

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, APRIL 16, 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 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 Shanley, seconded by Committeeman Scanlan.

1. Melanie Long, 329 Calvin Court stated that parents are continually speeding up and down Calvin Court. No one is enforcing the speeding on Calvin Court. Mrs. Long called the Garfield Police Department and they are very proactive in speed reduction. The City of Garfield has installed thirty (30) signs that are solar powered that include a digital message disclosing a vehicle's speed and beneath the speed limit if it's over the speed limit – "Slow Down" flashes and under the speed limit "Thank You" flashes. Mrs. Long stated this is an effective way of reducing speed on a residential street. She also mentioned that the Wyckoff Police patrols are welcome to utilize her driveway for speed enforcement. The Borough of Glen Ridge also uses this type of sign. The Administrator inquired as to when this speeding occurs on Calvin Court so that the police department can have a more precise time period. Mrs. Long replied that the speeding occurs in the morning, lunch time, afternoon school pick-up and around 5:00 p.m. (when children are transported to sports events).

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

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

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

The Administrator reported that the Agenda is essentially as posted on the website on Friday, April 12, 2019 with the resolutions and ordinances. However, there are several additions to this evening's Agenda.

1. The addition of a resolution to invoke concession purchasing to procure non-tax revenue for allowing a vendor to replace three (3) clothing and shoe recycling bins on Township property. The current contract expires on June 1, 2019 and this authority will allow service to be advertised for competitive sealed bids on Friday, April 19, 2019.

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2. Bond Counsel has modified Resolution #19-185 to authorize the Township to participate in a public hearing as required by a federal statute for the Christian Health Care Center, who is borrowing \$140 million dollars from the New Hampshire Economic Development Authority to finance the Vista Project. The Township Committee requested a clarification. The Administrator advised that this action is not a land use action and the Township is not in any way providing funding for this project. There is an obscure federal statute that requires a non-profit agency when it borrows money through an economic development authority to hold a public hearing in the primary building in the municipality where the Vista Project is located. Since the Wyckoff Public Library has more parking than Town Hall and the library is within the campus of the Memorial Complex, the library was chosen for the public hearing. The date is Monday, April 29, 2019 at 10:00 a.m. in the lower level Shotmeyer Room. The resolution authorizes the use of the library and also authorizes the Mayor to send a letter prepared by Bond Counsel to state that said hearing was conducted.
3. A resolution to authorize the development of the bid specifications and begin the procurement process to renew co-location communication carrier leases on the Township's emergency services monopole.
4. A request has been received from the Grace Church to waive their application fee to the Planning Board. The governing body was in favor of the fee waiver.
5. Ordinance #1874 is scheduled for public hearing and further consideration and at that time, the Township Attorney will address the ordinance. The Planning Board approved the zoning ordinance amendment however, a minor change was recommended and Mr. Landel will address this change.

Policy Action Items:

1. This evening, the Township Committee will further consider the 2019 Municipal Budget. The Finance Committee consisting of Mayor Madigan, Committeewoman Rubenstein, the Chief Financial Officer and the Administrator, conducted a series of six (6) meetings with department managers and crafted the budget presented this evening. It is a budget with a 4 tenths of 1% increase. The budget "hold the line" on spending, but invests in the future. Since resources are limited, difficult decisions were made between valid competing projects for the limited resources.
2. With regard to the conversation last meeting regarding the prohibition of the sale of marijuana and the fact that hemp is legally considered different from marijuana but also includes CBD's, the Township Attorney will address this issue during his report.
3. The Township received a \$100,000 Bergen County Open Space Grant which 75% of the grant would be directed towards assisting with the construction of the artificial turf field in Memorial Field. The remaining 25% would construct an ADA pathway that would connect the Wyckoff Public Library and the sports area of Memorial Field to Franklin Avenue. Committeeman Scanlan requested that this grant be further discussed. He opined that the project should not move forward until the governing body has the full picture of all available funds and a mechanism is in place to fund the carpet replacement for the artificial turf similar to the mechanism in place when Pulis Field was constructed with artificial turf.

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The Township Committee agreed that additional information was needed and a full discussion would result prior to the project commences.

4. As requested by the Township Committee, the Administrator had a further lengthy conversation with an affordable housing administration service and as per governing body direction, the firm will hold its prices for the next two (2) years. Therefore, the Administrator will prepare a professional service resolution for the next meeting for this service. Mayor Madigan asked Mr. Shannon to summarize this issue since there are many people in the audience this evening not familiar with this matter. Mr. Shannon replied that since 1990, the Township has performed the affordable housing administration function through the Administrator and the Planning Board Secretary with legal assistance from the Township Attorney. Over the years and over the various approvals through the court and the bureaucracy known as COAH, the process has become more complex. With the last approval from the court of the Township's plan and the new mandated rules, the function of housing administration has become more extensive that it cannot be adequately performed as an ancillary duty of any municipal employee. Many communities are utilizing the contracted services similar to a shared service of an affordable housing firm. The firm that the Township has researched has been recommended by the Township's new planner and Mr. Shannon has checked the firm's references hence, there is a recommendation to move forward with compliance of the myriads of laws that impact how the Township must comply. This firm provides the option of the Township reducing a portion of the burden off the taxpayer by establishing certain fees that must be borne by either the developer or the affordable housing occupant when and if they may be selling their affordable housing unit.
5. Referenced on this evening's agenda are the two (2) historic preservation ordinances for introduction that the governing body has worked on for several months. Last meeting, the Township Committee approved a broad and robust public information plan. These ordinances will be promoted during the next thirty (30) days and the public hearing and adoption will be extended through the month of May to the meeting on Tuesday, May 21, 2019. At that time, the Township would have provided notice through its weekly e-news communication, posted on the Township's website and legal notices from the Municipal Clerk and disseminated through social media accounts.
6. The Administrator reminded the governing body that the financial disclosure statements (FDS) required by the New Jersey Ethics Law are due to be filed online by April 30, 2019. The Administrator has filed his FDS.
7. The Administrator took the opportunity to review with the Township Committee the Township's policy with regard to municipal matters that it posts on its website and its weekly e-news communication. Two (2) requests were recently received and approved. The first request from "Partners in Pride" are soliciting volunteers to assist with watering the cement flower pots that are placed in the downtown business district. The second request from the PTO Economy Shop will conduct their annual town-wide garage sale on Saturday, May 18, 2019. Proceeds are dedicated back to the schools as non-tax revenue. The Administrator advised that the policy has a strict limitation to only Wyckoff non-profit groups which raise money which otherwise would be provided through tax dollars.

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8. Mr. Shannon attended the first court session that the new shared service for the certified court administrator was implemented. The process was a smooth transition. The Court Administrator has recommended that the Township consider increasing the compensation for the prosecutor. Funds for this increase are not included in the 2019 Municipal Budget so this recommendation will be carried to the 2020 budget.
9. The 3.92 acre parcel of property located as 240 Demarest Avenue which consists 90% of wetlands and is 100% - 100 year floodplain, has been posted on the multiple listing service for sale. Mr. Landel has been speaking with the broker of record regarding the utility of this property and if obtained by the Township, the property will allow the Township to connect a "string" or "finger" of wetlands for the public purpose of flood control from Maple Lake to the two (2) ponds on the other side of Demarest Avenue. Mr. Landel will provide an additional update.
10. Regarding the \$217,000 New Jersey Department of Transportation (NJDOT) Grant the Township received for the paving of Greenwood Avenue, the Township, in full transparency advised NJDOT that the entire length of Greenwood Avenue was paved by the owner of the new Shop-Rite prior to the grand opening. However, the NJDOT process is such that once it begins, there are no stops. Therefore, the NJDOT awarded the grant to the municipality even though they knew the road was paved by a non-municipal source. The Administrator is working with staff and Boswell Engineering to determine if any remaining improvements could be funded by this grant. The Township also attempted to have the NJDOT modify this grant and substitute for Mountain Avenue which is another grant that has qualified for this very specific grant program. This improvement will include replacing or modifying the underground culvert just past Camelot Court. However, that application has not been submitted as yet and Boswell Engineering has opined that the Township has a high probability of obtaining the Mountain Avenue grant as a discretionary aid grant.
11. A number of FYI's: the Bergen County Maple Lake Grant Agreement has been filed with the county and the \$100,000 Bergen County Open Space Park Improvement Grant for an ADA walking trail and pathway to assist in the construction of an artificial turf field at Memorial Field was also filed.
12. The Administrator provided a grand tour of Wyckoff statistics to the Bergen County Health Officer after the March Board of Health Meeting to provide assistance to him.
13. The Administrator advised the governing body that the number of registrants who have registered to receive the weekly e-news communications continue to grow as does the number of followers to the Township's social media accounts.
14. There was a resident letter in the packet objecting to the fact that newspapers distribute their weekly paper throwing onto resident driveways and requested Township Committee assistance to stop this action. The Administrator indicated that this issue has been reviewed over the years and essentially, residents are told to send a certified letter to the newspaper to terminate this action. Once the certified letter is received, the resident may sign a summons returnable in municipal court. The Administrator was instructed to respond in this regard.
15. The police department is exploring potential cost saving methods regarding how school crossing posts are staffed.

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16. Correspondence was received from an affordable housing unit owner who initially wished to sell her unit, then eventually, changed her mind.
17. The public hearing for the Christian Health Care Center Vista financing is scheduled for Monday, April 29, 2019 at 10:00 a.m. in the Wyckoff Public Library. Committeeman Scanlan inquired if the Vista Development will be paying property taxes on the new residential units. They will.
18. The Administrator advised that from a transparency perspective, the agenda, resolutions and ordinances were posted on Friday, April 12, 2019, the Municipal Clerk's Office has satisfied 177 OPRA requests that were received to date, from 4/2/19 to today, the Township's website has received seven (7) requests for service that were responded to, all approved meeting minutes have been posted on the website and the ordinance scheduled for public hearing and further consideration this evening and the five (5) other ordinances that will be addressed on May 7 and May 21, 2019 will be published in full. Many municipalities only publish ordinances in summary by title which makes it impossible for readers of the legal advertisement to understand the implication of the ordinance. Wyckoff publishes its ordinances in full as a transparency measure, even though it costs more.

Township Attorney Report:

1. With regard to the home occupation ordinance (Ordinance #1874) scheduled for public hearing this evening, a recommendation for adoption was received from the Planning Board. However, the Planning Board suggested that the ordinance indicate that commercial vehicles, although prohibited in an R-15 zone, that the zoning allows for one (1) commercial vehicle to be parked overnight in the home garage. Mr. Landel has made that change to the ordinance and will state that during the public hearing.
2. The Township Attorney provided additional guidance with the regard to the sale of marijuana. The municipal ordinance addresses sales of marijuana. There is a scientific distinction between marijuana and hemp. Hemp has less than .03% THC and marijuana has significantly more. The growing of hemp is legal in the United States as well as its sale in certain states. Mr. Landel stated that the Township's ordinance is "ahead of the curve" and the only ordinance he found that distinguished between hemp and marijuana was the ordinance from Montvale. Committeeman Shanley inquired as to how one would distinguish if the CBD oil be sold is from hemp or marijuana. Mr. Landel responded that it would be stated on the label of the product. The governing body could leave its ordinance as is or it could be amended. Committeewoman Rubenstein mentioned that another aspect is the marijuana edibles. The FDA has stated they have not approved any type of edibles with CBD's for ingestion. The Township Committee thanked Mr. Landel for his guidance.
3. Mr. Landel is working with the Township Engineer on a number of sewer extension agreements.
4. In response to the public comment last week from Mr. Craig – a reply letter was sent to him and he has a right to apply to the court to re-open his case if he so chooses. However, this is a matter before the court and should not be brought before the governing body.
5. Mr. Landel has not received a reply from the broker of record for 240 Demarest Avenue property.

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6. Mr. Landel has been in communication with the attorney for NAR Towing regarding the violations of the municipal ordinance that that were imposed by Police Chief Murphy. It is possible the governing body may have to conduct a hearing in May. More information to follow.

Township Committee Reports:

Rudy Boonstra:

1. Last Wednesday, April 10, 2019 was the monthly meeting of the Planning Board. The application to increase parking for the industrial property at the end of Windham Court North will be carried until May.
2. The DPW began the second full round of leaf collection on Monday, April 15, 2019.
3. Mr. Boonstra opined that the DPW is doing an outstanding job with the court room renovations.
4. The 2019 Vegetative Waste Program commenced on Thursday, April 11th and Friday, April 12th. The collection will continue on an every other week schedule until the end of October.
5. The sewer main trunk extension project that the Northwest Bergen County Sewer Utilities Authority (NBCUA) is funding and performing along Wyckoff Avenue between Brownstone Court and Sunset Boulevard is nearly completed. Two (2) laterals across Wyckoff Avenue remain to be completed. There is one challenge relating to the property at the corner of Wyckoff Avenue and Sunset Boulevard that will be further reviewed by the NBCUA as a separate project.
6. The police department is looking to purchase hybrid police interceptors. The benefit of the interceptors is that when the vehicle is idling, the engine shuts off.
7. Mr. Boonstra attended the Environmental Commission's Film Festival which included a display of electric cars at the Wyckoff Library.
8. Mr. Boonstra attended a meeting with Mayor Madigan and Administrator Shannon on Friday, April 12, 2019 with representatives of the Northwest Bergen Sewer Utilities Authority to discuss expanding sewer service to additional neighbors in Wyckoff.

Melissa Rubenstein:

1. The Board of Health theme or objectives this year seems to be promoting the services from Bergen County and educating the public of the availability of the many no cost services. Ms. Rubenstein recognized Chairman Steve Clarke who spent hours on the phone with the Bergen County Department of Health attempting to obtain information regarding adults with disabilities and programs provided by the county for them.
2. The Environmental Commission (Green Team) is continuing to work on the Sustainable Jersey points. Ms. Rubenstein thanked all members and the student members for their efforts. Congratulations are extended to Joe Alvarez, a Wyckoff Volunteer Firefighter, who has been selected to be the Bergen County Fire Coordinator.

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3. The Township Committee will consider and adopt its 2019 Municipal Budget this evening. Ms. Rubenstein is particularly pleased that the budget includes technology and safety improvements specifically, cameras at the parks and playgrounds and funds to improve the infrastructure such as roads. The budget will also include funding for a video camera system to record the meetings which is expected to be implemented by the end of June.
4. Ms. Rubenstein extended congratulations to Rabbi Beni Wajnberg who recently received his United States Citizenship this week.

Timothy Shanley:

1. Mr. Shanley attended all three (3) fire company monthly meetings and made comment on the letter received from Fire Chief Brock that the fire department has determined not to conduct the annual fireworks fundraiser display any longer due to a lack of revenue. Mr. Shanley recommended that the governing body establish a committee to evaluate whether an adequate number of volunteers would take “ownership” of the fireworks display in the future. However, it should be mentioned for the record that the governing body have contacted the Wyckoff Chamber of Commerce, the Wyckoff YMCA and the Eastern Christian Children’s Retreat to inquire if they would be willing to accept ownership for this event. All three (3) organizations advised they were unable to assume the responsibility. Committeeman Scanlan indicated the Wyckoff Family YMCA would assist another organization.
2. Mr. Shanley also recognized Volunteer Firefighter Alvarez for being selected to the new county position as Fire Coordinator.
3. The Parks and Recreation Advisory Board met on Monday, April 8, 2019 to approve the Code of Conduct for parents and coaches which must be read and signed before they register their child(ren) for sports programs. This Code of Conduct also requires them to report observations of misconduct.
4. The Recreation Department is sponsoring a LaCrosse Day which is scheduled for Saturday, April 27, 2019 at 11:00 a.m. at the Pulis Soccer Facility. Refreshments will be served.
5. The opening day ceremony for the 2019 Baseball/Softball Season will be conducted on Tuesday, April 23, 2019 at 5:45 p.m. at the Wyckoff Community Park. Mayor Madigan will throw out the first pitch.
6. The Parks and Recreation Advisory Board approved all baseball and softball recreational and travelling coaches and field rentals. Wyckoff fields are only rented when they are not in use by the Recreation Department (it is a good source of non-tax revenue).
7. The Zoning Board of Adjustment is meeting on Thursday, April 18, 2019.

Brian Scanlan:

1. Mr. Scanlan attended a program on Sunday, April 7, 2019 of the Wyckoff Garden Club. A former Wyckoff resident, Kathy Miller, an expert in dried flowers who was selected to decorate the White House for three (3) presidents, provided a very interesting presentation on dried flower arrangements.

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2. The Environmental Commission has been promoting the sale of composters specifically, Earth Machines. Mr. Scanlan thanked Nancy Cole for thorough job disseminating the information through the municipal social media accounts and weekly e-news communications. The Earth Machine sells for \$60.00 and in the last month, ten composters have been sold.
3. Mr. Scanlan reported he has filed his FDS statement.
4. Mr. Scanlan will attend this month's Library Board of Trustees meeting.
5. Administrator: "As a follow-up to Tim Shanley's suggestion to form a committee, we should probably use social media to reach out to anyone who wants to volunteer and serve on the fireworks committee. I'll be happy to assist with that. Just for the record, the Township Committee did contact the Chamber of Commerce, the YMCA, Eastern Christian Children's Retreat, and had subsequent discussions with them about taking over the fire works project, however, no one wanted the responsibility."

Mayor Madigan: (Regarding potential fireworks in 2020) "I need one clarification, I agree with the social media to reach out to people, but perhaps we want to re-visit this at the first meeting in May and what kind of responses we got".

Mr. Scanlan: "I met in my capacity as the YMCA liaison, with the leadership of the YMCA and they didn't want to take it over, but they were very interested in participating. I think you can expect some support there. They just didn't want to carry the whole responsibility."

Mayor Madigan:

1. Mayor Madigan: "I have a question because things have occurred in the last couple of days. As the liaison for the YMCA and Wyckoff Day, I'm just trying to get a better situation, I'm getting conflicting stories, phone calls, and conversations and correspondence. I know last year when you were Mayor you did have games and activities like field day, right? Do you have plans to do that this year?"

Mr. Scanlan: "I did ask you, Tom, if you were interested in running that. I took your answer as an affirmative."

Mayor Madigan: "I need you to clarify, because at one point I was told you were interested in it, then I was told you are not going to do it, then I was told are you going to do it, then the last thing is when you are going to do it."

Mr. Scanlan: "So, have you been in touch with Jennifer Sauer?"

Mayor Madigan: "I've seen the latest email, she said it was going to be a community event, there's going to be a (dance) Mayor's booth. I told her after I got her correspondence over the weekend, instead of Friday, that after I see you I'll have a conversation with her."

Mr. Scanlan: "I don't think field day precludes a Mayor's booth or vice versa."

Mayor Madigan: "I'm not lobbying for anything, it's just at one point we are doing a community field day and we're going to meet the Mayor."

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Mr. Scanlan: "I think it would be good to do the field day under the Mayor's Wellness Campaign. There's not a lot of work you more or less only have to show up."

Mayor Madigan: "I'm not trying to get out of this. Maybe we should take this off line, but initially I was asked could I do the Mayor's Wellness on a Monday, on Thursday I attempted to tell them I was doing Mayor's Wellness, then I was told about all these games. Nobody knows who's on first. I'll find out and let you know what's going on. Thank you. I didn't know if you knew something else, there's like three (3) or four (4) versions."

Mr. Scanlan: "I'd love to get on the phone with you and Lee and discuss this, or you and Jennifer Sauer."

Mayor Madigan: "That's where the initial miscommunication began, I'm going to go right to Jennifer Sauer. Thank you."

2. Mayor Madigan extended condolences to Betsy McKenzie, the Township's former Planner who lost her daughter to cancer.
3. The police department budget includes a replacement of two (2) vehicles this year. Mayor Madigan recently learned that the 2020 Hybrid Police SUVs will be available later in 2019.
4. Mayor Madigan made comment that the pedestrian crossing sign that the DPW recently installed at the intersection of Franklin Avenue and Main Street is solar powered.
5. Mayor Madigan thanked the DPW for their skillful work being performed on the renovations to the court room. The replacement windows are energy efficient as well as the energy efficient LED lighting. During the budget process, the Township Committee researched solar singles for use on the Town Hall roof. Committeewoman Rubenstein indicated that the court room upgrade also included new speakers and improvements to the sound system.

The Chief Financial Officer arrived to the meeting and a round of applause was extended for the diligent work she has performed assisting the Finance Committee in crafting the 2019 Municipal Budget as well as answering numerous questions.

The Open Work Session Meeting adjourned at 7:59 p.m.

Thomas J. Madigan
Mayor

Joyce C. Santimauro
Municipal Clerk