

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN WORK SESSION MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, JULY 2, 2019 – 7:00 P.M.**

Mayor Thomas J. Madigan 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 Thomas J. Madigan, Committeemen Rudolf E. Boonstra, Timothy E. Shanley and Brian D. Scanlan

Absent: Committeewoman Melissa D. Rubenstein

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

Absent: Township Attorney Robert Landel

Mayor Madigan 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 Boonstra.

Mayor Madigan stated that the governing body is here to listen to comments this evening but not engage in any debate at this time. There will be another opportunity for public comment at the beginning of the 8:00 p.m. business meeting. Mayor Madigan asked everyone who comes forward to please state their name and address.

Lisa Eidel, 408 Buckingham Circle. Lisa Eidel read the email she had sent to the Township Committee into the record. Lisa Eidel asked the committee to use the Law Library of Congress list of commemorative months and to fly those commemorate flags in front of Town Hall during their respective months. The City of Manchester, New Hampshire uses the Library of Congress list and flies the flags on City Hall property. Lisa Eidel suggested flying the commemorate flags below the American Flag or on a separate flag pole on the lawn of Town Hall. She asked about the progress of the subcommittee who are researching the Pride Flag and public forum.

Mayor Madigan thanked Lisa Eidel for her comments and said there has been one (1) meeting of the four (4) member subcommittee, however Committeewoman Rubenstein and Township Attorney Landel are both out of town this week. The Mayor said he is hopeful that by the end of July the Pride Flag Subcommittee will have recommendations.

Sue Graglia, 441 Radcliff Street. Ms. Graglia said she is a twenty-nine (29) year resident of the Township of Wyckoff. She attended the July 2, 2019 Township Committee Meeting and expressed support for the Township Committee and Attorney Landel's opinion about a public forum. The United States Flag represents all of us, not some of us and she recommended staying with just the American Flag.

Tara Lamorgese, 400 Caldwell Drive. Ms. Lamorgese stated she attended the Pride Parade in Chelsea, New York and she is not satisfied with the banner at the Christian Health Care Center. In her opinion, the Township of Wyckoff does not support the gay rights movement. She suggested flying the Pride Flag, which symbolizes inclusiveness at Town Hall next year. She stated that

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Committeeman Shanley explained to her at last meeting that he was in favor of flying the Pride Flag and she requested he now prove your statement.

Mayor Madigan thanked Ms. Lamorgese for her comments. There are 17,000 residents in Wyckoff and we try to be a welcoming community. To reiterate, the committee did three (3) things. First, a resolution in support of Pride Month; two years ago, rainbow ribbons were put up around Town Hall and a banner has been prominently displayed at the Larkin House on Godwin Avenue. A subcommittee has been formed and there have been numerous discussions with the Township Attorney on various legalities to make sure any action is done in a constitutional manner.

Susan Donnelly, 444 Glendale Road. Ms. Donnelly introduced herself as a psychotherapist and supports flying the Pride Flag. Ms. Donnelly said she attempts to live as a Christian. To exclude LGBTQ folks supposedly on religious grounds is cherry picking of sacred text. Gay young people hide their sexuality and this leads to appalling numbers of suicides and that marginalization is not the word of God.

Mayor Madigan thanked Susan Donnelly for her comments.

Lou Graglia, 444 Radcliff Street. Mr. Graglia's opinion on flying any flag other than the American Flag on the lawn of Town Hall is that the American flag represents all residents of Wyckoff. Mr. Graglia said the voters voted the Township Committee in to represent the residents of Wyckoff and the American Flag should be the only flag flying on Town Hall property.

Mayor Madigan thanked Lou Graglia for coming to the meeting and for his comments.

Joe Acunto, 445 Radcliff Street. Mr. Accunto said he agreed with Lou Graglia that the American Flag represents everyone.

Mayor Madigan thanked Joe Acunto for his comments.

Sara Losch, 312 Joan Place. Sara Losch introduced herself as the Director of Lifelong Learning at Barnert Temple in Franklin Lakes and that their teenage population was sad when they learned of towns who would not fly the Pride flags on their town hall front lawns. She said today's teenagers feel afraid and unsafe due to school shootings, their religious beliefs or their sexual orientation. The Pride Flag is a welcoming gesture, the 2/3 year olds at the Barnert Temple preschool made a Pride Flag that said everyone is welcome here, welcome home and the flag is hanging on the synagogue. Sara Losch questioned why the Menorah and Crèche are displayed on the lawn of Town Hall for the holidays.

Mayor Madigan thanked Sara Losch for coming to the meeting and for her comments.

Karen Oesterle, 473 Baxter Avenue. Ms. Oesterle noted those people who made comments this evening stating that they don't want the Pride Flag flying because it doesn't represent them. She stated the POW/MIA flag does not represent her. Karen Oesterle asked that the Pride Flag be flown because it welcomes people who are different from others.

Mayor Madigan thanked Karen Oesterle.

Ed Kalpagian, 488 Fairfield Road. Mr. Kalpagian said he has listened to everyone's comments for the past two (2) meetings. It is a slippery slope, most people would agree that we need to work together and to get along, how about a compromise? Ed Kalpagian suggested hanging the Pride flags at all the entry

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roads into Wyckoff along with someplace else in the center of town. Ed Kalpagian said he is an Armenian American and the million and a half Armenians that were massacred have not been acknowledged in our history books. What flags are worthy and what flags are not worthy to be flying in this welcoming town?

Mayor Madigan said thank you Mr. Kalpagian.

Lisa Sanno Cassidy, 102 Cumberland Court. Ms. Cassidy stated that a number of surrounding towns are flying the Pride Flag in front of town hall. Anybody could approach the governing body and request flying their flag for their cause. She had a message from her 94 year old mom, Linda Sanno, who said please fly the flag before she passes.

Mayor Madigan thanked Lisa Cassidy and sent well wishes to her mom.

Lauren Miller, 309 Squawbrook Road. Lauren Miller referenced others comments about the American Flag being foremost in inclusion, we are proud of it, a flag next to it does not take away rather it adds to the message of inclusion. It is worth entertaining other causes in our town, but operating out of fear or hate speech is inappropriate and sends the wrong message to all of the residents of Wyckoff. Lauren Miller does not feel Wyckoff is a safe place for LGBTQ people and that the Pride Flag should be flown next year.

Mayor Madigan thanked Lauren Miller and reminded everyone in the audience that during the 8:00 pm business meeting there would be another opportunity to speak. The Mayor also said that the Township Committee has put a subcommittee together to review the Pride Flag request. This subcommittee will then come back with a recommendation, with our Township Attorney's advice, to ensure the governing body's actions are done in a Constitutional manner and avoid creating a public forum.

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

Mayor Madigan advised that the Finance Committee has reviewed and signed vouchers.

Review of the 8:00 p.m. Agenda:

1. The Township Committee has the honor this evening to present a proclamation to the volunteers of the Wyckoff Historical Society who were awarded the prestigious Chief Oratam Award from the Bergen County Historical Preservation Commission for their efforts in restoring the Revolutionary War Era Union Cemetery located on Franklin Avenue.
2. This evening's agenda includes Ordinance #1882 which appropriates 1.2 million dollars for the purchase of a portion of the Maple Lake property. Since the grant contracts have been signed, this ordinance appropriates the \$900,000 grant the Township Committee obtained from the Bergen County Office of Open Space and \$300,000 from the Municipal Open Space Tax for the purchase of this parcel.
3. A resolution to enter into closed session discussion was requested regarding acquisition of property strategy.

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Policy Action Items:

The Administrator's report has been issued to the governing body in the weekend packets. However, Mr. Shannon would like to point out the following items:

1. On Wednesday, July 17, 2019 at 11:00 a.m. at the Cedar Hill Railroad Crossing, the New Jersey Department of Transportation will be conducting a diagnostic team meeting for the purpose of improving the safety at that railroad crossing. The Administrator has distributed this notice broadly to the Ambulance Corp Captain, the Fire Chief, the Wyckoff Board of Education, the Wyckoff Police Department, the DPW and the Township Engineer. Governing body members are welcome to attend.
2. A new land-use administration process has been implemented. Whenever an applicant requests a time extension to their application, that request will now be placed on the Planning Board or Board of Adjustment Agenda where board action will be taken. These requests occur fairly routinely and this process requires verification and is intended to prevent an applicant from advocating a land use approval by default.
3. The Zoning Enforcement Officer continues with a number of situations where notices to property owners to abate high grass violations are still active. At the next meeting, the governing body will most likely be presented with a number of resolutions to establish liens on these referenced properties.
4. The court administrator shared service achieved earlier this year and recognized as a best practice, may be the first court shared service which will be expanded for a third municipality. Although this will result in no additional cost to the Township, it provides a significant improvement to the police department in the form of a video conferencing system which avoids the cost of two (2) police officers to transport prisoners from the Bergen County Jail to the Wyckoff Court Room. This court process will now be performed through video conferencing.
5. The Chief Financial Officer is in the process of completing cyber security testing.
6. Mr. Landel submitted a request to the court for an extension of the preliminary judgement of repose in the affordable housing process litigation. Today, the confirmation to extend that preliminary judgement of repose to August 31, 2019 was received.
7. The Administrator contacted Tom Taranto, President of the United Way of Bergen County inquiring on the progress of the special needs housing facility at 370 Clinton Avenue. Mr. Taranto requested Township Committee availability for a Saturday morning in September as a revised date for the grand opening.
8. The Township Staff, led by Denise Capparelli, participated in the New Jersey Board of Public Utilities Free Energy Audit Report as three (3) years have passed since the governing body previously utilized this free service. Five (5) municipal properties were evaluated. The Township has the opportunity to save \$15,000 beginning in two (2) years if it spends \$39,000 with the Board of Public Utilities spending \$47,000 as a grant to make energy efficiencies to result in energy savings. Because this process was started later in 2019 as part of the Township's Sustainable Jersey Application, the Township has not budgeted that amount of funds.

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However, the Administrator is requesting approval to fund \$7,000 from Buildings and Grounds to achieve energy savings at the Senior Citizens Community Center at the Larkin House. The remaining energy efficiencies will be reflected in a budget request and can be performed in 2020. Additionally, with the assistance of the talented DPW Staff, many of the LED lighting improvements can be performed in-house and less expensive by in-house staff. The Township Committee approved the authorization of the \$7,000 expenditure.

9. The Administrator advised that Committeeman Scanlan requested that he place on this evening's agenda the letter from the law firm from the NJ League of Municipalities in the case of the NJ League of Municipalities vs. Verizon. The letter requests the Township assist the NJ League of Municipalities with their amicus brief to the New Jersey Appellate Court to fight the Verizon appeal of the tax court judgement that Verizon had to pay its business personal property tax. Committeeman Shanley requested to know how much the league is requesting. The Administrator responded \$2,000. As way of background, Verizon has read a 1997 law and has determined to exempt itself from the payment of all business personal property taxes. This tax is different from regular property tax assessments – this would be for the equipment station located at the intersection of Clinton and Wyckoff Avenues. Verizon has therefore determined they do not have to pay any tax because they are not providing 51% or more of dial tone service due to cable television competition. At issue is how that 51% is determined. Mr. Shanley requested a recommendation from the Township Attorney in this regard.

Township Committee Reports:

Rudy Boonstra:

1. Last week, the Wyckoff Police Department completed a very successful inaugural police academy program.
2. The police department and the Police Committee have been exploring the purchase of a hybrid police patrol utility vehicle in place of a traditional gasoline powered vehicle. Both the Police Chief and the Police Committee have recommended the purchase of the hybrid vehicle and it is expected to be available later in 2019. The additional cost would be \$3,500 however, it will reduce idling time and thereby save fuel costs.

Timothy Shanley:

1. Mr. Shanley attended the recent Parks and Recreation Advisory Board Meeting and the registrations for all three (3) levels of the football program have resulted in two (2) teams at each level. Football practice begins on Monday, August 12, 2019.
2. Six (6) applications were reviewed at the last Board of Adjustment on Thursday, June 20, 2019. A number of applications were returned due to excessive lot coverage therefore, the applicants and their professionals were asked to scale back their plans.
3. Fire Company #3 will be conducting a fundraiser on Thursday, October 24, 2019 at the St. Nicholas Greek Orthodox Church.
4. Mr. Shanley is pleased to announce that the Annual Fireworks Display will return to Wyckoff in 2019 and he is currently working with the

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Fireworks Committee to obtain a date in the Fall. This event will take place due to a generous donation from Lakeland Bank and the Shop-Rite of Wyckoff. Applications from ten (10) residents were received expressing their interest to volunteer on the Fireworks Committee.

5. Mr. Shanley's son participated in the first Junior Police Academy last week and thoroughly enjoyed the experience.

Brian Scanlan:

1. Mr. Scanlan reported that he is serving on a subcommittee with Committeewoman Rubenstein to research seven (7) different ordinances to craft an ordinance for governing body consideration which would prohibit single use plastic bags and single use Styrofoam food containers.
2. Mr. Scanlan provided a report regarding the Wyckoff Free Public Library. The amount of items borrowed from the library as compared from May 2018 to May 2019 has increased by 10,000 items. This demonstrates the great value in supporting the Wyckoff Free Public Library. Mr. Scanlan also stated that 54,000 visits were made by patrons to the library as of May 31, 2019.
3. Mr. Scanlan discussed the historical preservation ordinance and the historical preservation committee ordinance which has previously been adopted by the governing body. Both he and Committeeman Boonstra who serve on the subcommittee will meet and begin a process to request volunteers to complete a volunteer application to be considered to serve on the Historic Preservation Commission.

Mayor Madigan:

1. Mayor Madigan extended sincere thanks to the Wyckoff Police Department, the Wyckoff Ambulance Corp, the Wyckoff Volunteer Fire Department and all first responders for the work they do for the benefit of our residents. Special thanks to Kyle Ferreira, Bill Christopher, Kaitlyn Maglione and all the officers who volunteered their time to assist with the first ever and very successful Junior Police Academy.
2. A presentation is scheduled for this evening recognizing the diligent work of the Wyckoff Historical Society Volunteers.
3. Mayor Madigan wished everyone in the audience a happy and safe 4th of July. Forty-three (43) years ago, Mayor Madigan was on Castle Island in 1976 and witnessed Old Ironside leading the tall ships into Boston Harbor for the 200th Anniversary of the United States.

At 7:55 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to conduct the Public Business Meeting.

At 8:51 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

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At 8:51 p.m. the Township Committee recesses the Open Work Session discussion of the Open Public Meeting to enter into Closed Session discussion via Resolution #19-C09.

At 9:50 p.m. the Township Committee reconvenes the Open Work Session discussion of the Open Public Work Session Meeting voting as follows:

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

The Open Work Session Meeting adjourned at 9:51 p.m.

Thomas J. Madigan
Mayor

Joyce C. Santimauro
Municipal Clerk