

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MARCH 17, 2020**

(Revised 3-17-20)

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 17, 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. Discussion of measures to protect public health relative to COVID-19.
7. Review of 8:00 p.m. Business Meeting Agenda – Administrator
8. Review of Policy Action Items – Administrator
9.
 - a. Report of Township Committee
 - b. Report of Administrator
 - c. Report of Attorney
10. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
11. Reconvene Work Session Meeting
12. 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

NOTICE TO PUBLIC

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SECOND FLOOR MUNICIPAL COURT ROOM
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**TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, MARCH 17, 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
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
5. Roll call of the Township Committee
6. Public Comment period, five (5) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
7. Approval of the March 3, 2020 Township Committee Work Session and Regular Business meeting minutes:

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

8. **Ordinance – Introduction (Not on Consent Agenda)**

#1908 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

9. **Resolutions (Not on Consent Agenda)**

#20-155 Governing Body Certification of Compliance with the United States Equal Employment Opportunity Commission

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

#20-162 Self Examination of Municipal Budget Eligibility

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

#20-163 Introduction of 2020 Municipal Budget

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

10. **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

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considered separately:

I Resolutions (Adoption of the following):

- | | |
|---------|--|
| #20-156 | National Nutrition Month |
| #20-157 | National Public Health Week |
| #20-158 | Designate the Month of March as "Women's History Month" |
| #20-159 | Authorize Purchase in Accordance with NJSA 40A:11-13(d) |
| #20-160 | Authorize Road Closure and Detour Route |
| #20-161 | Donation of Shed |
| #20-164 | Payment of Bills |
| #20-165 | Award Contract for Russell Farm Improvement |
| #20-166 | Public Health Measures |
| #20-167 | National Poison Prevention Week |
| #20-168 | Award of Contract |
| #20-169 | Allow Use of Storm Recovery Reserve for Coronavirus Emergency Response |
| #20-C2 | Closed Session – NJSA 10:4-12b(7) – Potential Anticipated Litigation |
| #20-C3 | Closed Session – NJSA 10:4-12b(7) – Contract Negotiation |

II Motions

- a. Approve the ten-day temporary sign request from Eagles Camps at 518 Sicomac Avenue.
- b. Approve specifications and authorize advertised competitive sealed bidding for the WOLF contract purchase of fire turnout gear and supplemental snow plowing service.

Following is the vote on the Consent Agenda:

MOTION:	<u>MADIGAN</u>	SECOND	<u>BOONSTRA</u>
BOONSTRA	<u>YES</u>	FISCHER	<u>YES</u>
MADIGAN	<u>YES</u>	SHANLEY	<u>YES</u>
		RUBENSTEIN	<u>ABSENT</u>

III Ordinances – Public Hearings/Further Consideration

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

MOTION:	<u>BOONSTRA</u>	SECOND	<u>FISCHER</u>
BOONSTRA	<u>YES</u>	FISCHER	<u>YES</u>
MADIGAN	<u>YES</u>	SHANLEY	<u>YES</u>
		RUBENSTEIN	<u>ABSENT</u>

#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.

MOTION:	<u>BOONSTRA</u>	SECOND	<u>FISCHER</u>
BOONSTRA	<u>YES</u>	FISCHER	<u>YES</u>
MADIGAN	<u>YES</u>	SHANLEY	<u>YES</u>
		RUBENSTEIN	<u>ABSENT</u>

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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**

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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 Committeeman Rudolf E. Boonstra.

Attendance

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

Township Committee Absent: 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

PLEASE TAKE NOTICE, that in accordance with the Open Public Meetings Act NJSA 10:4-6 et seq., and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the Township Committee of the Township of Wyckoff does hereby notify the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, the meeting of the Wyckoff Township Committee scheduled for Tuesday March 17, 2020 at Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, NJ 07481 will be conducted via live stream on the Township's You-Tube channel and individuals may call 201-891-7000 X 222 should you wish to provide public comment during the 7:00 pm and 8:00 pm public comment period.

These measures are implemented to allow members of the public to observe the meeting and provide public comment during the meeting.

Meeting Open for Public Comment

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

No one came forward to speak.

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

Approval of the March 3, 2020 Township Committee Work Session and Regular Business meeting minutes:

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

Ordinance – Introduction (Not on Consent Agenda)

#1908 - AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET

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APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

ORDINANCE #1908

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

WHEREAS, the Local Government Cap Law, N.J.S. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and

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

WHEREAS, the Township Committee of the Township of Wyckoff in the County of Bergen find it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Township Committee hereby determines that a 1.0% increase in the budget for said year, amounting to \$147,011.06 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

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

NOW THEREFORE BE IT ORDAINED, by the Township Committee of the Township of Wyckoff in the County of Bergen authorized membership of this governing body affirmatively concurring that, in the CY 2020 budget year, the final appropriations of the Township of Wyckoff shall, in accordance with this ordinance and N.J.S. A. 40A:4-45, be increased by 1.0% amounting to \$147,011.06 and that the CY 2020 municipal budget for the Township of Wyckoff be approved and adopted in accordance with the ordinance; and,

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

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

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

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

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Resolutions (Not on Consent Agenda)

**#20-155 Governing Body Certification of Compliance with
the United States Equal Employment Opportunity
Commission**

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and,

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

1. **NOW, THEREFORE BE IT RESOLVED**, That the Township Committee of the Township of Wyckoff, hereby states that they have complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Municipal Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

**GOVERNING BODY CERTIFICATION PURSUANT TO P.L. 2017, C.183 OF
COMPLIANCE WITH THE UNITED STATES EQUAL EMPLOYMENT
OPPORTUNITY COMMISSION'S
"Enforcement Guidance on the Consideration of Arrest and Conviction
Records in Employment Decisions Under Title VII of the Civil Rights Act of
1964"**

**GROUP AFFIDAVIT FORM FOR MUNICIPALITIES AND COUNTIES
NO PHOTOCOPIES OF SIGNATURES**

STATE OF NEW JERSEY
COUNTY OF BERGEN

We, members of the Township Committee of the Township of Wyckoff being duly sworn according to law, upon our oath depose and say:

1. We are duly elected members of the Township Committee of the Township of Wyckoff in the county of Bergen;
2. Pursuant to P.L. 2017, c.183, we have familiarized ourselves with the contents of the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012);
3. We are familiar with the local unit's hiring practices as they pertain to the consideration of an individual's criminal history;
4. We certify that the local unit's hiring practices comply with the above-referenced enforcement guidance.

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(L.S.) Timothy E. Shanley	(L.S.)
(L.S.) Rudolf E. Boonstra	(L.S.)
(L.S.) Melissa D. Rubenstein	(L.S.)
(L.S.) Thomas J. Madigan	(L.S.)
(L.S.) Elizabeth J. Fischer	(L.S.)

Sworn to and subscribed before me this
_____ day of _____
Notary Public of New Jersey

Joyce C. Santimauro, Municipal Clerk

The Municipal Clerk (or Clerk of the Board of Chosen Freeholders as the case may be) shall set forth the reason for the absence of signature of any members of the governing body.

IMPORTANT: This certificate must be executed before a municipality or county can submit its approved budget to the Division of Local Government Services. The executed certificate and the adopted resolution must be kept on file and available for inspection.

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

#20-162 **Self Examination of Municipal Budget Eligibility**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

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

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Township of Wyckoff has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes

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

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

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

#20-163 Introduction of 2020 Municipal Budget

**Wyckoff Municipal Budget Adopted Limiting Increase
to Less Than 4/10 of 1 Cent**

The Wyckoff Township Committee introduced the 2020 municipal budget on March 17, 2020. The Township Committee, led by Committeepersons Melissa D. Rubenstein and Thomas J. Madigan, worked diligently to limit the growth of the budget and provide a stable tax rate despite requirements to address uncontrollable expenses such as state mandated pension costs and employee health care costs. The impact on the average home (assessed at \$793,800) is \$28.58 for 2020. The tax rate increases 4/10th of 1 cent per \$100 of assessed valuation. The 2020 budget totals \$20,087,460 with a tax levy increase of \$366,749. The municipal budget is within the budget cap and the 2% allowable tax levy cap.

Service and Safety Investments

In 2020, the budget reflects a decision to invest in the Township's infrastructure. It includes funds allocated for road resurfacing and replacing DPW rolling stock which has reached the end of its useful life. To comply with State and Federal mandates, firefighter safety equipment such as personal protective gear and self-contained breathing apparatus for search and rescue are funded. Pedestrian safety improvements and

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traffic calming devices will be deployed for enhanced pedestrian safety. They include solar powered flashing signals at the following crosswalks located near our elementary schools: 1) Grandview and Coolidge Terrace, 2) Wyckoff Avenue and Circle Drive, 3) Sicomac Avenue and Terhune Terrace, 4) Monroe Avenue and Van Houten Avenue, and 5) Franklin Avenue and Mason Avenue. Traffic calming, "Please Slow Down", when their vehicle exceeds the speed limit and, "Thank you for Driving at or Below the Speed Limit" electronic message signs will be installed at Coolidge, Sicomac, Washington and Lincoln Schools. The budget includes the purchase of two (2) hybrid police patrol vehicles. Environmental benefits will be achieved through reducing the carbon footprint via reduced idling emissions and reduced fuel consumption. In addition, technology advancements for the uniform construction code (UCC) office and a program to digitize permits will be continued this year which will help to improve efficiency.

Holding the Line on Costs

The Finance Committee held flat the standard operating expenses, as compared to last year's levels, to compensate for service and safety investments.. The Township Committee appreciates the efforts of our Department Managers who worked with us in reviewing every line item of the budget to justify their need for taxpayer money to provide services to our community. Our Department of Managers worked hard to minimize expenditures and assisted the Township Committee to hold down operating expenses.

The Finance Committee reviewed every line item of the budget in order to justify each proposed line item of expense in order to help control the growth of expenditures. No changes to the current Township provided services are planned.

Maintaining Priorities

The Township Committee continues its efforts to control the increase in expenditures, pursuing positive fiscal operation such as seeking grants from all levels of government and reducing operating costs through competitive bidding and shared services. Cost reductions and enhanced technology have been realized by regionalization with the Township's many Shared Service Agreements, which includes: 911 dispatch services, Board of Health services with the Bergen County Health Department, fuel facilities and vehicle maintenance services to the Wyckoff Board of Education, strategic purchasing through Northwest Bergen Cooperative Purchasing Consortium and the Wyckoff, Oakland, Franklin Lakes (WOLF Group) shared services group. A new shared service for Court Administrator and Violations Bureau Services was implemented with Glen Rock, resulting in a reduction of one full-time position.

THE TOWNSHIP COMMITTEE ONLY ESTABLISHES THE MUNICIPAL PORTION OF TAXES

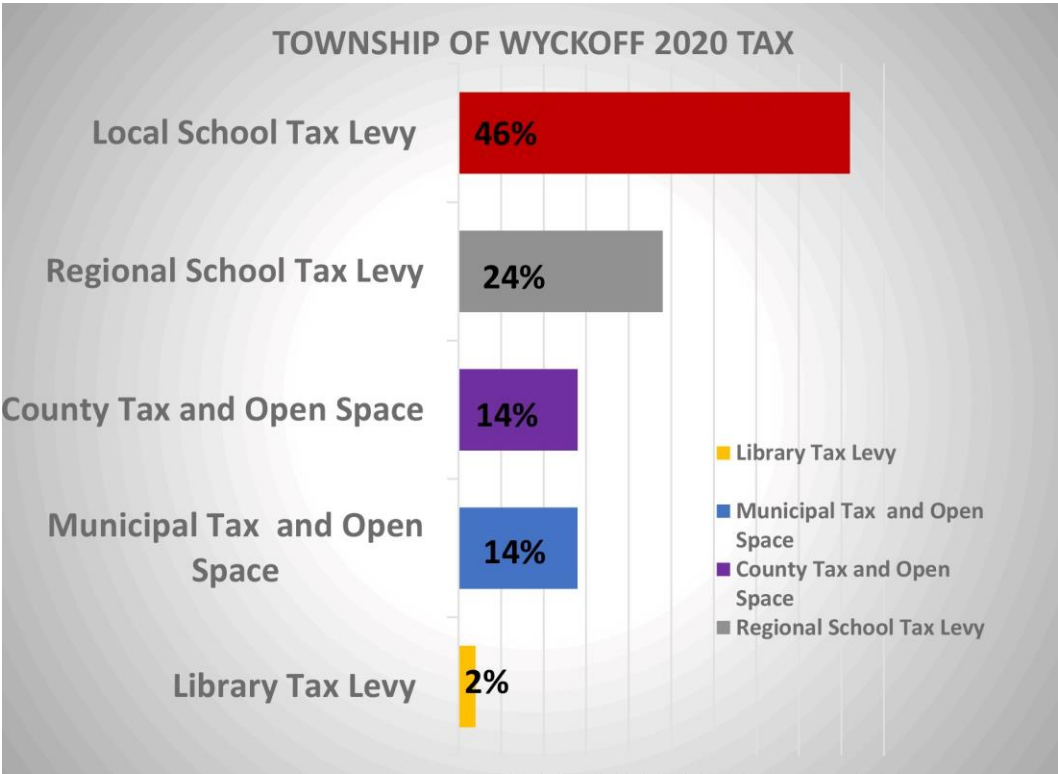
Diana McLeod, the Township's Chief Financial Officer, also points out that municipal taxes represent only a portion (14%) of a Wyckoff property taxpayer's obligation. Three separate governmental entities adopt their own budgets funded by taxes. They are: the Bergen County government, the K-8th Local Public School District and the Ramapo-Indian Hills Regional High School District. Two tax levies: The Bergen County Open Space Tax and the Municipal Open Space Tax are approved by voter referendum. The Wyckoff Free Public Library Tax is a separate tax levy;

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however, it is included in the municipal budget total and represents 8% of the municipal budget. The county taxes, K-8th local grade school taxes and regional high school taxes have not yet been determined. **Although a resident's tax bill reflects all seven separate taxes, the Township Committee is involved in the municipal budget and tax levy portion only and has no involvement in determining the other budgets nor the determination of the six other tax levies. State fiscal laws require the Township's municipal government to serve as the billing and collection agency for all six separate taxes including the Wyckoff Free Public Library tax.** She said the sum of all seven of these tax rates ultimately determines the total property tax rate for the year.

Additional Parameters That Guided Finance Committee Members, Melissa D. Rubenstein and Thomas J. Madigan

- This is a budget developed with the taxpayer in mind.
- We worked diligently with approximately 7 meetings to deliver this budget with a focus on delivering residential services at a marginal tax increase of \$28.58 on an average residential assessment of \$793,800.
- Technology investments, including Cyber Security, were made where we can demonstrate efficiency and/or economic gains.
- The budget is being introduced within the State mandate deadline.



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

#20-156 National Nutrition Month

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

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

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

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

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

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

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

#20-157 National Public Health Week

WHEREAS, the week of April 6, 2020 thru April 12, 2020 is National Public Health Week; and,

WHEREAS, there is a significant difference in the health status of individuals with different abilities and demographics, such as obesity, poor mental health and infectious disease, of people living in the healthiest States compared to people living in the least healthy States; and,

WHEREAS, according to the National Academy of Medicine, despite being one of the wealthiest nations in the world, the United States ranks below many other economically prosperous and developing countries with respect to measures of health, including life expectancy, infant mortality and maternal mortality rates; and,

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WHEREAS, life expectancy for the United States population declined for the second year in a row and the leading causes of deaths are among the most common, costly and preventable of all health problems; and,

WHEREAS, the value of a strong health system is in the air we breathe, the water we drink, the food we eat and the places where we all live, learn, work, worship and play; and,

WHEREAS, public health organizations use National Public Health week to educate the public, policymakers and public health professionals on issues that are important to improving the health of the people of the United States; and,

WHEREAS, in communities across the United States, people are changing the way they care for their health by avoiding tobacco use, eating healthier, becoming more physically active and preventing unintentional injuries at home and in the workplace; and,

WHEREAS, the Township of Wyckoff's website (wyckoff-nj.com) under "**Board of Health**" provides public health resources and information designed to promote the public health of the Wyckoff Community.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they recognize April 6-12, 2020 as National Public Health Week and thank the members of the Wyckoff Board of Health for their dedicated service.

#20-158 Designate the Month of March as "Women's History Month"

WHEREAS, American women of every race, class and ethnic background have made historic contributions to the growth and strength of our Nation in countless recorded and unrecorded ways; and,

WHEREAS, American women have played and continue to play critical economic, cultural and social role in every sphere of the life of the Nation by constituting a significant portion of the labor force working inside and outside of the home; and,

WHEREAS, American women have played a unique role throughout the history of the Nation by providing the majority of the volunteer labor force of the Nation; and,

WHEREAS, American women were particularly instrumental in the establishment of early charitable, philanthropic and cultural institutions in our Nation; and,

WHEREAS, American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, especially the peace movement, which create a more fair and just society for all; and,

WHEREAS, despite these contributions, the role of American women in history has been consistently overlooked and undervalued, in the literature, teaching and study of American history.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that March is designated as "**Women's History Month.**"

#20-159 Authorize Purchase in Accordance with NJSA 40A:11-13(d)

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WHEREAS, the Township of Wyckoff operates as the lead agency for a cooperative pricing system for the municipalities of Wyckoff, Franklin Lakes and Oakland; and,

WHEREAS, the Township of Wyckoff acting as the lead agency has captured competitive pricing for many firefighting items resulting in cost significantly less than the price paid in previous years when advertised sealed competitive bidding was not performed; and,

WHEREAS, the Township of Wyckoff intends to utilize advertised sealed competitive bidding to obtain the “lowest price” that meets the requirements of the request for Globe turn-out firefighting gear, Lion firefighting turn-out gear and, FIRE-DEX firefighting turn-out gear; and,

WHEREAS, the methodology for award of contract shall be consistent with NJSA 40:A11-2, (26), (27), (32), (33) and (39); and,

WHEREAS, the leadership of the Wyckoff Volunteer Fire Department and Township Administration believe firefighter turn-out gear is; a specialized product and necessary for the protection of firefighters in a hostile environment and, its many patented feature are necessary for firefighter safety, and the public safety functional service firefighters perform; and,

WHEREAS, Wyckoff firefighters have “field tested” firefighter turn out gear in hostile environments. Firefighters must have confidence in the ability and durability of firefighter gear to protect themselves and it’s protective capacity to function in compliance with OSHA standards. These properties are considered compelling to identify Globe, Lion and FIRE-DEX firefighting turn out gear as separate proprietary products and requesting the “lowest price from responsive and responsible bidders authorized to sell these products; and,

WHEREAS, the Township Committee received and carefully considered a certification dated March 9, 2020 in accordance with NJSA 40A:11-13(d); and,

WHEREAS, the Township of Wyckoff has complied with NJAC 9:34-9.1(d); and,

WHEREAS, the Township Attorney has reviewed this procurement and concurs.

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 approve of, and authorize the awarding of contracts identifying Globe, Lion and FIRE-DEX as “proprietary products” for which separate “lowest prices” are requirements of the specification; and,

BE IT FURTHER RESOLVED, that the “proprietary” products are directly related to the firefighter turn out gear performance in protecting the life of firefighters to allow firefighters to perform the public safety service functions of search, rescue and fire suppression.

#20-160

Authorize Road Closure and Detour

WHEREAS, the Township of Wyckoff has obtained NJDOT Trust Fund Grant to improve sections of Greenwood Avenue; and,

WHEREAS, the Township Committee has awarded a contract to a vendor whom was lowest responsive and responsible bidder of ten (10) bidders; and,

WHEREAS, construction is expected to begin on or about March 31, 2020 for 2-3 weeks in duration, from 7:00am to 4:00pm; and,

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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 pedestrians and the workers; and,

WHEREAS, the Wyckoff Police Department has proposed a road closing of Greenwood Avenue from Godwin Avenue to Wyckoff Avenue and a detour plan.

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 a two (2) to three (3) week period as approved by the Traffic Safety Sergeant beginning on or about Monday, March 31, 2020 and until the improvement is completed and the resurfacing completed. The Traffic Safety Sergeant may extend the road closure if work begins after March 31, 2020 or if needed for safety.

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.

#20-161 Donation of Shed

WHEREAS, the owner of Stone House Nursery, located at 765 Wyckoff Avenue has donated a used shed to the Township of Wyckoff; and,

WHEREAS, the Recreation Director and Public Works Manager both believe the shed can be a useful asset to the Township Recreation Department and it has been placed next to the Recreation Office for the storage of recreation ground maintenance equipment and supplies; and,

WHEREAS, the Township of Wyckoff Township Committee liaison to the Public Works Department recommends the Township Committee accept the donation of this used shed with an estimated value of \$12,000.00; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the donation of a used shed from Brian Brisby, owner of 765 Wyckoff Avenue LLC, "Stone House Nursey", located at 765 Wyckoff Avenue is hereby accepted and the donor thanked for his donation to the Township of Wyckoff.

#20-164 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 be in order; and,

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

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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. 18891 – 18921 Payroll A/C, Direct Deposit Vouchers no. 12609 - 12680, Library Payroll check nos. 1506 - 1508, Library Direct Deposit Vouchers no. 5396 - 5425, Claims Wire nos. 200304 - 200307, check no. 1130 Accutrack A/C and Claims check nos. 083110 - 083166.

#20-165 Award Contract for Russell Farm Improvement

WHEREAS, the Township of Wyckoff has been awarded a \$48,000 Bergen County Open Space Park Improvement Grant; and,

WHEREAS, the aforementioned grant requires a 100% matching appropriation authorized in Ordinance #1901 in the amount of total appropriation of \$96,000; and,

WHEREAS, the Township Committee of the Township of Wyckoff approved the bid specifications and authorized advertised competitive sealed bidding; and,

WHEREAS, a legal advertisement soliciting bidders was published in the 2/28/2020 issue of the Ridgewood News; and,

WHEREAS, a legal notice soliciting sealed competitive bids was published in the 2/28/2020 issue of the Ridgewood News establishing a bid opening date which exceeds the state mandated notice period by two (2) days; it was posted on the Township's website 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 3/11/2020 at 11:00 a.m. and the vendors names and individual bid prices are listed on the attached Municipal Clerk's minutes of the bid opening; and,

WHEREAS, the Township of Wyckoff Public Works Manager has reviewed the bids and recommends an award to the lowest responsive and responsible bidder; and,

WHEREAS, the Township Attorney and Township Administrator have reviewed the procurement and concur with the recommendation to award contract; and,

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 in 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.

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 award a contract to the lowest responsive and responsible bidder – Borst Landscaping & Design, 260 West Crescent Avenue, Suite 1, Allendale, New Jersey 07401 for the work described as the base bid for \$78,564.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the DPW Manager, Accounts Payable Control Officer, Township Engineer and the Chief Financial Officer.

CERTIFICATION OF AVAILABILITY OF FUNDS

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I, DIANA MC LEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5(B)2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE ON MARCH 17, 2020 SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN CAPITAL ORDINANCE #1901. 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 SET FORTH IN NJAC 5:30-5.4 (A).

DIANA MC LEOD
CHIEF FINANCIAL OFFICER

#20-166 Public Health Measures

WHEREAS, on January 30, 2020 the World Health Organization designated the novel Coronavirus (COVID-19) outbreak as a Public Health Emergency of International Concern; and,

WHEREAS, on January 31, 2020 the United States Health and Human Services Secretary declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to the COVID-19; and,

WHEREAS, the Governor has declared that the spread of COVID-19 within New Jersey constitutes an imminent public health hazard that threatens and presently endangers the health, safety and welfare of the residents of one or more municipalities or counties of the State; and,

WHEREAS, as of this date, 61 presumptive positive cases both travel-related cases and community contact transmission of COVID-19 have been documented in Bergen County; and,

WHEREAS, the spread of COVID-19 in New Jersey at a rate comparable to the rate of spread in other affected areas, would greatly strain the resources and capabilities of county and municipal governments, including public health agencies, which provide essential services for containing and mitigating the spread of contagious diseases, such as COVID-19; and,

WHEREAS, on March 9, 2020 the Governor of the State of New Jersey has declared the concurrent invocation of both a State of Emergency pursuant to N.J.S.A. App.A.:9-33 et seq. and a Public Health Emergency as contemplated by N.J.S. A. 26:13-1 et seq., which action invoked the authority and powers contemplated by N.J.S.A. 26:13-3, the Emergency Health Powers Act; and,

WHEREAS, on March 10, 2020 the State of New Jersey recorded its first death attributed to COVID-19 and accordingly the County will implement more aggressive mitigation measures in conjunction with the current containment efforts to combat COVID-19; and,

WHEREAS, the Township is working with State and County officials and authorities on a daily basis on prevention and mitigation activities that include providing critical information to the public about COVID-19 to provide facts and avoid unnecessary fear, training emergency responders and health professionals about the disease and investigating suspected, presumptive and confirmed cases; and,

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WHEREAS, Bergen County provides the services of Health Officer to the Wyckoff Board of Health and both along with the Bergen County Office of Emergency Management are providing the Township with assistance; and,

WHEREAS, the Center for Disease Control (CDC) has determined that COVID-19 generally presents a low risk to children, but seniors particularly those with underlying chronic medical conditions are at high risk of serious illness from the disease; and,

WHEREAS, the Township may be required to acquire goods and services that may not be currently available in the municipal product inventory or from vendors with whom the Township currently has a contractual relationship in order to protect and maintain the health, safety and welfare of New Jersey residents and visitors and successfully combat the impact of the virus; and,

WHEREAS, the school systems, K-8 and the high school regional district have closed the schools effective 3/13/20 for minimally the next two weeks with a move towards on-line learning.

NOW THEREFORE BE IT RESOLVED AND MEMORIALIZED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the following precautions and actions are authorized in the best interests of the community consistent with the Governor's Declaration of Emergency:

1. Authorize the Wyckoff OEM to execute measures to protect the public from the health emergency that exists within Bergen County regarding the Coronavirus (COVID-19).
2. All Municipal Departments and partners immediately shall implement any and all infectious disease guidelines and protocols and use all personal protective equipment in connection therewith.
3. All Municipal employees shall follow all local, County, State and Federal health recommendations, in addition to Centers for Disease Control recommendations including but not limited to handwashing, sanitizing and basic infection control procedures.
4. Township of Wyckoff residents who are seniors, particularly those with underlying health conditions are strongly encouraged to avoid large crowds and large gatherings while COVID-19 remains a threat.
5. To combat COVID-19 the Township shall be permitted whenever necessary to procure the necessary goods or services, which are not available under contracts currently in existence with the Township, without complying with the New Jersey Public Contracts Law (N.J.S.A. 40A:11-6 et seq.), including but not limited to the following:
 - To award emergency contracts, including but not limited to emergency contracts and services for purchases of PPE, commodities, services and technology.
 - To procure any supplies or equipment required to ensure adequate sanitization, cleaning or sterilization of any facility or location.

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6. In order to exercise extreme caution, the Township has authorized closing the following municipal buildings, library programs, recreational facilities and sports and recreation events are closed for the protection of the public.

- All recreation games, practices and events are cancelled as of 3/12/20.
- All recreation fields are closed to team and group activities as of 3/12/20.
- The Larkin Senior Citizen House is closed as of 3/12/20.
- The Library is closed.

#20-167 National Poison Prevention Week

WHEREAS, Congress designated the third full week in March to be National Poison Prevention Week (NPPW) in 1961 and since then this week has helped to raise national awareness of the dangers of potentially poisonous medicines, household chemicals, and other substances; and,

WHEREAS, poisoning is a preventable illness! From the youngest to the oldest, all people and even pets are at risk; and,

WHEREAS, poison centers across the country will focus the public's attention on identifying poisoning hazards at home as well as learning ways to prevent poisoning emergencies; and,

WHEREAS, a poison is defined as anything that is taken in the wrong amount, in the wrong way or by the wrong person; and,

WHEREAS, unintentional poisoning is the leading cause of unintentional injury death in New Jersey outnumbering deaths by motor vehicles and firearms; and,

WHEREAS, drug overdose deaths including those from prescription and over-the-counter medications, as well as illegal drugs such as heroin and methamphetamines remain at epidemic proportions for both New Jersey and the United States; and,

WHEREAS, in approximately 94% of unintentional poison death nationally and 96% in New Jersey, drugs are the poison; and,

WHEREAS, although the majority of reported poison exposures involve children five (5) years old and younger, the majority of poisoning deaths occur in adults aged 20 to 59; and,

WHEREAS, lead poisoning remains a major public health concern. Elevated blood lead levels can cause significant and permanent damage to the health and wellbeing of a young child. There is no safe level of lead. Stop a child's exposure to lead before it causes harm; and,

WHEREAS, the New Jersey Poison Information and Education System (NJPIES), a division of the Department of Emergency Medicine of the New Jersey Medical School of Rutgers, The State University of New Jersey, provides expert advice, drug information, and poison prevention education to NJ residents through the 800-222-1222 Poison Help Hotline; and,

WHEREAS, all services are free, confidential, multilingual and available 24 hours a day, 7 days a week, 365 days a year even during bouts of Mother Nature; and,

WHEREAS, the public can contact a poison expert by calling (1-800-222-1222), chatting (www.njpies.org), or texting (8002221222@njpies.org); and,

WHEREAS, consumers must be aware that e-cigarette devices, hookah pipes and liquid nicotine may contain very high doses of nicotine in enticing colors,

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aromas, and flavors – increasing the likelihood that small children and pets will focus their attention on them. These products pose serious risk of poisoning; and,

WHEREAS, poison experts urge residents to use our services as a resource for poison and drug information instead of consulting the internet for information that may not be accurate; and,

WHEREAS, we encourage all residents to program the Poison Help Line 800-222-1222 into home, office, and cell phones because a rapid response can make a difference in preventing serious injury and saving lives; and,

WHEREAS, poison centers help to eliminate thousands of unnecessary and expensive emergency department visits by offering callers access to free, confidential medical advice; and,

WHEREAS, NJPIES is also involved with the state's efforts in homeland defense, counter-terrorism, emergency preparedness and response, bio surveillance, and surveillance for clusters of poisonings and their sources (products, food and beverages, chemicals in the workplace and at home, environmental toxins, drugs and medicine, and animal and insect bites and stings).

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 proclaim the week of March 16-20, 2020 as National Poison Prevention Week in New Jersey and encourage all citizens to pledge their commitment to ensuring the safety of themselves, their families, and their community.

#20-168 Award of Contract

WHEREAS, the Township Committee has determined to construct a synthetic turf field in the Memorial Field Campus; and,

WHEREAS, the Township Committee of the Township of Wyckoff approved the bid specifications and authorized advertised competitive sealed bidding; and,

WHEREAS, a legal advertisement soliciting bidders was published in the 3/6/2020 issue of the Ridgewood News; and,

WHEREAS, a legal notice soliciting sealed competitive bids was published in the 3/6/2020 issue of the Ridgewood News; it was posted on the Township's website 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 3/17/2020 at 11:00 a.m. and the vendors names and individual bid prices are listed on the attached Municipal Clerk's minutes of the bid opening, attached as if set forth at length; and,

WHEREAS, the Township of Wyckoff Public Works Manager has reviewed the bids and recommends an award to the lowest responsive and responsible bidder; and,

WHEREAS, the Township Attorney and Township Administrator have reviewed the procurement and concur with the recommendation to award contract; and,

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 in the

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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.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract for the improvements to Memorial Town Hall Fields in accordance with the specifications and drawings is awarded to the lowest responsive and responsible bidder - Dakota Excavating Contractors, Inc. 481 Hackensack Avenue, Hackensack, New Jersey 07601 for the total of price of \$382,350.00

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the DPW Manager, Accounts Payable Control Officer, Recreation Director, Township Engineer, Chief Financial Officer and Bowell Engineer.

CERTIFICATION OF AVAILABILITY OF FUNDS

I, DIANA MC LEOD, CHIEF FINANCIAL OFFICER OF THE TOWNSHIP OF WYCKOFF IN ACCORDANCE WITH NJAC 5:30-5.5(B)2 CERTIFY THAT THIS CONTRACT AWARD WHICH WOULD TAKE PLACE MARCH 17, 2020 SUBJECT TO THE AVAILABILITY OF FUNDS APPROPRIATED IN CAPITAL ORDINANCE #1905. 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 SET FORTH IN NJAC 5:30-5.4 (A).

DIANA MC LEOD
CHIEF FINANCIAL OFFICER

**#20-169 Allow Use of Storm Recovery Reserve for Coronavirus
Emergency Response**

WHEREAS, the Township of Wyckoff established a Storm Recovery Reserve Trust Fund as per N.J.S.A 40A:4-62.1, and,

WHEREAS, NJSA 40A:4-62.1 allows Storm Recovery Reserve funds to be used for “any purpose necessary to protect the safety, security, health and welfare of its citizens from damage caused by an emergency declared by the Governor of New Jersey or President of the United States”; and,

WHEREAS, Local Finance Notice 2020-6 requires a resolution by the governing body to allow Storm Recovery Reserve to be used for coronavirus response.

NOW THEREFORE BE IT RESOLVED, the Township of Wyckoff Storm Recovery Reserves Trust will be available for rapid deployment to fund emergency expenses for and related to coronavirus response.

**#20-C2 Closed Session – NJSA 10:4-12b(7) – Potential Anticipated
Litigation**

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

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

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

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

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NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on March 17, 2020 Sine Die meeting, hereby authorize, that an Executive Session closed to the public shall be conducted on March 17, 2020 in the Municipal Court Room at Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

#20-C3 Closed Session – NJSA 10:412b(7) – Contract Negotiation

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

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

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

N.J.S.A. 10:4-12b (7) – Contract Negotiation

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on March 17, 2020 Sine Die meeting, hereby authorize, that an Executive Session closed to the public shall be conducted on March 17, 2020 in the Municipal Court Room at Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

II Motions

- a. Approve the ten-day temporary sign request from Eagles Camps at 518 Sicomac Avenue.
- b. Approve specifications and authorize advertised competitive sealed bidding for the WOLF contract purchase of fire turnout gear and supplemental snow plowing service.

Following is the vote on the Consent Agenda:

MOTION:	<u>MADIGAN</u>	SECOND	<u>BOONSTRA</u>
BOONSTRA	<u>YES</u>	FISCHER	<u>YES</u>
MADIGAN	<u>YES</u>	SHANLEY	<u>YES</u>
		RUBENSTEIN	<u>ABSENT</u>

III Ordinances – Public Hearings/Further Consideration

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

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1906, entitled:

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

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 FISCHER: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance
No. 1906, and all persons who wish to be heard, please state your name and
address before making your statement.

Public Comments are made here.

At the Conclusion of public comments:
COMMITTEEMAN BOONSTRA: I move that the Public Hearing on the
Ordinance be closed.

COMMITTEEMAN FISCHER: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the
Township of Wyckoff that Ordinance No. 1906 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 FISCHER: Seconded.

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

**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 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.

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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.

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1907, entitled:

**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.**

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 FISCHER: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1907, and all persons who wish to be heard, please state your name and address before making your statement.

Public Comments are made here.

At the Conclusion of public comments:

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

COMMITTEEMAN FISCHER: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1907 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the

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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 FISCHER: Seconded.

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

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 NJSA 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 NJSA 40A:12-5; and

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

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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 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.

IV Adjourned 8:35 pm

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Mayor Timothy E. Shanley

Joyce C. Santimauro
Municipal Clerk