and the Zoning Administrator.

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#16-264 Establish Lien for Block 304 lot 1 – 94 Midland Ave.

WHEREAS, the residential home and land at 94 Midland Ave, Block 304/Lot 1 is owned by Jennie Marcus [etal]; and,

WHEREAS, the Township Committee of the Township of Wyckoff has established a property maintenance code known as Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, all the owners of property in the Township of Wyckoff are required to comply with the provisions in Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, adjacent property owners and neighbors have brought property maintenance violations to the attention of the Zoning Administrator and the Zoning Administrator has issued an abatement notice in compliance with Chapter 152 to the owner and mortgagee of 312 James Way. The Zoning Administrator has attempted to obtain compliance through letters and telephone calls as detailed on the attached certification with the result that the owner and mortgagee have failed to abate the violations enumerated in the abatement notice; and,

WHEREAS, the property owner has the duty to remove the violations after notice has been issued; and

WHEREAS, the Zoning Administrator has filed a certification dated October 11, 2016 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of \$ 695.00 as the verified charge to abate certain violations; and,

WHEREAS, the attached certificate with attachments is presented to the Township Committee for their examination and if found correct, to be charged against the lands upon which the violation existed.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they have examined the certification dated October 11, 2016 from the Zoning Administrator and find it to be correct and cause the cost of \$ 695.00 to be charged against the land, namely Block 304/Lot 1, known as 94 Midland Ave as a lien on the property for the cost to abate the property maintenance violation.

BE IT FURTHER RESOLVED, that the amount of \$ 695.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the taxes next to be assessed and levied upon Block 304 Lot 1, 94 Midland Ave. This amount shall bear interest at the same rate as taxes and shall be collected and enforced by the Tax Collector and in the same manner as taxes.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution and certification to the property owner, the Wyckoff Tax Collector, and the Zoning Administrator.

#16-265 Authorized Shared Service Agreement with Bergen County for Repaving

WHEREAS, Bergen County has 12.7 miles of its 450 miles of roads in Wyckoff that connect its 70 municipalities; and,

WHEREAS, Bergen County is desirous of repaving its roads from time to time; and,

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WHEREAS, the Township of Wyckoff desires Bergen County to repave its roads when needed; and,

WHEREAS, Bergen County requires an executed shared service agreement from a municipality in Bergen County before it will repave its roads in a municipality; and,

WHEREAS, the attached share service agreement has been reviewed and determined that it is in the best intent of the Township of Wyckoff to execute the shared service agreement; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the shared service agreement to permit Bergen County to perform road resurfacing is authorized for execution and the Mayor and Municipal Clerk are directed to sign the agreement; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk provide certified copies of the shared service agreement to the Township Administrator, Chief Financial Officer, Police Chief, Township Engineer, Certified Public Works Manager and the Bergen County Executive.

#16-266 Reduction of 2016 Tax Levy Due to County Board Judgements

WHEREAS, N.J.S.A. 54:3-21 – 29, allows for property owners to appeal their assessed valuation for the taxing year, and

WHEREAS, judgements from the County Board of Taxation and the State Tax Court have been made and received reducing the assessed value after the certification of the 2016 Tax Duplicate, and

WHEREAS, these judgements cause a reduction in the total amount of taxes to be levied and collected in 2016,

WHEREAS, these reductions result in a reduction to the collectable amount of the 2016 Tax Levy of \$80,236.53,

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff that the Tax Collector is hereby authorized and directed to adjust 2016 taxes due for the listed properties, and

BE IT FURTHER RESOLVED, to make the appropriate reductions to the 2016 Tax Levy for these judgements and any future judgements as received.

#16-267 Authorize Participation in Law Enforcement 1033 Program

WHEREAS, the Township Committee authorized the Police Department participation in the Law Enforcement 1033 Program via resolution #16-209 dated August 16, 2016; and,

WHEREAS, the Police Department has advised they can obtain a federal government surplus Humvee vehicle at no cost for use in their Emergency Management Operations; and,

WHEREAS, Township Committee approval is required prior to any vehicle acquisition; and,

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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 authority is granted to Police Chief David V. Murphy to obtain, at no cost, a federal surplus Humvee vehicle through the Law Enforcement Support Office (LESO) 1033 program.

#16-268 Payment of Bills

WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

WHEREAS, the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

WHEREAS, the Township Committee has a practice of each Township Committee member participating in the reviewing and signing of vouchers; and,

WHEREAS, the vouchers which comprise this bill list have been reviewed and signed by two (2) Township Committee members and they have found them to in order; 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 payments of these bills are hereby authorized and the Chief Financial Officer is directed to issue checks for their payments as listed on the bill list attached to this date's meeting minutes and covered by checks no. 15401 – 15435 Payroll A/C, Direct Deposit Vouchers no. 6487 - 6556, Library Payroll check nos. 1250 - 1258, Library Direct Deposit Vouchers no. 2347 - 2412, Claims Wire nos. 161004, 161005 & 161006, Claims check nos. 074987 – 075096 and Voided Claims check no. 074986.

#16-269 Award Contract – Crescent Ave Improvements

WHEREAS, the Township Committee of the Township of Wyckoff is the recipient of a New Jersey Department of Transportation (NJDOT) Trust Fund Grant of \$155,500.00 to improve Crescent Avenue; and,

WHEREAS, in July 2016 Governor Christie issued an Executive Order placing a freeze on all NJDOT projects; and,

WHEREAS, on October 14, 2016 Executive Order 210 was signed by Governor Christie that removed the current freeze on NJDOT projects; and,

WHEREAS, the Township Committee approved the specifications and authorized advertised, sealed competitive bidding; and,

WHEREAS, a legal advertisement soliciting bids was published in the June 17, 2016 issue of the Ridgewood News; and,

WHEREAS, a copy of the legal advertisement soliciting bids was posted on the Township's website at the Jobs and Bids Quick-link easily accessed from the Homepage; and,

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WHEREAS, on June 28, 2016 at 11:00 am the following bids were received, opened and their contents read aloud:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alt. 1</u>
1. AJM Contractors, Inc. 300 Kuller Road Clifton, NJ 07011	\$149,020.00	\$29,250.00
2. Gemrose Utility, LLC 20 Chestnut Street Suite 1 Tenafly, NJ 07670	\$186,210.00	\$32,300.00

WHEREAS, the bids received have been reviewed by the Township's Consulting Engineer and he recommends a contract award to the lowest responsive and responsible bidder; and,

WHEREAS, the Township Attorney and Township Administrator have reviewed the procurement and concur with the recommendation; and,

WHEREAS, the Chief Financial Officer has issued a certificate of availability of funds in accounts # C-04-56-916-001.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they do hereby award a contract to the lowest responsive and responsible bidder AJM Contractors Inc., 300 Kuller Road, Clifton, NJ 07011 for a total contract of \$149,020.00 subject to the concurrence of the New Jersey Department of Transportation; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the Township's Consulting Engineer, Public Works Manager, Township Engineer and Accounts Payable Control Office.

#16-270 Refund Landscape Bond – 147 Wyckoff Avenue

WHEREAS, Anthony and Ashley Mungiello from 147 Wyckoff Avenue Block 483 Lot 2 deposited \$1,500 with the Municipal Clerk on August 22, 2016 for a landscape bond; and,

WHEREAS, Anthony and Ashley Mungiello have requested that their landscape bond be refunded; and,

WHEREAS, the Township Engineer, Mark DiGennaro in an email dated October 14, 2016 is recommending that the \$1,500 landscape bond should be refunded; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$1,500 landscape bond to Anthony and Ashley Mungiello.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and Anthony and Ashley Mungiello, 147 Wyckoff Avenue, Wyckoff, NJ 07481.

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#16-271 Refund Landscape Bond – 130 Starr Place

WHEREAS, Glen Rock Stairs (Glen Brook Inc.)for the property owners at 130 Starr Place Block 483 Lot 12 deposited \$1,000 with the Municipal Clerk on September 9, 2016 for a landscape bond; and,

WHEREAS, Mr. Glen C. Sternitzke, Glen Rock Stairs (Glen Brook Inc.), in a letter dated October 18, 2016 has requested that the landscape bond for 130 Starr Place be refunded; and,

WHEREAS, the Township Engineer, Mark DiGennaro in a notation dated October 19, 2016 is recommending that the \$1,000 landscape bond should be refunded; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$1,000 landscape bond to Glen Rock Stairs.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and Mr. Glenn C. Sternitzke, Glen Rock Stairs, 89 Midland Avenue, Midland Park, NJ 07432

#16-272 Refund Landscape Bond – 524 Clifton Avenue

WHEREAS, Legend Stone Products for the property owners at 524 Clinton Avenue Block 231 Lot 4 deposited \$2,000 with the Municipal Clerk on September 22, 2016 for a landscape bond; and,

WHEREAS, Mr. Emin Aydin, in a letter dated October 17, 2016 has requested that the landscape bond for 524 Clinton Avenue be refunded; and,

WHEREAS, the Township Engineer, Mark DiGennaro in a notation dated October 18, 2016 is recommending that the \$2,000 landscape bond should be refunded; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$2,000 landscape bond to Legend Stone Products.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and Legend Stone Products, 185 River Road, Clifton, NJ 07014.

#16-C13 Closed Session – NJSA 10:4-12b (7) – Contract 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. 10:4-12, et seq.; and,

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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 was 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 (7) and designated below:

NJSA 10:4-12b(7) - Contract 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 October 25, 2016, hereby authorize, that an Executive Session closed to the public shall be conducted on October 25, 2016, 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 and the Municipal Clerk shall attach to this resolution when completed the Closed Session Meeting Minutes related to the specific items designated above.

Motions:

- a. Approve two (2) ten day temporary sign requests from the Zabriskie House Trustees to advertise an open house on November 5th and the Holiday Open House on December 3rd.
- b. Authorize the New Jersey State Firemen’s Association application for Ryan M. Petit into the Wyckoff Volunteer Fire Department.
- c. Approve Wyckoff Family YMCA’s ten (10) day temporary sign request to advertise their annual Holiday Marketplace.
- d. Approve the Junior Volunteer Firefighter application from Julia DeKorte into Volunteer Fire Company #1.

III Ordinances – Introductions

#1816 - AN ORDINANCE TO AMEND CHAPTER 148 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, “PEDDLING AND SOLICITING,” BY ADDING NEW SECTION 148-12, “DO NOT KNOCK REGISTRY”

Ordinance #1816

AN ORDINANCE TO AMEND CHAPTER 148 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, “PEDDLING AND SOLICITING,” BY ADDING NEW SECTION 148-12, “DO NOT KNOCK REGISTRY”

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, Chapter 148, “Peddling and Soliciting,” is amended to add new Section 148-12, “Do Not Knock Registry,” as follows:

SECTION 1. Chapter 148-12. Do Not Knock Registry.

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- A. Any owner or occupant of real property within the Township of Wyckoff who refuses to be canvassed or solicited pursuant to this Chapter may enroll in the Township's "No Knock" registry by completing the application for "No Knock" registry at the Township Clerk's office, such application being incorporated herein by reference.
- B. No person, peddler and/or solicitor, as defined in this Chapter, shall sell, buy or dispose of, or offer to sell, buy or dispose of any goods, wares, merchandise, other personal property or services to be rendered in the future, or to take orders for any goods, wares, merchandise, other personal property or services to be rendered in the future, or to solicit business from any owner or occupant whose name and property address is included on the "No Knock" registry list maintained by the Township Clerk.
- C. Any person, peddler and/or solicitor shall be subject to the fines and penalties as listed in Section 148-11.

SECTION 2

Except as hereby amended, all other Sections of Chapter 148 shall remain in full force and effect.

SECTION 3

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

Return Form To:

Joyce C. Santimauro, Township Clerk
Memorial Town Hall
340 Franklin Avenue
Wyckoff, NJ 07481

Email:

wyckoffclerk@wyckoff-nj.com

**TOWNSHIP OF WYCKOFF
APPLICATION FOR NO KNOCK REGISTRY**

I am requesting registration of the following address in the Township of Wyckoff for the "NO KNOCK" Registry.

I am the (check appropriate): Owner _____ Occupant _____ of Premises

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I understand that my address shall be placed upon a list to be kept by the Township Clerk. Addresses will remain on the Registry until notification to the Township that the owner or occupant wishes to be removed. The list will be provided to any licensee who is issued a license to conduct door to door sales pursuant to Ordinance #1816 of the Township of Wyckoff.

I understand that registration upon the “No Knock Registry” does not prohibit door to door solicitation by non-profit, charitable, religious or political organizations.

Information to be included on “No Knock” Registry:

Street Number _____ Street Name _____
Township of Wyckoff, New Jersey 07481

Additional Information - for Township Clerk’s Office Files ONLY

Resident’s Name _____
Phone Number _____
(Optional)
Resident’s _____ Email _____

Owner’s Name _____
(If different than resident)
Owner’s Phone Number _____
(Optional)
Owner’s _____ Email _____

Owner’s Street _____ Owner’s City _____
Owner’s State _____ Owner’s Zip Code _____

Signature _____ Date _____

ORDINANCE #1817

AN ORDINANCE TO CREATE NEW CHAPTER 144, “PROHIBITION OF SHORT TERM RENTAL PROPERTY,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF TO PROHIBIT THE SHORT TERM RENTAL OF RESIDENTIAL DWELLING UNITS WITHIN THE TOWNSHIP OF WYCKOFF

WHEREAS, the New Jersey Legislature has, pursuant to N.J.S.A. 40:52-1(d) and (n), specifically authorized municipal corporations, including the Township of Wyckoff (the “Township”) to regulate “furnished and unfurnished rented housing or living units and all other places and buildings used for sleeping and lodging purposes, and the occupancy thereof” and the “rental of real property for a term of less than one hundred seventy-five (175) consecutive days for residential purposes by a person having a permanent

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place of residence elsewhere;" and

WHEREAS, in recent years, there has arisen a proliferation of internet and other media advertising often on websites dedicated to the rental of Dwelling Units for short terms and for a period of less than thirty (30) days ("Short Term Rental"); and

WHEREAS, the Township's experience, as well as common experiences, dictates the conclusion that Short Term Rentals frequently result in public nuisance, noise complaints, sanitation issues, overcrowding and illegal parking within the residential neighborhoods of the Township, and essentially convert residential dwelling units into illegal de-facto hotels, motels, boarding houses and other commercial enterprises, in violation of the Township's Zoning and other Codes as well as state statutes; and

WHEREAS, the Township wishes to deter the cyber-social phenomenon of any Owner renting his/her residential Dwelling Unit(s) on various websites, as well as the listing of Short Term Rental(s) by website businesses, of any Dwelling Unit(s), that constitute an illegal business operating in violation of the Township's Zoning Code and other public nuisance ordinances; and

WHEREAS, the Township additionally wishes to prevent overcrowding, which unlawfully results in the Township's occupancy limits to be exceeded; and

WHEREAS, some property owners and/or their agents permit commercial boarding-house type Short Term Rental(s) and overcrowded conditions and other public nuisances, in order to unlawfully create a commercial enterprise and income, in violation of the Township Zoning Code and to maximize their profit(s); and

WHEREAS, problems also frequently associated with such Short Term Rental(s) include overcrowding, excessive noise, unruly behavior, obscene language, fighting, littering, parking of vehicles on lawns, public urination, sanitation issues, poor maintenance of the property and grounds, and violation of trash collection ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that new Chapter 144, "Prohibition of Short Term Rental Property," is hereby created as follows:

SECTION 1. Chapter 144. Prohibition of Short Term Rental Property.

144-1. Findings.

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The Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, hereby finds and adopts, as if set forth more fully herein, the fact assertions of the "Whereas" clauses of this Ordinance, as its findings of fact.

144-2. Short Term Rental Property Prohibited

Uses.

- A. Notwithstanding anything to the contrary in the Township Code, it shall be unlawful for an Owner, lessor, sub-lessor, any other person(s) or entity(ies) with possessory or use right(s) in a Dwelling Unit, their principals, partners or shareholders, or their agents, employees, representatives and other person(s) or entity(ies), acting in concert or a combination thereof, to receive or obtain actual or anticipated consideration for soliciting, advertising, offering, and/or permitting, allowing, or failing to discontinue the use or occupancy of any Dwelling Unit, as defined herein, for a period of thirty (30) days or less.
- B. Nothing in this Ordinance will prevent formation of an otherwise lawful occupancy of a Dwelling Unit for a rental period of more than thirty (30) days.

144-3. Definitions.

ADVERTISE or ADVERTISING

Any form of solicitation, promotion, and communication for marketing, used to solicit, encourage, persuade, or manipulate viewers, readers, or listeners into contracting for goods and/or services in violation of this Ordinance, as same may be viewed through various media including, but not limited to, newspapers, magazines, flyers, handbills, pamphlets, commercials, radio, direct mail, internet websites, or text or other electronic messages for the purpose of establishing occupancies or uses of rental property, for Consideration, which are prohibited by this Ordinance.

CONSIDERATION

Soliciting, charging, demanding, receiving or accepting any legally recognized form of consideration including a promise or benefit, a quid-pro-quo, rent, fees, other form of payment,

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or thing of value.

DWELLING UNIT

Any structure, or portion thereof, whether furnished or unfurnished, which is occupied in whole or in part, or intended, arranged or designed to be occupied, for sleeping, dwelling, cooking, gathering and/or entertaining, as a residential occupancy, by one or more persons. This definition includes an apartment, condominium, building, co-operative, converted space, or portions thereof, that is offered to use, made available for use, or is used for accommodations, lodging, cooking, sleeping, gathering and/or entertaining of Occupants and/or guest(s), for consideration, for a period of thirty (30) days or less.

HOUSEKEEPING UNIT

Constitutes a family-type situation, involving one-or more persons, living together that exhibit the kind of stability, permanency and functional lifestyle equivalent to that of a traditional family unit, as further described in the applicable reported and unreported decisions of the New Jersey Superior Court.

OCCUPANT

Any individual using, inhabiting, living, gathering, entertaining, being entertained as a guest, or sleeping in a Dwelling Unit, or portion thereof, or having other permission or possessory right(s) within a Dwelling Unit.

OWNER

Any person(s) or entity(ies), association, limited liability company, corporation, or partnership, or any combination, who legally use, possess, own, lease, sub-lease or license (including an operator, principal, shareholder, director, agent, or employee, individually or collectively) that has charge, care, control, or participates in the expenses and/or profit of a Dwelling Unit pursuant to a written or unwritten agreement, rental, lease, license, use, occupancy agreement or any other agreement.

PERSON

An individual, firm, corporation, association, partnership, limited liability company, association, entity, and any person(s) and/or entity(ies) acting in concert or any combination therewith.

RESIDENTIAL OCCUPANCY

The use of a Dwelling Unit by an Occupant(s).

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144-4. Permitted Uses

The residential occupancy of an otherwise lawful and lawfully occupied Dwelling Unit for a period of thirty (30) days or less by a person who is a member of the Housekeeping Unit of the Owner, without Consideration, such as house guests, is permitted.

144-5. Advertising prohibited.

It shall be unlawful to advertise, solicit or promote by any means actions in violation of this Ordinance.

144-6. Enforcement; Violations and penalties.

- A. The provisions of this Ordinance shall be enforced by the Zoning Official, Fire Official and/or other Sub-Code or Code Official, as their jurisdiction may arise, including other persons designated by the Township Committee, to issue municipal civil infractions directing alleged violators of this Ordinance to appear in court or to file civil complaints.
- B. A violation of this Ordinance is hereby declared to be a public nuisance, a nuisance per se, and is hereby further found and declared to be offensive to the public health, safety and welfare.
- C. Any person found to have violated any provision of this Ordinance, without regard to intent or knowledge, shall be liable for the maximum civil penalty, upon adjudicated violation or admission, of a fine not exceeding \$1,250. Each day of such violation shall be a new and separate violation of this Ordinance.
- D. The penalty imposed herein shall be in addition to any and all other remedies that may accrue under any other law, including, but not limited to, eviction proceedings and/or injunction, reasonable attorney's fees or other fees and costs, in the Township's Municipal Court or the Superior Court of New Jersey in the vicinage of Bergen County, or in such other Court, or tribunal of competent jurisdiction, by either summary disposition or by zoning or construction code municipal proceeding.

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144-7. Severability.

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

SECTION 2. Except as hereby amended, all other sections of the Code of the Township of Wyckoff shall remain in full force and effect.

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

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND CAROLAN
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT
ROONEY YES

IV Ordinance – Public Hearing/Further Consideration

#1815-AN ORDINANCE TO AMEND CHAPTER 186-28 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "SIGNS," TO REPLACE SUBSECTION 186-28D.(5) REGARDING POLITICAL SIGNS

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1815, entitled:

AN ORDINANCE TO AMEND CHAPTER 186-28 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "SIGNS," TO REPLACE SUBSECTION 186-28D.(5) REGARDING POLITICAL SIGNS

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 CAROLAN: I move the Ordinance on second reading by Title only.

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: CAROLAN SECOND BOONSTRA
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT

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ROONEY YES

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1815, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: CAROLAN SECOND BOONSTRA
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT
ROONEY YES

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1815 be, and the same is hereby adopted, and the Municipal 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 CAROLAN: I move the resolution.

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: CAROLAN SECOND BOONSTRA
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN ABSENT
ROONEY YES

ORDINANCE # 1815

AN ORDINANCE TO AMEND CHAPTER 186-28 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "SIGNS," TO REPLACE SUBSECTION 186-28D(5) REGARDING POLITICAL SIGNS.

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 186-28 "Signs," is hereby amended to replace subsection 186-28D.(5), as follows:

SECTION 1 - Section 186-28. Signs

D. Temporary signs. Temporary signs shall be permitted as follows:

- (5) Signs for political speech purposes provided that such signs are set back from the edge of the pavement or curb of any street, and provided that such signs do not cause a safety hazard by obstructing the view of drivers or pedestrians utilizing the public rights of way. Said signs shall not be permitted on public property, on any improved

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public roadway, public access
easement, county roadway and/or
state roadway.

SECTION 2 Except as hereby amended, all other sections of Chapter 186 shall remain in full force and effect.

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

V Meeting adjourned 8:50 p.m.

Kevin J. Rooney
Mayor

Joyce C. Santimauro
Municipal Clerk