

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

(Revised 2-19-19)

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

1. 7:00 pm Work Session Meeting called to order by Mayor Thomas J. Madigan
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Confirm Finance Committee has reviewed and signed vouchers and that Mayor and Municipal Clerk have signed any necessary documents
5. Ten Minute public comment period, two (2) minutes per speaker for public comment on any governmental issue that a member of the public feels may be of concern to the residents of the Township of Wyckoff.
6. Review of 8:00 p.m. Business Meeting Agenda – Administrator
7. Review of Policy Action Items – Administrator
8.
 - a. Report of Township Committee
 - b. Report of Administrator
 - c. Report of Attorney
9. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
10. Reconvene Work Session Meeting
11. Adjourn

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

FORMAL ACTION MAY BE TAKEN AT THIS WORK SESSION

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TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, FEBRUARY 19, 2019 - 8:00 PM

- 1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Thomas J. Madigan
- 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 February 5, 2019 Township Committee Work Session and Regular Business meeting minutes:

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

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

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

- #19-128 Authorize Redemption of Tax Sale Certificate #18-00005 Block 295 Lot 10 – 147 Godwin Avenue
- #19-129 Invoke Title 59 Plan and Design Immunity
- #19-130 Payment of Bills
- #19-131 Return of Certain Over Paid Taxes, etc.
- #19-132 Authorize 2018 LOSAP Qualifying Participants
- #19-133 2019 Cancel Taxes per NJSA 54:4-3.3 Tax Exempt
- #19-134 Award Contracts for WOLF Bid – Fire Equipment
- #19-135 Authorize Redemption of Tax Sale Certificate #18-00012 Block 428 Lot 11 Steinhauser Lane – Rear
- #19-136 Authorize Redemption of Tax Sale Certificate #13-00016 Block 428 Lot 17 Steinhauser Lane – Rear
- #19-C2 Closed Session – NJSA 10:4-12b(7) Litigation, Contract Negotiation
- #19-C3 Closed Session – NJSA 10:4-12b(7) Contract Negotiation
- #19-C4 Closed Session – NJSA 10:4-12b(5) Acquisition of Property

II **Motions**

- a. Approve ten (10) day temporary signs for the Christian Health Care Center to advertise a spring flower sale at their gift shop.

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III Ordinance – Introduction

#1873 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$300,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY AND PROVIDING THE NECESSARY FUNDS THEREFORE.

Following is the vote on the Consent Agenda:

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

IV Ordinance – Public Hearing/Further Consideration

#1871 - BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$639,940 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$532,440 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF

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

V Adjourn

**PAYMENT OF CLAIMS MAY BE PAID AT ALL TOWNSHIP COMMITTEE
WORK SESSION MEETINGS AND ALL TOWNSHIP COMMITTEE REGULAR
MEETINGS
FORMAL ACTION MAY BE TAKEN DURING THIS MEETING**

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Meeting Called To Order

Mayor Thomas J. Madigan called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

Flag Salute

The Township Committee proceeded with the Pledge of Allegiance led by Mayor Thomas J. Madigan.

Invocation

The Invocation was given by Committeeman Rudolf E. Boonstra.

Attendance

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

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

Open Public Meeting Act Statement

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

Meeting Open for Public Comment

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

No one came forward to speak.

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

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

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

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

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I Resolutions (Adoption of the following):

**#19-128 Authorize Redemption of Tax Sale Certificate #18-00005 Block
295 Lot 10 – 147 Godwin Avenue**

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2017 on Block 295/Lot 10, aka 147 Godwin Avenue, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$26,286.85 and;

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

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate 18-00005 for redemption and make refund in the amount of \$26,286.85 being lien amount of \$2,687.23, subsequent taxes, and interest in the amount of \$7,534.62 recording fees in the amount of \$65.00 and a premium of \$16,000.00 to Clemente Enterprises, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

#19-129 Invoke Title 59 Plan and Design Immunity

WHEREAS, the Township Committee of the Township of Wyckoff awarded a contract for the purchase of a new never been used before 2019 Western Star Roll-Off Truck from Hudson County Motors, 614 New County Road, PO Box 2611, Secaucus, NJ 07096; and,

WHEREAS, the roll-off truck has been received, inspected and is in service; and,

WHEREAS, before issuing a purchase order alternate items were selected and approved by the Township Committee which are reflected on the original purchase order from the specification established by the Education Services Commission of New Jersey for which the Township of Wyckoff is a participation member; and,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the governing body of the Township of Wyckoff approves the final “as built” condition of the roll-off truck as approved through Purchase Order #18-01096 and manufactured and delivered by Hudson County Motors, Inc. PO Box 2611, Secaucus, New Jersey 07096; and the Township Committee invokes title 59 defenses.

BE IT FURTHER RESOLVED, that a certified copy of this resolution shall be placed in the bid file together with one (1) copy of the successful vendor’s

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purchase order with a notation referring to the resolution of approval placed thereon.

#19-130 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. 17813 – 17847 Payroll A/C, Direct Deposit Vouchers no. 10684 - 10755, Library Payroll check no. 1418, Library Direct Deposit Vouchers no. 4436 - 4468, Claims Wire nos. 190204, 190205 & 190206, check nos. 1041 & 1042 Accutrack A/C, Claims check nos. 080630 - 080709 and Voided Claims checks no. 080605, 080621 - 080629.

#19-131 Return of Certain Over Paid 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:

TAX REFUND:

Sameh & Nevine Ragheb, 446 Meer Avenue, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 349/Lot 102 - \$5,645.32

Bruce Conklin, Jr. & Liann Hagy, 365 Rodney Road, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 205/Lot 27 - \$200.88

Richard J. Sosanie, Jr., 711 Mountain Avenue, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 434/Lot 9 - \$139.66

Allen Stiles, 455 Old Woods Road, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 485/Lot 9 - \$474.01

Anthony Grano, 178 Cottage Road, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 456/Lot 24 - \$4,364.16

Dominick & Linette Cicerchia, 518 Wellington Drive, Wyckoff, New Jersey 07481 – Refund of 2018 Tax Overpayment – Block 340/Lot 13 - \$60.26

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Nicholas & Kristen Rosolanko, 364 Mulberry Court, Wyckoff, New Jersey 07481
– Refund of 2018 Tax Overpayment – Block 436/Lot 12 - \$3,391.53

Saiber, LLC, 18 Columbia Turnpike, Suite 200, Florham Park, New Jersey 07932
– State Tax Court Reduction – Block 428/Lot 19 – 172 Wayfair Circle - \$250.00

Riverside Title Agency, 383 Ridgedale Avenue, East Hanover, New Jersey
07936 – County Tax Board Judgement – Block 391/Lot 31.01 – 319 Kenneth
Place - \$9,714.32

George & Natalie Baho, 506 Long Drive, Wyckoff, New Jersey 07481 – Refund
of 2018 Tax Overpayment – Block 377/Lot 55 - \$5,642.57

Christopher Rotella, 633 Fairview Place, Wyckoff, New Jersey 07481 – Refund of
2018 Tax Overpayment due to Tax Exempt Status – Block 231/Lot 6 - \$3,316.11

RECREATION:

Anna Manfredi, 619 Bridle Path, Wyckoff, New Jersey 07481 – Travel Baseball
Refund - \$145.00

Norman Forsyth, 367 Mulberry Court, Wyckoff, New Jersey 07481 – Travel
Baseball Refund - \$250.00

Nancy BenBlaker, 304 Merrywood Drive, Wyckoff, New Jersey 07481 – Travel
Baseball Refund - \$250.00

William Yeung, 101 Fieldstone Terrace, Wyckoff, New Jersey 07481 – Travel
Baseball Refund - \$145.00

Patricia Nilo, 319 Franklin Avenue, Wyckoff, New Jersey 07481 – Lacrosse
Refund - \$110.00

#19-132 Authorize 2018 LOSAP Qualifying Participants

WHEREAS, NJSA 5:30 et seq. allows municipalities to create a length of service
program for volunteer fire and first aid organizations; and,

WHEREAS, Township of Wyckoff Ordinance #1328 was adopted on August 31, 1999
establishing the Township of Wyckoff Length of Service Award Program; and,

WHEREAS, on November 2, 1999, a referendum to establish a Length of Service Award
Program was approved by the voters of the Township of Wyckoff; and,

WHEREAS, a Length of Service Award Program (LOSAP) was established to provide an
inducement to obtain volunteers and to retain volunteers by establishing a tax-deferred
income benefits to active volunteer members of the Township of Wyckoff's Volunteer Fire
Department and Volunteer Ambulance Corp.; and,

WHEREAS, the 2018 year of active emergency service has been completed and all
qualifying volunteer fire department and first aid participants has been calculated in
accordance with
NJSA 5:30 et seq.; and,

WHEREAS, the Chief of the Volunteer Fire Department and the Captain of the Volunteer
Ambulance Corp have certified that the volunteers on the attached roster have satisfied
the minimum requirements of participation established by the Township of Wyckoff
LOSAP on a consistent and uniform basis; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township
of Wyckoff approves the 2017 Qualifying Volunteer Fire Department and First Aid Squad
roster as attached; and,

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BE IT FURTHER RESOLVED the Township Committee of the Township of Wyckoff hereby requests this resolution and attachment be posted at the Municipal Clerk's Office, each Volunteer Fire Company and the Volunteer Ambulance Corps Building for 30 days; and,

BE IT FURTHER RESOLVED the payment of LOSAP shall be authorized on a future payment of claims resolution; and,

#19-133 2019 Cancel Taxes per NJSA 54:4-3.3 Tax Exempt

WHEREAS, N.J.S.A. 54:4-3.3 certifies the Department of Veterans Affairs to certify service connected total disability and,

WHEREAS, the Tax Assessor has deemed the property(ies) listed below as tax exempt status as per this certification,

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Tax Collector is hereby authorized and directed to cancel all taxes as indicated below as per the date of tax exempt status certification.

Block/Lot	Name	Address	Effective date
440/4	Roy D. Budd	728 Willow Run	02/08/2019

#19-134 Award Contracts for WOLF Bid – 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 2019 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 2019; and,

WHEREAS, a legal notice soliciting sealed competitive bids was published in the 2/1/19 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 2/14/19 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,

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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, items #12 & #17 had two (2) tie bid prices each. Item #12 is awarded to the vendor who provided the low unit prices for similar items for continuity of placing orders. Consistent with purchasing guidelines to prevent collusion, item #17 is awarded to the tie bidder who is located the farthest distance from the Township of Wyckoff; 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 2019 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

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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 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 2019 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.

#19-135 Authorize Redemption of Tax Sale Certificate #18-00012 Block 428 Lot 11 Steinhauser Lane – Rear

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2018 on Block 428/Lot 11, aka Steinhauser Lane - Rear, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$6,520.64 and;

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

WHEREAS, said Tax Sale Certificate was struck off to the municipality, Township of Wyckoff ; and,

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate 18-00012 for redemption in the amount of \$6,520.64 being lien amount of \$3,067.79, subsequent taxes, and interest in the amount of \$3,441.85 recording fees in the amount of \$11.00 to the Township of Wyckoff, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

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#19-136 Authorize Redemption of Tax Sale Certificate #13-00016 Block 428 Lot 17 Steinhauser Lane – Rear

WHEREAS, the Tax Collector of the Township of Wyckoff has previously determined that there was due and owing to the Township of Wyckoff outstanding tax and interest for tax year 2012 on Block 428/Lot 17, aka Steinhauser Lane - Rear, within the Township of Wyckoff, County of Bergen, State of New Jersey; in the amount of \$21,448.83 and;

WHEREAS, on the 24th day of October 2013, the Township of Wyckoff executed a "Certificate of Sale of Unpaid Municipal Liens", hereinafter referred to as a Tax Sale Certificate on the above-described property in the amount above-recited; and,

WHEREAS, said Tax Sale Certificate was purchased by US Bank Cust for Pro CAP III, US Bank TLSC 50 South 16th Street, Suite 1950, Philadelphia, PA 19102; and;

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

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the Tax Collector be, and the same is hereby authorized and directed to cancel and endorse Tax Sale Certificate #13-00016 for redemption and make refund in the amount of \$21,448.83 being lien amount of \$1,298.17, subsequent taxes, and interest in the amount of \$20,095.66 recording fees in the amount of \$55.00 to US Bank Cust Pro CAP III, and deliver said Tax Sale Certificate to the mortgagor for cancellation with the County Clerk in accordance with N.J.S.A. 54:5-55.

#19-C2 Closed Session – NJSA 10:4-12b(7) Litigation, 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:

NJSA 10:4-12b(7) Anticipated Litigation

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on February 19, 2019 hereby authorize, that an Executive Session closed to the public shall be conducted on February 19, 2019 in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED, that the minutes of the said closed session will be made public when the Township Committee of the Township of Wyckoff

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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.

#19-C3 Closed Session – NJSA 10:4-12b(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:

NJSA 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 February 19, 2019 hereby authorize, that an Executive Session closed to the public shall be conducted on February 19, 2019 in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

#19-C4 Closed Session – NJSA 10:4-12b(5) Acquisition of Property

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:

NJSA 10:4-12b(5) Acquisition of Property

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 February 19, 2019 hereby authorize, that an Executive Session closed to the public shall be conducted on February 19, 2019 in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

BE IT FURTHER RESOLVED, that the minutes of the said closed session will be made public when the Township Committee of the Township of Wyckoff determines the reason for the minutes to remain closed no longer exists and the

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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 ten (10) day temporary signs for the Christian Health Care Center to advertise a spring flower sale at their gift shop.

III Ordinance – Introduction

#1873 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$300,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNY OF BERGEN, STATE OF NEW JERSEY AND PROVIDING THE NECESSARY FUNDS THEREFORE.

TOWNSHIP OF WYCKOFF

ORDINANCE #1873

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$300,000 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNY OF BERGEN, STATE OF NEW JERSEY AND PROVIDING THE NECESSARY FUNDS THEREFORE.

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

SECTION 1. The sewer improvements described in Section 3 of this ordinance are hereby authorized by the Township of Wyckoff and there is hereby appropriated the sum of money herein stated as the appropriations made therefore and amounting to \$300,000

SECTION 2. For the financing of said sewer improvements, and to meet the cost therefore, there is hereby appropriated from the Sewer Capital Improvement Fund for the Township of Wyckoff, the said sum.

SECTION 3. The sewer improvements authorized and the appropriations therefore are for the rehabilitation and renovation of Township rehabilitation and construction of sewer lines and pumping stations repairs, replacement and maintenance, engineering services, road resurfacing and equipment purchase thereto.

SECTION 4. This ordinance shall take effect immediately upon final passage and publication as required by law.

Following is the vote on the Consent Agenda:

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

IV Ordinance – Public Hearing/Further Consideration

#1871 - BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$639,940

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**THEREFOR AND AUTHORIZING THE ISSUANCE OF \$532,440 OF
BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE
COST THEREOF**

ORDINANCE
FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1871, entitled:

BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$649,885 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$542,385 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

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

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

COMMITTEEMAN SCANLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1871, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN SCANLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1871 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 SHANLEY: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

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

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ORDINANCE NO. 1871

**BOND ORDINANCE AUTHORIZING THE
PURCHASE OF A FIRE PUMPER TRUCK IN,
BY AND FOR THE TOWNSHIP OF
WYCKOFF, IN THE COUNTY OF BERGEN,
NEW JERSEY, APPROPRIATING \$639,940
THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$532,440 OF BONDS OR
NOTES OF THE TOWNSHIP TO FINANCE
PART OF THE COST THEREOF.**

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

SECTION 1. There is hereby authorized, pursuant to the applicable statutes of the State of New Jersey, the purchase of a fire pumper truck, in, by and for the Township of Wyckoff, County of Bergen, State of New Jersey (the "Township"), together with other purposes necessary, appurtenant or incidental thereto or thereof.

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

A. The estimated aggregate maximum amount of money to be raised from all sources for the purposes stated in Section 1 is \$639,940.

B. The estimated aggregate maximum amount of bonds or notes to be issued for the purposes stated in Section 1 is \$532,440.

C. The Township expects to use funds available from the Capital Improvement Fund in the amount of \$32,500 as a down payment for the purposes stated in Section 1.

D. The Township expects to use funds available from existing Township Ordinance 1737 in the amount of \$50,000 towards the purposes stated in Section 1.

E. The Township expects to use funds available from existing Township Ordinance 1828 in the amount of \$25,000 towards the purposes stated in Section 1.

SECTION 3. The sum of \$639,940, including said down payment of \$32,500 and additional funds of \$75,000, is hereby appropriated for the purposes stated in Section 1.

SECTION 4. For the purpose of financing part of the cost of the improvements described in Section 1, exclusive of said down payment and other available funds described in Section 2, the issuance of bonds of said Township in an aggregate principal amount not exceeding Five Hundred Thirty-Two Thousand Four Hundred Forty Dollars (\$532,440) is hereby authorized pursuant to the provisions of the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The rate or rates of interest, maturities, method of sale and other details of said bonds not determined herein shall be determined by subsequent resolution or resolutions adopted by this Township Committee pursuant to law.

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SECTION 5. Pending the issuance of the bonds authorized in Section 4 hereof, bond anticipation notes of the Township may be issued pursuant to said Local Bond Law in an aggregate principal amount not exceeding Five Hundred Thirty-Two Thousand Four Hundred Forty Dollars (\$532,440). Each such bond anticipation note shall be designated "Bond Anticipation Note." All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Township; provided that no note shall mature later than one year from its date. All such bond anticipation notes may be executed in the name of the Township by the manual or facsimile signatures of the Mayor and Chief Financial Officer or such other official of the Township as may hereafter be designated by resolution or otherwise as provided by law and shall be under the seal of the Township and attested by the Township Clerk. The notes shall bear interest at such rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8.1. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver such notes to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest, if any, from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee at the meeting next succeeding the date when any sale or delivery of notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser or purchasers thereof.

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

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

B. The average period of usefulness of the purpose described in Section 1 for which the bonds are hereby authorized to be issued, within the limits prescribed by the Local Bond Law, is 10 years.

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

D. The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Township Clerk prior to the passage of this ordinance on first reading, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey prior to the passage of this ordinance on final reading, and such statement shows that the gross debt of said Township, as defined in N.J.S.A. 40A:2-43, is increased by this ordinance by \$532,440 and that the issuance of the obligations authorized by this ordinance will be within all debt limitations contained in the Local Bond Law.

E. The aggregate amount of the proceeds of the obligations authorized by this ordinance to be expended for interest on the obligations

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authorized herein, engineering and inspection costs, legal expenses, and the costs of issuance of the obligations authorized by this ordinance, including printing, advertisement of ordinances and notices of sale and legal expenses, and other expenses as provided in N.J.S.A. 40A:2-20 does not exceed \$0.

SECTION 7. The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith, and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services are on file with the Township Clerk and are available for public inspection.

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

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

SECTION 10. (a) The Township shall comply with all provisions of the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder or applicable thereto (the "Code") applicable to the bonds or notes issued pursuant to this bond ordinance and shall not take any action, or fail to take any action, if any such action or failure to take action would cause interest on the bonds or notes issued pursuant to this bond ordinance to be or become includable in gross income under Section 103 of the Code or cause interest on the bonds or notes issued pursuant to this bond ordinance to be treated as an item of tax preference under Section 57 of the Code. The Township shall not directly or indirectly use or permit the use of any proceeds of such obligations or any other funds of the Township, or take or omit to take any action, that would cause such obligations to be "arbitrage bonds" within the meaning of Section 148(a) of the Code, and will comply with all requirements of Section 148 of the Code to the extent applicable to the bonds and notes authorized hereby and all proceeds thereof, including without limitation, monitoring compliance with Section 148 of the Code as it applies to the bonds and notes authorized hereby, restricting the yield on the investment of any proceeds or gross proceeds of the bonds or notes to the extent required to comply with Section 148 of the

Code, and making payments of the rebate amount, if any, to the United States in the manner and to the extent necessary to comply with Section 148 of the Code.

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(b) The Township reasonably expects to reimburse the Township's expenditure of certain costs of the improvements or purposes described in Section 1 of this bond ordinance ("Project Costs") incurred and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. This Section is intended to be and hereby is a declaration of the Township's official intent to reimburse any expenditure of Project Costs incurred and paid prior to the issuance of bonds or notes authorized herein with the proceeds of such bonds or notes in accordance with Treasury Regulations Section 1.150-2(e), and no reimbursement allocation will employ an abusive arbitrage device under Treasury Regulations Section 1.148-10 to avoid the arbitrage restrictions. The maximum principal amount of obligations expected to be issued pursuant to this bond ordinance to pay Project Costs does not exceed \$532,440. The Project Costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" as defined in Treasury Regulations Section 1.150-1(b), a cost of issuance for the bonds or notes herein authorized or an expenditure described in Treasury Regulations Section 1.148-6(d)(3)(ii)(B). The allocation of proceeds of the bonds or notes issued pursuant to this bond ordinance to reimburse Project Costs incurred prior to the issuance of such bonds or notes shall be effected no later than 18 months after the later of the date the Project Costs are paid or the date the improvements are placed in service or abandoned, but in no event more than 3 years after the original Project Costs to be reimbursed are paid.

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

V Adjourned 8:10pm

Mayor Thomas J. Madigan

Joyce C. Santimauro, Municipal Clerk