

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

**Revised 3-3-20
TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020 - 7:00 P.M.**

1. 7:00 pm Work Session Meeting called to order by Mayor Timothy E Shanley
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. Appoint Officer Ryan J. Tenney to the rank of Sergeant retroactive to March 1, 2020

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

Appoint Officer Kyle W. Ferriera to the rank of Sergeant retroactive to March 1, 2020

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

7. Administer the Oath of Office to Sergeants
8. Review of 8:00 p.m. Business Meeting Agenda – Administrator
9. Review of Policy Action Items – Administrator
10. a. Report of Township Committee
b. Report of Administrator
c. Report of Attorney
11. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
12. Reconvene Work Session Meeting
13. Adjourn

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

**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
NOTICE TO PUBLIC**

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The Township shall not be responsible for and accepts no liability if the recording or live video streaming of the meeting is unavailable.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

**TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Timothy E. Shanley
2. Flag Salute
3. Invocation by Reverend Fred Provencher from Cornerstone Church
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Public Comment period, five (5) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
7. Presentation of Proclamation
8. Approval of the February 18, 2020 Township Committee Work Session and Regular Business meeting minutes:

MOTION: BOONSTRA SECOND RUBENSTEIN
BOONSTRA YES FISCHER ABSTAIN RUBENSTEIN YES
MADIGAN YES SHANLEY 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):

- | | |
|---------|---|
| #20-146 | Accept Donation for Field Construction |
| #20-147 | Adopt Updated Tort Claim Notice |
| #20-148 | Payment of Bills |
| #20-149 | Return of Certain Overpaid Taxes, etc. |
| #20-150 | Award Lowest Unit Price Contracts for WOLF Cooperative Pricing for Fire Equipment |
| #20-151 | Authorize Tax Collector to Bill 2020 Sewer Service Charges |
| #20-152 | Authorize Road Closure and Detour Route |
| #20-153 | Authorize Road Closure and Detour Route |
| #20-154 | Release Closed Session Minutes |

II Motions

- a. Memorialize road opening authority during period of winter road opening moratorium for: 720 Hickory Hill Avenue sewer extension, Ravine Avenue drainage improvement, Greenwood Avenue improvements and 244 Everett Avenue Road opening.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

III Ordinance - Introduction

#1906 - AN ORDINANCE TO AMEND CHAPTER 42, "INDEMNIFICATION AND DEFENSES," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 42-4, "EXCEPTIONS"

#1907 - AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR PARTIAL LAND ACQUISITION FROM BLOCK 203, LOT 1.03 IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE, AND APPROPRIATION THEREFORE.

Following is the vote on the Consent Agenda:

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

IV 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**

NOTICE TO PUBLIC

As a visitor attending this public meeting, your presence and attendance may be recorded. By remaining in the Court Room during the meeting, it is assumed your consent is given for your image to be broadcast.

There may be situations where, due to technical difficulties, live streaming or the recording of a meeting may not be available. The Township shall not be responsible for and accepts no liability if the recording or live video streaming of the meeting is unavailable.

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

Meeting Called To Order

Mayor Timothy E. Shanley 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 Timothy E. Shanley.

Invocation

The Invocation was given by Reverend Fred Provencher from Cornerstone Church.

Attendance

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

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 to speak.

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

Presentation of Proclamation

WHEREAS, Howard "Howie" Felixbrod made Wyckoff his home in 1994 with his wife, Mindy, and is the proud father of Jared, Goldie and Jordana, and over the years has volunteered his time and talents as a volunteer coach for baseball, softball and Torpedos Soccer; and

WHEREAS, Howie opened the Blue Moon Mexican Restaurant in Wyckoff twenty years ago on February 20, 2000 to join his restaurants in New York City and Englewood, New Jersey; and

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

WHEREAS, the Blue Moon Restaurant in Wyckoff has provided a relaxed and enjoyable atmosphere for residents to enjoy great food and libations in Wyckoff, as well as sponsorship of scores of “community benefit nights” for our schools, PTO’s, and sports teams and has donated over \$100,000 of the proceeds to those community causes; and

WHEREAS, Howie serves the community as the President of the Wyckoff Chamber of Commerce and was honored in 2017 by the Wyckoff/Midland Park Rotary Club when they presented him with the Wyckoff Community Service Award for his leadership.

NOW THEREFORE, BE IT PROCLAIMED that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, does hereby commend Howard “Howie” T. Felixbrod for opening the Blue Moon Mexican Restaurant in Wyckoff twenty years ago, hosting several golf outings to raise funds for worthwhile community endeavors, including our Volunteer Fire Department and providing a warm and relaxing community gathering place for us all to enjoy. With grateful hearts, we thank him and extend good wishes to him and his family for the future, on this 3rd Day of March, 2020.

I Resolutions (Adoption of the following):

#20-146 Accept Donation for Field Construction

WHEREAS, the Township Committee has adopted Ordinance #1905 to fund the construction of synthetic turf field at Memorial Field at 340 Franklin Avenue through a public private partnership with the Wyckoff Football Booster Association who donated \$400,000.00 towards the cost of the improvement; and,

WHEREAS, the Wyckoff Football Booster Association has obtained a donation to help defray the cost of the field improvement; and,

WHEREAS, D.T. Allen Contracting Company, Inc., located at 11 Birch Street, Midland Park, New Jersey 07432 has donated 1,500 tons of ¾ inch clean stone to the Wyckoff Football Boosters Association for the construction of the field; and,

WHEREAS, the Township Committee desirous to accept said donation from the Wyckoff Football Boosters Association to help defray the total cost of the improvement; and,

WHEREAS, the Township Attorney has reviewed the donation and recommends the bid specification reflect this donation for all bidders to consider in developing their bid price to encourage the lowest possible cost to the Township.

NOW THEREFORE BE IT RESOVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they do hereby accept the donation of 1,500 tons of ¾ inch clean stone for field construction and they instruct the Township Administrator, pursuant to legal guidance, to reflect the donation in the specification for the awareness for all bidders to provide the Township with a bid to capture the lowest possible cost.

#20-147 Adopt Updated Tort Claim Notice

WHEREAS, the Township Committee adopted a NJ Title 59, Tort Claims Form on 1/1/2020 via Resolution #20-32 for use by all persons wishing to file a tort claim against the Township of Wyckoff; and,

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

WHEREAS, the Township Committee desires to adopt the attached Township of Wyckoff Tort Claims Form with revision date of 2-25-2020.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township of Wyckoff Tort Claims Notice with revision date of 2-25-2020 is hereby adopted and shall be the only tort claim form used in filing claims against the Township of Wyckoff.

#20-148 Payment of Bills

WHEREAS, the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

WHEREAS, the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

WHEREAS, the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

WHEREAS, the Township Committee has a practice of each Township Committee member participating in the reviewing and signing of vouchers; and,

WHEREAS, the vouchers which comprise this bill list have been reviewed and signed by two (2) Township Committee members and they have found them to in order; and,

WHEREAS, the Township Treasurer has certified that sufficient funds are available for payment of said vouchers.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the action of the said Finance Committee be approved; and, that the payments of these bills are hereby authorized and the Chief Financial Officer is directed to issue checks for their payments as listed on the bill list attached to this date's meeting minutes and covered by checks no. 18869 – 18890 Payroll A/C, Direct Deposit Vouchers no. 12541 - 12600, Library Payroll check no. 1505, Library Direct Deposit Vouchers no. 5360 - 5390, Claims Wire nos. 200301, 200302 & 200303, check nos. Accutrack A/C 1128 & 1129 and Claims check nos. 083017 – 083109.

#20-149 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:

BOARD OF ADJUSTMENT:

Timothy Leach, 416 Vassar Street, Wyckoff, New Jersey 07481 – Return of Escrow – Block 486/Lot 5.01 - \$388.98

118 Sheldon Street, LLC, C/O The Turner Group, 5 Blackberry Bay Drive, Oceanport, New Jersey 07757 – Return of Escrow – Block 267/Lot 26 - \$900.00

Danielle Acosta, 112 Hilltop Lane, Wyckoff, New Jersey 07481 – Return of Escrow – Block 497/Lot 49 - \$797.25

TAX REFUND:

Spioti & Esposito, PC, 271 US Highway 46, Ste. F105, Fairfield, New Jersey 07004 – Added Assessment Reduction – Block 421.01/Lot 28 – 490 Chapman Place - \$1,058.85

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

Beattie, Padovano Attorney Trust, 50 Chestnut Ridge Road, Montvale, New Jersey 07645 – State Tax Court Reduction – Block 421/Lot 90 – 698 Charnwood Drive - \$6,875.73

RECREATION:

Michael Turnamian, 630 Mountain Avenue, Wyckoff, New Jersey 07481 – Softball Refund - \$105.00

Chris Lawrence, 385 Newtown Road, Wyckoff, New Jersey 07481 – Softball Refund - \$210.00

#20-150 Award Lowest Unit Price Contracts for WOLF Cooperative Pricing for Fire Equipment

WHEREAS, the Township of Wyckoff seeks to achieve cost avoidances and obtain discount pricing; and,

WHEREAS, the Township of Wyckoff, as the lead agency for the WOLF Cooperative Pricing System has requested Franklin Lakes and Oakland join in a procurement to aggregate fire equipment which each municipality intends to purchase in 2020 via advertised competitive sealed bidding to achieve discount pricing; and,

WHEREAS, the Township Committee has approved this procurement and determined it to be most cost effective to establish unit prices for equipment and supplies to purchase throughout the calendar years; and,

WHEREAS, the Township of Wyckoff is the Lead Agency for Cooperative Pricing System Number 176-WCGCPS-Wolf Group; and,

WHEREAS, this advertised competitive sealed bid procurement combines the purchasing volume for the WOLF Group and as such this procurement establishes unit prices for system members (Franklin Lakes, Oakland and Wyckoff) to utilize in 2020; and,

WHEREAS, a legal notice soliciting sealed competitive bids was published in the 2/14/20 issue of the Ridgewood News establishing a bid opening date which exceeds the state mandated notice period by four (4) days; it was, posted on the Township's web site at "Bids and Jobs" easily accessed from the home page, and specifications were provided free of charge to encourage competition; and,

WHEREAS, sealed bids were publicly opened and their contents read aloud on 2/27/20 at 11:00 a.m. and the vendors names and individual unit bid prices are listed on the summary of bid prices spreadsheet attached, as if set forth at length; and,

WHEREAS, the first column in the aforementioned spreadsheet lists the lowest individual unit price and the bidder. The Fire Chief recommends awards to the bidders in this column for each individual unit; and,

WHEREAS, item #99 on Page A-13 resulted in tie bid prices. Consistent with purchasing guidelines to prevent collusion, item #99 on Page A-13 is awarded to the tie bidder who is located the farthest distance from the Township of Wyckoff; and,

WHEREAS, items #23, #48, #49, #51, #67, #68, #72, #73 & #103 on Page A-14 and item #104 on Page A-14 were apparent low bid unit items, however, the leadership of the Wyckoff Volunteer Fire Department, after careful and thorough

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

review, considered the proposed items not equal to the specified unit items and therefore, were not considered for an award; and,

WHEREAS, the Fire Chief’s award recommendation to the bidder who bid the lowest individual prices is provided as follows:

<u>VENDOR</u>	<u>UNIT ITEMS AWARDED</u>
1. First Choice Safety Equipment, LLC 1262 Concord Drive Brick, NJ 08724	18, 70, 71, 72, 73, 75, 85, 88, 89, 92, 93, 102
2. Continental Fire & Safety, Inc. 2740 Kuser Road Hamilton, NJ 08691	29, 30, 34, 40, 76, 109
3. Mid-Atlantic Rescue Systems 11 Byte Court, Suite A Frederick, MD 21702	48, 49, 50, 51, 68, 111
4. MES Fire 66 Firemens Way Poughkeepsie, NY 12603	1, 8, 13, 19, 21, 22, 23, 27, 28, 38, 47, 69, 78, 82, 83, 95, 96, 97, 98, 105, 106, 107, 108
5. Firefighter One, LLC 34 Wilson Drive Sparta, NJ 07871	25, 26, 36, 37, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 79
6. Witmer Public Safety Group, Inc. 104 Independence Way Coatsville, PA 19320	3, 5, 74, 80, 81, 86, 87, 99, 100, 101
7. AAA Emergency Supply Co. 635 North Broadway White Plains, NY 10603	6, 41, 41a, 42, 42a, 43, 44, 45, 46, 67, 77, 103, 104, 110
8. NJ Fire Equipment 119-131 Route 22 East Greenbrook, NJ 08812	16, 24, 39, 52, 53, 91
9. State Line Fire & Safety 50 Park Avenue Park Ridge, NJ 07656	2, 4, 7, 9, 10, 11, 12, 14, 15, 16, 20, 31, 32, 35, 84, 90, 94, 98, 112

WHEREAS, the Chief Financial Officer, in accordance with the Local Fiscal Affairs Law, has executed a Certificate of Availability duly approved by the Township Attorney indicating that adequate funds have been appropriated under the line item entities “Fire – Other Expense” of the 2020 Municipal Budget, a copy of said Certificate of Availability is attached hereto and made a part hereof as though set forth herein at length; and,

WHEREAS, items 1A through I of Section 1 of the bid specification are referenced and applicable to this award authorization for the Township of Wyckoff as lead agency and the Borough of Franklin Lakes and the Borough of Oakland as participating members of this Cooperative Pricing System Procurement who shall be issuing their own purchase orders.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen State of New Jersey that they do hereby award nine (9) contracts to the vendors for the individual bid

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

unit items that they bid the lowest responsive and responsible individual bid unit prices in accordance with the Fire Chief's recommendation attached as if set forth at length; and,

BE IT FURTHER RESOLVED, that the Wyckoff Fire Chief shall purchase through the centralized purchasing system via the preparation of requisitions for the fire equipment items at the awarded unit prices only and only those items required for the 2020 program. The Fire Chief shall meet periodically throughout the year with the Fire Chiefs of Franklin Lakes and Oakland to order common items, separately but at the same time for purchasing efficiencies, and to explore standardization of equipment to capture additional savings in future procurements; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk shall mail a certified copy of this resolution to the Franklin Lakes and Oakland Administrators for their use in performing their separate governing body authorizations and ordering based on the cooperative pricing system procurement.

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 WILL TAKE PLACE IN 2020 AND IS SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN THE 2020 BUDGET ACCOUNT NUMBER 0-01-25-255-020 ANNUAL BUDGET AS REQUIRED. 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).

DIANA McLEOD
CHIEF FINANCIAL OFFICER

#20-151 Authorize Tax Collector to Bill 2020 Sewer Service Charges

WHEREAS, Ordinance #1796 was adopted in 2016 establishing sewer service charges; and,

WHEREAS, the sewer service charges have not changed for 2020; and,

WHEREAS, this resolution is proposed to provide authority to bill 2020 sewer service charges established for 2016.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the current sewer service annual charges established by the adoption of Ordinance #1796 shall serve as the authority to bill and collect sewer service charges for 2020.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the Chief Financial Officer/Tax Collector and the Sewer Operating Clerk.

#20-152 Authorize Road Closure and Detour Route

WHEREAS, the property owner of 720 Hickory Hill Road desires to construct a 100 foot extension of the sanitary sewer in Hickory Hill Road to service #720 and #721; and,

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

WHEREAS, the property owner has complied with all Township of Wyckoff requirements to perform the road opening and extend the public sanitary sewer system; and,

WHEREAS, the construction work is anticipated to require a duration of (10) ten working weather permitting days; and,

WHEREAS, the Wyckoff Police Department has proposed a road closing of Hickory Hill Road from Merrywood Drive to Briarwood Drive and a detour plan; and,

WHEREAS, the Wyckoff Traffic Safety Sergeant has reviewed this location and the proposed work method and he has determined a road closure and detour are required for the safety of the motoring public and the workers.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a road closure as determined by the Wyckoff Police Department and road detour as determined by the Wyckoff Police Department is authorized for ten (10) weather permitting work days as approved by the Traffic Safety Sergeant beginning on or about Monday, March 16, 2020 and until the improvement is completed and the trench restored. The Traffic Safety Sergeant may extend the road closure if work begins after March 16, 2020.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide certified copies of this resolution to the Police Chief, Police Traffic Safety Sergeant, Department of Public Works Manager, Fire Chief and Ambulance Corps Captain.

#20-153 Authorize Road Closure and Detour Route

WHEREAS, the property owner at 244 Everett Avenue requires a road opening permit and desires to install underground utilities for 344 Everett Avenue; and,

WHEREAS, the property owner has complied with all Township of Wyckoff requirements to perform the road opening and installation of underground utilities; and,

WHEREAS, the construction work is anticipated to require a duration of (10) ten working weather permitting days; and,

WHEREAS, the Wyckoff Police Department has proposed a road closing for Everette Avenue; and,

WHEREAS, the Wyckoff Traffic Safety Sergeant has reviewed this location and the proposed work method, and he has determined a road closure and detour are required for the safety of the motoring public and the workers.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a road closure as determined by the Wyckoff Police Department and road detour as determined by the Wyckoff Police Department is authorized for ten (10) weather permitting work days as approved by the Traffic Safety Sergeant beginning on or about Monday, March 16, 2020 and until the improvement is completed and the trench restored. The Traffic Safety Sergeant may extend the road closure if work begins after March 16, 2020.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide certified copies of this resolution to the Police Chief, Police Traffic Safety Sergeant, Department of Public Works Manager, Fire Chief and Ambulance Corps Captain.

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020

#20-154 Release Closed Session Minutes

WHEREAS, Section 8 of the "Open Public Meetings Act" provides for the release of Closed Session Minutes at the discretion of the governing body or as soon as the issue has been resolved.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff that the release of the following Closed Session Minutes is hereby authorized and directed:

<u>Resolution</u>	<u>Date</u>
#20-C1	February 18, 2020

Copies of said Minutes are attached hereto and made a part hereof as though set forth herein at length.

II Motions

- a. Memorialize road opening authority during period of winter road opening moratorium for: 720 Hickory Hill Avenue sewer extension, Ravine Avenue drainage improvement, Greenwood Avenue improvements and 244 Everett Avenue Road opening.

III Ordinance - Introduction

#1906 - AN ORDINANCE TO AMEND CHAPTER 42, "INDEMNIFICATION AND DEFENSES," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 42-4, "EXCEPTIONS"

**TOWNSHIP OF WYCKOFF
ORDINANCE #1906**

AN ORDINANCE TO AMEND CHAPTER 42, "INDEMNIFICATION AND DEFENSES," OF THE CODE OF THE TOWNSHIP OF WYCKOFF, SECTION 42-4, "EXCEPTIONS"

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that the Code of the Township of Wyckoff is amended at Chapter 42, "Indemnification and Defenses," Section 42-4, "Exceptions."

SECTION 1 - Chapter 42, "Indemnification and Defenses," Section 42-4, "Exceptions" shall be amended as follows:

§ 42-4 Exceptions.

~~The provisions of § 42-3 shall not be applicable when the Township Committee determines that:~~

- ~~A. The act or omission was not within the scope or incidental to the duties of the public official.~~
- ~~B. The act or failure to act was the result of actual fraud, willful misconduct or actual malice.~~
- ~~C. The defense of the action or proceeding would create a conflict of~~

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

- ~~interest between the Township and the public official.~~
- ~~D. The defense of the action or proceeding is provided for by an insurance policy or policies, whether obtained by the Township or by any other person or entity.~~
- ~~E. Where the public official has acted in a position of conflict of interest with the municipality.~~
- ~~F. Where the action has been brought by the municipality itself against the public official, or where the action is a criminal proceeding.~~
- ~~G. The defense is deemed inappropriate by the Township Committee pursuant to the authority contained in N.J.S.A. 59:10-4.~~
- ~~H. The public official has failed to deliver to the Township Committee or Township Administrator within 10 calendar days after the time he is served with any summons, complaint, process, notice, demand or pleading the original or a copy thereof.~~
- ~~I. The public official has failed to cooperate fully with the defense.~~

Pursuant to N.J.S.A. 59:10-4, the indemnification and defense provided for in this Chapter shall include exemplary or punitive damages resulting from the employee's civil violation of State or federal law if, in the opinion of the Wyckoff Township Committee, the acts committed upon which the damages are based did not constitute actual fraud, actual malice, willful misconduct or an intentional wrong .

SECTION 2 - All other sections of Chapter 42 shall remain in full force and effect.

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

#1907 - AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR PARTIAL LAND ACQUISITION FROM BLOCK 203, LOT 1.03 IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE, AND APPROPRIATION THEREFORE.

**TOWNSHIP OF WYCKOFF
ORDINANCE #1907**

AN ORDINANCE TO AUTHORIZE AND PROVIDE FOR PARTIAL LAND ACQUISITION FROM BLOCK 203, LOT 1.03 IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE, AND APPROPRIATION THEREFORE.

WHEREAS, pursuant to the Local Lands and Buildings Law N.J.S.A. 40A:12-1 et. seq. the adoption of this ordinance authorizes the Township Committee of the Township of Wyckoff to acquire by transaction real property for recreation, open space and/or conservation purposes; and

WHEREAS, the Township Committee of the Township of Wyckoff desires to complete a land swap for a portion of Block 203 Lot 1.03 as shown on the tax map of the Township of Wyckoff, consisting of approximately 25,377 square feet or .583 acres, for recreation, open space and/or conservation purposes pursuant to N.J.S.A. 40A:12-5; and

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

WHEREAS, the Township of Wyckoff completed engineering and land surveying pursuant to Resolution #19-260 to accomplish the land swap stated herein; and

WHEREAS, the Township of Wyckoff, in exchange for the approximately 25,377 square feet or .583 acres from Block 203, Lot 1.03, shall provide the owner of Block 203, Lot 1.03 with 10,726 square feet or .246 acres from Block 203, Lot 1.02, which said owner currently utilizes for the owner's driveway via an easement previously provided by the Township of Wyckoff;

WHEREAS, the public hearing required for the governing body to consider this ordinance shall also serve as the public hearing for determination by the governing body to use and allocate portions of certain lands in Block 203, Lot 1.02 for the acquisition of portions of certain lands of Block 203 Lot 1.03 as stated herein; and

WHEREAS, the acquisition of 25,377 square feet or .583 acres from Block 203, Lot 1.03 will permit the Township of Wyckoff with additional control of certain waterways and the management of stormwaters; and

WHEREAS, the providing of 10,726 square feet or .246 acres from Block 203, Lot 1.02 to the owner of Block 203, Lot 1.02 the Township of Wyckoff shall alleviate any potential exposure or liability associated with the current driveway easement; and

WHEREAS, the exchange of lands stated herein are done so without the intention of creating a new buildable lot; and

WHEREAS, the required actions stated herein shall be contingent upon approval by the Wyckoff Planning Board of a Minor Subdivision Application setting forth the exchange of the lands stated herein;

NOW, THEREFORE, BE IT ORDAINED, BY THE Township Committee of the Township of Wyckoff as follows:

SECTION 1. The Township of Wyckoff, in the County of Bergen shall proceed with the acquisition of certain lands, approximately 25,377 square feet or .583 acres of Block 203, Lot 1.03 as shown on the tax map of the Township of Wyckoff, for recreation, open space and/or conservation purposes pursuant to NJSA 40A:12-1 et. seq.

SECTION 2. The cost of implementing said acquisition and improvements set forth in Section 1 shall be paid by the Township of Wyckoff by providing the owner of Block 203, Lot 1.03 with approximately 10,726 square feet or .246 acres from Block 203, Lot 1.02.

SECTION 3. It is hereby determined and stated:

- a. Said purpose is not a current expense. The same is an improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefitted.
- b. The exchange of lands stated herein is done so without the intention of creating a new buildable lot.
- c. It is not necessary to finance this authorization by the issuance of

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 3, 2020**

obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.

- d. The required actions of the Township of Wyckoff, in connection with the exchange of the aforementioned lands are expressly contingent upon approval by the Wyckoff Planning Board of a Minor Subdivision Application permitting the exchange of lands set forth herein.

SECTION 4. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this ordinance, and no obligations in the matter of notes or bonds are authorized by this ordinance.

SECTION 5. This ordinance shall take effect after publication thereof and final passage as required by law.

Following is the vote on the Consent Agenda:

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

IV Adjourned 8:15 pm

Mayor Timothy E. Shanley

Joyce C. Santimauro
Municipal Clerk