

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
TUESDAY, SEPTEMBER 4, 2018 – 7:00 P.M.**

Mayor Brian D. Scanlan opened the Open Work Session Meeting at 7:00 p.m. in the second floor municipal court room.

Municipal Clerk Santimauro read the Open Public Work Session statement: "This Open Public Work Session Meeting of the Wyckoff Township Committee is now in session. In accordance with the Open Public Meetings Act, notice of this meeting appears on our Annual Schedule of meetings. A copy of said Annual Schedule has been posted on the Bulletin Board in Memorial Town Hall; a copy has been filed with the Municipal Clerk, The Record, The Ridgewood News and the North Jersey Herald and News – all newspapers having 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."

**Present:** Mayor Brian D. Scanlan, Committeemen Thomas J. Madigan, Rudolf E. Boonstra, Timothy E. Shanley and Melissa D. Rubenstein

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

Committeeman Madigan suggested that no member of the governing body should either text or look at their cell phones during the meeting. Committeeman Rubenstein replied that as the mother of two (2) small children, her cell phone is never turned off. Mayor Scanlan suggested that the Township add a discussion item to the September 18<sup>th</sup> meeting to review Mr. Madigan's suggestion.

Mayor Scanlan opened the meeting for the ten (10) 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, with a motion from Committeeman Shanley, seconded by Committeeman Rubenstein.

1. Richard Lynch, 377 Sicomac Avenue. "At the meeting on August 7<sup>th</sup> I got up and spoke about historic preservation. I have put together a couple lists of the oldest structures in Wyckoff. The first list is the old stone buildings and houses and the second list is a listing of frame structures. I submit these for your consideration to help with the establishment of the historic preservation commission and perhaps including these lists in the master plan. (Mr. Lynch asked the municipal clerk to distribute copies to the township committee) Thank you." The committee thanked Mr. Lynch.

Mayor Scanlan: "Rich, I believe this topic is on our policy action items for further discussion tonight."

2. Anna Ramsey, 274 Central Avenue. "I have lived here for 41 years. I am having a problem with the neighbor behind my house that is located on Franklin Avenue. I believe the address is 257 Franklin Avenue. My property is surrounded by a split rail fence. I am here to discuss the tremendous amount of water coming onto my property from my neighbor's property. This has been going on for a while, but now has gotten significantly worse. I have approached the neighbor in a positive way, but the problem is still persisting, that is why I am coming to you to resolve this situation. Nobody is allowed to create a situation that negatively impacts another person's property that is what we have here, and it is located in your code section 152-11. The situation now deprives me of the enjoyment of my pool and is decreasing the value of my property. The water is creating a tremendous problem, if this water is not stopped what will happen? It has now reached my patio and the water comes extremely close to my home. I have never had a sump pump, I have never had water in my basement. This water is a breeding ground for mosquitos, all summer the mosquitos have been horrendous to the point where I cannot go out to enjoy my pool. The mosquitos

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are so large they look like bats. I have called people to take care of my lawn, which is destroyed, all the soil has been washed away, all the mulch is washed away, and bushes and trees keep dying. I have called Lawn Doctor, I have sprayed for ticks in an effort to improve the lawn. I have documents for all of these situations, I have spent a lot of money trying to fix up the lawn. My property was gorgeous and now it looks like trash. I am very concerned about this situation, because of all of these problems I am coming to you now for help to stop the problem before it gets any worse than it is now. I want the township to determine the source of the problem and work with the neighbor to mitigate the damage and flooding to my property. Debris from the woods has come into my property including glass, stone and everything else which has accumulated over the years. Animals come back and forth through the woods and leave droppings. I have pictures showing the flood. I hope you will be able to act on this immediately. (Pictures were given to the municipal clerk to distribute to the township committee) Thank you so much.”

Mayor Scanlan: “Mrs. Ramsey, can I take it from your comments that the situation has changed at some point? When there wasn’t flooding and now there is?”

Mrs. Ramsey: “Yes, before this gentlemen moved in there was never a water problem.”

Mayor Scanlan: “Approximately when did he move in and did the situation change?”

Mrs. Ramsey: “Well, I’ll tell you this my husband and I worked and traveled with our jobs, so we weren’t home that much. My next door neighbor said there’s something wrong, looks like a river coming from the woods. I looked into the driveway and there was debris and everything. “

Mayor Scanlan: “I’m trying to get a year or a month please.”

Mrs. Ramsey: “I don’t know when it started.”

Mayor Scanlan: “Within the last five years? “

Mrs. Ramsey: “It had stopped.”

Mr. Shanley: “Any construction done on the property?”

Mrs. Ramsey: “Well, that’s what I want to talk to you about. What happened a couple months ago, all this water started coming again. I said to the neighbor, Matt, this has got to stop, this is going on for a long time. Where is all this water coming from? He said he would look into it. I said, ok, but it has to stop. It stopped for two (2) days and then it started coming again.”

Mayor Scanlan: “Mrs. Ramsey, may I make a suggestion? If you could leave your phone number, I don’t know if you use e-mail, with Mr. Shannon and we can ask our township engineer to come over.”

Mrs. Ramsey: “I already did that, I called your engineer, I called your building inspector. They came out, the engineer didn’t even want to look at the pictures or go in the back, he was getting all these mosquitos on him. The building inspector came over. Both of them said there was nothing they could do, the neighbor owns his property and he is allowed to do what he wants.”

Mayor Scanlan: “Please give Mr. Shannon your contact details and he will follow up with them.”

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Mrs. Ramsey: "Thank you."

3. Anita Skolnick, 468 Caldwell Drive. "My name is Anita Skolnick and I live at 468 Caldwell Drive in Wyckoff and I've lived here since 1980. I'm here to address and to express dismay and concern with regard to the resolution brought forward at the last meeting concerning the possible future issue posed by Governor Murphy about a sanctuary state. This issue is one that should be addressed on several levels. There are two (2) specific things in this resolution that Mr. Madigan brought forward to this Township Committee, the first is where did this come from and why can't you or won't you make this public? Did you write it yourself or did it come from a third party and if so who is the third party? Did it come directly from a hate group such as the group cited in this resolution and why won't you answer the question? I vehemently oppose you bringing hate groups to my door step by citing a racist extreme white supremacist group you are bringing fear mongering and their horrific agenda to our country of anyone who is not white or of European descent. The rest of us in this community seek only peaceful relations with our neighbors, regardless of race, color, creed, sexual orientation or religion. We are all immigrants. Secondly, it's a matter of public trust for you Tom, as an elected official, if I didn't fully understand something that's one thing, but as an elected official it is your responsibility to fully do your homework, understand and standby any proposal you bring forward. It is clear you have not done so, you have lost my trust as an elected official. You owe Melissa Rubenstein an apology for calling her response theatrics. Her reaction was level headed, her points well researched and legally based. You owe an apology to the township residents and township committee. I personally recommend that this proposal be withdrawn. If you want to address an economic concern about state mandates without funding I can clearly understand that. But, the resolution as presented at the last meeting should be rejected."

4. Susan Winton, 80 Logan Lane. "I'm only speaking because sitting where I am cannot hear what's being said up here. I would hope that somehow we could get a good system so that your voices reach the back of the room."

Mayor Scanlan: "Do we have the volume turned up as high as possible?"

Mrs. Santimauro: "Yes."

Mrs. Winton: "If the microphone is not in the correct position I would hope it would be adjusted so the speaker can be heard."

Mrs. Santimauro: "Please speak closer to the mics, thanks."

5. Peter Melchione, 334 West Shore Drive. "I want to thank Committeeman Madigan for bringing up that resolution, there are two (2) or three (3) of us here who were at the last meeting. However, I do agree it wasn't worded the best but it did spark my interest on some of the points that were being made, especially, FAIR that is categorized as a hate group founded by white supremacists. FAIR, which is the Federation for Immigration and Reform was founded by John Cannon, he is not a white supremacist and he is not a racist. I understand when you google FAIR the first ten (10) things that come up are white supremacist, Wikipedia white supremacist, yes, its true, but that's all coming from SPLC The Southern Poverty Law Center, which categorizes FAIR as a hate group. The SPLC recently lost a defamation suit of about \$3.4M, because they are a leftist group attacking right wing groups and they have 900 and something groups that are hate groups. When they consider you a hate group they consider you a white supremacist. The founder of FAIR, there was an article I could go on and on, but for time right now everyone could look it up on their own. There was an article published about FAIR, which by the way has been called before congress 100 times for their data on immigration reform. Senator Harry when he was there relied on FAIR for some of his numbers also. So, I did not know exactly what

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FAIR was until I did my research on it. At first I thought, this is no good until you actually read beyond the headlines and Wikipedia. They accepted money from this group called Pioneer Group and they did accept \$1.2M from them, but the same groups, just so you know, who also serves on the Board of FAIR are Republicans, Democrats and Independents and when they accept the money from any outside organization they are not looking from where the money is coming from, their agenda is to control mass immigration and illegal immigration, not hatred not white supremacist. The Pioneer Organization also donated to John Hopkins University, Cornell Medical School, and University of California Berkeley, University of London and University of Tel Aviv just to name a few, there's a list of 30. Finishing, I don't want to go over time here, I just want to say, yes, I am in favor of Wyckoff not being a sanctuary community. I would go on about defining what a sanctuary community is, it has nothing to do with the local police department raiding anyone's houses; it's simply a communication between the local police and federal authorities, we could go on and on about that. I just want to make it clear that there is no intention by Committeeman Madigan or anyone else up there for bringing any type of white supremacist or racist groups into the town of Wyckoff. Thank you."

6. Dorothy Blakeslee, 21 Lyons Street. "I also did research on FAIR and it's clear from a number of sources that they are a racist group, lead by a white supremacist. The issue is why was this resolution presented? Is illegal immigration an issue in Wyckoff? We are spending a lot of resources on something that doesn't really matter. Right now our system provides for our local police to make a judgement call when someone is arrested or pulled over. I would prefer that our professional law enforcement make that call. I don't know why the need to declare ourselves a sanctuary or not a sanctuary. I'm not sure why this all came about. Thank you."

7. Casey Colaneri, 484 Eisenhower Court. "I'm new to this address, I just moved there. I have been a resident of Wyckoff for a long time. This is my first time here and my first time hearing all about this sanctuary city, not a sanctuary city, I just want to keep Wyckoff safe. Whatever means possible, this is your job up there, Wyckoff should be kept safe. Wyckoff should be a safe town. I don't know what's coming down from the state level, but I think that Wyckoff could set a precedent that yes I don't think we should be a sanctuary city it doesn't make any sense. I think Wyckoff being a non-sanctuary city makes more sense. Thank you."

Committeeman Shanley motioned to close the public comment period, seconded by Committeeman Boonstra with an affirmative voice vote.

Bergen County Clerk, John Hogan came forward and provided a presentation regarding local history and an explanation of the services that the Bergen County Clerk provides. For three (3) days a year by request, Mr. Hogan's Office will open a temporary satellite office in a town hall to issue passports, tradenames, notary public registrations, exempt firefighter cards and Gold Star Mother cards. Mr. Hogan requested the Township Committee consider utilizing this service in Wyckoff in the future.

The Township Committee was presented with a poster which included historical maps and records of the Township of Wyckoff. The Township Committee recessed to take a photo with Mr. Hogan.

Committeeman Boonstra, as a resident whose family dates back to 1923 in Wyckoff, appreciated Bergen County Clerk Hogan's presentation and complimented him on his very helpful and capable Staff. Mayor Scanlan thanked Mr. Hogan for the poster.

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Mayor Scanlan advised that the Finance Committee has reviewed and signed vouchers and asked the Administrator for any modifications to this evening's agenda. The Administrator responded that the agenda is as submitted.

At 8:00 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to conduct the Public Business Meeting.

At 8:11 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

At this time, Committeeman Madigan requested that the governing body consider a resolution that Committeeman Shanley has re-written regarding last meeting's discussion. Mayor Scanlan advised he will follow the Public Policy Action Item Agenda and move forward.

1. Mayor Scanlan asked for comments from Committeewoman Rubenstein and Committeeman Shanley regarding the Memorial Field Artificial Turf Project. It was mentioned that Ms. Rubenstein and Mr. Shanley will after the 9/8/18 fundraiser provide a report. Specific information was requested along with copies of bank statements.
2. A sub-committee of Mayor Scanlan and Committeeman Madigan met on Monday, August 6, 2018 as well as a meeting conducted on Wednesday, August 22, 2018. The next meeting is scheduled for Wednesday, September 19, 2018.
3. Mayor Scanlan asked if the second JIF Land Use Training Seminar is still scheduled for Monday, September 24, 2018 at 7:00 p.m. in the Municipal Court Room. Mr. Shannon confirmed this date.
4. Mayor Scanlan and Committeeman Shanley discussed the efforts of Ridgewood Water specifically, Ridgewood Water has not responded to the resolutions that Glen Rock, Midland Park and Wyckoff adopted requesting a review in the context of all four (4) communities as it relates to future water rate increases. The Township Attorney has filed a lawsuit on the validity of the new ordinances. Mayor Scanlan advised that the Township's co-litigant (Glen Rock) was interested in meeting with the attorney however, the Borough of Midland Park will not meet with Ridgewood Water. A discussion ensued regarding water conservation and what the Township's existing ordinance may provide in terms of Ridgewood's Water's ability to discontinue service. Mr. Landel said he would further examine this item.
5. The sub-committee of Mayor Scanlan and Committeeman Shanley are working on a reply to the Orange & Rockland's attorneys' letter to the New Jersey Board of Public Utilities.
6. With regard to the discussion on historic preservation and historic structures, Mayor Scanlan indicated that Committeeman Boonstra suggested a meeting with several owners of historic homes to obtain any input from them. Various dates will be selected for a meeting in this regard.
7. Mayor Scanlan asked the Administrator to provide an update on the Bergen County Open Space Land Acquisition Grant Application. Mr. Shannon advised that it appears the Township will be scheduled to attend

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the Bergen County Open Space Advisory Board Meeting on Wednesday, October 3, 2018. Previously, the Township Committee had visited this advisory board and provided a power point presentation on their application.

8. Mayor Scanlan inquired if there were any updates on whether the Bergen County Advisory Board will be making an onsite visit to Maple Lake.
9. Mayor Scanlan questioned if the subcommittee regarding the request from the Chief Financial Officer for a modified or no cash policy had met. Committeewoman Rubenstein requested a legal opinion as to its validity. However, due to projects with immediate deadlines, that project has not been pursued.
10. A request was received from the Wyckoff Volunteer Ambulance Corp to utilize the Township's bulk mail permit. The Township Committee approved.
11. Mayor Scanlan inquired as to the status of the OPRA request requesting a copy of the resolution concerning a sanctuary community from last week's discussion. Mr. Landel is in the process of reviewing the document with the Municipal Clerk. Mr. Madigan mentioned that the draft resolution was provided as a courtesy and the information is provided in the minutes of that meeting. Mayor Scanlan advised that the Township no longer has a Public Policy Committee where these matters were controlled by two (2) individuals. The Open Work Session Meeting now begins at 7:00 p.m. to allow for a full discussion of these matters. Mayor Scanlan also suggested to Committeeman Madigan that if he requires a recess, he should formally request a recess rather than leaving the dais to speak with Mr. Hogan.

At this point, Mayor Scanlan suggested the draft resolution provided to the governing body at approximately 3:00 p.m. today be discussed, but due to time constraints to review the draft, Mayor Scanlan advised he is not prepared to vote on the document at this time. Committeeman Shanley indicated he has no problem carrying the discussion to the next meeting.

Mayor Scanlan: "Tim, you sent out a draft about 3 or 4 o'clock today. I have not had an opportunity to consider it. If you guys would like to discuss it, ok, I'm not prepared to vote on it tonight."

Mr. Shanley: "Understood, I didn't get to it to revise it and make sure it was presentable, because I spent most of my time with my family this weekend, it was the last weekend of the summer, so I didn't get to it until last night. I proof read it this afternoon and I sent it out to make sure everyone was included on it. If you need extra time I'm certainly willing to table it to the next meeting."

Mayor Scanlan: "Is there anything anyone would like to add?"

Mr. Madigan: "Yes, I received this this afternoon as well. I think we all received it at the same time. I recall from our last meeting that we asked Mr. Shanley if he could update it, clarify it. I want to thank Mr. Malchione for clarifying those comments and what that FAIR group was and for the immigration guidance. If everyone recalls that particular whereas was sent to Ms. Rubenstein."

Mrs. Rubenstein: "Rubenstein."

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Mr. Madigan: “That particular paragraph that was offensive to Ms. Rubenstein, we took it out immediately. Since I have a copy of it here and we have a lot of people here who are expecting discussion, I would like to just read part of it.”

09-4-18

- | WHEREAS – The government of the United States of America is obligated to protect the citizens and the economy of this nation by monitoring who enters our country at the 328 United States ports of entry monitored by the United States Department of Homeland Security, Customs and Border Protection, three of which exist in New Jersey in Morristown, Newark and Perth Amboy, and;
- | WHEREAS – Wyckoff prides itself on its diversity and on being a community that welcomes all who are here legally; and
- | WHEREAS – uncontrolled immigration into the United States that occurs not through the United States ports of entry poses a grave safety risk to citizens of the United States since these immigrants have not been investigated by the United States Department of Homeland Security to ensure they do not have a criminal history in their native country or having links to terrorist groups or violent gangs that target the United States, and;
- | WHEREAS - the financial burden of illegal immigration on American taxpayers and job holders is significant, and;
- | WHEREAS New Jersey has a large number of illegal immigrants present in the State; and
- | WHEREAS- The high cost of illegal immigration on the State of New Jersey is a concern of New Jersey and Wyckoff taxpayers and;
- | WHEREAS - New Jersey Governor Phil Murphy has declared he wants to make New Jersey a sanctuary state - providing safe haven for illegal immigrants who are in violation of federal law, and;
- | WHEREAS – Wyckoff residents are concerned that such action would by extension make Wyckoff a sanctuary community and place their families in harm;
- | WHEREAS - Gov. Murphy has enacted policies that use New Jersey and Wyckoff taxpayer money for programs that benefit illegal immigrants in New Jersey, at the expense of using those dollars to benefit the citizens of New Jersey and Wyckoff, and;
- | WHEREAS - Gov. Murphy’s policies for illegal immigrants include eligibility for state-funded college financial aid programs including the Tuition Aid Grant program are estimated to cost at least \$5 million a year, and;
- | WHEREAS - Gov. Murphy and the state legislature also included in the FY 2019 state budget \$2.1 million in legal aid to help illegal immigrants fight deportation by the federal government, and;
- | WHEREAS, Wyckoff taxpayers are concerned about New Jersey’s high taxes and unfunded State mandates that could be imposed on Wyckoff by Governor Murphy and the New Jersey State Legislature if they enact a New Jersey Law designating New Jersey a sanctuary State as proposed by Governor Murphy; and
- | WHEREAS; the United States Congress, Senate and the President should work together to enact Comprehensive Compassionate Immigration Reform to welcome all law abiding immigrants from all countries and to provide a path toward citizenship for all those illegal immigrants who have been otherwise law abiding residents in the United States;



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- | **THEREFORE, BE IT RESOLVED** that in the in the overall interest of the residents of Wyckoff, the Township Committee of Wyckoff, New Jersey does hereby denounce and oppose efforts by Governor Phil Murphy and the State Legislature to make New Jersey a sanctuary state for illegal immigrants and any unfunded State mandates that may be imposed on Wyckoff as a result of Governor Murphy's plan, and
- | **IT IS FURTHER RESOLVED** that the Wyckoff Township Committee opposes all efforts to create Sanctuary cities or towns in New Jersey as proposed by Governor Murphy; and
- | **IT IS FURTHER RESOLVED** that the Wyckoff Township Committee decrees that the Township of Wyckoff will not be designated a Sanctuary Township and will not budget money for unfunded state mandates, which may result from any such designation coming out of Trenton, New Jersey.

Mr. Madigan: "Tim, I think you did a fantastic job clarifying some of the issues that came up, for tightening up the language, particularly where we call on Congress to do their due responsibility. I think the members of our audience, since they came out they want to hear what we are proposing."

Mayor Scanlan: "any other comments from the Township Committee?"

Mr. Boonstra: "I think Tim's rework of last meetings proposed resolution is a great improvement. Thank you Tim for your work on this. On a little bit of a different subject there was a discussion at the last meeting as to how any of this would affect the Wyckoff Police Department. I looked into that. The Wyckoff Police Department is guided by attorney general's directive #2007-3, this was actually handed out during the Corzine administration from Attorney General Ann Milburn. I made copies of it for everyone here so you can read it, I'll pass it around. I have copies of Wyckoff Police SOP's, which refer directly back to this document. Essentially immigration status is not an issue on day to day interaction between police and residents. Brian, in fact I think you gave the example last meeting that someone in a mini-van with a couple of kids, who was rear ended, would the person who was hit be at risk with the interaction by the police and the answer is by this directive absolutely no. There are two triggers which make citizenship status an issue. One is when it comes to an arrest, on the fingerprinting equipment in every police department there is a reminder that when it gets to that point that is when immigration status becomes an issue; the other is DWI. On the normal Day to day interaction, it's a non-issue and our police are trained that it's a non-issue, they don't ask about it. The only change would be if such legislation would become possible, or become reality, that the current attorney general would rescind this directive and issue another one which may change what is embodied in this. "

Mayor Scanlan: "If the Attorney General of the United States issues a directive, that presumably then would supersede state directive."

Mr. Boonstra: "I would assume so. That's not what we are talking about here."

Mayor Scanlan: "Our local law enforcement, speaking of unfunded mandates, could them become an arm of the immigration authority if the federal government."

Mr. Boonstra: "I haven't heard anything like that and that's not what we are talking about anyway. That's not part of the proposed resolution."



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Mrs. Rubenstein: “My question is, what’s the difference between the rules we are living under now and sanctuary?”

Mr. Boonstra: “We don’t know until they would pass sanctuary legislation. That’s the answer, we don’t know.”

Mrs. Rubenstein: “Tim, I appreciate all the work you did on this, it’s clear and concise, the only issue that I don’t think we know at this point is what being a sanctuary state or not being a sanctuary state means. We are pretty much already a sanctuary city, I’m not sure what bad things we are talking about if we were to become a sanctuary city, and we don’t know how the rules will change. I agree with the unfunded mandate part.”

Mr. Boonstra: “the difference would be I guess, not having seen legislation, local police departments would be forbidden to interact with ICE under any circumstance.”

Mrs. Rubenstein: “I don’t think anyone has proposed that. “

Mr. Boonstra: “That might be the essence of a sanctuary situation.”

Mr. Shanley: “That’s the concern.”

Mayor Scanlan: “We will have an opportunity for public comment after we complete our preparation. Any more committee comments?”

Motion to open work session meeting for public comments on anti-sanctuary city discussion made by Mr. Shanley; Seconded Mrs. Rubenstein. All voted in favor.

**Public Comments on Anti-Sanctuary City Discussion**

Timothy Buchman, 430 Meer Avenue. “I hadn’t planned to speak tonight, but because this subject came up for public comment I will. I want to cite an opinion column from the New York Times on August 24<sup>th</sup>, by Nick Gillespie. He quotes, not the New York Times but the KATO Institute, which is kind of the opposite of the New York Times. I never thought I’d cite the KATO Institute in public. I’ll just read one (1) long sentence. In 2016 the KATO Institute’s Alex Nowrasteh writes ‘The homicide conviction rate for native born Americans in Texas was 3.2 per 100,000 natives, while it was 1.8 per 100,000 illegal immigrants and 0.9 per 100,000 legal immigrants’. That suggests to me that I need protection from guys named Billy-Bob and I do not need protection from guys names Jesus. I would also involve the sur name of the governor and ask how many people remember that 100 years ago it was not uncommon for business work places in places like New York City to have a sign on the wall that said ‘No Irish Need Apply’.”

Casey Colonari, 404 Eisenhower Court. “I’d like to say that the last comment, I really find it offensive. If your name is Jesus that doesn’t mean you are an illegal immigrant or even an immigrant, the father could have picked Jesus because he liked the name. Because your name is Billy-Bob doesn’t mean you are an American. That itself is our whole point of having this here. I think honestly what I noticed is, to skip ahead, I think Melissa you made a good point that right now as it stands we should follow these guidelines and I think that going forward we don’t know what the guidelines will be. I think you should have a motion to vote now, let’s keep the status quo of Wyckoff and keep it safe as it is now. Keep it safe with a motion to have it as a non-sanctuary city, and when it comes time that the State votes that we are a sanctuary State, then the committee should take it up. But, right now we all agree that as the document is written now are great, that they follow the code have the police follow the code and standards. Let’s

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follow the standard until the State comes along with different legislation then the town can meet on this again. That's my opinion."

Erin Chung, 507 Old Post Road. "I wasn't going to address you guys tonight either. I just can't help myself. I think for one thing that no one is saying in my humble opinion that this resolution was presented for political reasons. We are in the middle of an election, I think that Mr. Madigan is trying to work on the fear mongering angle that is going on in the federal level very much as well. This resolution in its first iteration, which I think should be made public if we have to sit here and listen to the entire second draft, was not written by him, we don't know who it was written by or the sources. To say that FAIR is not a racist organization is a joke and everyone can go and research that on their own tonight. I think that the grand standing and all of that is just about politics, Mr. Madigan, and I think it's really transparent. Thank you."

Andrea Long, 329 Calvin Court. "Good evening, I grew up in this town but no longer live here, but my mother told me I am a property owner at 329 Calvin Court. Like I said I grew up in this town, it's my home town, I'm very fond of this place. I actually went to school with Michael. I'm concerned with this resolution, my mother has two (2) immigrant families living on her street, earlier this year there was a third, as well as, a refugee from Africa living on her street. I worry about the message a resolution like this sends to immigrants in Wyckoff. I looked it up and 11% of the population in Wyckoff is foreign born, which is something like 1,800 people. There's a lot of people we are talking about here who may feel targeted or unwelcome in their home with a resolution like this. There are some gaps, I'm going to say, the 2017 AG directive has gaps in what police can and cannot do; they say you must ask for immigration status if it's a DWI, you must not ask about immigration status if the person is a witness or a victim. There's a whole gap there, where there's no guidance, so cities like Newark and Jersey City that have become sanctuary cities have said in those instances we will not act. Sanctuary cities also won't collaborate with ICE if they want them to set up a road block. For example, they are going to do a raid and they need the police to help out, that sort of thing. Sanctuary cities strictly prohibit police from aiding ICE, there's no cost to us and it actually protects the police from having to assist ICE and allows them to go about doing things that actually protect the town. I just want to bring your attention to the fact that, New Jersey has one of the most aggressive ICE field directors in the nation. He's going after people that have no criminal background and I have the numbers here. In 2017 there were 3,189 arrests by ICE of New Jersey office, which is a 42% increase over the previous year and 40% of the individuals have no criminal record. He's been going after Indonesian Christians in Middlesex County just because he can, never mind that in Indonesia church bombings happen on a routine basis and these people are facing deportation. He deported a Bulgarian man, he came here from Bulgaria when he was 2 years old, he was undocumented and at 27 years old without any criminal record he got deported back to Bulgaria. That man was also from Middlesex County. I had someone call my office, because two teenage boys were picked up by ICE and were sent to California and their parents weren't told. These teenage boys were in the wrong place at the wrong time, so ICE picked them up and put them on a plane and their parents couldn't find them. There's a lot of scary stuff that is happening in New Jersey right now and I hope you will reconsider this resolution. Please reach out to me if you need me or have any questions, I know a lot of advocates in this field and I'll be happy to assist."

Mrs. Rubenstein: "I have a question that came up maybe our police commissioners could address. I don't know what our directive is to our community in those gaps, I read that also that there are definitely must act situations and there are definite must not act situations, but I don't know personally what our directive to our police department is. So, if we could please find that out."

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Mr. Boonstra: “Can do. I probably have that here. “

Byron Chapin, 350 Kingston Street. “I think this resolution is unfortunate in that it even needs to be discussed. But, I do think it needs to be discussed when we have a governor who is advocating nullification, it's a neo-confederate position really. The State can override the constitutional province of the federal government. I'd like to read a rather long quote, but I think it rather gets to harm the matter. ‘There are those in the immigrants’ rights community who have already passionately and we should simply provide those who are here illegally with legal status. At least ignore the laws on the books for good men with deportation. I believe such an indiscriminate approach is both unwise and unfair. I suggest to those who are thinking about coming here illegally that there will be no repercussions for such a decision. This could lead to a surge for more illegal immigration. We could also ignore the millions of people around the world who are waiting in line to come here legally. Ultimately our nation, like all nations, has a right and obligation to control foreigners and set laws, residency and citizenship. No matter how decent they are, no matter their reasons the 11 million who broke these laws should be held accountable.’ Written by Barack Obama, July 1, 2010. I don't think this is an unreasonable resolution in any manner. We are not talking about all immigrants, we are not even talking about illegal immigrants who aren't doing anything wrong. I mean, the whole idea of a sanctuary State is they will not cooperate with ICE. The federal agency responsible for protecting the American people from people who are here illegally and I think that's simply wrong. Thank you.”

Ed Kalpagian, 488 Fairfield Road. “I want to preface this by saying I'm an Armenian American, I'm about as minor as minorities get in this country. I'm not a white supremacist, there are a lot of legal immigrants in this country, my grandparents all four (4) of them came over between the ages of 9 and 13, they went through their own adjustments and this all gave me a better opportunity. All of them came over legal I might add. If this resolution addresses or gives clarity to Ms. Rubenstein's question, I agree with Ms. Rubenstein completely, is that if the police do have a direction for somebody who commits a crime, I think we get caught up in the dramatics of well there are innocent immigrants from other countries who are getting harassed or bullied or accused of things that they didn't do, gives the police direction for someone who commits a crime and is here illegally. I think that is something that should be looked at. Absolutely. I don't think it should be ignored, statistics can be looked at in a variety of ways, Mr. Buchman, cited a New York times article before 1.8 out of 100,000 illegal immigrants commit crimes and .9 legal, that's a 50% difference. So we should be looking at what illegal immigrants are doing once a crime is committed. Last point that I'd like to make is that you all take a lot of time out of your day, to serve here, I served the town as well, you do it in a larger capacity it's not just Tuesday nights I know you have committee meetings and things like that you have to attend. For those of you who put the time in I thank each and every one of you. To make accusations, if you disagree with somebodies point, political posturing, calling somebody a white supremacist, I think it's shameful. If I have a disagreement with Mr. Boonstra or Mrs. Rubenstein I'd like to think we could hash it out without attacking or making a larger agenda out of things. Tim did take a lot of time out of his day to put something together, I heard a little bit of it from Mr. Madigan before, if somebody takes their time out to do something and you disagree with it, do it politely. The committee puts in a lot of time and effort and they should be commended. Thank you.”

Tina Nida, 401C Bromley Place. “I'm speaking for myself personally, this is my understanding of a sanctuary state, if an illegal immigrant or a legal immigrant, ICE can take them and have them deported and give them due process and put them through what America is all about and have them deported. That's not being a sanctuary city. It doesn't prohibit ICE or the police from arresting felons,

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it's just not giving authority to people other than ICE or police captains or police people to be aggressive and assertive and actively go out and look for illegal immigrants and try to find crimes that they can hold against them. As far as State rules we all know whether or not who is going to have more power. We are regressing now to where State law is becoming more important than federal law, and that's a big issue, there are certain laws where State will prevail and laws where federal courts will prevail. You can't just lump all these things together, you have to understand what you are talking about before you make statements like this. My last comment is until Governor Murphy proclaims New Jersey or has a draft of what would make New Jersey a sanctuary State, and he has defined terms of illegal immigrant, what people will do what people can't do, this all seems kind of fruitless until we really know what being a sanctuary State of New Jersey means. "

Mr. Shanley made a motion to close the public hearing on sanctuary city resolution; seconded by Mrs. Rubenstein. All voted in favor.

Mr. Madigan: "I'd like to make a few comments. These two (2) ladies were kind enough to bring up a couple of issues. I actually did find Ms. Chung's comments alarming. Particularly since it was Ms. Chung who last year during a political election called all Wyckoff Republicans racist."

Mrs. Chung: "That's not true Tom and you know it. I'll tell you verbatim what I said."

Mr. Madigan: "All Wyckoff Republicans are racist."

Mrs. Chung: "Tom, I want it on the record that you are lying."

Mr. Madigan: "Second thing is, this other lady whose name is, I'm sorry. I agree with you, our goal is safety for our town and residents. I think the purpose of this is similar to the ordinance that we put in place a month ago that should they allow marijuana distribution and sales and paraphernalia in the respective towns in Wyckoff we don't want to be part of that. I don't think we were putting the cart before the horse. Again the goal is the safety of our residents, we all know you cannot put price on safety. Two (2) weeks ago ironically when we put this thing together in a draft, as a proposal, the night Molly Tibbetts was found murdered. We also know what happened to Kate Stinley and what unfortunately happened in New York City with an 11 year old. I just want to say that no parent should have to bury a child. I should know. I learned it the hard way, because I've buried two daughters. That's all I have to say."

Mrs. Rubenstein: "I'll answer to that, if you didn't read the New York Times article, Molly Tibbetts father pretty much begged people not to use her name in this context."

Mayor Scanlan: "To that point I have a copy of the obit Mr. Tibbetts wrote in the Des Moines Register and I will not read the whole thing. But, I will read what he asked and that is that their daughter not be made a cause, he objects to people that 'have chosen to callously distort and corrupt Molly's tragic death to advance a cause she vehemently opposed. I encourage debate on immigration, there is great merit in its reasonable outcome, but do not appropriate Molly's soul on advancing views she believed were profoundly racist'. I would also add just another thing, 'to knowingly foment discord among races is a disgrace to our flag. It incites fear in innocent communities and lends legitimacy to the darkest most hate-filled corners of the American soul. It is the opposite of leadership, it's the opposite of humanity, it is heartless, it is despicable and shameful'. I'll have this put in the packet for next week. Everyone should read Mr. Tibbett's opinion on the use of his daughter's death to foster fear among people with regard to immigration. "

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Mr. Boonstra: “Brian if I may make a few comments. I look at this more practically, the first presentation on this subject to say the least there were some in artful words and unpleasantness. Part of what the governor is doing here, he’s spending a lot of money - \$7, \$8, \$10M dollars and I guess in the budget he’s proposed that’s not a lot of money, but I would say our teachers, police and firefighters pensions are underfunded and this is only a drop in the bucket for that, but it’s certainly a better use for this money than to address an issue in New Jersey which is being dealt with. To answer a question that was asked earlier, and I don’t know what the gaps are, we can have a conversation at a later time, but everything here refers to an officer of the Wyckoff Police Department to go to a superior authority for their question. Go to OIC (Officer in Charge); notify the Bergen County Prosecutors office; notify immigration enforcement; notify the municipal court administrator; ensure that a judge or applicable court administrator is advised of the person being arrested. It states here that no employee of this department shall consider a person’s race or ethnicity as a factor in drawing a conclusion that the person may be an undocumented immigrant. That’s the day to day interface. I don’t think the 1,800 immigrants that were referred to in Wyckoff who are probably here legally have anything to fear. This is not fear mongering. It’s a practical objection to something that the candidate governor (Murphy) ran on as a political issue to get elected. I see this was a political issue to get elected. I see this as objecting to something that’s wholly impractical and doesn’t fix anything. “

Mrs. Rubenstein: “I agree with you, I think this issue has been used on both sides politically and unfortunately talking about real people with real lives and both sides have publicized it. I agree about tackling it on a practical level, an unfunded mandate using money that would be better spent elsewhere. I would like a couple of days to review the resolution. I agree with you, from a practical point of view, and I’m thinking about what the police directive is so that we can know and we can look at it.”

Mr. Shanley: “I think our biggest problem is we are in this situation because, I’m going to be 50 years old in eleven days, and I’ve been studying politics and political science since I was in Rutgers back in 1986-1990. I follow the congress, the senate and presidents. Both parties have failed in immigration reform. They have had complete control of the three (3) branches of government and have not gotten it done. That’s why I’ve put in this resolution, because we need to work together for comprehensive, compassionate immigration reform to welcome all law abiding immigrants from all countries. It doesn’t matter what country you come from. There’s 328 ports of entry in the United States, they need to come through those ports in order to be documented and have a passage towards becoming a United States citizen. There can’t be anything better than coming from another country and becoming a United States citizen, which is the greatest country in the world. I think this is a resolution that is objecting to a sanctuary designation by Governor Murphy for political reasons. That’s why he was elected, he got the votes from undocumented immigrant’s in order to get elected.

The public comment time is closed so if you don’t like my comments I’ve put together a very good resolution, you can take a look at it and I’ll share a copy with you, it does not have any hate in it. It has a request for compassionate immigration reform from congress and to have a path for citizenship for the illegal immigrants that are here, most are law abiding, I agree with that. The problem is there are non-law abiding non-documented immigrants and they pose a harm to our residents. There have been numerous articles in the past 30 days of illegal immigrants who have been convicted or charged with murder of U.S. citizens, they weren’t documented until after they committed a crime after they killed children or wives, it’s a shame. Possibly if they were vetted through one of the 328 ports this wouldn’t have happened, because maybe they had a violent tendency in their native country. The gangs in this country are gaining control,

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especially in New Jersey if you read The Patch today, Tom Davis put out an article about how they believe MS13 is active in New Jersey and a lot of them are illegal immigrants coming from South America. So, that's a problem, too. They enlisted the documented gang members in all the towns that they could document, two (2) were from Paramus, two (2) were from Ramsey. They are pretty close to us, so that's a problem and that's something I want to protect Wyckoff from. It's a safety issue for me. "

Mrs. Rubenstein: "I have a quick question, this is a draft of the resolution, the last meeting was a draft of a resolution, we have now read this draft into the minutes and we are offering to give it to the public, can we say the same about the last draft?"

Attorney Landel: "Certainly this draft was completely read into the record."

Mayor Scanlan: "It wasn't completely read into the record."

Mr. Madigan: "I read every word. Every word did I miss something?"

Mrs. Rubenstein: "Just to set precedent we have two (2) drafts of a resolution, one we are saying we are giving to the public the other we are not saying we are giving to the public."

Attorney Landel: "I haven't said that."

Mrs. Rubenstein: "We are not sure we are giving it to the public."

Mr. Boonstra: "That goes to the argument of deliberative document."

Mr. Madigan: "Isn't this the proposed resolution?"

Mrs. Rubenstein: "But we are still going to have time to comment on it and rework the draft."

Mr. Shanley: "Our business meeting is closed at this point so we are not going to be acting on it tonight."

Attorney Landel: "Certainly the version you have for tonight, and I think Brian, Mayor, if you say so this revised version is the version."

Mayor Scanlan: "You mentioned at the outset you were going to read a portion of it, but I think you read the whole thing. I just want to make a couple of comments, the first is that I certainly am not in favor of New Jersey becoming a sanctuary State, but I follow more along the lines of Mr. Boonstra, which is the practical consideration and that is that cities in New Jersey that have declared themselves as sanctuary cities like Newark or Jersey City are faced with, I think to litigate to get government grants released or even given to them, particularly with regard to police protection or police initiatives. I think it would be a mistake for us to put ourselves in the position to reduce the amount of taxes that we get back coming into New Jersey, because we pay per capita a lot more than any other State. We get per capita a lot less, in fact we are close to dead last in terms of return of our tax dollars from the federal government. So I think, again, citing Mr. Boonstra that's a very practical reason not to go out on a limb for us. I do think though that the problem with what I do think is justified we call fear mongering around the question of immigration and I cite Mr. Buchman, being of Irish descent myself, it was probably longer than 100 years ago or maybe 125 when it was the Irish who were the ones who were committing all the crimes and they are drunk all the time, be sure you don't hire them. Unfortunately, when we cause fear mongering it smashes illegal immigrants as well as legal immigrants based on their ethnicity, something that we should be cognizant of as we

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deliberate this issue. Are there any other comments before we go on to the next item on the agenda?"

Committeeman Boonstra: "I don't see where the fear mongering is here, we are not advocating that local authorities under our control go out knocking on doors. That's not what we are advocating. We are trying to discourage the governor from doing something which is probably ill conceived, and we are sort of putting him on notice that if he does we want no part of it. That's the way I see this, not as fear mongering."

Mrs. Rubenstein: "I agree, Tim's draft does not deal with fear mongering."

Mr. Boonstra: "I understand, if we don't want to vote on this tonight, we still have September 7<sup>th</sup>, we can look at it and revisit it."

Mayor Scanlan: "Anything else from members of the township committee?"

Mr. Shanley: "Nothing."

Mayor Scanlan: "So, is there consensus that those of us who would like to do so will give Tim feedback on his draft in advance of the next meeting and we will try to get the draft in a form so we can vote on it? Is that ok with everyone?"

Mr. Shanley: "That's reasonable."

Mrs. Rubenstein: "Ok."

Mr. Boonstra: "Ok."

After this extensive discussion, the Township Committee takes a five (5) minute recess.

Upon reconvening the Open Work Session, Mayor Scanlan provided a draft resolution regarding the State and local tax deductions presented five (5) days ago for governing body review and possible adoption at the next meeting. Committeewoman Rubenstein opined that this law has had an impact on the real estate market and therefore, the taxpayers in Wyckoff send much more to the federal government than it receives. Committeeman Madigan expressed disappointment that the New Jersey Senators and Congressmen did not participate in the process and/or attempt to modify the deductions to some degree.

**Township Committee Reports:**

**Timothy Shanley:**

1. Mr. Shanley attended the Wyckoff Volunteer Fire Department Fireworks Fundraiser on Saturday, September 1, 2018 and he thanked Fire Chief Brock and Fire Co. #1 for a well-coordinated event.
2. On Saturday, September 8, 2018 there will be a fundraiser for the Memorial Turf Field Project at 10 Neelen Drive.
3. Mr. Shanley attended the Shade Tree Commission Meeting this evening at 6:30 p.m.
4. Mr. Shanley attended the wake of former Senator Hank McNamara and expressed his condolences to Mrs. McNamara and family.
5. Consistent with the resolution prepared for last meeting, Mr. Shanley is wearing a gold tie this evening for childhood cancer awareness.



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**Thomas Madigan:**

1. Mr. Madigan is also wearing gold for childhood cancer awareness.
2. Last week, the Township lost two (2) residents John O'Connor and former Senator Henry McNamara who will be deeply missed.
3. Mr. Madigan was pleased to see the Township Committee establish September 1, 2018 as "Hank McNamara Day" in the Township of Wyckoff.
4. Mr. Madigan complimented the Wyckoff Volunteer Fire Department for the beautiful fireworks display on Saturday, September 1, 2018.
5. Mr. Madigan reminded all that today is back to school day and wished everyone a safe school year.

**Melissa Rubenstein:**

1. Mr. Rubenstein congratulated Mike Sparozic on his appointment as a full member on the Wyckoff Board of Health.
2. Ms. Rubenstein thanked Rick Bandazian for his service on the Design Review Advisory Board.
3. New Jersey Monthly Magazine ranked Ramapo High School as the No. 5 High School in the State of New Jersey. This ranking has a very positive impact on the real estate market in Wyckoff.
4. Ms. Rubenstein inquired when the recycling barrels will be delivered to Wyckoff. Mr. Shannon replied the delivery is scheduled for next week.
5. Ms. Rubenstein attended the Wyckoff Volunteer Fire Department Annual Fireworks Fundraiser with her family and thoroughly enjoyed the event.
6. Ms. Rubenstein requested an update on all capital budget items as to their status of being constructed and/or purchased.

**Rudy Boonstra:**

1. The 2018 Road Resurfacing Project has been completed as well as the paving of the Town Hall parking lot.
2. The Lafayette Avenue and Crescent Avenue road improvement projects, funded by a New Jersey Department of Transportation Grant have been completed.
3. The DPW is painting the school crosswalks and the police department is addressing any sight obstructions in preparation for the opening of school.
4. The Fall Leaf Collection Program begins the third week in October.
5. The application for the vacant police officer position has been closed. The police department will now evaluate the applications received.

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6. The ordinance introduced this evening will establish uniformity with signs at the entrances to schools for parking and traffic control.
7. The Chief of Police has established a new requirement for each patrol. Once a day, an officer must check a school or daycare facility.
8. The Wyckoff Police Chief has established a policy whereby Wyckoff police officers will conduct random security walks through Ramapo High School.
9. Mr. Boonstra attended the funeral for former Senator Hank McNamara.
10. Mr. Boonstra met with Mayor Scanlan and the Administrator to discuss issues regarding the selection of a planner.

**Mayor Scanlan:**

1. Mayor Scanlan advised there is no reporter present this evening.
2. Sincere thank you's were extended to the Wyckoff Volunteer Fire Department and the surrounding mutual aid fire departments who assisted with the fireworks fundraiser on Saturday, September 1, 2018. Mayor Scanlan commented that the individuals who sit outside of Town Hall grounds such as the Boulder Run Shopping Center avoid donating to this fundraiser.
3. Another Mayor's Wellness Initiative has been achieved. The "Ride your Bike or Walk to School" Pledge has begun and Mayor Scanlan is happy to see that so many students are participating.
4. Mayor Scanlan also attended the funeral for former Senator McNamara and will miss his frequent calls. Senator McNamara was very involved with environmental issues.

At 9:35 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to enter into Closed Session discussion via Resolution #18-C22.

At 10:10 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

A motion by Committeeman Shanley, seconded by Committeewoman Rubenstein, to provide notice to the Borough of New Milford that the Township of Wyckoff will not proceed with a new shared service contract.

The Open Work Session Meeting adjourned at 10:11 p.m.

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Brian D. Scanlan  
Mayor

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Joyce C. Santimauro  
Municipal Clerk