

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
TUESDAY, APRIL 23, 2013**

**(REVISED 4/23/13)**

**TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE WORK SESSION MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, APRIL 23, 2013 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Rudolf E. Boonstra
2. Roll call of Township Committee
3. Reading of "Open Work Session" statement by Mrs. Santimauro
4. Meeting open for the Work Session ten minute total public comment period for any item on or off the agenda. Two (2) minutes per speaker.
5. Mayor and Municipal Clerk to sign documents
6.
  - a. Finance Committee to review and sign vouchers
  - b. Report of Township Committee
  - c. Report of Administrator
  - d. Report of Attorney
7. Recess Work Session Meeting to conduct 8:00 pm Business Meeting
8. Reconvene Work Session Meeting
9. 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**

TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING  
SECOND FLOOR MUNICIPAL COURT ROOM  
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TOWNSHIP OF WYCKOFF  
TOWNSHIP COMMITTEE BUSINESS MEETING  
MUNICIPAL COURT ROOM  
TUESDAY, APRIL 23, 2013 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute led by Mayor Rudy Boonstra
3. Invocation given by Pastor Jeff Boucher.
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro.
5. Roll call of the Township Committee
6. Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker
7. Approval of the following Township Committee meeting minutes:

Township Committee Work Session and Regular Meeting Minutes from April 9, 2013

MOTION: \_\_\_\_\_ ROONEY \_\_\_\_\_ SECOND \_\_\_\_\_ JEPSEN \_\_\_\_\_  
CHRISTIE \_\_\_\_\_ YES \_\_\_\_\_ JEPSEN \_\_\_\_\_ YES \_\_\_\_\_ ROONEY \_\_\_\_\_ YES \_\_\_\_\_  
SCANLAN \_\_\_\_\_ YES \_\_\_\_\_ BOONSTRA \_\_\_\_\_ 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):**

- #13-139      Payment of Bills
- #13-140      Return of certain overpaid taxes, escrow monies, recreation fees
- #13-141      In Support of A 3393-Legislation to Protect Residential Property Tax Payers From the Loss of Telecommunications Tax Support
- #13-142      Authorize Cooperative Pricing Contract for Road Resurfacing
- #13-143      Authorize Sale of Vehicles Not Needed for Public Use
- #13-144      Bloodborne Pathogen Shared Service
- #13-145      In Opposition of Bill S-21A-1171
- #13-146      Purchase of Police Cars from State Contract

**II      Motions**

- a. Approve the request from the Wyckoff Environmental Commission/Green Team requesting permission to put up temporary banners for ten (10) days at Wyckoff Community Park, Russell Farm Community Park and front lawn of Town Hall announcing "Wyckoff Recycles Weekly".
- b. Waive 20% of the construction code fee for Eastern Christian School Association's internal renovation of toilet facilities.

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- c. Approve the temporary sign request from the Wyckoff Family YMCA from April 26-May 5 (10 days) advertising "Willy Wonka" at the following locations:
  - 1) Lukoil station corner of Franklin and Godwin Avenues.
  - 2) Driveway entrance to YMCA, 691 Wyckoff Avenue.
  - 3) Vottero residence, 521 Russell Avenue.
  - 4) St. Elizabeth Church, 700 Wyckoff Avenue.
  - 5) Cornerstone Church, 495 Wyckoff Avenue.
- d. Approve Township of Wyckoff Proclamation in honor of "Arbor Day".
- e. Approve Township of Wyckoff Proclamation in honor of "Earth Day".
- f. Authorize a 20' x 30' temporary tent and temporary sign at Grace United Methodist Church for their summer Sunday school program; the temporary sign will read "Athens...Paul's Journey".
- g. Approve one day fund raising garage sale event at Grace United Methodist Church on June 1, 2013 with one temporary sign advertising the garage sale fund raiser on Grace United Methodist Church property for ten days May 23 – June 1.

**Following is the vote on the Consent Agenda:**

MOTION: SCANLAN SECOND CHRISTIE  
 CHRISTIE YES JEPSEN YES ROONEY YES  
 SCANLAN YES BOONSTRA YES

**III Ordinance (Introduction)**

#1710 - 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 \$625,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,550 OF BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF.

MOTION: ROONEY SECOND CHRISTIE  
 CHRISTIE RECUSED JEPSEN YES ROONEY YES  
 SCANLAN YES BOONSTRA YES

**IV Adjourn**

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

**FORMAL ACTION MAY BE TAKEN DURING THIS MEETING**

**TOWNSHIP OF WYCKOFF  
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**Meeting Called To Order**

Mayor Rudy Boonstra called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:10 pm.

**Flag Salute**

The Township Committee proceeded with the Pledge of Allegiance led by Mayor Rudy Boonstra.

**Invocation**

The Invocation was given Pastor Jeff Boucher.

**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."

**Attendance:**

**Township Committee Present:** Mayor Rudolf E. Boonstra; Committee Present: Douglas J. Christie, Kevin J. Rooney, Brian D. Scanlan and Haakon C. Jepsen.

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

The Township Committee voted unanimously to open the public portion of the meeting.

No one came forward.

The Township Committee voted unanimously to close the public portion of the meeting.

**Approval of the following Township Committee minutes:**

Township Committee Work Session and Regular Meeting Minutes from April 9, 2013

MOTION: \_\_\_\_\_ ROONEY \_\_\_\_\_ SECOND \_\_\_\_\_ JEPSEN \_\_\_\_\_  
CHRISTIE YES JEPSEN YES ROONEY YES  
SCANLAN YES BOONSTRA YES

**Consent Agenda**

The Municipal Clerk read the following: "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):**

**#13-139      Payment of Bills**

**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,

**WHEREAS**, the two (2) Committeemen acting as the Finance Committee recommend payment; 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 proper officers of the Township be, and they are hereby authorized and directed to draw checks against the funds of the Township of Wyckoff in payment of such vouchers covered by checks no. 11349 – 11415 Payroll A/C, Direct Deposit Vouchers no. 1582 - 1696, checks no. 066023 – 066114 Claims A/C, check no. 2141 Dog Trust A/C, check no. 02259 Accutrack A/C, Claims Wire nos. 130403 & 130404 and Voided Claims checks no. 065916, 066017, 066022 & 066041.

Listing of said checks is attached to the official minutes.

**#13-140      Return of certain overpaid taxes, escrow monies, recreation fees**

**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 DEPT.:**

Ralph Mason & Alice Petkus, 200 Oak Avenue, Wyckoff, New Jersey 07481 – County Tax Board Reduction – Block 354/Lot 24.01 - \$517.02

**RECREATION:**

Denise Lucca, 369 Pinewood Drive, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$65.00

James LoPresti, 407 Norma Street, Wyckoff, New Jersey 07481 – Refund for background check - \$20.00

Kim Weiss, 85 Van Blarcom Lane, Wyckoff, New Jersey 07481 – Softball Refund - \$55.00

Jennifer Pinney, 112 Frost Court, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$150.00

Stephanie Scuderi, 1010 Fieldstone Terrace, Wyckoff, New Jersey 07481 – Baseball Refund - \$60.00

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**#13-141      In Support of A 3393-Legislation to Protect Residential  
Property Tax Payers From the Loss of Telecommunications  
Tax Support**

**WHEREAS**, in 1997, at the request of incumbent utilities, the laws regarding State taxation of telecommunications corporations were amended in response to technological and market innovations, in order to increase competition; and

**WHEREAS**, the amendments sought to preserve revenues to local governments by providing that local exchange telephone companies subject to the New Jersey Franchise and Gross Receipts Tax on April 1, 1997 would continue to be subject, annually, to the Business Personal Property Tax ("BPPT"); and

**WHEREAS**, the statute defines local exchange companies as those telecommunications carriers "providing dial tone and access to 51% of a local telephone exchange"; and

**WHEREAS**, Verizon's self-serving interpretation of the statutory definition has led it to claim exemption from the BPPT in any municipality where the corporation unilaterally determines, in any given year, that it no longer supplies dial tone and access to at least 51% of the local telephone exchanges; and

**WHEREAS**, Hopewell Borough's challenge to that claim was upheld by the Mercer County Board of Taxation in 2009; and

**WHEREAS**, Verizon's appeal of that determination to the Tax Court resulted in a June, 2012 trial court decision accepting the corporation's self-serving interpretation of the law; and

**WHEREAS**, as things now stand, over 100 municipalities know that they enter 2013 without BPPT revenues that will cost property taxpayers well in excess of \$8 million and, unless matters change, more municipalities will lose more millions in the future; and

**WHEREAS**, remedial legislation (A-3393) has been introduced by Assemblyman Ralph Caputo, which will clarify the perceived ambiguity of the statutory definition to further implement the original legislative intent to preserve revenues to local governments; and

**WHEREAS**, we anticipate the introduction of companion legislation by Senator Bob Smith, as soon as the Senate next convenes;

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey commends Assemblyman Caputo and Senator Smith and strongly supports A-3393, which would clearly identify the telecommunications carriers subject to taxation on their business personal property and remove the budget uncertainty caused by Verizon's obfuscation; and

**BE IT FURTHER RESOLVED**, that we urge our State Senator and our representatives in the General Assembly to join as co-sponsors of A-3393 and its companion bill; and

**BE IT FINALLY RESOLVED**, that copies of this Resolution be forwarded to the Honorable Governor Chris Christie, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney, the Honorable Assembly Republican Leader Jon Bramnick, the Honorable Senate Republican Leader Thomas H. Kean, Jr., Senator Kevin J. O'Toole, Assemblyman Scott Rumana, Assemblyman David C. Russo and to the New Jersey State League of Municipalities.

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**#13-142      Authorize Cooperative Pricing Contract for Road Resurfacing**

**WHEREAS**, Ordinance No.1100 authorized participation in a cooperative pricing system with municipalities in Northwest Bergen County; and,

**WHEREAS**, the Township of Wyckoff is a member municipality of the Northwest Bergen Cooperative Pricing System; and,

**WHEREAS**, the Township Committee previously directed the Township Administrator to participate in the Northwest Bergen Cooperative Pricing Systems 2013 Road Resurfacing bid; and,

**WHEREAS**, the Borough of Ramsey (the lead agency) has complied with the Local Public Contracts Law and publicly advertised, received, opened, and read the bids as indicated on the attached bid summary sheet; and,

**WHEREAS**, attached please find the Lead Agency's resolution of contract award; and,

**WHEREAS**, the Borough of Ramsey has awarded a contract to the lowest responsive and responsible bidder from eight (8) bidders to D & L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110; and,

**WHEREAS**, the participating municipalities are required to pass a resolution to participate and execute individual contracts; and,

**WHEREAS**, the Chief Financial Officer has issued a certificate attached to this resolution which indicates that available funds are subject to the adoption of a 2013 Capital Ordinance; and,

**WHEREAS**, in accordance with NJSA 40A:11-15 this contract award is subject to the availability and appropriation of sufficient funds in the adopted 2013 budget; and,

**WHEREAS**, the Lead Agency is responsible for Affirmative Action requirements, prevailing wage requirements, bonding requirements and compliance with the Local Public Contracts Law.

**NOW, THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they do hereby authorize a contract to the lowest responsive and responsible bidder, D & L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110 at a rate of \$74.20 per ton of installed asphalt and milling at \$2.00 a square yard at an estimated not to exceed contract amount up to \$300,000.

**BE IT FURTHER RESOLVED**, that this resolution of award is contingent upon receipt of a properly adopted award resolution by the Ramsey Governing Body.

**BE IT FURTHER RESOLVED**, that the Mayor and Municipal Clerk are authorized to execute a contract.

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**#13-143      Authorize Sale of Vehicles Not Needed for Public Use**

**WHEREAS**, the Police Chief and the Public Works Manager report that they have Township vehicles which have reached their useful life and are no longer required for public use; and,

**WHEREAS**, the Township Administrator recommends auctioning these vehicles that are no longer needed for public use; and,

**WHEREAS**, NJSA 40A: 11-36 regulates the method for the sale of disposition of personal property no longer needed for public use; and,

**WHEREAS**, the Township Administrator recommends that the Township Committee authorize him to conduct an auction to dispose of the vehicles an Exhibit A that are no longer needed for public use; and,

**WHEREAS**, the Township Attorney has reviewed this resolution and recommends its adoption.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey authorize the Township Administrator to conduct an auction for the vehicles no longer needed for public use and a public advertised sale is hereby authorized.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide a certified copy of this resolution to the Police Chief, Public Works Manager and the Chief Financial Officer.

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**#13-144      Bloodborne Pathogen Shared Service**

**WHEREAS**, the Police Chief and the Public Works Manager report that they have Township vehicles which have reached their useful life and are no longer required for public use; and,

**WHEREAS**, the Township Administrator recommends auctioning these vehicles that are no longer needed for public use; and,

**WHEREAS**, NJSA 40A: 11-36 regulates the method for the sale of disposition of personal property no longer needed for public use; and,

**WHEREAS**, the Township Administrator recommends that the Township Committee authorize him to conduct an auction to dispose of the vehicles an Exhibit A that are no longer needed for public use; and,

**WHEREAS**, the Township Attorney has reviewed this resolution and recommends its adoption.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey authorize the Township Administrator to conduct an auction for the vehicles no longer needed for public use and a public advertised sale is hereby authorized.

**BE IT FURTHER RESOLVED**, that the Municipal Clerk shall provide a certified copy of this resolution to the Police Chief, Public Works Manager and the Chief Financial Officer.

**#13-145      In Opposition of Bill S-21A-1171**

**WHEREAS**, S-2/A-1171 are meant to promote the more effective operation of local government and sharing of services among local units and

**WHEREAS**, initially S-2 removed or reduced many of the roadblocks that increase the costs of shared services – things like terminal leave, pay, civil service mandates, employee tenure requirements – many of the original provisions in the bill could reduce the costs and hurdles to shared services and consolidations, produce municipal savings and promote relief for our taxpayers; and

**WHEREAS**, the recent amendments to S-2 removed many of the labor provisions that would have given municipalities tools to implement a shared service without the time consuming hurdles that diminished the savings and will now discourage shared services from a municipalities' perspective by continuing the hindrances imposed by Civil Service; and

**WHEREAS**, the amendments removed not only the preamble language that the bill would “supersede existing Civil Service and tenure provisions” but also removed the suspension of Civil Service rules regarding layoff, transfer, seniority, testing, bumping rights and tenure; and

**WHEREAS**, the amendments would now require that any non-civil service municipality who has a shared service agreement with civil service municipality serving as the Lead Agency be brought into the civil service system, thus expanding the civil service system; and

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**WHEREAS**, the amendments would require that municipalities entering into the shared service agreement be subject to civil service rules and collective bargaining agreements for determining which employee stays, protects the seniority provisions removing management prerogative on retaining the best qualified and most efficient work force; and

**WHEREAS**, the amendments would require that any contractual provision dispute be settled by mediation, or if necessary, arbitration which will impede the process from moving expeditiously and will not result in cost savings, which will likely result in mediation and arbitration becoming the norm thus leading to delays and additional cost; and

**WHEREAS**, S-2 would, on the one hand, allow the voters to express their will; but on the other hand, inform those voters that they will lose their State Aid if their will does not comport with that of a majority of the appointed members of the Local Unit, Realignment and Consolidation Commissioner, (LUARCC); and

**WHEREAS**, while we appreciate the consideration and acceptance of the amendments that would clarify the process, on balance, the benefits of those amendments are outweighed by the lose of the suspension of the Civil Service rules and regulations; and

**WHEREAS**, S-2/A-1171 is based on the misconception that municipalities do not share services when in fact shared Services are not a new concept to municipalities, dating back well before the Interlocal Services Act of 1973;and

**WHEREAS**, S-2/A-1171 is also based on the misconception that smaller governments are less efficient and effective than larger ones, an assumption that is not necessarily the case and contrary to lessons learned from recent events in which the municipal elected officials and professionals were very effective in pooling their resources and responding quickly; and

**WHEREAS**, there is no overnight cure to our property tax crisis and Shared services, consolidation or other cost saving measures are long-term actions where benefits/savings may not be seen for a number of years down the road;

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the (insert name of municipality), in the County of (insert name of county) strongly opposes S-2/A-1171 not only on the issue of the voter penalty but on the lose of the Civil Service reform; and

**BE IT FURTHER RESOLVED** that S-2/A-1171 be reviewed by the Red Tape Review Commission, which has tirelessly worked to remove government hurdles, and the Civil Service Commission before the bill proceeds to ensure that the proposed amendments do not create additional Civil Service burdens and hurdles that further impede shared services and drive up cost; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to Governor Chris Christie, Lt. Governor Kim Guadagno, Senator Kevin J. O'Toole, Assemblyman David C. Russo, Assemblyman Scott Rumana, the Honorable Speaker of the General Assembly Sheila Oliver, the Honorable President of the State Senate Stephen M. Sweeney and the New Jersey State League of Municipalities.

**#13-146      Purchase of Police Cars form State Contract**

**WHEREAS**, the Township of Wyckoff has a fleet of police vehicles; and,

**WHEREAS**, a need exists to purchase two (2) replacement police vehicles; and,

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**WHEREAS**, the Wyckoff Police Chief has recommended purchasing two (2) four (4) door Police Interceptor Sedans; and,

**WHEREAS**, the Chief of Police obtained price quotes from both the New Jersey State contract pricing and the Cranford Police Cooperative Pricing System and the Cranford Police Cooperative Pricing System offered the lowest responsible pricing; and

**WHEREAS**, a recommendation by the Township Administrator and Police Chief to purchase the aforementioned police vehicles from the Cranford Police Cooperative Pricing System Contract #12-01 (2013 year model police sedans).

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract is hereby awarded to the current Cranford Police Cooperative vendor, Beyer-Warnock Fleet, 175 Route 10, East Hanover, New Jersey 07936 for two (2) police vehicles totaling \$49,765.00.

**II      Motions**

a.      Approve the request from the Wyckoff Environmental Commission/Green Team requesting permission to put up temporary banners for ten (10) days at Wyckoff Community Park, Russell Farm Community Park and front lawn of Town Hall announcing "Wyckoff Recycles Weekly".

b.      Waive 20% of the construction code fee for Eastern Christian School Association's internal renovation of toilet facilities.

c.      Approve the temporary sign request from the Wyckoff Family YMCA from April 26-May 5 (10 days) advertising "Willy Wonka" at the following locations:

- 1) Lukoil station corner of Franklin and Godwin Avenues.
- 2) Driveway entrance to YMCA, 691 Wyckoff Avenue.
- 3) Vottero residence, 521 Russell Avenue.
- 4) St. Elizabeth Church, 700 Wyckoff Avenue.
- 5) Cornerstone Church, 495 Wyckoff Avenue.

**Township Committee Comments**

Mayor Boonstra said that the YMCA temporary sign proposed at the Lukoil Station at the intersection of Franklin Avenue and Godwin Avenue should not be placed on the sidewalk, the sign must be set back so it does not obstruct pedestrian or vehicular line of sight.

d.      Approve Township of Wyckoff Proclamation in honor of "Arbor Day".

e.      Approve Township of Wyckoff Proclamation in honor of "Earth Day".

f.      Authorize a 20' x 30' temporary tent and temporary sign at Grace United Methodist Church for their summer Sunday school program; the temporary sign will read "Athens...Paul's Journey".

g.      Approve one day fund raising garage sale event at Grace United Methodist Church on June 1, 2013 with one temporary sign advertising the garage sale fund raiser on Grace United Methodist Church property for ten days May 23 – June 1.

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**Following is the vote on the Consent Agenda:**

MOTION: \_\_\_\_\_ SCANLAN \_\_\_\_\_ SECOND \_\_\_\_\_ CHRISTIE \_\_\_\_\_  
CHRISTIE YES JEPSEN YES ROONEY YES  
SCANLAN YES BOONSTRA YES

**III Ordinance – (Introduction)**

**Township Committee Discussion**

Mayor Boonstra said that Bond Ordinance #1710 is for the funding of a new fire pumper truck for the Wyckoff Volunteer Fire Department, the amount of the bond authorization ordinance is \$589,000.00. We need a new fire pumper in Wyckoff the oldest one we have is 33 years old and last week we sold a rescue truck apparatus. There have been discussions between Mayor Boonstra, Fire Commissioner Christie, Fire Department Chief Lou Graglia and Assistant Fire Department Chief Tim Brock regarding the significant cost of a new fire pumper. The original quote for a new fire pumper was \$658,000.00 (an estimated bid of \$593,000.00 plus \$47,000 in options plus \$18,000.00 for radios), truck committee discussions ensued due to the high vehicle cost. The truck committee was instructed to reduce the cost by 5% and they did which brought the vehicle cost down to an estimated \$625,000.00, offset by the sale of the rescue truck #243 to \$580,000.00. The purpose of the introduction of Bond Ordinance #1710 is to get the financing in place to allow the township to go out to bid by a May 31, 2013 deadline before a projected cost increase of 3% or \$18,000.00.

Committeeman Christie concurred with the comments made by Mayor Boonstra. Committeeman Christie reiterated the timing factor where the bid has to take place by May 31, 2013 with the projected 3% or \$18,000.00 increase. Also, Committeeman Christie referenced the \$45,000.00 trade for the sold rescue truck.

Mayor Boonstra added that Committeeman Christie will recuse himself from the vote on Ordinance #1710 because he is a township firefighter. Mr. Christie can participate in the discussion

Township Administrator Robert Shannon stated that a majority vote is required to approve the introduction of Ordinance #1710 and to adopt Ordinance #1710 a 4/5 vote is required.

Committeeman Rooney as Finance Chair said he has been involved in the discussions about a new fire pumper for the past two years and he is apprehensive about the purchase and still grey about a few things. Committeeman Rooney said we have the best fire department around and they need equipment. Committeeman Rooney asked the question how many pumpers we really need. Is the \$589,000.00 a net number after receiving \$45,000.00 from the auctioned truck?

Mr. Rooney asked about the 32 year old pumper, do we need 6 fire pumpers and would the sale of the 32 year old pumper offset the cost of the purchase price of a new truck and what about ISO requirement as it relates to insurance, and added the base price is extreme. Committeeman Christie stated this is not a piece for piece trade, there is nothing from the rescue truck that can be used on the new pumper. Previously we had six (6) fire pumpers, currently we have five (5) pumpers and if we purchase a new one, we will have six (6) pumpers, ISO regulations have been ok with five (5) pumpers. Could the hoses and nozzles from another truck be used on the new pumper? Committeeman Christie said yes, if we don't keep the old pumper, no if we keep it. Committeeman Rooney said the accessory list is reasonable to fight a fire correctly. Committeeman Christie said the price was lowered by the truck committee for a pumper with a

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30 year life. Committeeman Rooney questioned the radios on the fire apparatus as they relate to the proposed county dispatch service and would the radios be compatible? Committeeman Christie opined that the radios may not be compatible with the county's digital system should the county's digital system actually happen. Committeeman Rooney expressed his concern with the costs for the bonding and the county mandated revaluation. The Township Administrator Bob Shannon indicated he researched the purchase a new pumper through a national cooperative contract and believes a more competitive price will result from bidding since national cooperatives essentially pass along a 2% convenience fee. He also said that the bond ordinance has to be adopted before public bidding begins. Committeeman Christie said the bond ordinance should total \$625,000.00. The \$45,000.00 from the sale of the old rescue truck has been deposited in fund balance. Committeeman Scanlan questioned the deadline from the manufacturer as an artificial increase date.

**ORDINANCE #1710**

**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 \$625,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$550,550 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 \$625,000.

B. The estimated aggregate maximum amount of bonds or notes to be issued for the purposes stated in Section 1 is \$550,550.

C. The Township expects to use funds available in the Capital Improvement Fund in the amount of \$74,450 as a down payment for the purposes stated in Section 1.

**SECTION 3.** The sum of \$625,000, including said down payment of \$74,450, 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 Fifty Thousand Five Hundred Fifty Dollars (\$550,550) 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

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law.

**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 Fifty Thousand Five Hundred Fifty Dollars (\$550,550). 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 \$550,550 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

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authorized by this ordinance to be expended for interest on the obligations 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 \$550,550. 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.

MOTION:       ROONEY             SECOND             CHRISTIE        
CHRISTIE   RECUSED   JEPSEN YES ROONEY YES  
SCANLAN   YES   BOONSTRA   YES  

**IV** Meeting adjourned 8:59 p.m.

\_\_\_\_\_  
Mayor Rudy Boonstra

\_\_\_\_\_  
Joyce C. Santimauro  
Municipal Clerk

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