

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 19, 2019**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 19, 2019 - 7:00 P.M.**

1. 7:00 pm Work Session Meeting called to order by Mayor Thomas J. Madigan
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Confirm Finance Committee has reviewed and signed vouchers and that Mayor and Municipal Clerk have signed any necessary documents
5. Ten 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.
6. Review of 8:00 p.m. Business Meeting Agenda – Administrator
7. Review of Policy Action Items – Administrator
8.
 - a. Report of Township Committee
 - b. Report of Administrator
 - c. Report of Attorney
9. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
10. Reconvene Work Session Meeting
11. 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 COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 19, 2019 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
2. Flag Salute given by Mayor Thomas J. Madigan
3. Invocation given by Reverend Rich Higby from Cornerstone Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Public Comment period, five (5) 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.
7. Approval of the March 5, 2019 Township Committee Work Session and Regular Business meeting minutes:

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

8. **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 Ordinances – Introductions

#1872 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

#1874 - AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, ARTICLE III, "PERMITTED USES," SECTION 186-9, "USES IN THE R-15 RESIDENCE ZONE," SECTION 186-10, "PERMITTED USES IN THE B-1 CENTRAL BUSINESS ZONE," AND SECTION 186-13, "PERMITTED USES IN THE B-3 OFFICE ZONE"

II Resolutions (Adoption of the following):

- | | |
|---------|---|
| #19-143 | Emergency Temporary Appropriation |
| #19-144 | Authorize Redemption of Tax Sale Certificate
#18-00011 Block 498 Lot 94-36 Ravine Avenue |
| #19-145 | Authorize Redemption of Tax Sale Certificate
#18-0006 Block 346 Lot 49-492 Ackerson Avenue |
| #19-146 | Authorize Redemption of Tax Sale certificate
#18-00007 Block 351 Lot 7-405 Carriage Lane |
| #19-147 | Award Contract for Fire Pumper |
| #19-148 | Authorize Change Order #1 |
| #19-149 | Confirm Closing of Certain Roads for Memorial
Day Parade |
| #19-150 | Green Purchasing Policy |
| #19-151 | Memorialize Submission of Declaration of Intent to
Apply for Grant |
| #19-152 | Payment of Bills |
| #19-153 | Authorization to add Delta Dental Employee Paid
Benefit To Cafeteria Plan |
| #19-154 | National Nutrition Month |

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- #19-155 Self-Examination of Municipal Budget Eligibility
- #19-156 Computation of Reserve for Uncollected Tax-2019 Budget
- #19-158 Land Use Pledge Required for Participation in the 2019 Sustainable NJ Program
- #19-159 Green Lighting Policy
- #19-160 Establish a Grounds Maintenance Policy
- #19-161` Green Building Policy

III Motions

- a. Authorize the annual fund raising Food Truck festival at Eisenhower Middle School on May 3, 2019 from 5pm to 9pm. The event will include 13 food trucks, live music, video games and inflatables, tent, a video game truck, inflatable children’s activities, 10 day temporary signs and a 50/50 raffle. The event coordinator has also arranged for overflow parking at the Cedar Hill Church, private duty police to direct traffic and the volunteer fire department will provide lighting for cleanup. Sponsored by the PTO.

Following is the vote on the Consent Agenda:

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

IV Resolution (Not on Consent Agenda)

- #19-157 Introduction of 2019 Municipal Budget

MOTION: _____ RUBENSTEIN _____ SECOND _____ SCANLAN _____
BOONSTRA YES RUBENSTEIN YES SCANLAN YES SHANLEY YES
MADIGAN 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 Thomas J. Madigan 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 Thomas J. Madigan.

Invocation

The Invocation was given by Reverend Rich Higby from Cornerstone Church.

Attendance

Township Committee Present: Mayor Thomas J. Madigan; Committee Present: Rudolf E. Boonstra, Melissa D. Rubenstein, Brian D. Scanlan and Timothy E. Shanley

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

Open Public Meeting Act Statement

Municipal Clerk Santimauro read the "Open Public Meeting Act" Statement: "This regular meeting of the Township Committee of the Township of Wyckoff is now in session. In accordance with the provisions of Section 8 of the Open Public Meetings Act, I wish to advise that notice of this meeting has been posted in the lower level of the Memorial Town Hall and that a copy of the schedule of meetings has also been filed with the Township Clerk, and copies of this agenda and the annual notice of meetings, of which this is a part, have been heretofore sent to the Ridgewood News, The Record, and The North Jersey Herald and News all papers with general circulation throughout the Township of Wyckoff. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers."

Meeting Open for Public Comment

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

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

Approval of the March 5, 2019 Township Committee Work Session and Regular Business meeting minutes:

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

Consent Agenda: All matters listed below are considered by the Township Committee to be routine in nature. There will be no separate discussion of these items. If any discussion is desired by the Township Committee, that item will be removed from the Consent Agenda and considered separately:

I Ordinances – Introductions

#1872 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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**#1872 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to

2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Township Committee of the Township of Wyckoff in the County of Bergen find it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$145,521.95 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Wyckoff in the County of Bergen authorized membership of this governing body affirmatively concurring that, in the CY 2019 budget year, the final appropriations of the Township of Wyckoff shall, in accordance with this ordinance and N.J.S. A. 40A:4-45, be increased by 1.0% amounting to \$145,521.95 and that the CY 2019 municipal budget for the Township of Wyckoff be approved and adopted in accordance with the ordinance; and

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Direction within 5 days after such adoption.

#1874 - AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, ARTICLE III, "PERMITTED USES," SECTION 186-9, "USES IN THE R-15 RESIDENCE ZONE," SECTION 186-10, "PERMITTED USES IN THE B-1 CENTRAL BUSINESS ZONE," AND SECTION 186-13, "PERMITTED USES IN THE B-3 OFFICE ZONE"

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TOWNSHIP OF WYCKOFF

ORDINANCE #1874

AN ORDINANCE TO AMEND CHAPTER 186, "ZONING," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, ARTICLE III, "PERMITTED USES," SECTION 186-9, "USES IN THE R-15 RESIDENCE ZONE," SECTION 186-10, "PERMITTED USES IN THE B-1 CENTRAL BUSINESS ZONE," AND SECTION 186-13, "PERMITTED USES IN THE B-3 OFFICE ZONE"

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the Code of the Township of Wyckoff is amended at Chapter 186, "Zoning," Article III, "Permitted Uses," Section 186-9, "Uses in the R-15 Residence Zone," Section 186-10, "Permitted Uses in the B-1 Central Business Zone," and Section 186-13, "Permitted Uses in the B-3 Office Zone."

SECTION 1 - Chapter 186, "Zoning," Article III, "Permitted Uses,"
Section 186-9, "Uses in the R-15 Residence Zone," shall be amended as follows:

Section 186-9. Uses in the R-15 Residence Zone.

~~Offices or studios of artists, architects, dentists, doctors, lawyers, engineers, planners, real estate and insurance brokers~~ Home occupation, subject to the following regulations:

- a. Such home occupation shall be conducted entirely within the dwelling and only by the occupants thereof and not more than one person who does not reside in said dwelling. Such use shall be clearly incidental and secondary to the use of the dwelling for dwelling purposes.
- b. The residential character of the lot and the dwelling unit shall be maintained. Neither the interior nor the exterior of the dwelling will be structurally altered so as to require compliance with nonresidential construction codes to accommodate the home occupation. No additional buildings, driveways or parking lots shall be added on the property to accommodate the home occupation.
- c. The occupation shall not produce external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, runoff, waste or nuisance outside the dwelling unit. No equipment or materials associated with the home occupation shall be displayed or stored where visible from anywhere outside the premises.
- d. There shall be no direct selling of merchandise on the premises.
- e. Such use shall not occupy more than 25% of the gross floor area of the dwelling.
- f. No vehicle used in connection with the home occupation which has commercial lettering or markings and/or requires a commercial

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driver's license to operate is allowed to be parked on the premises or on any street adjacent to the residentially zoned property.

- g. No signs shall be permitted on the exterior or interior of the home, which shall advertise or indicate the location of the home occupation office, with the exception that a lawyer, doctor, dentist, architect, planner, engineer or like professional shall be permitted one sign pursuant to the regulations of Section 186-26E(2).

SECTION 2 - Chapter 186, "Zoning," Article III, "Permitted Uses,"
Section 186-10, "Permitted Uses in the B-1 Central Business Zone," shall be amended as follows:

Section 186-10. Permitted uses in the B-1 Central Business Zone.

~~Offices or studios of artists, architects, dentists, doctors, lawyers, engineers, planners, real estate and insurance brokers and certified public accountants, when located in the building primarily used by the occupant as his dwelling and provided there are no nonresident employees and provided not more than 25% of the total floor area of the dwelling unit is used for such purposes~~Home occupation, as regulated by § 186-9

SECTION 3 - Chapter 186, "Zoning," Article III, "Permitted Uses,"
Section 186-13, "Permitted Uses in the B-3 Office Zone," shall be amended as follows:

Section 186-13. Permitted uses in the B-3 Office Zone.

In the B-3 Office Zone, only the following uses are permitted: professional, administrative and sales offices, provided that no storage, handling or physical transfer of goods takes place upon the premises and that any display of samples is not visible from the exterior of the structure; banking, lending and savings institutions; clubhouses for fraternal, social, charitable, recreational or veterans organizations, not conducted for profit; mortuaries and funeral homes, but not crematories; dwellings, single-family; dwellings, two-family; accessory uses incidental to a permitted use; places of worship, including parish houses and Sunday school buildings (see Article IV); incidental home occupations as regulated by § 186-9; professional artists' and photographers' studios; public buildings of a governmental nature, but not including workshops or warehouses; pay telephone booths within 10 feet of principal building; academic tutoring services, provided that not more than 1,500 square feet of floor area is devoted to these purposes.

SECTION 4 - Except as hereby amended, all other parts of Chapter 186 of the Code of the Township of Wyckoff shall remain in full force and effect.

SECTION 5 - Upon introduction, this Ordinance shall be referred to the Planning Board of the Township of Wyckoff for its review and comment.

SECTION 6 - This Ordinance shall take effect upon final passage and publication according to law.

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II Resolutions (Adoption of the following):

#19-143 Emergency Temporary Appropriation

WHEREAS, an emergent condition has arisen with respect to payments of mandatory appropriations and no appropriations adequate provision has been made in the 2019 temporary appropriations for the aforesaid purpose, and NJSA 40A:4-20 provides for the creation of an emergency temporary appropriation for the purpose above mentioned, and

WHEREAS, the total the total emergency temporary resolutions adopted in the year 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (NJSA 40A:4-20) including this resolution total \$1,482,022.00.

NOW THEREFORE BE IT RESOLVED, (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provision of NJSA 40A:4-20:

- 1. An emergency temporary appropriation be and the same is hereby made for:

PERS	\$473,617.00
PFRS	\$808,405.00
911 Contract Services	\$200,000.00
- 2. That said emergency temporary appropriation (will be) provided for the 2019 budget under the title of PERS, PFRS and 911 Contracted Services.
- 3. That one certified copy of this resolution be filed with the Director of Local Government Services.

#19-144 Authorize Redemption of Tax Sale Certificate #18-00011
Block 498 Lot 94, 36 Ravine Avenue

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2018 on Block 498/Lot 94, aka 36 Ravine Avenue, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$2,815.20 and;

WHEREAS, on the 25th day of October 2018, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens" numbered 18-00011, hereinafter referred to as a Tax Sale Certificate #18-00011 on the above-described property in the amount above-recited; and,

WHEREAS, said Tax Sale Certificate was purchased by US Bank Cust Actlein, 50 South 16th Street, Suite 2050, Philadelphia, PA 19102; and;

WHEREAS, subsequent to the execution and filing of said Tax Sale Certificate and prior to the commencement of foreclosure proceedings against the property owner's right to redemption of said Tax Sale Certificate, the mortgagor has paid to the Tax Collector of the Township of Wyckoff any and all charges deemed due and owing on the above-described property and the property owner is therefore entitled to a redemption of said Tax Sale Certificate pursuant to N.J.S.A. 54:5-55.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate #18-00011 for redemption and make refund in the amount of \$2,815.20 being lien amount of \$538.32, subsequent taxes, and interest in the amount of \$511.88 recording fees

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in the amount of \$65.00 and a premium of \$1,700.00 to US Bank Cust Actlein, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

**#19-145 Authorize Redemption of Tax Sale Certificate #18-0006
Block 346 Lot 49, 492 Ackerson Avenue**

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2018 on Block 346/Lot 49, aka 492 Ackerson Avenue, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$1,098.80 and;

WHEREAS, on the 25th day of October 2018, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens" hereinafter referred to as a Tax Sale Certificate #18-00006 on the above-described property in the amount above-recited; and,

WHEREAS, said Tax Sale Certificate was purchased by Clemente Enterprises, P.O. Box 141, Wyckoff, NJ 07481; and,

WHEREAS, subsequent to the execution and filing of said Tax Sale Certificate and prior to the commencement of foreclosure proceedings against the property owner's right to redemption of said Tax Sale Certificate, the mortgagor has paid to the Tax Collector of the Township of Wyckoff any and all charges deemed due and owing on the above-described property and the property owner is therefore entitled to a redemption of said Tax Sale Certificate pursuant to N.J.S.A. 54:5-55.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate 18-00006 for redemption and make refund in the amount of \$1,098.80 being lien amount of \$538.32, subsequent taxes, and interest in the amount of \$495.48 recording fees in the amount of \$65.00 to Clemente Enterprises, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

**#19-146 Authorize Redemption of Tax Sale Certificate #18-00007
Block 351 Lot 7, 405 Carriage Lane**

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2018 on Block 351/Lot 7, aka 405 Carriage Lane, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$1,154.04 and;

WHEREAS, on the 25th day of October 2018, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens" hereinafter referred to as a Tax Sale Certificate #18-00007 on the above-described property in the amount above-recited; and,

WHEREAS, said Tax Sale Certificate was purchased by R. Rothman, 411 Grand Avenue, Englewood, NJ 07631; and,

WHEREAS, subsequent to the execution and filing of said Tax Sale Certificate and prior to the commencement of foreclosure proceedings against the property owner's right to redemption of said Tax Sale Certificate, the mortgagor has paid to the Tax Collector of the Township of Wyckoff any and all charges deemed due and owing on the above-described property and the property owner is therefore entitled to a redemption of said Tax Sale Certificate pursuant to N.J.S.A. 54:5-55.

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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate 18-00007 for redemption and make refund in the amount of \$1,154.04 being lien amount of \$538.32 subsequent taxes, and interest in the amount of \$550.72 recording fees in the amount of \$65.00 to R. Rothman, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

#19-147 Award Contract for Fire Pumper

WHEREAS, the Township of Wyckoff has a 1986 model fire pumper apparatus which will soon reach the end of its' useful life and it is prudent to replace the fire pumper; and,

WHEREAS, a Fire Engine Committee consisting of volunteer firefighters research a replacement apparatus for over a year; and,

WHEREAS, all the members of the Fire Engine Committee completed no conflict of interest certifications; and,

WHEREAS, the Township Committee adopted resolution #15-196 on July 21, 2015, authorizing an application to join the HGAC National Purchasing Consortium; and,

WHEREAS, the Township of Wyckoff is now a member of the Houston-Galveston Area Council (HGAC) purchasing program, a national purchasing cooperative; and,

WHEREAS, HGAC published legal notice advertisements soliciting sealed competitive bids in the May 7, 2017 and May 14, 2017 issue of the Houston Chronicle; and,

WHEREAS, on August 10, 2017 at 2:00pm competitive sealed bids were publicly opened and then their contents read aloud for the purchase of fire apparatus; and,

WHEREAS, the HGAC on January 3, 2018 assigned multiple contracts for the purchase of fire apparatus via contract #FS12-17 for the period December 1, 2017 thru November 30, 2019; and,

WHEREAS, P.L. 2011 c139 (the "Law" or "Chapter 139") allows local contracting units to utilize national cooperative contracts as a method of procurement; and,

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services (DLGS) has published LFN 2012-10, a Local Finance Notice detailing guidance to contracting units desiring to purchase under the Law; and,

WHEREAS, the Township Administrator, Fire Chief and Public Works Manager are satisfied that the procurement conducted by HGAC and the contract awarded to Spartan Motors USA, Inc. with the associated documentation submitted by both HGAC and Spartan Motors USA, Inc. are compliant with the guidance in LFN 2012-10; and,

WHEREAS, the Township of Wyckoff published a notice of intent to award contract in the February 22, 2019 edition of the Ridgewood News, (the Township's designated official newspaper for legal notices) and posted the notice on its website Wyckoff-nj.com at the legal notice section and posted the notice on its bulletin board in Town Hall where notices are customarily posted; and,

WHEREAS, at the conclusion of notice period (3/4/19 at 10:00 a.m.) no comments were received; and,

WHEREAS, a total purchase price for the fire apparatus is \$639,940.00; and,

WHEREAS, a cost savings determination in accordance with LFN-2012-10 has been performed resulting in a cost savings based on; the allowable standard "**most advantageous to the Township of Wyckoff price and other factors considered**" as compared to other apparatus prices from the HGAC National Cooperative Contract; and,

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WHEREAS, the Chief Financial Officer has issued a certificate of available funds indication that sufficient funds exist in Capital Ordinance #1871 for this purchase; and,

WHEREAS, the Township Attorney has reviewed this procurement and concurs with the procurement action through this national cooperative contract since the purchasing agent followed the guidance from the State of New Jersey provided in LFN 2012-10.

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

1. The Township of Wyckoff is authorized to purchase from the HGAC National Cooperative Contract.
2. After a careful and thorough consideration of **“most advantageous to the Township of Wyckoff price and other factors considered”** the HGAC proposal submitted by Spartan Motors USA, Inc. in accordance with HGAC Contract #FS12-17 in amount of \$639,940.00 is hereby accepted.
3. The Township Administrator is hereby authorized to issue a purchase order to Spartan Motors USA, Inc., 907 7th Avenue North, Brandon, North Dakota 57005 in the amount of \$639,940.00 consisting of the base apparatus and unit price options provided in the HGAC bid specification totaling \$609,971.00 and apparatus unit items not provided for in the bid specification totaling \$31,469.00 or 5.15% authorized by resolution #2019-148 and the HGAC Service Fee and Trade-in Credit.
4. This procurement is in compliance with New Jersey's Play to Pay Law; both fair and open and alternate methods.
5. This contract, consistent with the HGAC contract and NJSA 40:A11-36(7) includes a trade-in for the existing 1966 Mack Fire Pumper at the time of delivery of the 2019 pumper as authorized by Resolution #19-118.

CERTIFICATE OF AVAILABLE FUNDS

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF, CERTIFY THAT SUFFICIENT FUNDS HAVE BEEN APPROPRIATED IN THE CAPITAL IMPROVEMENT ORDINANCE#1871 FOR THIS PROCUREMENT.

DIANA McLEOD
CHIEF FINANCIAL OFFICER

#19-148 Authorize Change Order #1

WHEREAS, the Township Committee of the Township of Wyckoff has awarded a contract to Spartan Fire and Rescue Emergency Apparatus, Inc., for the purchase of a Fire Pumper Apparatus that reflects the operational needs of the Wyckoff Volunteer Fire Department through a National Cooperative Pricing System contract based most advantageous to the Township of Wyckoff price and other factors via Resolution #19-147, dated March 19, 2019 for \$639,940.00; and,

WHEREAS, the Township Administrator has filed with the Township Committee, in accordance with a recommendation from the Fire Chief, a written request for a change order in accordance with NJAC 5:34-4.4 prior to the adoption of this resolution; and,

WHEREAS, the Chief Financial Officer has attached a Certificate of Available Funds indicating that funds are available in capital improvement ordinance #1871 for this purpose; and,

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WHEREAS, the Township Attorney has reviewed this information and NJAC 5:34-4 and recommends the Township Committee adopt this resolution as for form and procedure.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Change Order is hereby authorized in the amount of \$31,469.00 or 5.15% for unpublished unit price items resulting in a total contract of \$639,940.00.

BE IT FURTHER RESOLVED that the attached amendatory contract be approved.

#19-149 Confirm Closing of Certain Road for Memorial Day Parade

WHEREAS, the Township of Wyckoff conducts the annual Memorial Day Parade to honor our nation's war dead: and,

WHEREAS, this year's parade is scheduled for Monday, May 27, 2019; and,

WHEREAS, the marchers will assemble at the Cornerstone Christian Church (495 Wyckoff Ave.) and march left out of the church parking lot onto Wyckoff Avenue, proceed up Wyckoff Avenue and make a right on Main Street, march to the end of Main Street, make a right onto Franklin Avenue and left into Scott Plaza at Town Hall. The parade ends behind Town Hall at Fire Company #1; and,

WHEREAS, in the interest of safety and convenience for motorists and pedestrians, the following roadways will be closed for a limited time during the course of the parade – a portion of Wyckoff Avenue from the Cornerstone Church to Main Street, Main Street and Franklin Avenue in front of Town Hall; and,

WHEREAS, Bergen County was contacted for the closing of the Bergen County roads in the parade route and the Township was instructed to include the Bergen County roads in the Township road closing resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey authorizes the closing of the above mentioned municipal and county roads on Monday, May 27, 2019 from 10:30 a.m. to 1:00 p.m.

BE IT FURTHER RESOLVED, that the Municipal Clerk will forward a copy of this resolution to the Police Chief for his use in traffic control/detours and coordinating the parade process safely and Scott Fisher, Department of Public Works Manager.

#19-150 Green Purchasing Policy

WHEREAS, the Township Committee has appointed its Environmental Commission as its Green Team; and,

WHEREAS, the Environmental Commission on behalf of the Township Committee of the Township of Wyckoff has achieved the silver award in the Sustainable Jersey program; and,

WHEREAS, the Environmental Commission is pursuing the silver award again in the Sustainable Jersey program and has requested the Township Committee adopt a green purchasing policy; and,

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WHEREAS, the attached green purchasing policy has been reviewed by the Environmental Commission and it is recommended for the Township Committee adoption.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the attached green purchasing policy is adopted.

**#19-151 Memorialize Submission of Declaration of Intent to
Apply for Grant**

WHEREAS, the Township of Wyckoff received a notice of Bergen County Open Space grant availability on February 22, 2019; and,

WHEREAS, the Township Committee discussed grant ideas at their March 5, 2019 meeting and a census appeared to exist to submit a grant application in the 2019 funding round to improve Russell Farms Community Park; and,

WHEREAS, the declaration of intention to submit a grant application document must be received in the Bergen County Open Space Office before the next Township Committee Meeting; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they do hereby memorialize the funding of declaration of intent to file a grant application to improve the Russell Farm Community Park and the Mayor is authorized to sign this action is hereby memorialized.

#19-152 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. 17876 – 17906 Payroll A/C, Direct Deposit Vouchers no. 10827 - 10899, Library Payroll check no. 1420, Library Direct Deposit Vouchers no. 4513 - 4545, Claims Wire nos. 190304, 190305 & 190306, check nos. 1043 & 1044 Accutrack A/C and Claims check nos. 808788 – 080869.

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**#19-153 Authorization to add Delta Dental Employee Paid
Benefit to Cafeteria Plan**

WHEREAS, the Township provides both qualified and taxable (cash) benefits to full-time employees; and,

WHEREAS, the Township provides a “Cafeteria Plan” compliant with IRS Code 125, and

WHEREAS, the Township of Wyckoff Employee benefit Cafeteria Plan includes various employee paid Benefit plans, and

WHEREAS, the Employees of the Township of Wyckoff requested availability to enroll in Delta Dental Benefits employee paid benefits plan, and

NOW THEREFORE BE IT RESOLVED, that the Township Committee of the Township of Wyckoff, authorizes Delta Dental Benefit Plan be added to the Township’s Cafeteria Plan and made available to fulltime employees of the Township of Wyckoff, and

BE IT FURTHER RESOLVED, that any employee enrollment and contribution to this plan be made, as per IRS Code 125, Cafeteria Plan, through payroll deduction and are taxed in accordance with IRS code.

#19-154 National Nutrition Month

WHEREAS, March of each year is designated as “National Nutrition Month” as nutrition education and information campaign, sponsored by the American Dietetic Association, which focuses attention on the importance of making informed food choices and developing sound eating and physical activity habits; and,

WHEREAS, food is the substance by which life is sustained; and,

WHEREAS, the type, quality and amount of food that individuals consume each day plays a vital role in their overall health and physical fitness; and,

WHEREAS, there is a need for continuing nutrition education and a wide-scale effort to enhance healthy eating practices; and,

WHEREAS, experts agree that inactivity and poor eating habits contribute to obesity. Nearly one-third of the country’s children ages four (4) to nineteen (19) eat fast food every day, resulting in approximately six (6) extra pounds per year, per child. Fast food consumption has increased fivefold among children since 1970; and,

WHEREAS, the State must take whatever action it reasonably can to facilitate efforts to reduce the epidemic of overweight and obese children and adolescents and the attendant health consequences in this country by promoting preventative health and fitness strategies for overweight and obese children and adolescents to include awareness of proper nutrition, diet and exercise.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey do hereby proclaim the month of March as “National Nutrition Month.”

#19-155 Self-Examination of Municipal Budget Eligibility

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the

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responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Wyckoff has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Director of the Division of Local Government Services.

#19-156 Computation of Reserve for Uncollected Tax-2019 Budget

WHEREAS, pursuant to N.J.S.A. 40A:4-41, a municipality must include an appropriation for "Reserve for Uncollected Taxes" in its annual budget where less than 100% of current tax collections may be and are anticipated; and,

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WHEREAS, receipts from the collection of taxes levied or to be levied in the municipality and payable in the fiscal year shall be anticipated in an amount which is not in excess of the percentage of taxes levied and payable during the next preceding fiscal year which was received in cash by the last day of the preceding fiscal year; and,

WHEREAS, if tax appeal judgements of the county tax board pursuant to R.S. 54:3-21 et seq. and/or the State tax court pursuant to R.S. 54:48-1 et seq. result in tax reductions for the previous fiscal year, the governing body of the municipality may elect to calculate the current year reserve for uncollected taxes by reducing the certified tax levy of the prior year by the amount of the tax levy adjustments resulting from those judgements; and,

WHEREAS, Current Taxes – 2018 Levy of the Township's Annual Financial Statement for the year 2018 reflects reductions due to tax appeals of \$138,387.00 which when reduced from the 2018 tax levy results in the 2018 tax collection rate being 99.52 percent; and,

WHEREAS, the election of this choice to calculate the "Reserve for Uncollected Taxes" for the 2019 Municipal Budget shall be made by resolution approved by a majority of the full membership of the governing body prior to the introduction of the 2019 Municipal Budget pursuant to N.J.S.A. 40A:4-5.

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Township of Wyckoff, County of Bergen, State of New Jersey elects to calculate the "Reserve for Uncollected Taxes" appropriation for the 2019 Municipal Budget by reducing the certified tax levy of the prior year by the amount of tax levy adjustments of the county tax board pursuant to R.S. 54:3-21 et seq. and State tax court pursuant to R.S. 54:48-1 et seq. in order to calculate the prior year tax collection rate.

#19-158 Land Use Pledge Required for Participation in the 2019 Sustainable NJ Program

WHEREAS, land use is an essential component of overall sustainability for a municipality; and

WHEREAS, inappropriate land-use decisions may lead to an increase in societal ills such as decreased mobility, higher than usual housing costs, increased greenhouse gas emissions, loss of established open space, smaller residential yards and the degradation of natural resources; and

WHEREAS, well planned land use can create transportation choices, provide for a range of housing options, create walkable communities, preserve open space, assist in meeting the needs of recreation space and allow for the continued protection and use of vital natural resources; and

WHEREAS, given New Jersey's tradition of home rule and local authority over planning and zoning, subject to the Municipal Land Use Law, achieving a statewide sustainable land use pattern will require municipalities to embrace sustainability.

NOW THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the following steps with regard to our municipal land-use decisions will be pursued with the intent of making the Township of Wyckoff a truly sustainable community. It is our intent to include these principles where feasible in the next master plan revision or re-examination report, and to pursue such principles in our land-use zoning,

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natural resource protection, and other ordinances where feasible and consistent with values of the township.

Regional Cooperation - We pledge to continue to reach out to administrations of our neighboring municipalities concerning land-use decisions, and to take into consideration regional impacts when making land-use decisions where permitted by the Municipal Land Use Law.

Transportation Choices - We pledge to promote transportation choices, considering all modes of transportation, including walking, biking, transit and automobiles, when planning transportation projects and reviewing development applications. We will continue to evaluate our parking with the goal of ensuring adequate parking spaces while promoting shared parking and other innovative parking alternatives, and encouraging parking alternatives where appropriate.

Natural Resource Protection - We pledge to take all feasible steps to protect the natural resources of the State for environmental, recreational and agricultural value, avoiding or mitigating negative impacts to these resources. We will seek to utilize our updated 2018 Environmental Resource Inventory when feasible to assess our natural resources to link natural resource management and protection to land-use and open space planning.

Mix of Land Uses - We pledge to use our zoning power to allow for a mix of residential, retail, commercial, recreational and other land use types in areas that we determine make the most sense for our municipality and the region.

Housing Options - We pledge, through the use of our zoning and revenue generating powers, to foster a mix of housing types and locations, which we believe represent the character of the Township of Wyckoff, to meet the needs of all people at a range of income levels.

Green Design - We pledge to incorporate the principles of green design and renewable energy generation into municipal buildings to the extent feasible, and when updating our site plan and subdivision requirements for residential and commercial buildings. In order to create a more sustainable community, our Green Buildings Policy encourages opportunities to consider green building measures into the design, construction, operation and maintenance of our municipal buildings and facilities when practical.

Municipal Facilities Siting - We pledge, to the extent feasible, to take into consideration factors such as suitability for walking and biking, greater access to public transit, proximity to other land-use types, and proximity to open space when locating new or relocated municipal facilities.

#19-159 Green Lighting Policy

WHEREAS, the Township of Wyckoff is applying to Sustainable Jersey; and,

WHEREAS, a green lighting policy has been developed which is attached as if set forth at length; and,

WHEREAS, ordinance 1838 which provided for dimming of fixtures and reduction of light intensity was adopted on August 8, 2017.

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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the attached green lighting policy is adopted as the Township's green lighting policy.

#19-160 Establish a Grounds Maintenance Policy

WHEREAS, the Township of Wyckoff desires to develop a grounds maintenance program; and,

WHEREAS, this policy encourages, wherever practical, sustainable municipal operations and incorporates best practices of efficient landscape design, water conservation, the use of recycled materials and composting to promote healthy communities and waste reduction; and,

WHEREAS, the Township of Wyckoff shall encourage, consider and use wherever practical the following methods in its' grounds maintenance policy:

1. Utilize compost landscape waste from the Township's leaf compost facility as mulch in landscaping projects.
2. The Township encourages the re-use of materials from the municipal waste stream (such as tire recycling, asphalt and milling recycling and cement) wherever possible and to decrease its' costs.
3. The Township utilizes native species and does not consider exotic plantings in its' projects primarily for cost reasons both in purchase price and for less maintenance costs and for those projects to blend into the local habitat.
4. Except for sports fields, the Township encourages minimizing lawn areas to reduce maintenance costs.
5. The Township encourages and considers landscaping projects to achieve the purposes of stormwater management. Through the use of property contours, water flow can be slowed and filtered through landscaping to improve ground water recharge and prevent erosion.
6. Significantly reduce or eliminate the use of conventional pesticides through an integrated pest management program.
7. Avoid the use of excessive fertilizers.
8. The Township refrains from watering its' lawns. Irrigation is only utilized on sports fields to maintain a healthy growth of grass for safety of the sports participants. The irrigation systems are equipped with rain sensors to achieve efficient watering schedules and water conservation. Drip irrigation systems are used and leaks promptly repaired to minimize costs.
9. The Township will continue its practice of evaluating trees and shrubs from properties where the home structure is to be demolished for the purpose of saving and transplanting the trees and shrubs onto municipal properties.

WHEREAS, the Township of Wyckoff is mindful of the various Stormwater Management Act ordinances it has adopted and the Township complies with those ordinances while simultaneously distributing such regulations to the public through its public information technology; and,

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WHEREAS, the Township has further evaluated those mandated ordinances and the Township has developed 15 critical bulletins to disseminate this information to the public. They are attached as if set forth by length; and,

WHEREAS, the Township of Wyckoff is mindful of the various Stormwater Management Act ordinances it has adopted and the Township complies with those ordinances while simultaneously distributing such regulations to the public through its public information technology; and,

WHEREAS, the Township has further evaluated those mandated ordinances and the Township has developed bulletins to disseminate this significant information to the public. They are attached as if set forth at length.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the aforementioned grounds maintenance policy is hereby adopted to achieve the benefits of cost avoidance and reduction, water conservation, re-use of compost materials, recycling of materials from the municipal waste stream to promote healthy communities.

BE IT FURTHER RESOLVED, that the Municipal Clerk provide a copy of this policy to the Wyckoff Certified DPW Manager, Wyckoff Construction Code Official, Wyckoff Township Engineer, Wyckoff Recreation Director and the Wyckoff Consulting Engineer and all Department Managers.

#19-161 Green Building Policy

WHEREAS, buildings account for 39% of CO2 emissions – more than either the transportation or industrial sectors. In addition, buildings account for nearly 12% of potable water use, 65% of waste output, and 71% of electricity consumption in the U.S. (according to the U.S. Green Building Council; and,

WHEREAS, green building – also referred to as sustainable or high-performance building – is a collection of better design, construction and operating practices that have the potential to reduce or eliminate the negative impacts of development on the environment and on human health. There are many examples of green building programs and guidelines that have been propagated at national, state and municipal levels. They commonly address energy efficiency and carbon emissions reduction, water conservation, healthy and sustainably produced materials, indoor air quality, occupant productivity and health and other components of green building and sustainable development; and,

WHEREAS, the purpose of this resolution is to enhance the public welfare and to encourage that commercial, residential and civic development is consistent with the Township of Wyckoff's desire to create a more sustainable community by incorporating green building measures into the design, construction, operation and maintenance of buildings; and,

WHEREAS, the Township desires to set a leadership example in the area of green building through the implementation of energy efficiency audits and system upgrades, when required and if practical, to the municipal building stock, (e.g. improve water conservation, increase construction waste recycling and energy conservation and efficiency).

WHEREAS, the Township will distribute the attached stormwater best practices guidelines. These best practices are encouraged to help reduce loadings into stormwater systems, minimize stormwater pollution and ultimately protect waterways.

III Motions

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

IV Resolution (Not on Consent Agenda)

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

Mayor Thomas J. Madigan

Joyce C. Santimauro, Municipal Clerk

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