

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
TUESDAY, AUGUST 8, 2017**

**(Revised 8/7/17)**

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE WORK SESSION MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, AUGUST 8, 2017 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Rudolf E. Boonstra
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 regarding resident petition proposing to study the annual procedure to select the Mayor
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**

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TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE BUSINESS MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, AUGUST 8, 2017 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute
3. Invocation
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:  
  
Township Committee Regular Work Session and Regular Business Meeting Minutes from July 18, 2017

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

8. Vote to promote Sergeant Joseph R. Soto to the rank of Lieutenant

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

9. Administer Oath of Office to Lieutenant Joseph R. Soto.
10. **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):**

- #17-217 Fibrodyplasia Ossificans Progressiva Awareness (FOP)
- #17-218 Authorize an Interlocal Services Agreement
- #17-220 Authorize Purchase from Cooperative Pricing System Contract
- #17-221 Authorize Purchase from Cooperative Pricing system Contract
- #17-222 Payment of Bills
- #17-223 Return of certain overpaid taxes, escrow monies, etc.
- #17-C14 Closed Session - NJSA 10:4-12b(7) – Litigation and Labor Negotiations

**II Motions**

- a. Appoint to regular status from probationary status – Police Officer John Rafferty and Police Officer Michael Flim.
- b. Approve Christian Health Care Center’s ten (10) day temporary sign request to advertise their annual Classic Car Show at 301 Sicomac Avenue scheduled for September 23, 2017.

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- c. Approval of Stop & Shop’s Grand Re-opening on September 8, 2017 & 10 day temporary sign request for a temporary banner on the building at 327 Franklin Avenue.
- d. Authorize Eastern Christian Children’s Retreat ten (10) day temporary sign request to advertise their “52<sup>nd</sup> Annual Country Fair” scheduled for September 23, 2017 (rain date October 7) at Memorial Field.

**III     Ordinances – Introductions**

#1838 - AN ORDINANCE TO AMEND CHAPTER 168, “SUBDIVISION AND SITE PLAN REVIEW,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 168-20 “SITE PLAN DESIGN STANDARDS,” TO AMEND SUBSECTION E. “ILLUMINATION,” TO PROVIDE FOR NEW STANDARDS AND REQUIREMENTS WITH REGARDS TO OUTDOOR LIGHTING

#1839 – AN ORDINANCE TO AMEND CHAPTER 108, “CONSTRUCTION CODES, UNIFORM,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 108-3 “FEE SCHEDULE,” TO AMEND SUBSECTION 12 “SMOKE DETECTOR COMPLIANCE CERTIFICATE FEES,” TO PROVIDE A NEW AND INCREASED FEE SCHEDULE

#1840 – AN ORDINANCE TO AMEND CHAPTER 94, “BUILDINGS, INSPECTION OF,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, TO AMEND SUBSECTION S TO O AND PROVIDE UPDATED AND MODERN LANGUAGE AND TO ESTABLISH NEW FEES AND INCREASE CERTAIN FEES IN SUBSECTION, 94-5, FEES

**Following is the vote on the Consent Agenda:**

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

**IV     Resolution – Not on the Consent Agenda**

#17-219     Brick House Extension of Premise

MOTION:           CAROLAN           SECOND       SHANLEY        
CAROLAN   YES   MADIGAN   YES   SCANLAN   ABSTAIN   SHANLEY   YES    
BOONSTRA   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**

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**Meeting Called To Order**

Mayor Rudolf E. Boonstra 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 Rudolf E. Boonstra.

**Invocation**

The Invocation was given by Reverend Scott Bostwick from Grace Methodist.

**Attendance**

**Township Committee Present:** Mayor Rudolf E. Boonstra; Committee Present: John A. Carolan, Thomas J. Madigan, Brian D. Scanlan and Timothy E. Shanley

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

**Open Public Meeting Act Statement:**

Township Clerk Joyce 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."

Committeeman Carolan made a motion to open the meeting for public Comment; Seconded by Committeeman Shanley. All voted in favor.

Debbie Maloney, 294 Meadowbrook Road. "Before I address this committee on this voting issue, I want to take issue with you Mr. Madigan for slighting Mr. Scanlan."

Mayor Boonstra: "Excuse me."

Debbie Maloney, 294 Meadowbrook Road. "Excuse me, I have a right to speak!"

Mayor Boonstra: "You have a right to address the Chairman."

Debbie Maloney, 294 Meadowbrook Road. "Ok. I take umbrage with what he said in front of all these people, when you know the reason why we are here is because he has been slighted! "

Mayor Boonstra: "Maybe you should take umbrage with me because I am the one who is sitting here as Chairman."

Debbie Maloney, 294 Meadowbrook Road. "Ok, then I take umbrage with you!"

Mayor Boonstra: "And, your point is?"

Debbie Maloney, 294 Meadowbrook Road. "I vocalized my opinion. Then I'm going to tell you what I have to say about this, ok? I've lived here almost 20 years, I sent several emails to all the people within the last ten (10) years who have sat on this illustrious council, because of various issues that I was dealing with. In all that time only one (1) person has ever gotten back to me and that is

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Mr. Scanlan. I think it is atrocious that this committee bypassed him! That is partisan politics all the way and you know it as well as I do! This town is not 100% Republican! You are not representing all the people here! He's had more votes than the rest of the people on this council! So, before you make your decision based on partisan politics, you ought to put this on the ballot so the people of this town can let you know what we think! I have another question for you!"

Mayor Boonstra: "Questions are directed to the Chairman."

Debbie Maloney, 294 Meadowbrook Road. "Ok, my question is, he said something about non-binding, what does that mean?"

Township Attorney Landel: "It takes the temperature of the voters, it's not going to have a binding effect. It's not going to change the form of government, it's not going to create an open space trust fund, and it's not going to accomplish anything. It will let the governing body know what the opinion or temperature of the voters is."

Debbie Maloney, 294 Meadowbrook Road. "So, let's say the town overwhelmingly decides that this should be looked upon for, even though the majority of the people in the town of Wyckoff say that, is this governing body yet able to decide what the next step is?"

Township Attorney Landel: "Whether or not a committee is appointed to look into this issue? That's what the question is about, right? Whether or not a committee should be appointed to look into the issue. A bi-partisan committee, it says non-partisan committee, you couldn't have a non-partisan committee because they are Republican, Democrat and Mr. Madigan is an Independent. It would be up to the committee to determine whether or not they want to put the question on the ballot. It doesn't matter how many signatures you have."

Debbie Maloney, 294 Meadowbrook Road. "That I understand, should they decide just to put the question on the ballot, ok, the townspeople say, yes, we want to go one step further. What's the next step?"

Township Attorney Landel: "If more than 50% of the people on the ballot said we would like to form this committee and look at it, they still don't have to do it. They're still taking a temperature, it's still up to the committee."

Debbie Maloney, 294 Meadowbrook Road. "The bottom line is it's still out there. You have to just all come out and vote."

Mayor Boonstra: "Thank you for your comments, would anyone else like to make a comment?"

Committeeman Carolan made a motion to close the public comment time of the regular business meeting; Seconded by Committeeman Shanley with an affirmative vote.

Committeeman Carolan made a motion to close the public comment portion of the meeting; Seconded by Committeeman Shanley. All voted in favor.

Approval of the following Township Committee meeting minutes:  
Township Committee Regular Work Session and Regular Business Meeting  
Minutes from July 18, 2017

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

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Vote to promote Sergeant Joseph R. Soto to the rank of Lieutenant

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

Assemblyman Kevin J. Rooney administered Oath of Office to Lieutenant Joseph R. Soto.

Det. Sergeant Joseph R. Soto, Jr. – Being Promoted To Lieutenant

Police Career History: Appointed probationary police officer in Wyckoff in August, 1994.

Promoted to Sergeant in 2009.

Currently serving as Officer in Charge of Detective Bureau, where he has been assigned since March, 2003.

Det. Soto is well-known to the school children and youth of Wyckoff, having served since 1997 as a DARE officer, teaching drug prevention in the schools. Det. Soto has also been active as Juvenile Officer, Municipal Alliance Committee member, and has also served with Crime Prevention, Domestic Violence, ABC Laws, and Tobacco Laws.

Education: Graduated from Westwood High School. Received an AAS Degree in Business Administration from Bergen Community College.

**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):**

**#17-217      Fibrodysplasia Ossificans Progressiva Awareness (FOP)**

**WHEREAS**, Fibrodysplasia Ossificans Progressiva (FOP) is an extremely rare, serious disease in which an accumulation of heterotopic ossification in muscle and soft tissue progressively restricts movement by locking joints leading to loss of function, physical disability, and risk of early death; and,

**WHEREAS**, Clementia Pharmaceuticals Inc. announced on October 14, 2016 topline results from its phase 2 clinical trial investigating palovarotene for the treatment of FOP; and,

**WHEREAS**, discoveries made in the FOP Lab by Scientists and Researchers may aid in treatment of common disorders such as osteoporosis, osteoarthritis, and unwanted extraskelatal bone formation from spinal cord injuries; and,

**WHEREAS**, after fifteen years of hard research, on April 23<sup>rd</sup> 2006 the Researchers at the University of Pennsylvania announced they found the “gene” responsible for causing FOP and over time they gave a mouse model FOP with amazing results.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that December 12, 2017 is hereby proclaimed as FIBRODYSPLASIA OSSIFICANS PROGRESSIVA (FOP) AWARENESS DAY in Wyckoff, New Jersey and urge all citizens to take

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this opportunity to be aware of FOP and be compassionate and understanding towards those suffering from this disease.

**#17-218      Authorize an Interlocal Services Agreement**

**WHEREAS**, the State of New Jersey has encouraged municipalities to enter into agreements for the joint provision of local government services; and,

**WHEREAS**, the Township of Wyckoff and the Northwest Bergen County Utilities Authority (NWBUA) have researched the feasibility of entering into an agreement under the authority of the Interlocal Services Act for the NWBUA to provide Licensed Sewer Operator service, daily monitoring of the Township of Wyckoff's three (3) waste water stations and repair service, 24 hours a day, seven days a week, for the Township of Wyckoff, for a fee; and,

**WHEREAS**, this interlocal service was successfully and satisfactorily implemented from 2003 through 2017 and the parties desire to renew the Interlocal Services Agreement; and,

**WHEREAS**, the Chief Financial Officer has issued a Certificate of Available Funds indicating funds are available in the 2017 sewer utility budget account #17-7-55-500-554; and,

**WHEREAS**, in accordance with NJAC 5:30-5.5- this contract award is subject to the availability and appropriation annually of sufficient funds in succeeding years; and

**WHEREAS**, the Township of Wyckoff is desirous of entering into agreement with NWBUA; and,

**WHEREAS**, THE Township Engineer and Public Works Manager recommends the Township Committee enter into this agreement.

**NOW THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Wyckoff that in accordance with NJSA 40:8A et. seq., (Interlocal Services Act), an Interlocal Service Agreement with the NWBUA is authorized for licensed sewer operator service, daily monitoring of the townships pump stations and repair services in accordance with the seven (7) year service agreement which is attached hereto.

**BE IT FURTHER RESOLVED**, that in accordance with NJSA 40:8A-4 a copy of this resolution and the Interlocal Services Agreement shall be available in the office of the Municipal Clerk for public inspection. Said agreement shall take effect on 11-1-2017.

**#17-220      Authorize Purchase from Cooperative Pricing System Contract**

**WHEREAS**, the DPW maintains a fleet of vehicles that are utilized in four seasons throughout the year and for emergency services; and,

**WHEREAS**, the Township's certified Public Works Manager has advised of a need to replace an existing front line vehicle with 25 years of service; and,

**WHEREAS**, the Public Works Manager has researched vehicle purchase options and he will capture cost avoidances if he purchase the cab and chassis separate from the dump truck body; and,

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**WHEREAS**, the dump truck body exists on the cooperative pricing system contract of the Educational Services Commission of New Jersey, System # 65 MCECCPS which the Township of Wyckoff is a member; and,

**WHEREAS**, a contract "# class eight truck bid #ESCNJ, June 17, 2016" which is valid from October 14, 2016 through October 13, 2017 for \$72,520.88 for a dump body was advertised and awarded on a competitive basis and is available for member local government units to utilize; and,

**WHEREAS**, the Public Works Manager recommends that the Township purchase the dump truck body under the aforementioned contract awarded to Trius, Inc., 5049 Industrial Road, Farmingdale, New Jersey 07727 for \$72,520.88.

**WHEREAS**, the Township Administrator and Township Attorney have reviewed this procurement and concur; and,

**WHEREAS**, the Chief Financial Officer provides the below certificate that adequate funds exist in 2017 Capital Bond Ordinance #1830 to a maximum amount as set forth in this resolution amounting to \$72,520.88 for this purchase.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a purchase from the Educational Services Commission of New Jersey, System # 65 MCECCPS through contract/bid # ESCNJ June 17, 2016 to Trius, Inc. 5049 Industrial Road, Farmingdale, New Jersey 07727 for \$72,520.88 is hereby authorized.

**#17-221      Authorize Purchase from Cooperative Pricing System Contract**

**WHEREAS**, the DPW maintains a fleet of vehicles that are utilized in four seasons throughout the year and for emergency services; and,

**WHEREAS**, the Township's certified Public Works Manager has advised of a need to replace an existing front line vehicle with 25 years of service; and,

**WHEREAS**, the Public Works Manager has researched vehicle purchase options and he will capture cost avoidances if he purchase the cab and chassis separate from the dump truck body; and,

**WHEREAS**, to cab and chassis exists on the cooperative pricing system contract of The Educational Services Commission of New Jersey, System # 65 MCECCPS which the Township of Wyckoff is a member; and,

**WHEREAS**, a competitively bid contract "# class eight truck bid #ESCNJ, June 17, 2016" which is valid from October 14, 2016 through October 13, 2017 for \$110,162.22 for a cab and chassis was advertised and awarded on a competitive basis and is available for member local government units to utilize; and,

**WHEREAS**, the Public Works Manager recommends that the Township purchase the cab and chassis under the aforementioned contract awarded to Robert H. Hoover and Sons, Inc., 149 Gold Mine Road, Flanders, New Jersey 07836 for \$110,162.22

**WHEREAS**, the Township Administrator and Township Attorney have reviewed this procurement and concur; and,



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**WHEREAS**, the Chief Financial Officer provides the below certificate that adequate funds exist in 2017 Capital Bond Ordinance #1830 to a maximum amount as set forth in this resolution amounting to \$110,162.00 for this purchase.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a purchase from the Educational Services Commission of New Jersey, System # 65 MCECCPS through contract/bid # ESCNJ June 17, 2016 to Robert H. Hoover and Sons, Inc., 149 Gold Mine Road, Flanders, New Jersey 07836 for \$110,162.22 is hereby authorized.

**#17-222      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. 16231 – 16328 Payroll A/C, Direct Deposit Vouchers no. 8139 - 8194, Library Payroll check nos. 1338 - 1340, Library Direct Deposit Vouchers no. 3068 - 3097, Claims Wire nos. 170801, 170802 & 170803, check no. 1009 Accutrack A/C, Claims check nos. 076928 – 077087 and Voided Claims checks no. 076927 & 077065 - 077088.

**#17-223      Return of certain overpaid taxes, escrow monies, 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:**

Solar City, 1 Chapin Road, Unit 4, Pine Brook, New Jersey 07058 – Refund of Permit #17-0315 – 30 Colonial Drive – Block 262/Lot 7 - \$700.00

**TAX REFUND:**

John & Marni Loughery, III, 230 Franklin Avenue, Wyckoff, New Jersey 07481 – Refund of 1<sup>st</sup> Quarter 2017 Tax overpayment – Block 263/Lot 22 - \$495.00

**RECREATION:**

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Andrew Basa, 242 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$100.00

**#17-C14      Closed Session – NJSA 10:4-12b(7) – Litigation and Labor 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,

**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 and designated below:

- a. NJSA 10:4-12b(7) a. Ridgewood Water Rate Litigation
- b. PBA 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 August 8, 2017, hereby authorize, that an Executive Session closed to the public shall be conducted on August 8, 2017, 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.

**II      Motions**

- a. Appoint to regular status from probationary status – Police Officer John Rafferty and Police Officer Michael Flim.
- b. Approve Christian Health Care Center’s ten (10) day temporary sign request to advertise their annual Classic Car Show at 301 Sicomac Avenue scheduled for September 23, 2017.
- c. Approval of Stop & Shop’s Grand Re-opening on September 8, 2017 & 10 day temporary sign request for a temporary banner on the building at 327 Franklin Avenue.
- d. Authorize Eastern Christian Children’s Retreat ten (10) day temporary sign request to advertise their “52<sup>nd</sup> Annual Country Fair” scheduled for September 23, 2017 (rain date October 7) at Memorial Field.

**III      Ordinances – Introductions**

#1838 - AN ORDINANCE TO AMEND CHAPTER 168, “SUBDIVISION AND SITE PLAN REVIEW,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 168-20 “SITE PLAN DESIGN STANDARDS,” TO AMEND SUBSECTION E. “ILLUMINATION,” TO PROVIDE FOR NEW STANDARDS AND REQUIREMENTS WITH REGARDS TO OUTDOOR LIGHTING

**ORDINANCE #1838**

**AN ORDINANCE TO AMEND CHAPTER 168, “SUBDIVISION AND SITE PLAN REVIEW,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 168-20 “SITE PLAN DESIGN STANDARDS,” TO**

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**AMEND SUBSECTION E. "ILLUMINATION," TO PROVIDE FOR NEW STANDARDS AND REQUIREMENTS WITH REGARDS TO OUTDOOR LIGHTING.**

**BE IT ORDAINED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 168-20, "Site Plan Design Standards," is hereby amended to provide for dimming of fixtures and reduce light intensity in subsection E, "Illumination" as follows:

**SECTION 1 - Chapter 168            Subdivision and Site Plan Review**

**Section 168-20            Site Plan Design Standards**

**E. Lighting**

STANDARDS. All outdoor light fixtures installed and thereafter maintained, shall comply with the following requirements:

- (1) The maximum height of all light fixtures shall not exceed twenty (20) feet, as measured from grade to the top of the fixture.
- (2) Site lighting shall not include an up-lighted fixture.
  - a. Exception: Light fixtures used to illuminate the State or the National flag mounted on a pole, pedestal or platform shall use a narrow column beam of light that will not extend beyond the maximum extensions of the illuminated flag.
  - b. Landscape lighting to illuminate signs, building facades and specimen plantings.
- (3) Shielding and Dimming of Fixtures. All lighting fixtures shall be directed downward and shall be equipped with the necessary shielding so as to prevent the direct source of light from being visible from any point beyond the property lines of the premises upon which the lighting structure is located. The shielding shall restrict the apex angle of the cone of illumination to a maximum one hundred fifty (150) degrees. Electronically controlled dimmers shall also be required to minimize adverse and detrimental human and environmental lighting effects, particularly during off-peak time periods, as determined by the Township.
- (4) All light fixtures shall be equipped with automatic timing devices and shall comply with the following:
  - a. Externally illuminated building identification or other signs shall only use shielded light fixtures mounted on top of the sign structure.
  - b. All other outdoor lighting shall use shielded light

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fixtures. Future additional shields shall be installed as necessary.

c. Fixtures shall be equipped with dimmers.

(5) Illumination levels shall not exceed those recommended in the IESNA Lighting Handbook, 8<sup>th</sup> Edition, as amended from time to time.

(6) The design and installation of outdoor lighting on a site shall be constructed so as to conform to the following standards:

a. All outdoor lighting during non-operating hours of the business on site not necessary for safety and security purposes shall be reduced, activated by motion-sensor devices or turned off.

b. All lighting shall be designed to prevent misdirected or excessive artificial light and to maximize energy efficiency.

(7) All light fixtures shall be designed, installed and maintained to prevent trespass light and/or spillage onto adjacent properties.

(8) Luminance requirements.

a. Street Lighting. Average maintained luminance shall not exceed IESNA recommendations. IESNA average to minimum luminance uniformity ratios are to be used for design roadway lighting.

b. Outdoor Parking Facilities. Average maintained luminance and uniformity ratios shall not exceed IESNA recommendations.

c. Walkways. Maximum average foot-candles shall be as follows:

1. Sidewalks (roadside):

i. Commercial: one and zero-tenths (1.0).

ii. Residential: two-tenths (0.2).

2. Walkways, stairways and bikeways (distant from roadways): two-tenths (0.2).

(9) The style of the light and light standards shall be consistent with the architectural style of the principal building or surrounding area.

(10) Floodlight-type fixtures shall be prohibited.

(11) Freestanding lights shall be so located and protected to

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avoid being damaged by vehicles.

- (12) The maximum illumination at property lines shall be one-tenth (0.1) foot-candle at grade.
- (13) All wiring shall be laid underground.
- (14) No lighting shall be of a yellow, red, green or blue beam nor be of a rotating, pulsating, or other intermittent operation.
- (15) Bare bulbs or tubes are prohibited.
- (16) If LED lighting is utilized it shall not to exceed ~~3,500-K.~~  
3000K.
- (17) Lighting at grade at the property line shall not exceed one-tenth (0.1) foot-candles and there shall be no spillage onto adjacent properties.
- (18) There shall be a six (6) month assessment period after construction of the project is completed and a certificate of occupancy is issued, so that Township officials have the opportunity to determine what, if any, changes are necessary to lighting improvements. Applicants shall comply with such requested changes to the lighting plan and improvements, pursuant to this section. The applicant shall be required to maintain escrow funds to cover the cost of the Township's lighting professional to conduct any as-built lighting assessments and issue recommendations.

**SECTION 2** - Except as hereby amended, all other Sections of Chapter 168 shall remain in full force and effect.

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

#1839 – AN ORDINANCE TO AMEND CHAPTER 108, “CONSTRUCTION CODES, UNIFORM,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 108-3 “FEE SCHEDULE,” TO AMEND SUBSECTION 12 “SMOKE DETECTOR COMPLIANCE CERTIFICATE FEES,” TO PROVIDE A NEW AND INCREASED FEE SCHEDULE

**ORDINANCE #1839**

**AN ORDINANCE TO AMEND CHAPTER 108 “CONSTRUCTION CODES UNIFORM” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 108-3 “FEE SCHEDULE” TO AMEND SUBSECTION 12 “SMOKE DETECTOR COMPLIANCE CERTIFICATE FEES” TO PROVIDE A NEW AND INCREASED FEE SCHEDULE.**

**BE IT ORDAINED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 108-3, “Fee Schedule”, is hereby amended to provide for a new fee schedule and increased fees in subsection D “Fee” as follows:

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**SECTION 1** Chapter 108 Construction Codes, Uniform

Section, 108-3, (12) Smoke detector compliance certificate fees.

~~(d) Fee. The fee for the smoke detector compliance certificate shall be \$50 for the first inspection visit and \$25 for each inspection visit thereafter.~~ Applications for smoke detector compliance certificates shall be submitted to the Chief of the Fire Prevention Bureau of the Township of Wyckoff with the application fee prepaid. Within 10 business days of the receipt of the application and fee, the designated official of the Township of Wyckoff shall inspect the premises to determine whether the same complies with the provisions of this chapter. The application fee for a certificate of smoke detector and carbon monoxide alarm compliance (CSDCMAC), as required by N.J.A.C. 5:70-2.3, shall be based upon the amount of time remaining before the change of occupant is expected, as follows:

1. Requests for a CSDCMAC received more than ten business days prior to the change of occupant: \$75.00
2. Requests for a CSDCMAC received four to ten business days prior to the change of occupant: \$125.00
3. Requests for a CSDCMAC received fewer than four business days prior to the change of occupant: \$175.00
4. There will be a \$40 re-inspection fee for each inspection visit thereafter.

**SECTION 2** - Except as hereby amended, all other Sections of Chapter 108 shall remain in full force and effect.

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

#1840 – AN ORDINANCE TO AMEND CHAPTER 94, “BUILDINGS, INSPECTION OF,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, TO AMEND SUBSECTION S TO O AND PROVIDE UPDATED AND MODERN LANGUAGE AND TO ESTABLISH NEW FEES AND INCREASE CERTAIN FEES IN SUBSECTION, 94-5, FEES

**ORDINANCE #1840**

**AN ORDINANCE TO AMEND CHAPTER 94, “BUILDINGS, INSPECTION OF,” OF THE CODE OF THE TOWNSHIP OF WYCKOFF, TO AMEND ALL SUBSECTIONS TO PROVIDE UPDATED AND MODERN LANGUAGE AND TO ESTABLISH NEW FEES AND INCREASE CERTAIN FEES IN SUBSECTION 94-5, FEES.**

**BE IT ORDAINED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 94, “Buildings, Inspection Of,” is hereby amended to provide for updated and modern language and to establish new fees and increase certain fees in Subsection 94-5, Fees as follows:

**SECTION 1** Chapter 94, Buildings, Inspection Of:

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Article 1. Certificate of ~~Compliance~~ Approval for Resale

**94-1. Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**CERTIFICATE OF COMPLIANCE Approval for Resale.**

A document certifying that a general inspection of the visible parts of the building has been made and there are no apparent violations of regulations.

**SECTION 2**

**94-2. When Required.**

A certificate of ~~compliance~~ approval for resale shall be required upon the following occurrences:

- A. Change in occupancy of commercial building; or
- B. Transfer of title to real property containing a building, structure of any kind, or sidewalks.

**SECTION 3**

**94-3. Exceptions.**

The following transactions are exempt from obtaining a certificate of ~~compliance~~ approval for resale:

- A. A transfer of title which confirms or corrects a deed previously recorded;
- B. A title is eligible to be recorded as an ancient deed pursuant to N.J.S.A. 46:16-7; or
- C. Transfer of title between husband and wife;
- D. Transfer of title between owners and children.

**SECTION 4**

**94-4. Application for certificate of ~~compliance~~ approval for resale.**

The applicant shall apply for a certificate of ~~compliance~~ approval of resale on the form provided by the Township of Wyckoff. A record of all certificates shall be kept on file at the office of the Construction Official, and copies shall be furnished upon request to any person having proprietary or tenancy interests in the building affected.

**SECTION 5**

**94-5. Fees**

The following fees shall be changed for the issuance of a certificate of ~~compliance~~ approval for resale and shall be based upon the amount of time remaining before the change of occupant is expected as follows:

- A. Multifamily dwellings of three or more units: \$75 each unit.
- B. One and two family dwellings: ~~\$150 each unit.~~ The application fee for a certificate of approval for resale as required before the change of occupant except as noted in 94-3.

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Exceptions, is as follows:

1. Requests for Certificate of Approval for Resale received more than ten (10) business days prior to the change of occupant: \$150.00.

2. Requests for Certificate of Approval for Resale received four (4) to ten (10) business days prior to the change of occupant: \$200.00.

3. Requests for Certificate of Approval for Resale received fewer than four (4) business days prior to the change of occupant: \$250.00

C. Nonresidential buildings: \$150 each tenancy.

D. Re-inspection Fee: \$40.

**SECTION 6**

**94-6. Time Limitations for Approval.**

All certificates of ~~compliance~~ approval for resale shall be issued or denied within ten (10) days of filing of the application. A certificate of ~~compliance~~ approval for resale shall be deemed valid for 120 days from the date of issuance. If a certificate of ~~compliance~~ approval for resale is denied, the Construction Official shall state the reasons for the denial.

**SECTION 7.**

**94-7. Appeal of Denial.**

An appeal of denial must be filed within ten (10) calendar days of the denial. Such appeal shall be filed with the Board of Adjustment if the basis of the denial involves violation or interpretation of the Zoning Code. If the basis of the denial involves a violation of the Uniform Construction Code, the appeal shall be taken to the Bergen County Construction Board of Appeal. If the basis of the denial involves a violation of the Health Code, the appeal shall be filed with the Board of Health.

**SECTION 8.**

**94-8. Inspections.**

The applicant shall permit the building to be inspected by the following Township Officials: Construction Official, who shall be responsible for the inspection and who can recommend further inspection by the construction Subcode Officials, Tax Assessor, Water Department and Board of Health. Refusal to permit one or more inspections shall result in the denial of the application. In addition to determining that the premises is in compliance with the property maintenance and zoning codes and all other applicable municipal ordinances and state law, a certificate of ~~compliance~~ approval for resale inspection shall include a determination of compliance with the following:

A. Installation and existence of smoke and carbon monoxide detectors;

B. Existence of handrails for all stairways having three or more risers;



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- C. Discharge of sump pumps; proven to not be discharged into sanitary sewer.
- D. All open construction permits are to be closed;
- E. All newly installed items and improvements such as furnaces, hot water heater, roof, siding, finished basement, kitchen and bath renovations and electrical and plumbing work have all received the necessary and required permits;
- F. Sidewalks and driveways in public right-of-way are maintained in good quality condition;
- G. Existence of house numbers visible from the street; and
- H. General compliance with the provisions of the Township's property maintenance code.
- I. A township property not serviced by municipal sewer is required to have had the septic system tested and the septic report received and reviewed by the Construction Official, Township Engineer and Board of Health. In the event a cesspool is found on the property, the owner/agent of the property shall comply with N.J.S.A.7:9A-3.16.

**SECTION 9**

**94-9. Responsibility for obtaining certification.**

The responsibility for obtaining a certificate of ~~compliance~~ approval for resale rests with the current owner of the property. No owner shall permit the occurrence of any event requiring a certificate of ~~compliance~~ approval for resale under this section until the requisite certificate has been issued.

**SECTION 10**

**94-10. Violations and Penalties.**

Owners, tenants and occupants shall be jointly and separately responsible for failure to obtain the requisite certificate and shall be subject to a fine up to \$500 for every violation of this article, payable through the Violations Bureau.

**SECTION 11**

**94-11. Notification.**

To assist in the enforcement of this article, a notice shall be included on all tax searches and added assessment searches prepared by the Tax Collector of the Township of Wyckoff, stating that a certificate of ~~compliance~~ approval for resale is required for a change in use and/or occupancy, sale or the vacation of any building or portion thereof within the Township of Wyckoff; provided, however, that a failure to affix such notice shall not constitute a defense for the failure to obtain a certificate of ~~compliance~~ approval for resale in violation of this article.

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**SECTION 12**

Except as hereby amended, all other Sections of Chapter 94 shall remain in full force and effect.

**SECTION 13**

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

**Following is the vote on the Consent Agenda:**

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

**IV Resolution – Not on the Consent Agenda**

#17-219 Brick House Extension of Premise

**WHEREAS**, a New Jersey Division of Alcoholic Control 12 page application for an expansion of premise and sketch have been filed with the Municipal Clerk for plenary retail consumption license #0270-33-003-004 Wyckoff Inn LTD dba The Brick House, for the purposes of expanding the premises under the liquor licensed area wherein the sale, service and storage of alcoholic beverages are authorized; and,

**WHEREAS**, the submitted expansion of premise application form is complete in all respects, the transfer fee to the state and municipality have been paid, and the license was properly renewed for the 2017/2018 license term; and,

**WHEREAS**, reports from the Wyckoff Police Department, County Department of Health Services and Zoning Officer are attached as if set forth herein.

**WHEREAS**, the letter from the Bergen County Department of Health Services from Michelle Delyannis, Registered Environmental Specialist dated July 12, 2017 states “all areas covered by the expanded liquor license must conform to all regulations cited in the New Jersey Smoke Free Air Act”

**WHEREAS**, the licensee published legal notices as required by law in the Record indicating the expansion of the area of the liquor license of the Brick House on July 1 & 8, 2017 and no objections regarding the expansion were submitted to the Municipal Clerk; and,

**NOW, THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey hereby approve, effective August 8, 2017, the expansion of the Brick House plenary retail consumption liquor licensed premise located at 179 Godwin Avenue, Wyckoff, New Jersey, to place under license the area delineated in the application form and sketch of the licensed premises attached thereto.

**BE IT FURTHER RESOLVED**, that the area covered by the expended liquor license must conform to all regulations cited in the New Jersey Smoke Free Air Act.

MOTION: CAROLAN SECOND SHANLEY  
CAROLAN YES MADIGAN YES SCANLAN ABSTAIN SHANLEY YES  
BOONSTRA YES

**V** Regular Business Meeting adjourned 9:15 p.m.  
At 8:32 pm the business meeting was adjourned and the Township Committee voted unanimously to reconvene the regular

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work session meeting. Mayor Boonstra said when the regular work session meeting is adjourned the township committee will go into closed session to discuss PBA contract negotiations and Ridgewood Water litigation.

An affirmative vote was taken to re-enter the Regular Work Session Meeting.

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Rudolf E. Boonstra  
Mayor

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Joyce C. Santimauro  
Municipal Clerk