

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MAY 7, 2013**

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, MAY 7, 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, MAY 7, 2013 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute lead by Cameron Breckenridge
3. Invocation given by Reverend Fred Provencher
4. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro.
5. Roll call of the Township Committee

6. **2013 Municipal Budget – Public Hearing**

Vote to open Public Hearing on the 2013 Municipal Budget:

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

Mayor opens the 2013 Municipal Budget public comment portion of the meeting.

Vote to close the 2013 Public Hearing on the 2013 Municipal Budget:

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

7. **Resolution – Adoption of the following:**

#13-154 Adoption of the 2013 Municipal Budget

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

8. Meeting open for public comment on any item on or off the Agenda; five (5) minutes per speaker

9. Approval of the following Township Committee meeting minutes:

Township Committee Work Session and Minutes from April 23, 2013

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

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

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
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I Resolutions (Adoption of the following):

- #13-147 Preparation of 2013 Estimated Tax Bills
- #13-148 Payment of Bills
- #13-149 Release Landscape Bond – 729 Frederick Court
- #13-150 Release Maintenance Bond – 303 Monroe Avenue
- #13-151 Release Performance Bond – 509 Russell Avenue
- #13-152 Opposition to Cost Generative Legislation - A-1196
- #13-153 Opposition to Cost Generative Legislation - A-2756
- #13-155 Dedication by Rider
- #13-156 Return of certain overpaid taxes, escrow monies, recreation fees,
- #13-C4 Closed Session-NJSA 10:4-12b-Maple Lake Acquisition

II Motions

- a. Approve the Wyckoff Fire Department application for Junior Firefighter Nicholas S. Pruiksma.
- b. Approve the New Jersey State Firemen’s Association application for James W. Viapiano into Volunteer Fire Co. #1

III Ordinances – Introductions

#1711 - AN ORDINANCE ENTITLED “AN ORDINANCE APPROPRIATING FUNDS FOR MAJOR VEHICLE REPAIRS AND REHABILITATION” AND APPROPRIATING FUNDS FOR SAID PURPOSE.

#1712 - AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$624,500 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

Following is the vote on the Consent Agenda:

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

IV Ordinances (Further Consideration/Public Hearings)

#1710 - BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, 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 _____ SCANLAN _____
CHRISTIE ABSTAIN JEPSEN YES ROONEY YES
SCANLAN YES BOONSTRA YES

V Motion

- a. Approve specifications and authorize bidding for the purchase of a fire pumper apparatus

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

VI 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**

Meeting Called To Order

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
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Mayor Rudy Boonstra called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00pm.

Flag Salute

The Township committee proceeded with the Pledge of Allegiance led by Cameron Breckenridge.

Invocation

The Invocation was given by Reverend Fred Provencher from Cornerstone Christian Church.

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.

2013 Municipal Budget – Public Hearing

Vote to open Public Hearing on the 2013 Municipal Budget:
MOTION: SCANLAN SECOND ROONEY
CHRISTIE YES JEPSEN YES ROONEY YES
SCANLAN YES BOONSTRA YES

Mayor opens the 2013 Municipal Budget public comment portion of the meeting.

Mayor Boonstra asked Finance Committee Chairman Kevin Rooney to say a few words. Committeeman Rooney advised that his detailed comments regarding the 2013 municipal budget were provided at the April 9, 2013 meeting and they remain. He explained the budget increase is essentially flat. If it were not for the upgrades to our infrastructure to prepare the township for the every year "100 year storm", the budget that he and Township Committeeman Christie developed would have had no increase. This budget is in-line with the budget provided by last year's Finance Committee of Committeemen Rooney and Scanlan, however, some challenges remain; the bond ordinance to finance a replacement fire pumper and the state and county mandated revaluation. Committeeman Rooney thanked Committeeman Christie from the Finance Committee, the Township Administrator Bob Shannon and the Chief Financial Officer Diana McLeod for their diligent work assisting the Finance Committee.

Mr. Jim Savage, 448 Bromley Place came forward to speak to the Township Committee. Mr. Savage asked how the revaluation will be financed. Committeeman Rooney explained that the revaluation will be financed consistent with the New Jersey Fiscal Affairs law through a special emergency appropriation paid over five (5) years.

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Mrs. Susan Winton, 80 Logan Lane told the Township Committee that she agrees (with their discussion during the 7:30 pm work session meeting) that the parking lot at the Wyckoff Post Office needs resurfacing. The parking lot at the Wyckoff Post Office was patched not too long ago. Mrs. Winton extended an invitation for all to attend the West Bergen Tea Party meeting next week.

Committeeman Kevin Rooney responded to Mrs. Winton stating that it is the landlord's responsibility to maintain the parking lot, the grounds outside and the roof that is leaking.

Township Administrator Bob Shannon commented that although the municipal budget limits the tax increase to a 1.54% increase, the budget shows (on page 3c, where the compensated absence liabilities are listed) a balance of zero, because Wyckoff is one of the few municipalities that does not permit cashing in of sick time. The Administrator also said that the budget sheet for listing Change Orders over 20% was also completed with zero. This reflects prudent fiscal practices.

Vote to close the 2013 Public Hearing on the 2013 Municipal Budget:

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

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Resolution – Adoption of the following:

#13-154 Adoption of the 2013 Municipal Budget

See the following two pages for the adopted resolution.

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R # 13 - 154

**SECTION 2 - UPON ADOPTION FOR YEAR 2013
(Only to be Included in the Budget as Finally Adopted)**

RESOLUTION

Be it Resolved by the Wyckoff Township Committee of the Wyckoff County of Bergen of the Wyckoff Township that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations, and authorization of the amount of:

- (a)\$ 10,420,626 (Item 2 below) for municipal purposes, and
- (b)\$ 0 (Item 3 below) for school purposes in Type I School District only (N.J.S. 18A:9-2) to be raised by taxation and,
- (c)\$ 0 (Item 4 below) to be added to the certificate of amount to be raised by taxation for local school purposes in Type II School Districts only (N.J.S. 18A:9-3) and certification to the County Board of Taxation of the following summary of general revenues and appropriations.

- (d)\$ 241,390 (Sheet 43) Open Space, Recreation, Farmland and Historic Preservation Trust Fund Levy
- (e)\$ 1,439,116 (Item 5 below) Minimum Library Tax

RECORDED VOTE			
(insert last name)	Ayes {	Nays {	Abstained {
	BOONSTRA		
	CHRISTIE		
	JEPSEN		
	ROONEY		
	SCANLAN		

1. General Revenues				
Surplus Anticipated		08-100	\$	1,750,000
Miscellaneous Revenues Anticipated		13-099	\$	3,785,540
Receipts from Delinquent Taxes		15-499	\$	380,000
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES (Item 6(a), Sheet 11)		07-190	\$	10,420,626
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY:				
Item 6, Sheet 41		07-195	\$	
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only				0
4. To Be Added to the Certificate for Amount to be Raised by Taxation for Schools in Type II School Districts ONLY:				
Item 6(b), Sheet 11 (N.J.S. 40A:4-14)		07-191	\$	0
5. AMOUNT TO BE RAISED BY TAXATION MINIMUM LIBRARY LEVY		07-192		1,439,116
Total Revenues		13-299	\$	17,776,282

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SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS	XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
<u>Within "CAPS"</u>	XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
(a&b) Operations including Contingent	34-201	\$ 13,134,272
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	\$
(g) Cash Deficit	46-885	\$
<u>Excluded from "CAPS"</u>	XXXXXXXXXX	XXXXXXXXXXXXXXXXXXXX
(a) Operations - Total Operations Excluded from "CAPS"	34-305	\$ 2,024,560
(c) Capital Improvements	44-999	\$ 644,500
(d) Municipal Debt Service	45-999	\$ 471,950
(e) Deferred Charges - Municipal	46-999	\$
(f) Judgements	37-480	\$
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	\$
(g) Cash Deficit	46-885	\$
(k) For Local District School Purposes	29-410	\$
(m) Reserve for Uncollected Taxes (Include Other Reserves if Any)	50-899	\$ 1,500,000
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40A:4-13)	07-195	\$
<u>Total Appropriations</u>	34-499	\$ 17,775,282

It is hereby certified that the within budget is a true copy of the budget finally adopted by resolution of the Governing Body on the _____ 7th _____ day of _____ May _____, 2013. It is further certified that each item of revenue and appropriation is set forth in the same amount and by the same title as appeared in the 2013 approved budget and all amendments thereto, if any, which have been previously approved by the Director of Local Government Services.

Certified by me this 8th day of May, 2013 [Signature] Clerk
signature

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

Approval of the following Township Committee minutes:

Township Committee Work Session and Minutes from April 23, 2013

MOTION: _____ SCANLAN _____ SECOND _____ ROONEY _____
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".

I Resolutions (Adoption of the following):

#13-147 Preparation of 2013 Estimated Tax Bills

WHEREAS, delays by the Bergen County Board of Taxation in certificating the 2013 Tax Rate will cause delays in regular billing of 2013 taxes; and,

WHEREAS, the Township Committee has determined that there will be insufficient cash flow to support operations in late July 2013 unless third quarter revenue is received on time; and,

WHEREAS, the Tax Collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance in accordance with N.J.S.A. 54: 4-66.3.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey hereby authorizes that:

1. The Tax Collector is directed to prepare and issue estimated tax bills for the Township of Wyckoff for the third quarter 2013, in accordance with the provisions of N.J.S.A. 54: 4-66.2 et seq.
2. The entire estimated annual tax levy for 2013 is hereby set at \$75,685,946.00.
3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

#13-148 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,

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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. 11416 – 11445 Payroll A/C, Direct Deposit Vouchers no. 1809 - 1857, checks no. 066116 – 066195 Claims A/C, check no. 2142 Dog Trust A/C, Voided checks no. 066115, 066139, 066148 066157 and Claims Wire nos. 130501 & 130502.

Listing of said checks is attached to the official minutes.

#13-149 Release Landscape Bond – 729 Frederick Court

WHEREAS, a check in the amount of \$7,380.00 was deposited in the municipal clerk's office as a landscaping bond for 729 Frederick Court Block 433 Lot 1 on January 29, 2013 by the developer Mr. Ray Springer, Pro Contractors II LLC; and,

WHEREAS, Mr. Springer in a letter dated April 4, 2013 has requested the release of the \$7,380.00 landscape bond; and,

WHEREAS, the township engineer in a notation dated April 18, 2013 has recommended the release of the landscape bond.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they hereby accept the recommendation of the township engineer to return the \$7,380.00 landscape bond to Mr. Ray Springer - Pro Contractors II LLC.

BE IT FURTHER RESOLVED, that the municipal clerk will forward a copy of this resolution to the township engineer and Mr. Ray Springer, Pro Contractors II LLC, 299 Briarwood Drive, Wyckoff, NJ 07481.

#13-150 Release Maintenance Bond - 303 Monroe Avenue

WHEREAS, New N House Septic Services, Inc. posted the following for a sewer connection at 303 Monroe Avenue on October 8, 2010:

Maintenance cash	\$750.00
Performance cash	\$3,600.00

WHEREAS, Township of Wyckoff Resolution #10-239 dated November 1, 2010 authorized the release of the \$3,600.00 performance cash; and,

WHEREAS, Mr. Marc Nieuwenhuis, President, New N House Septic Services, Inc. in a letter dated April 8, 2013 has requested the release of the \$750.00 maintenance cash posted for 303 Monroe Avenue; and,

WHEREAS, the Township Engineer in a notation dated April 19, 2013 recommends the release of the maintenance cash for 303 Monroe Avenue in the amount of \$750.00.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they concur with the recommendation of the Township Engineer to release the maintenance cash of \$750.00 to New N House Septic Services, Inc.

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BE IT FURTHER RESOLVED, that the Township Clerk will forward a copy of this resolution to the Township Engineer and Mr. Marc Nieuwenhuis, New N House Septic Services, 537 Ramapo Avenue, Pompton Lakes, NJ 07442.

#13-151 Release Performance Bond – 509 Russell Avenue

WHEREAS, New N House Septic Services, Inc. posted the following for a sewer connection at 509 Russell Avenue on January 25, 2013:

Maintenance cash	\$500.00
Performance cash	\$2,000.00

WHEREAS, Mr. Marc Nieuwenhuis, President, New N House Septic Services, Inc. in a letter dated April 8, 2013 has requested the release of the \$2,000.00 performance cash posted for 509 Russell Avenue; and,

WHEREAS, the Township Engineer in a notation dated April 19, 2013 recommends the release of the performance cash for 509 Russell Avenue in the amount of \$2,000.00; \$500.00 will be retained by the township as a two (2) year maintenance guarantee.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they concur with the recommendation of the Township Engineer to release the performance cash of \$2,000.00 to New N House Septic Services; \$500.00 will be retained by the township as a maintenance guarantee, Inc.

BE IT FURTHER RESOLVED, that the Township Clerk will forward a copy of this resolution to the Township Engineer and Mr. Marc Nieuwenhuis, New N House Septic Services, 537 Ramapo Avenue, Pompton Lakes, NJ 07442.

#13-152 Opposition to Cost Generative Legislation – A – 1196

WHEREAS, public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and,

WHEREAS, New Jersey's current Workers' Compensation law is already one of the broadest in the country; and,

WHEREAS, A-1196 as currently written will make it almost impossible to contest claims from injuries and illnesses caused off-the-job and thereby increase local taxes; and,

WHEREAS, this bill unfairly places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hypertension did not occur on the job; and,

WHEREAS, the actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that A-1196 could easily double municipal Workers' Compensation expense thereby increasing local taxes; and,

WHEREAS, the MEL has offered to meet with the supporters of this legislation to develop less expensive ways of improving the compensation to first responders.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the legislature be urged to reject A-1196 and urges the supporters of this legislation to work with the MEL and representatives of other units of government to develop less expensive ways to improve compensation to first responders; and,

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BE IT FURTHER REOLVED, that the Municipal Clerk shall send certified copies of this resolution to the Governor Chris Christie, Lt. Governor Kim Guadagno, Senate President Steven Sweeney, Assembly Speaker Sheila Oliver, Senator Kevin O'Toole, Assemblyman David Russo, Assemblyman Scott Rumana, William Dressel, New Jersey State League of Municipalities and Dave Grubb, JIF Executive Director.

#13-153 Opposition to Cost Generative Legislation – A- 2756

WHEREAS, public safety employees and all other public and private sector workers should be adequately compensated for on-duty accidents and illnesses; and,

WHEREAS, the widows of police officers and firefighters already receive benefits that are not available to the surviving spouses of other public and private sector workers; and,

WHEREAS, surviving spouses of police officers and firefighters receive an enhanced non-contributory life insurance benefit from the Police and Fire Retirement System (PFRS) in the amount of 3.5 times annual compensation while the benefit for everyone else is 1.5 times; and,

WHEREAS, further, spouses of police officers and fire fighters killed on the job also receive over \$325,000 from the Federal Government under the Public Safety Officers Benefits Act (PSOB); and,

WHEREAS, under current law, certain dependents including spouses, children and under some circumstance parents may apply for Workers' Compensation dependent benefits of 70% of the employee's average earnings; and,

WHEREAS, a spouse who remarries loses the dependent benefit after receiving a basic minimum award determined by a formula in the statute and the other eligible dependents split the spouse's award, and,

WHEREAS, under the proposed A-2756, the widow of a police officer or firefighter will receive the benefit for life but this extension will not be available to the surviving spouses of other public or private sector workers.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the legislature be urged to reject A-2756 as currently written and that the workers' compensation system treat equally all public and private sector workers.

BE IT FURTHER REOLVED, that the Municipal Clerk shall send certified copies of this resolution to the Governor Chris Christie, Lt. Governor Kim Guadagno, Senate President Steven Sweeney, Assembly Speaker Sheila Oliver, Senator Kevin O'Toole, Assemblyman David Russo, Assemblyman Scott Rumana, William Dressel, New Jersey State League of Municipalities and Dave Grubb, JIF Executive Director.

#13-155 Dedication by Rider

WHEREAS, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when revenue is not subject to reasonably accurate estimates in advance; and,

WHEREAS, N.J.S.A. 40A:5-29 provides for receipt of Russell Farms Community Park Donations by the municipality to provide for maintenance and improvements;

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and,

WHEREAS, N.J.S.A. 40A:4-39 provides the dedicated revenues anticipated from the Russell Farms Community Park Donation Trust are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Township of Wyckoff, County of Bergen, New Jersey as follows:

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Russell Farms Community Park Donations Trust N.J.S.A. 40A:5-29.
2. The Clerk of the Township of Wyckoff, County of Bergen is hereby directed to forward two (2) certified copies of this Resolution to the Director of the Division of Local Government Services.

#13-156 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 REFUND:

Lorraine Pezzuti, 163 Coolidge Terrace, Wyckoff, New Jersey 07481 – State Tax Court Judgement –
Block 456/Lot 74 - \$1,595.08

Anthony Graceffo, Attorney for Salvatore & Barbara Cannizzo, 555 Main Street, Hackensack, New Jersey 07601 – State Tax Court Reduction – Block 202.01/Lot 4 – 351 Sturbridge Road - \$2,378.64

RECREATION:

Cynthia Panebianco, 2 Elmwood Place, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$65.00

#13-C4 Closed Session – NJSA 10:4-12b – Maple Lake Acquisition

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

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

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

NJSA 10:4-12b (5) – Maple Lake Acquisition

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey assembled in public session on May 7, 2013 hereby authorize, that an Executive Session closed to the public shall be conducted on May 7, 2013, in the Town Hall, 340 Franklin Avenue,

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Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

II Motions

- a. Approve the Wyckoff Fire Department application for Junior Firefighter Nicholas S. Pruiksma.

- b. Approve the New Jersey State Firemen's Association application for James W. Viapiano into Volunteer Fire Co. #1

III Ordinances – Introductions

ORDINANCE #1711

AN ORDINANCE ENTITLED "AN ORDINANCE APPROPRIATING FUNDS FOR MAJOR VEHICLE REPAIRS AND REHABILITATION" AND APPROPRIATING FUNDS FOR SAID PURPOSE.

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

SECTION 1. There is hereby allocated and appropriated the sum of \$20,000.00 for future field improvements and safety enhancements. Said amount of \$20,000.00 shall consist of an appropriation made in the 2013 Capital Improvement Fund in the 2013 Municipal Budget and designated as "Appropriation for major vehicle repairs and rehabilitation". The total appropriation is \$20,000.00,

SECTION 2. Except as hereby amended, all other Sections of Chapter 155 shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect upon final passage and publication according to law.

ORDINANCE #1712

AN ORDINANCE AUTHORIZING THE APPROPRIATION OF \$624,500 FOR IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE TOWNSHIP OF WYCKOFF, COUNTY OF BERGEN, STATE OF NEW JERSEY, AND PROVIDING THE NECESSARY FUNDS THEREFORE

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

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Section 1. The improvements described in Section 3 of this ordinance are hereby authorized by the Township of Wyckoff, and there is hereby appropriated the sum of money herein stated as the appropriations made therefore and amounting to \$624,500.00.

Section 2. For the financing of said improvements, and to meet the cost therefore, there is hereby appropriated from the Capital Improvement Fund for the Township of Wyckoff, the said sum, being available by virtue of a provision included in the approved 2013 Municipal Budget.

Section 3. The improvements authorized and the appropriations therefore are for the purchase of Department of Public Works equipment, road resurfacing, engineering services for road and facility improvements, improvements to public buildings and facilities, purchase of safety equipment for firefighters, hose replacement, siren control upgrade and emergency traffic warning devices, emergency management response equipment and generator, park and recreation area enhancements and various Town Hall and Public Works complex improvements and various other capital improvements.

Section 4. This Ordinance shall take effect immediately upon final passage and publication according to law.

Following is the vote on the Consent Agenda:

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

IV Ordinances (Further Consideration/Public Hearings)

#1710 - BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, 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.

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1710, entitled:

BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, 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.

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

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

COMMITTEEMAN SCANLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1710, and all persons who wish to be heard, please state your name and address before making your statement.

Mr. James Savage, 448 Bromley Place. Mr. Savage stated that he feels great having the Wyckoff Volunteer Fire Department do what they do, however, there may be some unanswered questions from the last Township Committee meeting where the Township Committee discussed the fire pumpers. Mr. Savage asked if there is an absolute need for a new pumper? He stated that the Fire Department has worked without six (6) pumpers for the past three (3) years, so why does each fire station each now need two (2) fire pumpers? Committeeman Rooney advised that the question has already been answered and that, yes, the Fire Department needs a new fire pumper apparatus. The secondary question is not critical for tonight, which is do we do need 5 or 6 fire pumpers. That issue has not been discussed. Mr. Savage stated that the fire apparatus manufacturers have created a monopoly and opined that there are only a few fire apparatus manufacturers. Mr. Savage ended his comments by saying the newspaper reported that bids from one (1) fire pumper company will be sought and he asked if we could purchase a used fire pumper and would that be less expensive?

Township Administrator Bob Shannon indicated that the township will solicit bids from multiple bidders and the specification encourages equal bids and does not limit bids to one manufacturer. The New Jersey Bond Law states that the useful life of a fire pumper is 10 years. Most fire departments keep a fire pumper in service for 15-20 years; Wyckoff maintains their fire pumper apparatus for 30 years. When the new fire pumper is delivered, the existing pumper will have serviced the community for 33 years.

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

COMMITTEEMAN SCANLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1710 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of

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Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN ROONEY: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

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

**TOWNSHIP OF WYCKOFF
ORDINANCE NO. 1710**

BOND ORDINANCE AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK IN, BY AND FOR THE TOWNSHIP OF WYCKOFF, 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 law.

SECTION 5. Pending the issuance of the bonds authorized in Section

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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 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,

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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.

(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

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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.

V Motion

a. Approve specifications and authorize bidding for the purchase of a fire pumper apparatus

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

VI Meeting adjourned 9:20 pm.

Mayor Rudolf E. Boonstra

Joyce C. Santimauro
Municipal Clerk