

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
TUESDAY, MAY 21, 2019 – 7:00 P.M.**

Mayor Thomas J. Madigan opened the Open Work Session Meeting at 7:00 p.m. in the second floor municipal court room.

Municipal Clerk Santimauro read the Open Public Work Session statement: "This Open Public Work Session Meeting of the Wyckoff Township Committee is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our Annual Schedule of meetings. A copy of said Annual Schedule has been posted on the Bulletin Board in Memorial Town Hall; a copy has been filed with the Municipal Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having 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."

**Present:** Mayor Thomas J. Madigan, Committeemen Rudolf E. Boonstra, Timothy E. Shanley, Brian D. Scanlan and Committeewoman Melissa D. Rubenstein

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

Mayor Madigan advised that the Finance Committee has reviewed and signed vouchers.

**Review of the 8:00 p.m. Agenda:**

1. Committeeman Shanley has requested the Agenda include a resolution opposing gun violence. The resolution has been drafted and the governing body approved the resolution for inclusion this evening.
2. A resolution is presented to convey a 25% match or \$87,500 from the Municipal Open Space and Historic Preservation Tax/Trust Fund to the Zabriskie House Trust to obtain a \$262,000 grant from the office of the Bergen County Historical Preservation. The Township Committee approved.
3. A resolution requested by Mayor Madigan to recognize last week as National Police Week. On May 15, 2019 the flags at Town Hall flew at half-staff as is the tradition each year to recognize fallen police officers.
4. The Administrator proposed two (2) resolutions which would appoint temporary supplemental subcode officials to assist the Wyckoff Construction Subcode Official with the extent and construction methods which will begin in June to construct the Christian Health Care Center Vista Project. These resolutions were discussed and the fact that funds were allotted for said purpose and the funds exist in the 2019 Municipal Budget. The governing body approved.
5. The Township Attorney has requested a Closed Session regarding threatened litigation received from a Dallas, Texas law firm regarding the Township's peddler and solicitor ordinance.
6. The Administrator reminded the Township Committee that they have the honor of presenting student Alex Sullivan with the New Jersey League of Municipalities Certificate as the winner of the Statewide Scholarship entitled "What My Governing Body does for My Community." A certificate and \$1,000 check from the New Jersey League of Municipalities will be presented to Alex this evening.

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7. The Administrator requested two (2) additional motions added to this evening's Agenda. The first motion would approve the specifications and reauthorize bidding for the bi-annual shade tree work located on the municipal unpaved right-of-way. The second motion would approve a New Jersey State Police helicopter landing for the police department's Junior Police Academy. It was noted that Memorial Field is an approved helicopter landing site for emergency situations.
8. This evening, is the final of two (2) public hearings for Ordinance #1875 and Ordinance #1876 which establish historic preservation commissions and code in the Township of Wyckoff. The Township Attorney will read into the record a recommendation from the Township's Planner, Ms. McManus and a recommendation from the Planning Board for each ordinance.
9. Also scheduled for public hearing and further consideration is a bond ordinance which appropriates a portion of the cost of the 2019 road resurfacing and the purchase of a replacement street sweeper, required to comply with the New Jersey mandated Stormwater Management Act.

Mayor Madigan opened the meeting for the ten (10) minute public comment period, two (2) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff, with a motion from Committeeman Scanlan, seconded by Committeeman Shanley.

There was no public comment.

Committeeman Shanley motioned to close the public comment period, seconded by Committeeman Scanlan with an affirmative voice vote.

**Policy Action Items:**

1. The Administrator discussed the public hearings scheduled for this evening regarding the historic preservation ordinances. There was request from the Planning Board to secure various measures to ensure future home purchasers are aware that specific homes may be listed on the listing of historical landmarks. The Township Committee discussed this request at length including placing a note on the tax duplicate possibly issuing a notice with the application for a sign permit. It is a requirement of a title search and/or an applicant's due diligence to obtain this information. The Administrator advised there are three (3) locations on the Township's website which is available 365 – 24/7 where the list of historical landmarks could be placed. They include: 1. Legal notices from the Municipal Clerk, 2. Under Municipal Records, Wyckoff is one of the few communities that lists all of the elements to their Master Plan and historical preservation will become a new element of the Master Plan and 3. a new sub-link would be created entitled "Historic Preservation" which would include the listing of historical landmarks. A fourth location – a button on the website that states "Information for New Residents" where the information could also be listed.
2. The governing body discussed the \$262,000 Historical Preservation Grant which the Zabriskie House Trustees were able to obtain. The 25% match from the municipality's Open Space and Historical Preservation Tax. The four members of the Zabriskie House Trust are present this evening specifically, Jim Abma, Judy Abma, Jean Hildebrandt and Dr. Richard Lynch. The governing body thanked these volunteers for their

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dedication in preserving the Zabriskie House Museum of Early American History.

3. The Administrator advised the governing body that he received information on the nine (9) Girl Scouts that are receiving their Gold Award at a Recognition Ceremony on Monday, June 17, 2019 at 7:00 p.m. at the Wyckoff Library. Letters from the Township Committee, signed by Mayor Madigan will be prepared for each Girl Scout reflecting their individual community service improvement project.
4. A request was submitted from Committeeman Scanlan to place two (2) Planet Aid purple book bins in the Recycling Center. Mr. Scanlan explained the reason and he has consulted with the Library Board of Trustees and Friends of the Library who have no objection as long as the bins are located in the Recycling Center and not at the Library. The governing body discussed this at length indicating there may be needs for children's books and other types of books that are commonly recycled by teachers and others whereby additional information should be requested. The Administrator disclosed that to place those bins on municipal property would require the advertised sealed competitive bidding process. Committeeman Scanlan was tasked with obtaining additional information and will provide a revised report to the governing body.
5. Information was received from Assemblyman DePhillips requesting a resolution from the Township Committee opposing the law known as "The Rain Tax Law." Mayor Madigan advised that the governing body request a memo from the Township Engineer to provide his opinion before contemplating any action.
6. On Saturday, June 1, 2019 at Bethany Church, the Eagle Court of Honor Ceremony for Wen Plotnick will be conducted. A congratulatory letter has been prepared from the governing body, signed by Mayor Madigan for his presentation.
7. The Administrator received an e-mail today from Committeeman Scanlan, Township Committee Liaison for Wyckoff Day requesting governing body approval to fund half of the cost of the inclement weather insurance policy. The Township has approved and participated in this policy in years past. The Township Committee agreed.
8. The 2019 Open Space Grant Application was filed on Friday, May 17, 2019. This grant includes additional improvements to the Russell Farms Community Park including a new playground for younger children.
9. The next round of New Jersey Department of Transportation Trust Fund Grants were announced. The date is Friday, July 19, 2019 and the Administrator will contact the Township's Consulting Engineer regarding the status of the discretionary grant to replace the Mountain Avenue culvert and the next road for a grant application.
10. The Administrator provided an update regarding the property at 550 Clinton Avenue. A number of building violations were issued for a construction of a deck and internal renovation without permits. The property owner had sixty (60) days to replace the septic system and the time period has since expired. This information has been forwarded to the Township Attorney for his assistance.

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11. Last week, a pre-construction meeting was conducted for the 2018 Open Space Grant which also provides improvements to Russell Farms Community Park. The Township will be managing the project through Scott Fisher and will utilize strategic purchasing to limit costs. The Administrator and Mr. Fisher are drafting a construction specifications for the construction of the sensory garden and the irrigation system.
12. The Administrator attended the Thursday, May 16, 2019 Wyckoff Chamber of Commerce Meeting where he relaunched the Green Business Recognition Program for businesses who are involved or participating in the Chamber of Commerce. This is a Sustainable Jersey activity which is designed to result in twenty (20) additional points towards certification by Sustainable Jersey.
13. The Administrator reminded the governing body of his vacation leave schedule.
14. A number of municipal community activities are upcoming in the next few weeks. They are listed in the weekly update the Administrator provides to the governing body. The list includes the Memorial Day Parade and Services on Monday, May 27, 2019, the Annual Fishing Derby on Saturday, June 1, 2109 and volunteers are needed. Wyckoff Day, provided by the Wyckoff Family YMCA is also on Saturday, June 1, 2019.
15. Sicomac Avenue, from Birchwood Drive to Franklin Lakes will be milled on May 22, 23, 24, 2019. Public service announcements have been issued through the Township's weekly E-News communication as well as posting on its social media accounts. Paving is delayed until Wednesday, June 5, 2019. Committeeman Boonstra reminded all that the remainder of Sicomac Avenue will be paved by the County once the site improvements at the intersection of Cedar Hill Avenue and Sicomac Avenue have been performed by the Christian Health Care Center. The Township has sent letters to Verizon and Cablevision to inform these utilities of the impending improvements and enlist their assistance so as not to delay the paving schedule.
16. A court security meeting was conducted last week with the Municipal Clerk, the new Court Administrator, the Chief Financial Officer, Police Chief Murphy and the Administrator. Therefore, the West Wing steps will become an employee access only. A sign will be posted at the front ramp which is the entrance to Municipal Court and metal detectors are utilized. Doors will open 15 minutes before the 5:30 p.m. per court start time.
17. The 2020 Municipal Resident Calendar is in full swing. The theme selected by the governing body is "2020 Vision."
18. The Administrator reported to the governing body regarding a meeting he and Committeeman Shanley attended concerning the leadership of the Wyckoff Volunteer Fire Department. The Joint Insurance Fund (JIF) is investigating if a fire department accreditation could be established. The Administrator serves on a subcommittee for the JIF and he working to obtain this process at no cost to the Township and funded by JIF. The Township may be in a pilot program; the fire department accreditation is similar to the police department accreditation where best practices are established that are intended to keep firefighters safe including training and the verification of the transference of that training knowledge. The Administrator will keep the governing body updated.

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19. Next week, the project team consisting of the Recreation Director, Police Chief and the Administrator will meet with a vendor to address video surveillance at playgrounds and parks. This was the result of a lawsuit filed against the Township and is considered a risk management effort.
20. To date, the Clerk's Office has issued 230 OPRA requests; the Township has responded to thirteen (13) requests for services through the website button since the last meeting on 5/3/19. The three (3) ordinances that are scheduled for public hearing this evening have been published in full as a legal notice. Many towns publish the ordinances in summary form only. Publishing ordinances in summary makes ordinances impossible to understand. The Township views publishing ordinances in full for citizen review a transparency enhancement. These ordinances are also published on the Township's webpage at a separate quick link – Legal Notices from the Clerk.

**Township Committee Reports:**

**Timothy Shanley:**

1. Mr. Shanley attended the Monday, May 13, 2019 Parks and Recreation Advisory Board Meeting where the 2019 football coaches and assistant coaches were established. Committeewoman Rubenstein asked Mr. Shanley if a meeting can be scheduled with the football boosters to address their fundraising effort for artificial turf at Memorial Field.
2. The Shade Tree Commission Meeting was conducted on Tuesday, May 14, 2019 where the inspection of trees was discussed.
3. Mr. Shanley attended the Thursday, May 16, 2019 Zoning Board of Adjustment Meeting where four (4) applications were approved for minor additions to homes. One (1) application on Hillside Avenue was carried to the next meeting regarding questions of prior permits.
4. Earlier today, Mr. Shanley attended the hearing at the Appellate Court Division in Morristown concerning the tri-town (Wyckoff, Midland Park and Glen Rock) litigation regarding Ridgewood Water's overcharging of their water rates. Though the arguments lasted approximately one hour and will now wait approximately ninety (90) days for the Appellate Division to provide a ruling.
5. Mr. Shanley discussed the volunteer committee to investigate whether the fireworks display can return in 2020. To date, Mr. Shanley has received three (3) volunteer applications from residents who wish to volunteer for this purpose. Mr. Shanley is looking for ten (10) volunteers and this information has been posted for weeks on the Township's weekly e-news communication and website.
6. Mr. Shanley met with the Administrator and the Fire Chiefs regarding the fire department accreditation. Mr. Shanley thanked Mr. Shannon for making this happen.
7. Mr. Shanley attended the Wyckoff Education Foundation Fun Run/Walk where his wife Melissa is Vice President of the Wyckoff Education Foundation. Both of Mr. Shanley's sons volunteered at the concession stands.
8. Mr. Shanley attended the Ben Landel Foundation Dinner and described the event as wonderful and truly inspiring.

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- 9. Mr. Shanley congratulated Washington School for winning the race at the Wyckoff Education Foundation Fun Run/Walk.

**Brian Scanlan:**

- 1. Mr. Scanlan advised there is no reporter in the audience this evening.
- 2. Mr. Scanlan attended the Library Board Meeting on Wednesday, May 15, 2019 and the board has agreed to rehabilitate the chair lift which provides access to the second floor mezzanine area where the Wyckoff History Room is located.
- 3. Mr. Scanlan congratulated the Zabriskie House Trustees on their efforts.
- 4. Mr. Scanlan invited everyone to attend the Wyckoff Day Celebration on Saturday, June 1, 2019 at the Wyckoff Family YMCA Campus.
- 5. Mr. Scanlan recommended that the Township Committee adopt a resolution based on information based on information from Assemblyman DePhillips objecting to the Rockland Electric rate increase. The governing body instructed the Administrator to draft such a resolution.
- 6. Mr. Scanlan volunteered to review actions that are included in the legislative proposal known as "Path to Progress." There are approximately twenty (20) bills in that program and once reviewed, the Districts 40 Legislators could be asked for input for the purpose of reducing property taxes.
- 7. Mr. Scanlan made comment that this is the last meeting before Memorial Day and he thanked our veterans and members of the military.

At 8:00 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to conduct the Public Business Meeting.

At 8:35 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

**Continuation of Township Committee Report:**

**Rudy Boonstra:**

- 1. Mr. Boonstra was very pleased that the Township Committee adopted the resolution providing the 25% match for the Zabriskie House Trust. The funds will be used for make structural improvements and restore the Zabriskie House. Also, the restoration and reconstruction of the Brownstone Wall on the Franklin Avenue side of the Zabriskie House property is ready to begin. They are awaiting the mason's schedule.
- 2. Next year, in 2020, will be the 300<sup>th</sup> Anniversary of the Van Voorhees Family purchasing the property that the Zabriskie House is situated on. The Zabriskie House was built approximately ten (10) years later. However, in 1720, Mr. Van Voorhees purchased 500 acres which included the area of the Zabriskie House. Mr. Boonstra suggested that next year the Zabriskie House Trustees schedule events to celebrate this

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monumental anniversary with the aid by a Blue Ribbon Steering Committee.

3. On Wednesday, May 8, 2019 Mr. Boonstra attended the Planning Board Meeting where two (2) applications were determined to be complete. Two (2) fence applications were approved and the modification of the property at the end of Windham Court North which is zoned industrial, was carried to the July meeting.
4. Also at the Planning Board Meeting, the owners of 4 Gems, the building located at the corner of Everett and Highland Avenue received approval to demolish the building and replace it. The foundation was found to be unstable preventing the renovation of the building.
5. On Saturday, May, 2019 Mr. Boonstra attended the Wyckoff Education Foundation Fun Run/Walk and the Blue Moon Golf Outing to benefit the Ben Landel Foundation. Mr. Boonstra congratulated Mayor Madigan and Drita McNamara who worked on the golf outing and dinner fundraiser.
6. Mr. Boonstra has been working with the Township Engineer regarding a sewer extension on Hillside Avenue, Evers Street and Paul Court. Progress is expected by the next meeting.
7. Committeeman Boonstra: “Two weeks ago I reported on a successful extension of the Wyckoff Avenue sewer line up to Sunset Boulevard. This extension of the sewer line into the Knolls was one of our goals when we planned and implemented the sewer project along with Northwest Bergen Sewer Authority along Wyckoff Ave. from Brownstone Court to Sunset. The extension of Sunset was necessitated by the fact that the house on the corner had a failing septic system, could not be issued a septic permit, because we booked the sewer line within 100 feet of the house. The homeowner who contributed most of the funds to this project wanted to go along Wyckoff Ave with the sewer line; but that was not our goal when we originally planned the project, and it would also have involved massive preconstruction on the front of Wyckoff Ave. with two huge trees in the front yard that would have to go. Mark was able to secure some contribution from the sewer authority, which I reported at the last meeting, and along with the money the Township put in and the line share by homeowners so now we have a sewer line up Sunset. What I did not report two weeks ago, which I was going to report (in fact I spoke with the Mayor weather I should report it or not) is that the people who live in the house are Republicans, the woman is a former County Committee Member and her father is a former Mayor, but I did not want to mix sewers and politics because that is a messy brew to say the least. I was disappointed to find out though that one of us on this Board has mixed sewers and politics. After the meeting Brian Scanlan approached one of the members of the audience, as a matter of fact during the recess that the Mayor called, who is involved in a sewer project and lives in town and suggested that the sewer line was put up Sunset because these folks were Republicans. Now this was not an easy thing to negotiate it was very difficult. We were trying to work in the best interest of the town, it was not necessary to bring this into it and actually what I did was so we didn't have to hash out the funding in a public meeting is I either spoke one on one or telephoned one on one my

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colleagues here to explain the ins and outs of it and I said if you have any questions about this ask me now or call me before Tuesday night. So Brian I do not understand why you did this, because you had ample opportunity to call me if that was a problem for you, and I had to bring this up to the Township Committee's attention. I am really disappointed. I was going to go there, but I didn't, but now I am going there anyway so that Mayor is the end of my report."

Committeeman Scanlan: "I was having a private conversation so I guess it was overheard there is nothing on the record."

Committeeman Boonstra: "Well it's on the record now and I think it is very disappointing so; I did not overhear it was reported to me by the other principle in the conversation who was appalled himself."

Committeeman Scanlan: "Ok."

Committeeman Boonstra: "I am not going to say who it was."

Committeeman Scanlan: "I mean Rudy if you are going to over hear my conversation."

Committeeman Boonstra: "I did not over hear it was reported to me."

Mayor Madigan: "Someone told you, you mean."

Committeeman Boonstra: "Yes."

Committeeman Boonstra: "I am very upset. Very upset, because the aim of this was to get sewers up into the Knolls, not do favors for people. We don't do that anyway, even though everyone thinks we do. That's my report Mayor."

Mayor Madigan: "Thank you."

**Melissa Rubenstein:**

1. The Wyckoff Board Health will participate in the Wyckoff Day event with a booth themed The Dangers of Vaping.
2. June 1, 2019 is the deadline for the Township's application to Sustainable Jersey to renew its certification. Members of the Environmental Commission have been working diligently on this application.
3. A pre-construction meeting for the 2018 Russell Farms Community Park Grant was conducted. Ms. Rubenstein thanked Mr. Shannon and the Project Team for pushing this improvement along.
4. Ms. Rubenstein attended the Wyckoff Education Foundation Fun Run/Walk and the Blue Moon Golf Outing in support of the Ben Landel Foundation.
5. Ms. Rubenstein requested the Administrator propose several dates for a meeting that she and Committeeman Scanlan can conduct to address the

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suggestion from last meeting that some type of plastic bag prohibition and food take-away containers could be prohibited also.

**Mayor Madigan:**

1. Mayor Madigan also attended the Wyckoff Education Foundation Fun Run/Walk which raised substantial funds for the education of the Wyckoff students.
2. Mayor Madigan was pleased that the resolution to recognize the Wyckoff Police Department was adopted this evening. He provided a summary with regard to the presentation at the Wyckoff Chamber of Commerce Meeting last week conducted by Police Chief Murphy and several police officers. Mayor Madigan thanked the Wyckoff Police Department for their efforts on behalf of our residents.
3. Mayor Madigan attended the Ben Landel Foundation Golf Outing and Dinner which raised funds for scholarship and cancer research.
4. The Memorial Day Parade Committee met last week to discuss any final matters prior to the Memorial Day Parade on Monday, May 27, 2019. The parade begins at 11:30 a.m. at the Cornerstone Christian Church.
5. Mayor Madigan commented that the work towards renovating the Court Room looks great. The radiator covers are being painted. Many thanks to the DPW Staff and the Chief Financial Officer for their efforts on this project.
6. Mayor Madigan thanked Bob Shannon for completing and delivering the Bergen County Open Space Grant Application which will further enhance the Russell Farms Community Park experience.
7. Sicomac Avenue will be milled this week and paving is set for Wednesday, June 5, 2019. Public information has been issued in this regard.
8. Mayor Madigan endorsed Committeeman Scanlan's suggestion to adopt a resolution opposing the Rockland Electric rate increase.

**Township Attorney Report:**

1. The ordinance amendments were received just today from the Planner concerning the overlay zone. Mr. Landel will evaluate these amendments and report back.
2. Mr. Landel is preparing a developer's agreement for a privately funded sewer extension project.
3. The developer's agreement has filed for the Christian Health Care Center Vista Project.
4. Mr. Landel thanked the governing body for supporting the Ben Landel Foundation Golf Outing and Dinner.
5. Mr. Landel requested a Closed Session this evening to discuss threatened litigation.

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At 9:00 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to enter into Closed Session discussion via Resolution #19-C7.

At 9:11 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

At 9:11 p.m., a motion by Committeeman Boonstra, seconded by Committeeman Scanlan, to instruct the Township Attorney to settle the threatened litigation regarding the Township's solicitation ordinance (Chapter 148 of the Code of the Township of Wyckoff) based on his recommendations including lowering the fees, criteria for application review and a more favorable consent agreement. All governing body members voting affirmatively.

The Open Work Session Meeting adjourned at 9:12 p.m.

\_\_\_\_\_  
Thomas J. Madigan  
Mayor

\_\_\_\_\_  
Joyce C. Santimauro  
Municipal Clerk