

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
TUESDAY, MAY 21, 2019**

**(Revised May 21, 2019)**

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE WORK SESSION MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, MAY 21, 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, MAY 21, 2019 - 8:00 PM

- 1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
- 2. Flag Salute by Girl Scouts Audry Roughgarden, Ella Alexandrou, Lily Farcy and Julia Wowkun
- 3. Invocation by Reverend Michael Johnson from the Cedar Hill Christian Reformed 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. Presentation of New Jersey League of Municipalities Future Leaders Scholarship to Alex Sullivan.
- 8. Approval of the May 7, 2019 Township Committee Work Session and Regular Business meeting minutes:

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

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

I **Resolutions (Adoption of the following):**

- #19-206 Chapter 159 – Appropriation Grant
- #19-207 Authorize Road Closure for a Portion of Sicomac Avenue
- #19-208 Payment of Bills
- #19-209 Return of Certain Overpaid Taxes, etc.
- #19-210 Refund Performance Bond – 701 Mountain Avenue
- #19-211 Cancellation of Sewer Bill for 447 Lake Road
- #19-212 Award of Contract for Pay to Play Compliance
- #19-213 National Police Week
- #19-214 Appointment of Temporary Supplemental Building Subcode Official
- #19-215 Appointment of Temporary Supplemental Plumbing Subcode Official
- #19-216 Authorize 25% Grant Match for Bergen County Historic Preservation Grant for Zabriskie House Preservation
- #19-217 Recognize National Gun Violence Awareness Day and to Commit to Prevent Gun Violence
- #19-C7 Closed Session – NJSA 10:4-12b(7) – Anticipate Litigation

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**II      Motions**

- a.      Approve "Wyckoff Antiques Day" hosted by the Wyckoff Historical Society to be held at the Wyckoff Reformed Church on May 18, 2019 from noon to 3:00 pm and ten day temporary signs advertising the fundraising event.
  
- b.      Authorize temporary tent and temporary sign for Sunday Gospel programs at the Eastern Christian Middle School located at 518 Sicomac Avenue from July 7, 2019 through July 21, 2019.
  
- c.      Approve helicopter landing for the Junior Police Academy Program.
  
- d.      Approve specification and re-authorize sealed competitive bidding for shade tree work.

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

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

**III      Ordinances – Public Hearings/Further Consideration**

#1875 - AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION COMMISSION," THEREBY CREATING A HISTORIC PRESERVATION COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF

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

#1876 - AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

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

#1880 - BOND ORDINANCE AUTHORIZING ROAD RESURFACING AND THE PURCHASE OF AN ELGIN STREET SWEEPER IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$725,750 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$413,750 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

**IV      Adjourn**

**PAGE NO.**

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**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 Girl Scouts Audry Roughgarden, Ella Alexandrou, Lily Farcy and Julia Wowkun

**Invocation**

The Invocation was given by Reverend Michael Johnson from the Cedar Hill Christian Reformed 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**

Committeewoman Rubenstein made a motion to open the meeting for public Comment; Seconded by Committeeman Boonstra. All voted in favor.

No one came forward.

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

Presentation of New Jersey League of Municipalities Future Leaders Scholarship to Alex Sullivan.

Approval of the May 7, 2019 Township Committee Work Session and Regular Business meeting minutes:

MOTION: \_\_\_\_\_ RUBENSTEIN \_\_\_\_\_ SECOND \_\_\_\_\_ SHANLEY \_\_\_\_\_  
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 **Resolutions** (Adoption of the following):

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**#19-206      Chapter 159 – Appropriation Grant**

**WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Wyckoff, County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,000 which is now available from the 2019 Sustainable New Jersey Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$2,000 is hereby appropriated under the caption 2019 Sustainable New Jersey Grant.

**BE IT FURTHER RESOLVED**, that the above is the result of funds from the 2019 Sustainable New Jersey Grant in the amount of \$2,000.

**#19-207      Authorize Road Closure for a Portion of Sicomac Avenue**

**WHEREAS**, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

**WHEREAS**, the Director may also approve the insertion of an item of appropriation for equal amount.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township of Wyckoff, County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,000 which is now available from the 2019 Sustainable New Jersey Grant.

**BE IT FURTHER RESOLVED**, that the like sum of \$2,000 is hereby appropriated under the caption 2019 Sustainable New Jersey Grant.

**BE IT FURTHER RESOLVED**, that the above is the result of funds from the 2019 Sustainable New Jersey Grant in the amount of \$2,000.

**#19-208      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,

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**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. 17998 - 18041 Payroll A/C, Direct Deposit Vouchers no. 11134 - 11206, Library Payroll check no. 1424, Library Direct Deposit Vouchers no. 4664 - 4697, Claims Wire nos. 190504, 190505 & 190506, check nos. 1101, 1102 & 1103 Accutrack A/C, Claims check nos. 081188 – 081295, Affordable Housing Development Fee check no. 1009 and Dog Trust – Trs. - \$260.64.

**#19-209      Return of Certain Overpaid Taxes etc.**

**BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff that the Treasurer is hereby authorized and directed to return certain monies as follows:

**BUILDING DEPT.:**

Pro Contractors, LLC, 299 Briarwood Drive, Wyckoff, New Jersey 07481 – Refund of Permit #19-0306 & #19-0306A for 705 Galenkamp Court – Block 436/Lot 32 - \$14,090.30

**RECREATION:**

Jaime Souhlakis, 468 Woodbury Drive, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

Ann Bergman, 386 Annette Court, Wyckoff, New Jersey 07481 – Tennis Refund - \$90.00

Noriko Masunaga, 66 Leone Court, 1<sup>st</sup> Fl., Glen Rock, New Jersey 07452 – Tennis Refund - \$90.00

Amy Samala, 721 Charnwood Drive, Wyckoff, New Jersey 07481 – Soccer Refund - \$100.00

Danielle Gutierrez, 16 Brook Road, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$70.00

Cheryl Fox, 764 Hickory Hill Road, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

Karen Peck, 130 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$70.00

Glenn Burke, 26 Shadyside Drive, Wyckoff, New Jersey 07481 – Tennis Refund - \$90.00

Allissa Tria, 228 Barnstable Drive, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$260.00

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**#19-210      Refund Performance Bond – 701 Mountain Avenue**

**WHEREAS**, Dragan and Vesna Stojkovska posted a \$25,000.00 performance cash bond with the township clerk's office to comply with their September 22, 2017 developer's agreement with the Township of Wyckoff pertaining to the construction of a new home on their property located at 701 Mountain Avenue Block 436 Lot 26.

**WHEREAS**, the above referenced developer's agreement dated September 22, 2017 allowed Dragan and Vesna Stojkovska during the period of construction of the new home on their property to continue to reside in the existing dwelling located at 710 Mountain Avenue; and,

**WHEREAS**, the intent of the \$25,000.00 performance cash bond was for the homeowner/developer to complete the construction of the new home and demolish the existing home; and,

**WHEREAS**, Dragan and Vesna Stojkovska in an email dated May 7, 2019 state that the new dwelling has been constructed and the old dwelling has been demolished and have requested a refund of the \$25,000.00 performance cash bond; and,

**WHEREAS**, the Township Engineer in a notation dated May 13, 2019 has recommended the refund to Dragan and Vesna Stojkovska; and,

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

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the \$25,000.00 performance cash bond to Dragan and Vesna Stojkovska.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall forward a copy to the Township Engineer and to Dragan and Vesna Stojkovska, 701 Mountain Avenue, Wyckoff, NJ 07481

**#19-211      Cancellation of Sewer Bill for 447 Lake Road**

**WHEREAS**, 447 Lake Road known as Block 201 Lot 2 in the Township of Wyckoff has applied for and completed demolition of the residential home structure on this property; and,

**WHEREAS**, Marco and Gina Pianelli request the 2019 sewer usage billing be canceled until a new home is completed and sewer usage is resumed; and,

**WHEREAS**, the Wyckoff Building Department has produced documentation and has confirmed the home was demolished in January, 2019 and therefore this resolution is provided.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the sewer usage billing for 2019 is hereby canceled until the replacement home is connected to the sewer and a Certificate of Occupancy is issued.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk will forward a copy of this resolution to the Tax Collector, Sewer Utility Clerk and Township Engineer.

**#19-212      Award of Contract for Pay to Play Compliance**



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**WHEREAS**, the Department of Public Works has been tasked with renovating the court room and building a portico over the Town Hall entrance to accommodate a tax and sewer payment lock box for resident convenience and has utilized the services of an experienced contractor proficient in trim, carpentry and structural framing; and,

**WHEREAS**, N.J.S.A. 19:44A-20.4 et seq., requires contracts procured through price quotations that are below the municipalities bid threshold but over the Pay to Play threshold of \$17,500 to be authorized after municipalities obtain the political contributions disclosure forms and the business entity disclosure certification; and,

**WHEREAS**, the aforementioned documentation has been obtained and it is available for public inspection in the Municipal Clerk's office; and,

**WHEREAS**, an encumbrance of funds certification is attached.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township Committee authorizes an award of a purchase order to R. Denekamp & Sons, LLC, 200 Cottage Road, Wyckoff, NJ 07481 for the provision of building materials totaling \$18,000.

**BE IT FURTHER RESOLVED**, that this contract has been awarded to this contractor based on the merits and abilities of the contractor to provide the goods or service as described herein. This contract was awarded through the alternate method pursuant N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigned or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of these one (1) year contracts to any political party committee in the Township of Wyckoff if a member of that political party is serving in an elective public office of the Township of Wyckoff when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Wyckoff when the contract is awarded.

**#19-213      National Police Week**

**WHEREAS**, there are more the 900,000 law enforcement officers serving in communities across the United States, including the dedicated members of the Wyckoff Police Department; and,

**WHEREAS**, there have been 58,627 assaults against law enforcement officers in 2016 resulting in approximately 16,677 injuries; and,

**WHEREAS**, since the first recorded death in 1791, more than 20,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and,

**WHEREAS**, the names of those dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, D.C.; and,

**WHEREAS**, 360 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this Spring, including 129 officers killed in 2017 and 231 officers killed in previous years; and,

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**WHEREAS**, the service and sacrifice of all officers killed in the line of duty will be honored during National Law Enforcement Officers Memorial Fund's 31<sup>st</sup> Annual Candlelight Vigil on May 15, 2019; and,

**WHEREAS**, the Candlelight Vigil is part of National Police Week, which takes place this year on May 12-18; and,

**WHEREAS**, May 15 is designated as Peace Officers Memorial Day in honor of all fallen officers and their families and the U.S. Flags in front of Town Hall were flown at half-staff.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey formally designates May 12-18, 2019 as Police Week in the Township of Wyckoff and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

**#19-214      Appointment of Temporary Supplemental Building Subcode Official**

**WHEREAS**, the Township Committee has received a recommendation from the Wyckoff Construction Code Official that the Vista Development at 301 Sicomac Avenue on the Christian Health Care Campus totaling 393,183 square feet of new building consisting of 199 residential dwellings, a bank, multiple restaurants, indoor pool/spa, fitness center and salon services will require supplemental temporary subcode officials at various times to comply with State mandate inspection timeframes due to the size of the project and the owners construction methods; and,

**WHEREAS**, the Wyckoff Construction Code Official recommends that the Township Committee appoint Christopher Gruber, a NJDCA Licensed Building Subcode Official for supplemental and temporary building subcode assistance to assist Thomas Gensheimer, the Wyckoff Construction Code Official with inspections during the estimated twenty (20) months of construction; and,

**WHEREAS**, this appointment is not a four (4) year appointment, it is less than a four (4) year appointment on a temporary and supplemental basis to assist the Wyckoff Construction Code Official.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey the Mr. Christopher Gruber is hereby appointed as Supplemental Temporary Building Subcode Official effective June 1, 2019 for the Township of Wyckoff to assist during the period that the Vista Development is under construction which is estimated to require twenty (20) months.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide a certified copy of this resolution to the New Jersey Department of Community Affairs, Mr. Gensheimer and the Chief Financial Officer.

**#19-215      Appointment of Temporary Supplemental Plumbing Subcode Official**

**WHEREAS**, the Township Committee has received a recommendation from the Wyckoff Construction Code Official that the Vista Development at 301 Sicomac Avenue on the Christian Health Care Campus totaling 393,183 square feet of new building consisting of 199 residential dwellings, a bank, multiple restaurants, indoor pool/spa, fitness center and salon services will require supplemental temporary subcode officials at various times to comply with State mandate

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inspection timeframes due to the size of the project and the owners construction methods; and,

**WHEREAS**, the Wyckoff Construction Code Official recommends that the Township Committee appoint Steven Wiersma, a NJDCA Licensed Plumbing Subcode Official for supplemental and temporary plumbing subcode assistance to assist Thomas Gensheimer, the Wyckoff Construction Code Official with inspections during the estimated twenty (20) months of construction; and,

**WHEREAS**, this appointment is not a four (4) year appointment, it is less than a four (4) year appointment on a temporary and supplemental basis to assist the Wyckoff Construction Code Official.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey the Mr. Steven Wiersma is hereby appointed as Supplemental Temporary Building Subcode Official effective June 1, 2019 for the Township of Wyckoff to assist during the period that the Vista Development is under construction which is estimated to require twenty (20) months.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide a certified copy of this resolution to the New Jersey Department of Community Affairs, Mr. Gensheimer and the Chief Financial Officer.

**#19-216      Authorize 25% Grant Match for Bergen County Historic Preservation Grant for Zabriskie House Preservation**

**WHEREAS**, the Zabriskie House, Wyckoff's museum of early American heritage is located at 421 Franklin Avenue, Block 234, lot 6; and,

**WHEREAS**, 2020 is the 300th anniversary of the purchase of the Van Voorhees Quackenbush Zabriskie House; and,

**WHEREAS**, the Township of Wyckoff is the owner of the Zabriskie House Museum and property and as such has a responsibility to maintain and insure said facility; and,

**WHEREAS**, the Zabriskie House museum and grounds is managed and operated by a separate legal entity known as the John B and Grace W. Zabriskie Memorial Trust (Zabriskie House Trust); and,

**WHEREAS**, the Zabriskie House Trust has been awarded a 2018 Bergen County Historical Preservation grant to perform historical restoration repairs and improvements to the Zabriskie house Museum amounting to \$262,500 ; and,

**WHEREAS**, the grant requires a 25% matching appropriation or \$87,500; and,

**WHEREAS**, the Zabriskie House Trustees have requested the Township Committee provide them with \$87,500 from the Township of Wyckoff Municipal Open Space and Historical Preservation Tax as the 25% match; and,

**WHEREAS**, the Township Committee has reviewed the grant application and considers the grant purpose – "Exterior Restoration and Structural Upgrades at The Zabriskie House Museum" an acceptable purpose working towards preservation of early American heritage for future generation; and,

**WHEREAS**, the Township of Wyckoff Chief Financial Officer has attached a certificate indicating that available funds exist in the Municipal Open Space and Historical Preservation Trust fund for this purpose; and,

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**WHEREAS**, the Township Attorney has reviewed this resolution and concurs with the action it authorizes.

**NOW THEREFORE BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that it does hereby authorize the payment of the work funded by the 25% grant match of \$87,500 to the John B and Grace W. Zabriskie Memorial Trust for the purpose of exterior restoration and structural upgrades at the Zabriskie House Museum at 421 Franklin Avenue in accordance with the requirements of the Bergen County Historical Preservation Trust Fund Grant Program.

**BE IT FURTHER RESOLVED**, that the Zabriskie House Trustees shall perform all grant reconciliation and reporting requirements and when the work funded by the grant and the 25% match is completed, the trustees shall provide the Township Committee with a report listing the improvements and expenses categories.

**CERTIFICATE OF AVAILABLE FUNDS**

I, DIANA MCLEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5 (b) 2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON APRIL 2, 2019 AND IS SUBJECT TO THE AVAILABILITY OF FUNDS IN THE MUNICIPAL OPEN SPACE TRUST. THE BUDGETARY ACCOUNTING ENCUMBRANCE PROCESS AS SET FORTH IN NJAC 5:30 (c) AND 5:30 – 5.4 (b) FOR EACH FISCAL YEAR SHALL TAKE THE PLACE OF AND BE USED INSTEAD OF, WRITTEN CERTIFICATION OF AVAILABLE FUNDS AS SET FORTH IN NJAC 5:30-5.4 (a).

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DIANA MCLEOD  
CHIEF FINANCIAL OFFICER

**#19-217      Recognize National Gun Violence Awareness Day and to Commit to Prevent Gun Violence**

**WHEREAS**, the Township Committee of the Township of Wyckoff recognizes the existent of gun violence in the United States of America which includes the State of New Jersey; and,

**WHEREAS**, anyone can show support for and recognize National Gun Violence Awareness Day by pledging to wear orange on June 7th to help raise awareness about gun violence; and,

**WHEREAS**, by wearing orange on June 7th Americans will raise awareness about gun violence and honor the lives and lost human potential of Americans stolen by gun violence.

**NOW THEREFORE BE IT RESOLVED**, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey does hereby recognize June 7, 2019 as National Gun Violence Awareness Day.

1. Joins neighboring towns in Bergen County and around the country in committing to prevent gun violence.
2. Calls all Township residents to embrace a similar commitment – individually as well as collectively – to prevent gun violence to encourage responsible gun ownership and to help keep our children safe.

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**BE IT FURTHER RESOLVED**, that a copy of this resolution be spread upon the minutes of this meeting.

**#19-C7      Closed Session - N.J.S.A. 10:4-12b (7) – Anticipated Litigation**

**WHEREAS**, the Township Committee of the Township of Wyckoff is subject to certain requirements of the “Open Public Meetings Act”, N.J.S.A 10:4-12, et seq.; and,

**WHEREAS**, the “Open Public Meetings Act”, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it was necessary for the Township Committee of the Township of Wyckoff to discuss in a session not open to the Public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b (7) and designated below:

**a. N.J.S.A. 10:4-12b (7) – Anticipated Litigation**

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on May 21, 2019, hereby authorize, that an Executive Session closed to the public shall be conducted on May 21, 2019, in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

**BE IT FURTHER RESOLVED**, that the minutes of the said closed session will be made public when the Township Committee of the Township of Wyckoff determines the reason for the minutes to remain closed no longer exists and the Municipal Clerk shall attach to this resolution when completed the Closed Session Meeting Minutes related to the specific items designated above.

**II      Motions**

- a. Memorialize the approval “Wyckoff Antiques Day” hosted by the Wyckoff Historical Society to be held at the Wyckoff Reformed Church on May 18, 2019 from noon to 3:00 pm and ten day temporary signs advertising the fundraising event.
- b. Authorize temporary tent and temporary sign for Sunday Gospel programs at the Eastern Christian Middle School located at 518 Sicomac Avenue from July 7, 2019 through July 21, 2019.
- c. Approve helicopter landing for the Junior Police Academy Program.
- d. Approve specification and re-authorize sealed competitive bidding for shade tree work.

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

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

**III      Ordinances – Public Hearings/Further Consideration**

#1875 - AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE  
CODE OF THE TOWNSHIP OF WYCKOFF, “HISTORIC

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PRESERVATION COMMISSION," THEREBY CREATING A HISTORIC  
PRESERVATION COMMISSION WITHIN THE TOWNSHIP OF  
WYCKOFF

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1875, entitled:

**AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF  
THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION  
COMMISSION," THEREBY CREATING A HISTORIC PRESERVATION  
COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF**

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

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

COMMITTEEMAN BOONSTRA: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1875, and all persons who wish to be heard, please state your name and address before making your statement.

The Township Administrator said that letters supporting this ordinance were received from the Planning Board and Township Planner.

At the Conclusion of public comments:

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

COMMITTEEMAN BOONSTRA: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1875 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN SCANLAN: I move the resolution.

COMMITTEEMAN BOONSTRA: Seconded.

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

**TOWNSHIP OF WYCKOFF**

**ORDINANCE #1875**

**AN ORDINANCE TO CREATE NEW CHAPTER 40 OF THE CODE OF  
THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION  
COMMISSION," THEREBY CREATING A HISTORIC PRESERVATION  
COMMISSION WITHIN THE TOWNSHIP OF WYCKOFF**

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that new Chapter 40, "Historic Preservation Commission," is hereby created as follows:

**SECTION 1. Chapter 40. Historic Preservation Commission.**

**40-1. Historic Preservation Commission.**

- A. There is hereby created in and for the Township of Wyckoff a commission to be known as the "Historic Preservation Commission."
- B. The Historic Preservation Commission shall consist of seven members and two alternates who shall serve without compensation except that the Commission members shall be reimbursed for expenses incurred in the performance of official business approved in advance by the Township Committee.
- C. Membership.
  - 1. The Commission positions shall be filled by persons who are interested in and qualified to contribute to the preservation of historic landmarks which shall include historic buildings, structures, sites and objects. The Commission shall comprise the following categories:
    - a. Class A: persons who are knowledgeable in building design and construction or in architectural history.
    - b. Class B: persons who are knowledgeable or have demonstrated an interest in local history.
    - c. Class C: persons who are residents of the Township and who hold no other municipal office, position or employment, except they may be members on the Planning Board or Zoning Board of Adjustment.
- D. The Commission shall have at least one member each from Class A and Class B; no more than three members of the commission may reside outside the Township. Both alternates shall meet the qualifications of Class C members. Commission members shall be appointed by the Township Committee and shall serve for four-year terms except that, of the first members appointed, two members shall serve for one year, two members shall serve for two years and the three other members shall serve for three years. The

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alternate members shall initially and thereafter serve two-year terms.

- E. All members may, at the expiration of their terms, be eligible for appointment to four-year terms. Vacancies shall be filled in the same manner in which the previous incumbent was appointed, and such vacancy appointment shall be only for the balance of the unexpired term.
- F. The Commission shall adopt internal rules and procedures for the transaction of its business subject to the following:
  - 1. The Commission shall elect from its members a Chairman and Vice Chairman.
  - 2. A quorum for the transaction of all business shall be five members.
  - 3. All Commission minutes and records shall be public records and all Commission meetings shall comply with the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq.
  - 4. The Township Committee shall employ, designate or elect a Secretary who need not be a member of the Commission. The Secretary shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings, determinations and decisions. All such materials shall be made of public record.
  - 5. Commission meetings shall be scheduled at least once every month, or as often as required to fulfill its obligations to advise the Planning Board, Zoning Board of Adjustment or Township Committee.
  - 6. No Commission member shall be permitted to act on any matter in which he or she has directly or indirectly any personal or financial interest.
- G. A member of the Township Committee shall be designated each year as a liaison with the Historic Preservation Commission.

**40-2. Duties.**

The Historic Preservation Commission shall have the responsibility to:

- A. Prepare a survey of historic landmarks of the municipality pursuant to criteria identified in the survey report;
- B. Make recommendations to the Planning Board on the historic preservation plan element of the Master Plan and on the implications for preservation of historic sites of any other Master Plan elements;
- C. Advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program, if any;
- D. Advise the Zoning Board of Adjustment or Planning Board (hereinafter, "Land Use Board"), as the case may be, on applications for development pursuant to N.J.S.A. 40:55D-110;
- E. Provide written reports pursuant to N.J.S.A. 40:55D-111 and



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§ 123-4 of this article on the application of the Zoning Ordinance provisions concerning historic preservation; and

- F. Carry out such other advisory, educational and informational functions as will promote historic preservation in the Township including, but not limited to, the following:
1. To review historical survey material and, if necessary, to update such material at least once every year to incorporate any newly required historical documentation and to reflect changes to the resource's integrity or condition.
  2. To recommend sites to be designated as historic landmarks in accordance with the procedures established in this article.
  3. To conduct research on and, if necessary, to nominate any additional significant resources to the State and National Register of Historic Places. If the Township becomes certified under the state's Certified Local Government (CLG) Program, the Commission shall, in accordance with the state's CLG guidelines, nominate, review and comment on all state and national registered nominations for historic resources with the Township of Wyckoff.
  4. To assist other public bodies in aiding the public in understanding historic resource significance and methods of preservation.
  5. To advise the Township Committee on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, places and structures; to prepare long-range plans; for the purpose of securing state, federal and other grants in aid to assist in carrying out the other purposes of this article.
  6. To secure the voluntary assistance of the public and (within the limits of the budget established by the Township Committee for the Historic Commission's operation) to retain consultants and experts and incur expenses to assist the Historic Preservation Commission in its work.
  7. To cooperate with local, county, state or national historical authorities, governmental bodies or organizations to maximize their contributions to the intent and purposes of this article.
  8. To advise and assist property owners and other persons and groups, including neighborhood organizations, who are interested in historic preservation.
  9. Within the limits of its budget, to undertake educational programs, including the preparation of a publication aimed at stimulating interest in and sensitivity to historic preservation; and the placing of historic markers on structures.
  10. To report at least annually to the Planning Board on the state of historic preservation in the Township and recommend measures to improve same.

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- 11. To adopt and promulgate such regulations and procedures not inconsistent with this article as are necessary and proper for the effective and efficient performance of the duties herein assigned.
- 12. To perform any other lawful activities which shall be deemed necessary to further the purposes of this article.

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

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

#1876 - AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

ORDINANCE  
FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1876, entitled:

AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

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

COMMITTEEMAN SCANLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1876, and all persons who wish to be heard, please state your name and address before making your statement.

The Township Administrator said that letters supporting this ordinance were received from the Planning Board and Township Planner.

At the Conclusion of public comments:

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

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COMMITTEEMAN SCANLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1876 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN BOONSTRA: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

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

**TOWNSHIP OF WYCKOFF**

**ORDINANCE #1876**

AN ORDINANCE TO CREATE NEW CHAPTER 123 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "HISTORIC PRESERVATION," FOR THE PURPOSE OF PROTECTING HISTORIC LANDMARKS AND GUIDING THE ACTIONS OF THE HISTORIC PRESERVATION COMMISSION

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that new Chapter 123, "Historic Preservation," is hereby created as follows:

**SECTION 1. Chapter 123. Historic Preservation.**

- § 123-1. Short title; incorporation as zoning regulation.
- § 123-2. Purposes.
- § 123-3. Designation of historic landmarks.
- § 123-4. Actions requiring review by Historic Preservation Commission.
- § 123-5. Procedures for Commission's review of building permits and alterations.
- § 123-6. Criteria for review of application.
- § 123-7. Violations and penalties.
- § 123-8. Establishment of historic districts; limitations on powers of Commission.

**123-1. Short title; incorporation as zoning regulation.**

This article shall be known as and may be referred to by the short title of the "Historic Preservation Ordinance of the Township of Wyckoff." As, where

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and to the extent necessary and appropriate, this article shall be construed as being part of and incorporated in the Zoning Ordinance of this chapter, notwithstanding the format of this separate article for purposes of convenience.

**123-2. Purposes.**

- A. By adopting this article, it is the intention of the Township Committee, simultaneously herewith, to create an agency which will work with and advise the Township Committee, Planning Board and the Zoning Board of Adjustment with respect to historic landmarks within the Township of Wyckoff and the effect of development applications thereon. Said agency is to be known as the "Historic Preservation Commission" and shall be established pursuant to Chapter 40 of the Code of the Township of Wyckoff.
- B. The establishment of the Historic Preservation Commission and the designation of historic landmarks within the Township are intended to foster the protection, enhancement and perpetuation of especially noteworthy examples or elements of the Township's environment to:
  - 1. Safeguard the heritage of Wyckoff by preserving resources within the Township which reflect elements of its cultural, social, economic and architectural history;
  - 2. Encourage the continued use of historic landmarks and to facilitate their appropriate use;
  - 3. Promote appreciation of historic landmarks for education, pleasure and the welfare of the local population;
  - 4. Discourage the unnecessary demolition of historic resources;
  - 5. Encourage the proper maintenance and preservation of historic settings and landscapes;
  - 6. Encourage beautification and private reinvestment;
  - 7. Encourage the appropriate alteration of historic landmarks;
  - 8. Promote the conservation of historic landmarks and invite and encourage voluntary compliance.

**123-3. Designation of historic landmarks.**

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- A. The Commission, as part of the preparation of an Historic Element to be provided to the Planning Board for the Master Plan of the Township of Wyckoff shall consider for historic landmark designation, any buildings, structures, objects and sites within the Township which merit historic landmark designation and protection, possessing integrity of location, design, setting, materials, workmanship and association, and being:
1. Of particular historical significance to the Township of Wyckoff by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state or community;
  2. Associated with historic personages important in national, state or local history;
  3. The site of an historic event which had a significant effect on the development of the nation, state or community;
  4. An embodiment of the distinctive characteristics of a type, period or method of architecture or engineering;
  5. Representative of the work of an important builder, designer, artist or architect;
  6. Significant for containing elements of design, detail, materials or craftsmanship which represent a significant innovation; or
  7. Able or likely to yield information important in prehistory or history.
- B. As part of a periodic review of the Historic Element of the Master Plan, the Commission may make a list of potential historic sites for landmark designation. For each landmark, there shall be a description of the landmark, pursuant to this article to include a description of the landmark's location and boundaries, and a map siting. The Commission shall, by certified mail, return receipt requested, notify, in writing, the property owner of a potential landmark designated site and provide the landowner an opportunity to meet voluntarily and informally with the Commission on such designation.
- C. The list of potential landmarks, as well as

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the descriptions, significance, location, boundaries and map siting of each, shall be subject to and contained within the Historic Preservation Element of the Master Plan as amended from time to time. The Commission shall provide its recommendations for inclusion in the Historic Preservation Element of the Master Plan to the Planning Board which shall hold hearings pursuant to statute.

1. All hearings on historic landmark ordinances for historic sites as designated in the appropriate element of the Master Plan shall be conducted before the Township Committee according to law.

- D. Copies of the designation list and historic site maps as adopted shall be made public and distributed to all municipal agencies reviewing development applications and building permits. A certificate of designation shall be served by certified and regular mail upon each owner and included on the list.

**123-4. Actions requiring review by Historic Preservation Commission.**

- A. All development activities including but not limited to those which require a permit or a development application, that affect an historical landmark shall be reviewed by the Commission, except as set forth in Subsection C below. Such review shall be required for but not be limited to the following actions:
1. Demolition of an historic landmark.
  2. Relocation of an historic landmark.
  3. All changes in the exterior architectural appearance of any historic landmark by addition, alteration, or replacement.
  4. Site plans or subdivisions affecting an historic landmark.
  5. Zoning variances affecting an historic landmark.
- B. Before an applicant prepares plans, the applicant may bring a tentative proposal to the Commission for informal review and comment. Discussions of such proposals shall be open to the public, but they will not result in any definitive action by the Commission.

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- C. Review by the Commission is not required for the following:
1. When an historic landmark requires immediate emergency repair to preserve the continued habitability of the landmark and/or health and safety of its occupants or others, emergency repairs may be performed in accordance with Township codes without the necessity of first obtaining the Commission's review. Under such circumstances, the repairs performed shall only be such that are necessary to maintain the habitability of the structure. A request for the Commission's review shall be made as soon as possible, and no additional work shall be performed upon the structure until an appropriate request for approval is made and obtained in accordance with the procedures set forth in this article. All work done under this section shall conform to the criteria and guidelines for review of applications as adopted by the Commission in accordance with this article.
  2. For changes to the interior of structures.
  3. For ordinary repairs and maintenance which do not constitute a change to the appearance of the structure. The following are the only activities which do not require Commission review according to these criteria:
    - a. Repair of existing windows, doors and storm windows that are compatible in style with the architectural period of design of the subject structure.
    - b. Maintenance and repair of existing roof material involving no change in the design, scale or appearance of the structure.
    - c. Repair of the existing roof structure such as cupolas, dormers, and chimneys, using materials which will not alter the exterior architectural appearance of the structure.
    - d. Replacement or repair of existing shingles, clapboards, brick or stone, using the same materials that are being repaired or replaced, maintaining the architectural integrity of the structure.

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- e. Exterior painting of existing structures.
- 4. Alterations to the Zabriskie House, since it is governed by deed restrictions and has its own board of trustees.
- D. Any property owner and/or tenant of any property subject to this article to which changes or alterations are proposed shall not be relieved of any obligations under this article because no building and/or development application is otherwise required.
- E. The Commission shall hear such applications, employing its procedure used for all other applications, and shall prepare a written report on the application of this article's provisions concerning historic preservation to any of those aspects of the change, activity or action proposed and shall submit its report to the Planning Board as the case may be in accordance with this article.

**123-5. Procedures for Commission's review of building permits and alterations.**

- A. For historical sites designated by the appropriate element in the Master Plan and which are subject to an historic landmark designation as contained in the Ordinance, all proposed changes subject to this chapter including applications for development and all applications for the issuance of permits pertaining to historic sites or landmarks shall be referred to the Historic Preservation Commission for a written report on the application of the Ordinance provisions concerning historic preservation to any of those aspects of the change proposed, which aspects were not determined by approval of an application for development pursuant to the Municipal Land Use Law. In the case of an application for development, the Historic Preservation Commission shall submit its report to the Planning Board or Zoning Board as the case may be. In instances where a proposed change and/or permit is referred to the Commission, the Commission shall render its report to the Planning Board which shall make a decision with regard to the Commission's report and shall issue its own report to the administrative officer in charge of issuing the appropriate permit.



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The Historic Preservation Commission shall report to the Planning Board and the Planning Board shall report to the administrative officer within 45 days of the administrative officer's referral of the permit application to the Historic Preservation Commission. If, within the 45-day period, the Planning Board, after recommendation from the Historic Preservation Commission, recommends to the administrative officer against the issuance of a permit or recommends conditions to the permit to be issued, the administrative officer shall deny issuance of the permit or include the conditions in the permit to be issued, as the case may be. Failure to constitute a report within the 45-day period shall be deemed to constitute a report in favor of the issuance of the permit and without recommendation or conditions to the permit.

- B. All appeals pursuant to this section shall be made to the Zoning Board of Adjustment as provided by N.J.S.A. 40:55D-70a.

**123-6.Criteria for review of application.**

In reviewing an application for its effect on an historic landmark, the following criteria shall be used by the Commission, Planning Board and Zoning Board of Adjustment. The criteria set forth in Subsection A hereof relates to all projects affecting an historical landmark. The criteria set forth in Subsections B through D relate to specific types of undertakings and shall be used in addition to the general criteria set forth in Subsection A.

- A. In regard to all applications affecting an historical landmark, the following factors shall be considered:
1. The impact of the proposed change on the historical and architectural significance of the landmark.
  2. The landmark's importance to the public and the extent to which its historical or architectural interests would be adversely affected to the detriment of the public interest.
  3. The hardship to the property owner if the application were denied or conditions were imposed.
- B. In regard to an application for new

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construction, alterations, additions, repairs or replacements affecting an historic landmark, the following criteria shall be considered:

1. Height. The height of the proposed building shall be visually compatible with adjacent buildings.
  2. Proportions of the building's front facade. The relationship of the width of the building to the height of the front elevations shall be visually compatible with the buildings and places to which it is visually related.
    - a. Proportion of openings within the facility. The relationship of the width of windows to the height of windows in a building shall be visually compatible with the buildings and places to which it is visually related.
  3. Relationship of materials, texture, and color. The relationship of materials, texture and color of the facade and roof of a building shall be visually compatible with the predominant materials used in the building to which it is visually related.
  4. Exterior features. A structure's related exterior features, such as lighting, fences, signs, sidewalks, driveways and parking areas, shall be compatible with the features of those structures to which it is visually related and shall be appropriate for the historical period for which the structure is significant.
- C. In regard to an application to demolish an historic landmark, the following matters shall be considered:
1. Its historic, architectural, cultural, or scenic significance.
  2. Its potential for use for those purposes currently permitted by the Zoning Ordinance.
  3. Its structural condition and the economic feasibility of alternatives to the proposal.
  4. Its importance to the community and the extent to which its historical or architectural value is such that its removal would be detrimental to the public

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interest.

5. The extent to which it is of such old, unusual, or uncommon design, craftsmanship, texture or material that it could be reproduced only with great difficulty and expense or other hardship to the property owner.
  6. The extent to which its retention would promote the general welfare by maintaining and increasing real estate values, generating business, attracting tourists, attracting new residents, stimulating interest and study in architecture and design, or making the municipality an attractive and desirable place in which to live.
- D. In regard to an application to move any historic landmark, the following matters shall be considered:
1. The historic loss to the site of the original location.
  2. The reasons for not retaining the landmark or structure at its present site.
  3. The compatibility, nature, and character of the current and of the proposed surrounding areas as they relate to the protection of interests referred to in this article.
  4. The probability of significant damage to the landmark or structure itself.
  5. The hardship to the property owner if the application were denied or conditions were imposed.

**123-7. Violations and penalties.**

Any penalty for a violation of this article shall be determined in accordance with the penalties set forth in Chapter 1, Article II, Section 1-15, General penalty established.

**123-8. Establishment of historic districts; limitations on powers of Commission.**

- A. The establishment of an historic district in the Township of Wyckoff shall be initiated and implemented in the same way as for historic landmarks.
- B. No duties or powers of the Commission shall supersede or infringe on the powers of other Township boards and committees.

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- SECTION 2. Except as hereby amended, all other sections of the Code of the Township of Wyckoff shall remain in full force and effect.
- SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

#1880 - BOND ORDINANCE AUTHORIZING ROAD RESURFACING  
AND THE PURCHASE OF AN ELGIN STREET SWEEPER IN, BY  
AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF  
BERGEN, NEW JERSEY, APPROPRIATING \$725,750 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$413,750 OF BONDS OR  
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST  
THEREOF

ORDINANCE  
FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1880, entitled:

BOND ORDINANCE AUTHORIZING ROAD RESURFACING AND  
THE PURCHASE OF AN ELGIN STREET SWEEPER IN, BY AND  
FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF  
BERGEN, NEW JERSEY, APPROPRIATING \$725,750 THEREFOR  
AND AUTHORIZING THE ISSUANCE OF \$413,750 OF BONDS OR  
NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST  
THEREOF

for second reading, by title only, and a copy of this Ordinance has been posted on the bulletin board in Town Hall where public notices are customarily posted, and copies have been made available to members of the general public of the Township who have requested the same.

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

COMMITTEEMAN SHANLEY: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1880, and all persons who wish to be heard, please state your name and address before making your statement.

Public Comments are made here.

At the Conclusion of public comments:

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

COMMITTEEMAN SHANLEY: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1880 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN SCANLAN: I move the resolution.

COMMITTEEMAN SHANLEY: Seconded.

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

ORDINANCE #1880

BOND ORDINANCE AUTHORIZING ROAD RESURFACING AND THE PURCHASE OF AN ELGIN STREET SWEEPER IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$725,750 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$413,750 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED by the TOWNSHIP COMMITTEE of the TOWNSHIP OF WYCKOFF, in the COUNTY OF BERGEN, NEW JERSEY, THAT:

**SECTION 1.** There is hereby authorized, pursuant to the applicable statutes of the State of New Jersey, the capital improvements and acquisition set forth below in, by and for the Township of Wyckoff, County of Bergen, State of New Jersey (the “Township”), together with other purposes necessary, appurtenant or incidental thereto or thereof (collectively, the “Authorized Projects”):

<u>Item</u>	<u>Capital Imp.</u> <u>Fund</u>	<u>Debt Authoriz</u>	<u>Useful Life</u>
Road Resurfacing Project	\$300,000	\$200,000	5 yrs.
Purchase of Elgin Street Sweeper	<u>12,000</u>	<u>213,750</u>	5 yrs.
	\$312,000	\$413,750	

TOTAL APPROPRIATION: \$725,750

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**SECTION 2.** It is hereby determined and declared by this Township Committee as follows:

A. The estimated aggregate maximum amount of money to be raised from all sources for the Authorized Projects described in Section 1 is \$725,750.

B. The estimated aggregate maximum amount of bonds or notes to be issued for the Authorized Projects described in Section 1 is \$413,750.

C. The Township expects to use funds available in the Capital Improvement Fund in the amount of \$20,687.50 as a required down payment for the purposes stated in Section 1, and other available funds available in the Capital Improvement Fund in the amount of \$291,312.50 for the purposes stated in Section 1.

**SECTION 3.** The sum of \$725,750, including said down payment of \$20,687.50 and said other available funds in the amount of \$291,312.50, is hereby appropriated for the Authorized Projects described in Section 1.

**SECTION 4.** For the purpose of financing part of the cost of the Authorized Projects described in Section 1, exclusive of said down payment and other available funds described in Section 2, the issuance of bonds of said Township in an aggregate principal amount not exceeding Four Hundred Thirteen Thousand Seven Hundred Fifty Dollars (\$413,750) is hereby authorized pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The rate or rates of interest, maturities, method of sale and other details of said bonds not determined herein shall be determined by subsequent resolution or resolutions adopted by this Township Committee pursuant to law.

**SECTION 5.** Pending the issuance of the bonds authorized in Section 4 hereof, bond anticipation notes of the Township may be issued pursuant to said Local Bond Law in an aggregate principal amount not

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exceeding Four Hundred Thirteen Thousand Seven Hundred Fifty Dollars (\$413,750). Each such bond anticipation note shall be designated "Bond Anticipation Note." All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township; provided that no note shall mature later than one year from its date. All such bond anticipation notes may be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer or such other official of the Township as may hereafter be designated by resolution or otherwise as provided by law and shall be under the seal of the Township and attested by the Township Clerk. The notes shall bear interest at such rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver such notes to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser or purchasers thereof.

**SECTION 6.** It is hereby further determined and declared by this Township Committee as follows:

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A. The Authorized Projects described in Section 1 are not current expenses; they are improvements or purposes that the Township may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

B. The average period of usefulness of the Authorized Projects described in Section 1 for which the bonds are hereby authorized to be issued, within the limits prescribed by the Local Bond Law, is 5 years.

C. All bonds or notes issued pursuant to this ordinance shall bear interest at a rate not to exceed the maximum rate permitted by law.

D. The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk prior to the passage of this ordinance on first reading, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the passage of this ordinance on final reading, and such statement shows that the gross debt of said Township, as defined in N.J.S.A. 40A:2-43, is increased by this ordinance by \$413,750 and that the issuance of the obligations authorized by this ordinance will be within all debt limitations contained in the Local Bond Law.

E. The aggregate amount of the proceeds of the obligations authorized by this ordinance to be expended for interest on the obligations authorized herein, engineering and inspection costs, legal expenses, and the costs of issuance of the obligations authorized by this ordinance, including printing, advertisement of ordinances and notices of sale and legal expenses, and other expenses as provided in N.J.S.A. 40A:2-20 does not exceed \$0.

**SECTION 7.** The capital budget of the Township is hereby amended



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to conform with the provisions of this ordinance to the extent of any inconsistency herewith, and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services are on file with the Township Clerk and are available for public inspection.

**SECTION 8.** In the event that any other moneys are lawfully received from any source for the purposes provided in this ordinance, such moneys shall be used for the purposes authorized herein and to reduce the amount of bonds or notes authorized to be issued by this ordinance by the amount so received, or if such other moneys are received after the issuance of the bonds or notes authorized by this ordinance, such moneys shall be used solely for the payment of the debt service on said bonds or notes as the same become due and payable.

**SECTION 9.** The full faith and credit of the Township is hereby pledged for the payment of the principal of and interest on all bonds and notes issued pursuant to this ordinance, and as long as such bonds or notes are outstanding there shall be levied in each year ad valorem taxes on all taxable property within said Township without limitation as to rate or amount sufficient to pay the principal of and interest on such bonds and notes maturing in said year.

**SECTION 10.** (a) The Township shall comply with all provisions of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder or applicable thereto (the "Code") applicable to the bonds or notes issued pursuant to this bond ordinance and shall not take any action, or fail to take any action, if any such action or failure to take action would cause interest on the bonds or notes issued pursuant to this bond ordinance to be or become includable in gross income under

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Section 103 of the Code or cause interest on the bonds or notes issued pursuant to this bond ordinance to be treated as an item of tax preference under Section 57 of the Code. The Township shall not directly or indirectly use or permit the use of any proceeds of such obligations or any other funds of the Township, or take or omit to take any action, that would cause such obligations to be "arbitrage bonds" within the meaning of Section 148(a) of the Code, and will comply with all requirements of Section 148 of the Code to the extent applicable to the bonds and notes authorized hereby and all proceeds thereof, including without limitation, monitoring compliance with Section 148 of the Code as it applies to the bonds and notes authorized hereby, restricting the yield on the investment of any proceeds or gross proceeds of the bonds or notes to the extent required to comply with Section 148 of the Code, and making payments of the rebate amount, if any, to the United States in the manner and to the extent necessary to comply with Section 148 of the Code.

(b) The Township reasonably expects to reimburse the Township's expenditure of certain costs of the Authorized Projects described in Section 1 of this bond ordinance ("Project Costs") incurred and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure of Project Costs incurred and paid prior to the issuance of bonds or notes authorized herein with the proceeds of such bonds or notes in accordance with Treasury Regulations Section 1.150-2(e), and no reimbursement allocation will employ an abusive arbitrage device under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions. The maximum principal amount of obligations expected to be issued pursuant to this bond ordinance to pay Project Costs does not

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exceed \$413,750. The Project Costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be “capital expenditures” as defined in Treasury Regulations Section 1.150-1(b), a cost of issuance for the bonds or notes herein authorized or an expenditure described in Treasury Regulations Section 1.148-6(d)(3)(ii)(B). The allocation of proceeds of the bonds or notes issued pursuant to this bond ordinance to reimburse Project Costs incurred prior to the issuance of such bonds or notes shall be effected no later than 18 months after the later of the date the Project Costs are paid or the date the Authorized Projects are placed in service or abandoned, but in no event more than 3 years after the original Project Costs to be reimbursed are paid.

**SECTION 11.** This ordinance shall take effect twenty days after the first publication hereof after final adoption, in the manner provided by law.

**IV Adjourned 8:36pm**

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Mayor Thomas J. Madigan

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Joyce C. Santimauro, Municipal Clerk