

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MAY 19, 2015**

(Revised 5/19/15)

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MAY 19, 2015 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Kevin J. Rooney
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Mayor and Municipal Clerk to sign documents
5.
 - a. Finance Committee to review and sign vouchers
 - b. Report of Administrator
 - c. Report of Attorney
 - d. Report of Township Committee
6. Meeting open for the Work Session ten (10) minute total public comment period for any item on or off the agenda. Two (2) minutes per speaker.
7. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
8. Reconvene Work Session Meeting
9. Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL WORK SESSION MEETINGS
AND ALL TOWNSHIP COMMITTEE BUSINESS MEETINGS**

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

**TOWNSHIP OF WYCKOFF
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**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, MAY 19, 2015 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Flag Salute
3. Invocation given by Reverend Wes Kenyon from Wyckoff Assembly of God Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Approval of the following Township Committee meeting minutes:

Township Committee April 28, 2015 & May 5, 2015 Work Session & Regular Business Meeting Minutes

Township Committee Regular Work Session and Regular Business Meeting Minutes from

MOTION: SCANLAN SECOND JEPSEN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

7. **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):

- | | |
|---------|--|
| #15-153 | Recognize 25 th Anniversary of ADA Law & Establish July 26, 2015 as ADA Awareness Day |
| #15-155 | Authorize Redemption of Tax Sale Certificate #14-00003 Block 265 Lot 1.01 |
| #15-156 | Payment of Bills |
| #15-157 | Continue 2015 Tax Appeal Legal Service Professional Service Appointment |
| #15-158 | Continue 2015 Bond Counsel Professional Service Appointment |
| #15-159 | Approve Road Closings for Memorial Day Parade |
| #15-160 | Return Maintenance Bond – 509 Russell Avenue |
| #15-161 | Authority to Invoke Competitive Sealed Bidding for Concession Procurement |
| #15-162 | Return Landscape Bond – 371 Dorothy Lane |
| #15-163 | Authorize Payments for Memorial Day Parade |
| #15-164 | Authorize Bid |

Following is the vote on the Consent Agenda:

MOTION: SCANLAN SECOND JEPSEN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

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II Ordinance – Introduction (Not on Consent Agenda)

#1774 - A BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

MOTION: BOONSTRA SECOND JEPSEN
BOONSTRA YES JEPSEN YES SCANLAN NO ROONEY YES

III Resolution (Not on Consent Agenda)

#15-154 Authorize Contract to Pave Roads

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

IV Ordinances – Public Hearings/Further Consideration

#1772 - AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF COMPENSATION OF EACH OFFICER AND TOWN HALL EMPLOYEE OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2015

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

#1773 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$277,775 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

V Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker

VI 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 Kevin J. Rooney 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 Kevin Rooney.

Invocation

The Invocation was given by Reverend Wes Kenyon from Wyckoff Assembly of God Church.

Attendance

Township Committee Present: Mayor Kevin J. Rooney; Committee Present: Rudolf E. Boonstra, Haakon C. Jepsen and Brian D. Scanlan

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

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."

Township Committee April 28, 2015 & May 5, 2015 Work Session &
Regular Business Meeting Minutes

Township Committee Regular Work Session and Regular Business
Meeting Minutes from

MOTION: SCANLAN SECOND JEPSEN
BOONSTRA YES JEPSSEN YES SCANLAN YES ROONEY 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):

#15-153 Recognize 25th Anniversary of ADA Law & Establish Jul 26, 2015 as ADA Awareness Day

WHEREAS, the Americans with Disabilities Act (ADA) was passed on July 26, 1990 to ensure the civil rights of citizens with disabilities; and,

WHEREAS, the Township Committee of the Township of Wyckoff in the State of New Jersey affirms the principals of equality and inclusion for persons with disabilities as set forth for the State of New Jersey and as embodied in the ADA, the laws of the State of New Jersey and ordinances of the Township of Wyckoff; and,

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WHEREAS, the Township of Wyckoff has established its own "Access for All" committee for the purpose of addressing issues of access and awareness within the Township of Wyckoff; and,

WHEREAS, numerous organizations in the State of New Jersey work with citizens and communities to bring forth the promise of hope and freedom that is envisioned by the passage of the ADA; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that July 26, 2015 is recognizes as the Americans with Disabilities Act Awareness Day in the Township of Wyckoff and all citizens are encouraged to support organizations who make life better and more independent for the physically handicapped individual.

#15-155 Authorize Redemption of Tax Sale Certificate #14-00003 Block 265 Lot 1.01

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 2014 on Block 265/Lot 1.01, aka 100 Crescent Avenue, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$1,751.76 and;

WHEREAS, on the 23rd day of October 2014, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens" numbered 14-00003, hereinafter referred to as a Tax Sale Certificate 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

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 14-00003 for redemption and make refund in the amount of \$1,751.76 being lien amount of \$231.91, subsequent taxes, and interest in the amount of \$507.85 recording fees in the amount of \$12.00 and a premium of \$1,000.00 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.

#15-156 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,

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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. Payroll A/C, Direct Deposit Vouchers no., Library Payroll check nos., Library Direct Deposit Vouchers no., Claims Wire nos., check no. Accutrack A/C, Claims check nos. and Voided Claims checks no..

#15-157 Continue 2015 Tax Appeal Legal Service Professional Service Appointment

WHEREAS, the Township Committee of the Township of Wyckoff adopted resolution #15-05E which appointed John Lloyd, Esq. as the Township's special tax appeal legal service while a member of the legal firm of Nowell, Amorosa, Klein, Bierman, P.A. in Hackensack, New Jersey; and,

WHEREAS, Mr. Lloyd, Esq. has advised the Township of Wyckoff that he has left that firm and is associated with the firm, Chiesa, Shahinian & Giantomasi, PC, One Boland Drive, West Orange, New Jersey 07052; and

WHEREAS, resolution #15-05E is attached, as if set forth at length; and,

WHEREAS, the Township committee has determined to continue to appoint John Lloyd, Esq. as its' Tax Appeal Attorney due to his significant and extensive legal experience as a Tax Appeal Attorney defending municipal governments and Tax Assessors. His knowledge of New Jersey taxation statutes, his skill and legal acumen as an attorney licensed to practice law in New Jersey applying the taxation statutes in the defense of the existing property valuations against tax appeal lawsuits providing the township with practical, thorough and complete legal advice; and,

WHEREAS, the Purchasing Agent and the Chief Financial Officer have determined that the cost of these services may exceed \$17,500 and believe it is prudent to anticipate the value of these services in excess of \$17,500 to ensure compliance with NJSA 19:44A-20.5 et.seq.; and,

WHEREAS, each business entity has completed and submitted a Business Entity Disclosure Certification which certifies that each business entity has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Township of Wyckoff with the elected officials in the previous one year, and that the contract will prohibit each business entity from making any reportable contributions (\$300 or more) through the term of the contract; and,

WHEREAS, the Township Committee awards a contract for tax appeal legal services in accordance with the alternate process pursuant to the provisions of NJSA 19:44A-20.5 to December 31, 2015; and,

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WHEREAS, the Local Public Contracts Law NJSA 40A:11-5 requires the resolution authorizing award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and,

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Available of Funds indicating that adequate funds have been appropriated in the 2015 Municipal Budget for fees reasonably required in the line item assessment of taxes – other expense.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that a one year contract for this calendar year is hereby awarded to John Lloyd, Esq., Chiesa Shahinian & Giantomasi, PC, One Boland Drive, West Orange, New Jersey 07052 for Tax Appeal Attorney services based on the attached fee schedule, \$150.00 per hour, up to \$50,000.00 when approved by the Township Committee.

1. The Township Committee Chairman and Clerk are hereby authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.
2. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which excepts from competitive bidding "Professional Services" rendered by persons authorized law to practice a recognized profession and whose practice is regulated by law in accordance with NJSA 40A:11-1 et seq and in accordance with NJSA 19:44A-20.5 alternate process.
3. The Business Entity Disclosure Certification and the Political Contribution Disclosure Forms are in the professional services files.
4. The Municipal Clerk shall execute a public notice of said appointments in the official newspaper of the Township as required by law.

BE IT FURTHER RESOLVED that these contracts have been awarded to these contractors based on the merits and abilities of the contractors to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigns 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.

#15-158 Continue 2015 Bond Counsel Professional Service Appointment

WHEREAS, the Township Committee of the Township of Wyckoff adopted resolution #15-05C which appointed Wolff and Samson as the township's bond counsel; and,

WHEREAS, Dorit F. Kressel of the firm has advised the township of a change in ownership and firms name to Chisea, Shahinian & Giantomasi PC, at the same address, One Boland Drive, West Orange, New Jersey 07502; and,

WHEREAS, resolution #15-05C is attached as if set forth at length; and,

WHEREAS, the Township Committee has determined to continue the appointment of the same firm, with an ownership change and name change because they were the most advantageous, price and other relevant factors considered when the contract was awarded on January 1, 2015 and based on their significant and extensive legal

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experience as the township's with protocol, thorough and complete bond counsel legal services; and,

WHEREAS, the Purchasing Agent and the Chief Financial Officer have determined that the cost of these services may exceed \$17,500 and believe it is prudent to anticipate the value of these services in excess of \$17,500 to ensure compliance with NJSA 19:44A-20.5 et seq.; and,

WHEREAS, each business entity has completed and submitted a Business Entity Disclosure Certification which certifies that each business entity has not made any reportable contributions (\$300 or more) to a political or candidate committee in the Township of Wyckoff with the elected officials in the previous one year, and that the contract will prohibit each business entity from making any reportable contributions (\$300 or more) through the term of the contract; and,

WHEREAS, the Township Committee awards a contract for bond counsel legal services in accordance with the alternate process pursuant to the provisions of NJSA 19:44A-20.5 to December 31, 2015; and,

WHEREAS, the Local Public Contracts Law NJSA 40A:11-5 requires the resolution authorizing award of contracts for professional services without competitive bids and the contract itself to be made available for public inspection; and,

WHEREAS, the Chief Financial Officer, in accordance with the Local Public Contracts Law, has duly executed a Certificate of Available of Funds indicating that adequate funds have been appropriated in the 2015 Municipal Budget for fees reasonably required in the line item legal services – other expense.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that a one year contract for this calendar year is hereby awarded to Chiesa, Shahiniana and Giatomasi, PC, One Boland Drive, West Orange, New Jersey 07052 Attorney services based on the attached fee schedule, \$150.00 per hour, up to \$3,500.00 when approved by the Township Committee.

1. The Township Committee Chairman and Clerk are hereby authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.
2. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which excepts from competitive bidding "Professional Services" rendered by persons authorized law to practice a recognized profession and whose practice is regulated by law in accordance with NJSA 40A:11-1 et seq and in accordance with NJSA 19:44A-20.5 alternate process.
3. The Business Entity Disclosure Certification and the Political Contribution Disclosure Forms are in the professional services files.
4. The Municipal Clerk shall execute a public notice of said appointments in the official newspaper of the Township as required by law.

BE IT FURTHER RESOLVED that these contracts have been awarded to these contractors based on the merits and abilities of the contractors to provide the goods or services as described herein. This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20-4 *et seq.* As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigns 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.

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#15-159 Approve Road Closing 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 25, 2015; 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 25, 2015 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 Police Chief Benjamin Fox for his use in traffic control/detours and coordinating the parade process safely and Scott Fisher, Department of Public Works Manager.

#15-160 Return Maintenance Bond – 509 Russell Ave

WHEREAS, New N House Septic Services, Inc. posted the following for a sewer connection at 509 Russell Avenue on January 25, 2013:

Maintenance cash	\$500.00
Performance cash	\$2,000.00

WHEREAS, Township of Wyckoff Resolution#13-151 approved on May 7, 2013 authorized returning the performance cash of \$2,000.00 to New N House Septic Services and \$500.00 was retained by the township as a two (2) year maintenance bond; and,

WHEREAS, Mr. Marc Nieuwenhuis, President, New N House Septic Services, Inc. in a letter dated April 7, 2015 has requested the release of the \$500.00 two (2) year maintenance bond posted for 509 Russell Avenue; and,

WHEREAS, the Township Engineer in a notation dated April 15, 2015 recommends the release of the \$500.00 two (2) year maintenance bond.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they concur with the recommendation of the Township Engineer to release the two (2) year maintenance bond of \$500.00 to New N House Septic Services.

BE IT FURTHER RESOLVED, that the Township Clerk will forward a copy of this resolution to the Township Engineer and Mr. Marc Nieuwenhuis, New N House Septic Services, 537 Ramapo Avenue, Pompton Lakes, NJ 07442.

#15-161 Authority to Invoke Competitive Sealed Bidding for Concession Procurement

WHEREAS, the Township of Wyckoff authorized competitive sealed concession bidding via resolution #12-117 and a successful contract resulted creating non-tax revenue to assist the township fund the Wyckoff Volunteer Fire Dept. and Wyckoff Volunteer Ambulance Corps; and,

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WHEREAS, the Township of Wyckoff considers the placement of clothes bins on municipal property a concession defined in NJSA 40A:11-1 et. seq.; and

WHEREAS, the Township Attorney has opined that the recommendation from the Finance Committee to generate revenue by allowing the placement of clothing bins through the use of a private contracted service on Township property is legally procured through a public bidding procurement; and

WHEREAS, the placement of clothing bins are provided as a public conveyance under the "police powers" of the Township through a publicly advertised competitive sealed bidding process":

- This authorization will address a public need to raise additional revenue to defray taxes and provide locations for citizens to recycle their clothing and assist the Volunteer Fire Dept . and Volunteer Ambulance Corps.
- Placement of three clothing bins on municipal property.
- The benefits of obtaining additional revenue to defray taxes and to provide in-town convenient locations outweigh the risks of not providing this opportunity to recycle.
- Total estimated annual revenue, \$8,500.
- The basis of the award will be the highest prices bid from the responsive and responsible bidder.
- No additional costs are anticipated to provide these programs.
- No endorsements shall be issued.
- Competitive sealed public bidding shall be followed to award concessions.
- This is an opportunity to recycle clothing and shoes and it is not a tax exempt donation.

WHEREAS, the Finance Committee has recommended the Township Committee authorize public bidding for the placement of these bins; and

WHEREAS, the Township Administrator and Township Attorney have reviewed NJAC 5:34-9.4 and concur with the recommendation.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that authorization is hereby provided to invoke competitive sealed public bidding to implement the above stated concession explained in this resolution in accordance with NJAC 5:34-9.4.

BE IT FURTHER RESOLVED that the Municipal Clerk provide certified copies of this resolution to the Public Works Manager and the CFO.

#15-162 Return Landscape Bond - 371 Dorothy Lane

WHEREAS, Adam & Lauren Ackermann posted a \$1,000 landscape bond with the municipal clerk's office on February 4, 2015 for their property located at 371 Dorothy Lane; and,

WHEREAS, Adam & Lauren Ackermann in a letter dated May 7, 2015 have requested the release of the \$1,000.00 landscape bond for 371 Dorothy Lane; and,

WHEREAS, the Township Engineer in a notation dated May 12, 2015 recommends the return of the \$1,000.00 landscape bond.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they concur with the recommendation of the Township Engineer to refund the \$1,000.00 landscape bond to Adam and Lauren Ackermann.

BE IT FURTHER RESOLVED, that the Township Clerk will forward a copy of this resolution to the Township Engineer and Adam & Lauren Ackermann, 371 Dorothy Lane, Wyckoff, NJ 07481

#15-163 Authorize Payments for Memorial Day Parade

Whereas, the Township of Wyckoff hosts a Veteran's Memorial Day Parade, Firefighter's Memorial Service and Veteran's Memorial Service to honor our deceased war heroes; and,

WHEREAS, several performers require payment immediately after their performances in the Memorial Day Parade: and,

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WHEREAS, the performers are as follows:

Paramus Catholic High School Band	\$250.00
Waldwick Band	\$1,000.00
Garden State Concert Band	\$1,500.00
2 Buglers for memorial service	\$200.00
Garden State ½ Century Antique Cars	\$350.00
BJB Resources (actors in costumes)	\$250.00
Military Transport Association of NJ.	<u>\$375.00</u>
Total	\$3,925.00

WHEREAS, the Chief Financial Officer reports that sufficient funds exist in the 2015 budget to cover the payments totaling to \$3,925.00.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that in accordance with NJSA 40A:5-16C(1), they hereby approve the aforementioned payments to: Paramus Catholic High School Band, the Waldwick Band, Garden State Concert Band, buglers for memorial service, Garden State ½ Century Antique Cars, BJB Resources & Military Transport Association of NJ.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Municipal Clerk, Joyce Santimauro, shall safeguard said checks and distribute said checks to the performers after the completion of their performances.

#15-164 Authorize Bid

WHEREAS, the Township of Wyckoff operates an emergency services monopole at 340 Franklin Avenue; and,

WHEREAS, Scientel Wireless has expressed an interest to locate wireless facilities on said emergency services monopole; and,

WHEREAS, the Township Committee of the Township of Wyckoff has authorized public competitive sealed bidding to obtain a co-locator on the Town Hall Emergency Services Monopole and land lease paying the greatest monetary rent to the Township of Wyckoff; and,

WHEREAS, the Township Committee of the Township of Wyckoff determines that a section of the emergency services monopole and a section of the ancillary wireless support equipment structure is not needed for public use; and,

WHEREAS, the Township Committee of the Township of Wyckoff has determined that a minimum rental payment of \$1,500.00 per month, per antenna is established and the Township Committee reserves the right to reject or not consider any and all bids where the highest bid is not accepted; and,

WHEREAS, a public advertisement will be published in two consecutive editions of a public newspaper approved by the Wyckoff Township Committee for legal notices; and,

WHEREAS, competitive bids will be accepted (received) at least seven (7) days after the second advertisement and the Township Committee reserves the right to accept the highest bid or reject all bids where the highest bidder is not accepted in accordance with NJSA 40A:12-14 & 24.

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 of the Township of Wyckoff, County of Bergen, State of New Jersey that, in accordance with NJSA 40A: 12-14 & 24 reserves all rights under the statute and authorizes competitive sealed bidding and establishes a minimum bid of \$1,500.00 per month, per antenna for a minimum lease term of three (3) years

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for “access to a wireless telecommunications facility on the Town Hall emergency services monopole and land lease for ancillary wireless communication equipment.”

Following is the vote on the Consent Agenda:

MOTION: SCANLAN SECOND JEPSEN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

II Ordinance – Introduction (Not on Consent Agenda)

#1774 - A BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$950,000 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 improvements 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:

<u>Item</u>	<u>Debt Authorized</u>	<u>Useful Life</u>
Town-wide road resurfacing.	850,000	10 yrs.
Community Park parking lot improvement and lighting.	150,000	15 yrs.
TOTALS	\$1,000,000	10.32

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 purposes stated in Section 1 is \$1,000,000.00.

B. The estimated aggregate maximum amount of bonds or notes to be issued for the purposes stated in Section 1 is \$950,000.00.

C. An appropriation was or is contained in a budget or budgets of the Township heretofore adopted in the sum of \$50,000 for capital improvement purposes; there is now available in the Capital Improvement Fund said sum of \$50,000, which sum is hereby appropriated as a down payment for the purposes stated in Section 1.

SECTION 3. The sum of \$1,000,000.00, including said down payment of \$50,000, is hereby appropriated for the purposes stated in Section 1.

SECTION 4. For the purpose of financing part of the cost of the improvements described in Section 1, exclusive of said down payment, the issuance of bonds of said Township in an aggregate principal amount not exceeding Nine Hundred Fifty Thousand Dollars (\$950,000) is hereby authorized

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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 the 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 exceeding Nine Hundred Fifty Thousand Dollars (\$950,000). 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:

A. The improvements or purposes 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 weighted average period of usefulness for the purposes described in Section 1 for which the bonds are hereby authorized to be issued, within the limits prescribed by the Local Bond Law, is 10.32 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 \$950,000 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 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

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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 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 improvements or purposes 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 exceed \$950,000. 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 improvements 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.

MOTION: BOONSTRA SECOND JEPSEN

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BOONSTRA YES JEPSEN YES SCANLAN NO ROONEY YES

III Resolution (Not on Consent Agenda)

#15-154 Authorize Contract to Pave Roads

WHEREAS, Ordinance #1100 authorized participation in a cooperative pricing system with municipalities in Northwest Bergen County; and,

WHEREAS, the Township of Wyckoff is a current member of the Northwest Bergen Cooperative Pricing System; and,

WHEREAS, the Township of Wyckoff suffered a very severe winter which fell 49.5 inches of snow and required the DPW to respond to twenty (20) snow/ice emergencies; and,

WHEREAS, this winter's fluctuating temperatures between freezing and warm with rain and ice deteriorated many of Wyckoff's asphalt roads; and,

WHEREAS, the Township Committee of the Township of Wyckoff determined that the responsible course of action would be to increase the Township's road resurfacing appropriation to counter the negative effects that resulted to Wyckoff roads due to this winter's weather; and,

WHEREAS, funds are not unlimited and the Township cannot pave every road, requiring difficult choices among valid requests; and,

WHEREAS, consistent with past practices, the Township Committee relies on the professional opinion of the Township Engineer, Public Works Manager and Chief of Police to determine the roads most in need of repair; and,

WHEREAS, the Township Committee desires to pave the most roads in need of repair and therefore authorized bidding through the Northwest Bergen Cooperative Pricing System aggregating the volume of work with many other municipalities to obtain discount volume pricing and on 4/14/15 authorized a separate Wyckoff procurement for road resurfacing in accordance with N.J.S.A. 5:34-7.20 providing the Township of Wyckoff with the flexibility of two (2) advertised competitive bidding opportunities to obtain the most competitive price for our taxpayers; and,

WHEREAS, a public notice soliciting bids for the Township of Wyckoff's procurement was advertised on 4/17/15 in the Ridgewood News and posted on the Township's website under the easily accessed quick link on the homepage titled, Bids and Jobs, and specifications were provided at no cost to encourage competition; and,

WHEREAS, eight (8) potential bidders obtained copies of the bid specifications free of charge to encourage bidding; and,

WHEREAS, on 5/1/15 at 11:00 a.m. the Township received eight (8) sealed bids which were opened and their contents read aloud as reflected in the attached minutes of the bid opening prepared by the Municipal Clerk; and,

WHEREAS, the Borough of Ramsey (the lead agency for the Northwest Bergen Cooperative Pricing System) has complied with the Local Public Contracts Law and publicly advertised, received, opened and read the bids as indicated on the attached summary sheet; and,

WHEREAS, the unit price per ton of asphalt from the regional Northwest Bergen Cooperative Pricing Competitive low bidder is \$76.15 per ton installed; and,

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WHEREAS, the unit price per ton of asphalt from the Township of Wyckoff cooperative bid is \$74.95 per ton installed; and,

WHEREAS, the significance of this strategic procurement result is an additional \$13,000 available for road resurfacing due to the favorable competitive unit price; and,

WHEREAS, the Township of Wyckoff shall advise the Cooperative Pricing System that it shall withdraw its estimate from the Cooperative Pricing bid because the Township captured a lower unit price through the Wyckoff advertised competitive procurement; and,

WHEREAS, the Chief Financial Officer has issued a certificate attached to this resolution which indicates that available funds are subject to the adoption of 2015 Capital Ordinance #1774.

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 authorize a contract to the lowest responsive and responsible bidder, D & L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110 at a rate of \$74.95 per ton of installed asphalt and milling at \$2.20 a square yard at an estimated not to exceed contract amount up to \$966,240.00.

BE IT FURTHER RESOLVED, that the Public Works Manager is authorized to begin the preparations for road resurfacing and the road resurfacing shall not begin until June 2, 2015 which is the day after the Township Committee meeting when this award resolution shall be considered.

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

IV Ordinances – Public Hearings/Further Consideration

**#1772 - AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE
RATE OF COMPENSATION OF EACH OFFICER AND TOWN HALL
EMPLOYEE OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD
OF PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2015**

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1772, entitled:

**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF
COMPENSATION OF EACH OFFICER AND TOWN HALL EMPLOYEE
OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD OF
PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2015**

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.

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MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1772, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN SCANLAN: Seconded.

MOTION: BOONSTRA SECOND SCANLAN
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1772 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 JEPSEN YES SCANLAN YES ROONEY YES

TOWNSHIP OF WYCKOFF
ORDINANCE #1772

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE OF
COMPENSATION OF EACH OFFICER AND TOWN HALL EMPLOYEE
OF THE TOWNSHIP OF WYCKOFF, AND THE METHOD OF
PAYMENT OF SUCH COMPENSATION FOR THE YEAR 2015

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey, as follows:

SECTION 1. The rate of compensation of each officer and Town Hall employee of the Township of Wyckoff for the year 2015 whose compensation shall be on an annual basis within the range, and shall be paid semi-monthly, is as follows:

Township Administrator.....	up to 143,535
Township Clerk.....	up to 35,506
Administrative Assistant.....	up to 47,849
Executive Administrative Assistant.....	up to 51,325
Special Projects Assistant	up to 37,080
CFO/Assist. Admin./Information Tech Officer.....	up to 125,106
Finance/Accounts Payable Clerk.....	up to 47,766
Payroll/Certifying Off./Dep. Tax Collector/ Tax Searcher/Sewer Utility Clerk.....	up to 58,078
Tax/Finance Clerk.....	up to 32,426
Tax Collector.....	up to 17,068
Tax Assessor.....	up to 68,529

Other Part Time/Police/Seasonal PersonnelRecreation Assistants:

Officials & Umpires:

Baseball and Softball (Rec).....up to 22.00 per game

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Home Plate Assignment.....	up to 5.00 per game
Baseball (Traveling) & Womans softball.....	up to 60.00 per game
Basketball.....	up to 35.00 per game
Soccer.....	up to 50.00 per game
League Mandated Official.....	up to 80.00 per game
Scorekeeper.....	up to 7.00 per game
Single Official performing a 2 Official Game.....	up to 10.00 per game
Roller Hockey Referee.....	up to 60.00 per game

Board and Commission secretary or staff attending night meetings shall receive \$45 per meeting up to three hours or \$55 per meeting up to four hours or \$75 per meeting over four hours or more.

Township Committee.....\$3,099

Six months service of a calendar year is required for consideration of a salary increase after hiring date.

SECTION 2. In addition to their annual salary, each officer and employee hired prior to January 1, 1994 shall receive longevity compensation computed at 2% of their annual salary for each five (5) years of service, to a maximum of 10% of their salary. Six months of a calendar year is required for one year of service for longevity calculation.

SECTION 3. Twelve (12) paid holidays are authorized for full time employees and specific part time employees equal to their daily regular hours of work, excluding seasonal employees.

SECTION 4. Annual vacation with pay is authorized for all full time employees on the following basis:

- a. During the first year of employment.....pro-rated with a 5 (five) day maximum
- b. During the second year thru eighth year.....10 working days/year
- c. During the ninth year thru thirteenth year.....15 working days/year
- d. During the fourteenth year.....16 working days/year
- e. During the fifteenth year.....17 working days/year
- f. During the sixteenth year.....18 working days/year
- g. During the seventeenth year.....19 working days/year
- h. During the eighteenth year.....20 working days/year
- i. During the nineteenth year.....23 working days/year
- j. During the twentieth year.....24 working days/year
- k. During the twenty first year
and each year thereafter.....25 working days/year

SECTION 5. All salaries and compensation provided for full time employees provided for herein shall be retroactive to January 1, 2015. All 2015 salaries and compensation for part time employees hired on or before June 30 of the prior year will receive retroactive compensation to January 1, 2015, provided they continue to be employed with the Township on July 1, 2015.

SECTION 6. In accordance with Chapter 78, all full time employees receiving health benefits will contribute the commensurate contribution amount as per P.L. 2011.

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SECTION 7. If any section or part of this ordinance shall be adjudged invalid, such adjudication shall apply only to such section or part, and the remainder of the ordinance shall be deemed valid and effective.

SECTION 8. This ordinance shall take effect after final passage and publication as required by law.

#1773 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$277,775 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1773, entitled:

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$277,775 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

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

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1773, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1773 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

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Township as provided by law.

COMMITTEEMAN JEPSEN: I move the resolution.

COMMITTEEMAN BOONSTRA: Seconded.

MOTION: JEPSEN SECOND BOONSTRA
BOONSTRA YES JEPSEN YES SCANLAN YES ROONEY YES

**TOWNSHIP OF WYCKOFF
ORDINANCE #1773**

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$277,775 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, in the County of Bergen, State of New Jersey as follows:

Section 1. The improvements described in Section 3 of this ordinance are hereby authorized by the Township of Wyckoff, and there is hereby appropriated the sum of money herein stated as the appropriations made therefore and amounting to \$277,775.00.

Section 2. For the financing of said improvements, and to meet the cost therefore, there is hereby appropriated from the Capital Improvement Fund for the Township of Wyckoff, the said sum, being available by virtue of a provision included in the approved 2015 Municipal Budget.

Section 3. The improvements authorized and the appropriations therefore are for the purchase of Department of Public Works equipment, road resurfacing, engineering services for road and facility improvements, improvements to public buildings and facilities, purchase of safety equipment for firefighters, purchase recreation program equipment, Fire Chief command vehicle, park and recreation area enhancements, various Town Hall and Public Works complex improvements, public safety equipment, police patrol SUV, police server & radio upgrade, traffic safety signs & safety signals, purchase finance computer server, recreation field improvements and various other capital improvements.

Section 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

V Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker

1. Goran Vukobratovic 622 Lawlins Road, Wyckoff, New Jersey - Mr. Vukobratovic expressed his disappointment with the police report and the description of events in the report. Mr. Vukobratovic stated he does not know how to move forward without a true description of events. He stated if we do not agree with what really happened we cannot move forward. He said he is receiving hundreds of cards, letters and calls from all over saying don't give up.

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2. Helena Vallonchini, 293 Doremus Avenue, Glen Rock, New Jersey - Ms. Vallonchini stated that her heart is saddened with the loss of Otto the dog and in such a tragic way. She stated she cannot comprehend how the Township Committee can exonerate this officer when the officer is told by the dispatcher that the incident happened a few days before. She further stated there was no reason to go to the house let alone the wrong address. Ms. Vallonchini stated she must bring up the past saying; this officer killed someone in Newark, she asked how can he be kept on the Wyckoff Police force as he is a "killer Cop." This is the second time he used a lethal weapon. What will be the third time? For the sake of the family, residents of Wyckoff and non-residents of Wyckoff please, do not keep this officer, she asked.

3. SueEllen Jeltres, 31 Minnehaha, Oakland, New Jersey - Mrs. Jeltres stated that she works for the Township of Wyckoff and has been here working since 1991. Her son is a police officer in the state of Colorado and she knows many police officers. She stated she attended a funeral service for a police officer friend of her son in Colorado and her heart is with our police officer's safety. She further stated that the family's questions do not diminish her respect for our police officers. Last year the Township sent inspectors in every home to perform a revaluation. She said, we had one incident of a vicious resident but no reports of a vicious dog. She stated whatever missteps occurred what scares her is that the officer fired four shots. She further stated the family found three casings in their yard. Her son, a police officer in Colorado must account for every casing and bullet by Colorado law when a gun is discharged, she said. Wyckoff in New Jersey does not have this policy she said. Mrs. Jeltres said she would be at work tomorrow and hoped to be treated with the same amount of respect that Chief Fox is given.

4. Robert Lehmann, 52 Saxonia, Wyckoff, New Jersey - Mr. Lehmann reminded the Township Committee that he owns a dog and is involved in animal rescue; he further stated that his father was a Chief of Police. Mr. Lehmann told the Township Committee it is not making it easy. Two weeks ago he was here, he said and asked for two things; the first was a transparent investigation and the second was training for police officers when encountering dogs. He suggested that neither have happened. The Wyckoff Police Department decided to investigate itself rather than using a third party, he said. He further stated no transparency was present. He suggested the dispatch recording was edited and we have no idea what was cut out. Statements were not released, no bite marks on the boot were produced and no investigators talked to the victims. What did they investigate he asked. He stated the Police Department version seems at odds with multiple eyewitness accounts.

Mr. Lehmann questioned if the police officer knocked on the door why didn't the guard dog bark? Mr. Lehmann further questioned if it is protocol to investigate a scene and obtain the ballistics. When the officer fired his weapon at this point it seems that unless the Bergen County Prosecutor or State Attorney General steps in we have a report that holds very little water and the water it holds is tainted he said. Mr. Lehmann stated he had hoped that the police department would have initiated training. The police department seems to want to lay the blame on the Bergen County Central Dispatch System, he added. This police department needs police and police dog training, Mr. Lehmann suggested many cities and municipalities across the county have mandated this training. In his opinion he said, Wyckoff should do it and be the first municipality in New Jersey to provide police officer training for encounters with dogs. Mr. Lehmann suggested this would ensure residents with pets would feel at ease and show that the Wyckoff Police Officers are willing to learn from this tragedy. Mr. Lehmann suggested that this training is not very expensive and he would see to it that it would be provided without any expense to Wyckoff taxpayers. Mr. Lehmann stated he does not leave his dog in his yard for fear of coyotes and bears, however; he never thought he would have to fear the Wyckoff Police. Mr.

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Lehmann hopes that the Township Committee and Wyckoff Police Department could restore that trust.

5. Chris Scala, 2294 Oakham Court, Mahwah, New Jersey - Mr. Scala stated that we the people of this community and its neighbors demand human decency and respect. He stated the town has deceived the public; this is not about politics. This investigation was not handled with proper investigatory procedures, he said. He further stated this armed police force carelessly could endanger our lives and our pets. He stated Chief Fox stated the officer was attacked without even investigating a piece of evidence to the contrary. Witnesses submitted verbal and written statements that day, he said. He further stated that Chief Fox ignores that one witness who stated with complete confidence Otto did not attack the police officer. Why was that statement left out of Chief Fox's letter he asked Mr. Scala stated statements which questioned the police officer's account of events as well as the police actions regarding police investigatory actions. He further stated no one has demonstrated to us how this occurrence will be prevented and not falsified which only proves it can and will happen again. Mr. Scala requested the police show us that they are not only responsible police officers deserving of their large salaries and permits to carry fire arms, but that they are decent human beings.

6. Doug Dial, 502 Berkley Drive, Wyckoff, New Jersey – Mr. Dial stated that he had the privilege of serving as Mayor years ago and he would like to change the subject from dogs to cats. One evening such as this the Township Committee had a room full of people similar to this with placards and balloons objecting to an ordinance which would require the vaccination of cats. He recalled a rabies epidemic had just spread up the East Coast and health departments in multiple states had issued a health warning alerting municipalities regarding the spread of rabies from dogs and cats to people. Mr. Dial stated that at that meeting such comments were made that included how will we know the vaccines will not hurt our cats; one person suggested vaccinating our children rather than our cats, another person suggested dropping food pellets from an airplane laced with rabies vaccine the theory that the wild animals would eat the food pellets and vaccinate themselves. Mr. Dial suggested that this evening had similar exaggerated rhetoric. What is next in this trail of exaggerated rhetoric, he asked. Do we have to give our fireman training when they enter house not to knock over a tank of tropical fish? Mr. Dial indicated several speakers have pointed out the superb job our police officers provide. A dog biting a police officer is a rare occurrence, however; the likelihood of a police officer being attacked by a teenager high on heroin or methamphetamine is not so remote. Instead of lavishing all this attention and energy on pets if our citizens refocused their attention and would lavish supervision and concern over their children, it would be a much more beneficial use of their time and energy, Mr. Dial said.

7. Steve Deysher, 1409 Ridge Road, Mahwah, New Jersey - Mr. Deysher stated that he was appealing to the Township Committee member's hearts and good nature. He asked the governing body what they would do if this was its dog? He suggested the Township Committee should not abdicate their responsibility and hide behind rules of order and decorum. He asked what you will do about the police conducting an investigation without transparency. He stated he comes from a police officer family his uncle is a Sergeant in the Jersey City Police Department where there is actual danger. He further stated he has never seen his uncle harm a dog where there are pit bulls on the streets that he patrols. He asked the governing body to explain the investigation.

8. Richard Thomas, 170 East Ridgewood Ave, Ridgewood, New Jersey – Mr. Thomas asked the Township Committee a series of questions which focused on: whether a thorough and transparent investigation was performed, did the officer's statements support the evidence. Was there another option to use instead of firing his weapon? Why weren't the casings retrieved by the police? What

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supervision will the Township Committee do over the Police Department, did the police follow procedures and timely interviewing of witnesses? Was the hiring process properly followed when this police officer was hired? And he requested the Township Committee to be guided by the oath of office they took.

VI Meeting adjourned 9:25 p.m.

Kevin J. Rooney
Mayor

Joyce C. Santimauro
Municipal Clerk