

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, AUGUST 6, 2013**

(Rev. 8/6/13)

**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 6, 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.
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
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**TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, AUGUST 6, 2013 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Rudolf E. Boonstra
2. Flag Salute
3. Invocation
4. Reading of the "Open Public Meetings Act" statement
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 July 16, 2013

MOTION: SCANLAN SECOND CHRISTIE
CHRISTIE YES JEPSEN YES ROONEY ABSENT
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 Motions:

- a. Authorize a 10 day temporary sign request from the Christian Health Care Center for their sidewalk sale from August 12 – August 16, 2013. The size of the temporary sign cannot be larger than 25 square feet.
- b. Memorialize approval of bid specifications and authorize competitive bidding for supply & delivery of underground drainage pipe.
- c. Approve a 10 day temporary sign request from Family Reach Foundation to be placed on the front lawn of Cheerful Heart (353 Franklin Avenue) for a 5K & family run "Running for Kids With Cancer".
- d. Approve the Wyckoff Volunteer Fire Department applications for Robert D. Ingram, Joseph Salerno and David F. Steinmetz.

II Resolutions (Adoption of the following):

- | | |
|---------|---|
| #13-201 | Green Purchasing Policy |
| #13-202 | Authorize work at polling place locations in exchange for use of facilities as polling places |
| #13-203 | Establish lien – Block 352/Lot 41 – 384 Cedar Hill Avenue |
| #13-204 | Payment of Bills |
| #13-205 | Return of overpaid taxes, escrow, recreation fees, etc. |
| #13-206 | Authorize Fire Department Fireworks Fundraiser at Municipal Complex |

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- #13-207 Authorize Road Closure
- #13-208 Release Landscape Bond – 237 Madison Avenue
- #13-209 Release Landscape Bond – 232 Madison Avenue
- #13-210 Approve Road Closing
- #13-211 Reject All Bids and Authorize Change of Specifications and Re-advertising
- #13-212 Authorize Contract for Supply of Drainage Material
- #13-C7 Closed Session - NJSA 40:4-12(b)-5 – Maple Lake Acquisition

III Ordinance - Introduction

#1717 - AN ORDINANCE TO AMEND CHAPTER 183 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, "WATER EMERGENCIES", SPECIFICALLY, SECTION 183-5 "REGULATIONS" TO DELETE THE EXISTING SECTION 183-5 AND REPLACE IT WITH NEW REGULATIONS.

Following is the vote on the Consent Agenda:

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

IV Ordinance: (Public Hearing & Further Consideration):

#1716 - AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," TO ADD RUSSELL FARMS COMMUNITY PARK AND LARKIN HOUSE AND TO ADD A NEW SECTION, "SMOKE FREE ZONES."

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

V Adjourn

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

FORMAL ACTION MAY BE TAKEN DURING THIS

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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 8:00 pm.

Flag Salute

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

Invocation

The invocation was given by Father Maciek Zajck from Saint The Church of Saint Elizabeth.

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; Township Committee Present: Douglas J. Christie, Brian D. Scanlan and Haakon C. Jepsen.

Absent: Kevin J. Rooney

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.

Susan Winton, 89 Logan Lane. Mrs. Winton spoke to the Township Committee about two (2) items on the agenda, Ordinance #1716 and Resolution #13-47.

Mrs. Winton disagreed with the intent of Ordinance #1716, which would create smoke-free zones at the new Russell Farm Community Park, the Larkin House property and the town's five (5) other parks. Mrs. Winton opined that if the Township Committee were to adopt Ordinance #1716 and prohibit cigarette smoking in the new Russell Farm Community Park, the Larkin House property and the other parks she considered the committee as being abusive of their power over the people. Air should not be controlled.

With regard to Resolution #13-47 Wyckoff Green Purchasing Policy Mrs. Winton said that the Township Committee was being fiscally irresponsible because she felt that purchasing recycled products was expensive as compared to non-recycled products.

Mayor Rudy Boonstra asked the Administrator to respond to Mrs. Winton's comments regarding the new green purchasing policy and competitive pricing. The Mayor said we have language in the resolution that states we will not be spending more.

The Township Administrator responded to Mrs. Winton's green purchasing question and said that the resolution states that green purchasing will be "to the extent practical" and the best practical price, this does not mean the municipality

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will spend more on green products, we hope to become more aware of green products that are available. The Administrator told Mrs. Winton that the township's purchasing policy requires the lowest price.

Mayor Boonstra assured Mrs. Winton that Bob Shannon and the staff are frugal and will continue to be.

Mr. Scanlan said that if this green purchasing policy is applied properly and where practical this policy can actually save us money.

Mr. Jim Savage, 448B Bromley Place, had a few questions regarding the proposed drainage project at Spring Meadow condominiums, specifically, the cost of the materials and the cost of the project and permissible hours of operation. Administrator Shannon responded telling Mr. Savage that the drainage material would cost \$41,997.45 and the township's budget limit is \$100,000.00 for both material and labor. The municipal ordinance regulates work hours from 7:00 am to 6:00 pm for outside work to be performed by laborers, not Sunday.

Mr. Savage also asked about the lighting ordinance and implementation of the same, because he would like to include this in the Green Team Silver application. The Mayor said yes the ordinance would be in place for the Green Team Silver application.

Mr. Anthony Mattina, Mattina and Sons, Inc., 146 English Street, Hackensack, New Jersey. Mr. Mattina said he was not a resident and that he was the apparent second low bidder on the installation of the drainage system. Mr. Mattina said he researched the low bidder and that the low bidder is not registered with a public works registration certificate. Mr. Mattina asked how the bid award would proceed. Mr. Mattina also questioned the prevailing wage law.

Administrator Shannon responded that the township performed its' own independent review and concluded that the apparent lowest bidder did not have a public works certificate and under the law it is required. The bids will be rejected as permitted by law and there will be a re-bid and re-advertisement for the installation of the drainage. The township's budget for this drainage project is \$100,000.00; a bid of \$41,000.00 will be awarded for the material and the Mattina bid, which was the second lowest bidder of \$100,000.00 or \$68,000.00 higher than the apparent low bid, would put the project over the budgeted allotment for the project therefore it will be rejected as permitted by law.

Ms. Cindy Meekum, Center for Disease Prevention and Counseling came forward to show her support and to encourage the Township Committee to adopt Ordinance #1716 that expands Wyckoff's smoke free parks to include the new Russell Farm Community Park and the Larkin House Park.

Mr. Al Ferrara, Bergen County Department of Health Services, Hackensack, NJ came forward to encourage the passing of Ordinance #1716 that expands the township's smoke free park ordinance.

Mr. John Ungert, 360 Cornell Street, thanked the committee for considering Ordinance #1716 and for protecting the people from second hand smoke as recommended by the American Cancer Society and urged the adoption of Ordinance #1716.

Mr. Savage asked if electronic smoking would be considered part of this ordinance and the Township Attorney, Robert Landel, said yes all smoking, cigarettes, cigars, electronic cigarettes, all smoking is banned from the township's parks.

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

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 Motions:

- a. Authorize a 10 day temporary sign request from the Christian Health Care Center for their sidewalk sale from August 12 – August 16, 2013. The size of the temporary sign cannot be larger than 25 square feet.
- b. Memorialize approval of bid specifications and authorize competitive bidding for supply & delivery of underground drainage pipe.
- c. Approve a 10 day temporary sign request from Family Reach Foundation to be placed on the front lawn of Cheerful Heart (353 Franklin Avenue) for a 5K & family run "Running for Kids With Cancer".
- d. Approve the Wyckoff Volunteer Fire Department applications for Robert D. Ingram, Joseph Salerno and David F. Steinmetz.

II Resolution (Adoption of the following):

#13-201 Green Purchasing Policy

WHEREAS, the Township Committee has appointed its Environmental Commission as its Green Team; and

WHEREAS, the Environmental Commission on behalf of the Township Committee of the Township of Wyckoff has achieved the bronze award in the Sustainable Jersey program; and

WHEREAS, the Environmental Commission is pursuing the silver award in the Sustainable Jersey program and has requested the Township Committee adopt a green purchasing policy.

WHEREAS, the attached green purchasing policy has been reviewed by the Environmental Commission and the public policy subcommittee and recommended for the Township Committee adoption.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, state of New Jersey that the attached green purchasing policy is adopted.

#13-202 Authorize work at polling place locations in exchange for use of facilities as polling places

WHEREAS, the Township Committee of the Township of Wyckoff has announced the relocation of voting locations from four schools operated by the K – 8 school district to two municipal properties and two Houses of Worship; and

WHEREAS, due to the generosity of the congregations of the Faith Community Christian Reformed Church and the Cedar Hill Christian Reformed Church voting locations have been relocated to their private church facilities; and

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WHEREAS, the Township has offered to perform certain services on church properties in exchange for the use of the church facilities as polling places for four elections in 2013; and,

WHEREAS, the services the DPW would perform include; updating the ADA signage and ADA parking place painting for statutory compliance, (if needed), re-painting the white parking space lines and edge of the driveway white and yellow lines, and patching potholes in this parking lot/ driveway as reciprocal services for the congregation allowing use of their church facility as a polling place.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, state of New Jersey that the aforementioned services performed by the Wyckoff DPW are authorized as a reciprocals service for the church congregation allowing the use of their church facility as a municipal polling place.

#13-203 Establish lien – Block 352/Lot 41 – 384

WHEREAS, the residential home and land at 384 Cedar Hill Avenue, Block 352/Lot 41 is owned by David McDowell; and,

WHEREAS, the Township Committee of the Township of Wyckoff has established a property maintenance code known as Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, all owners of property in the Township of Wyckoff are required to comply with the provisions in Chapter 152 of the Code of the Township of Wyckoff; and,

WHEREAS, adjacent property owners and neighbors have brought property maintenance violations to the attention of the Zoning Administrator and the Zoning Administrator has issued an abatement notice in compliance with Chapter 152 to the owner and mortgagee of 384 Cedar Hill Avenue. The Zoning Administrator has attempted to obtain compliance through letters, telephone calls and e-mails as detailed on the attached certification with the result that the owner and mortgagee has failed to abate the violations enumerated in the abatement notice; and,

WHEREAS, property owner has the duty to remove the violations after notice has been issued; and,

WHEREAS, the Zoning Administrator has filed a certification dated July 24, 2013 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of \$715.00 as the verified charge to abate certain violations; and,

WHEREAS, the attached certificate with attachments is presented to the Township Committee for their examination and if found correct, to be charged against the lands upon which the violation existed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that they have examined the certification dated July 24, 2013 from the Zoning Administrator and find it to be correct and cause the cost of \$715.00 to be charged against the land, namely Block 352/Lot 41, 384 Cedar Hill Avenue as a lien on the property for the cost to abate the property maintenance violation.

BE IT FURTHER RESOLVED, that the amount of \$715.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the

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taxes next to be assessed and levied upon Block 352, Lot 41, 384 Cedar Hill Avenue. This amount shall bear interest at the same rate as taxes and shall be collected and enforced by the Tax Collector and in the same manner as taxes.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution and certification to the property owner, the Wyckoff Tax Collector, and the Zoning Administrator.

#13-204 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. 11692 – 11722 Payroll A/C, Direct Deposit Vouchers no. 2150 - 2201, checks no. 066948 – 067117 Claims A/C, check no. 2148 Dog Trust A/C, Voided checks no. 066947, 067023, 067034, 067047, 067048 & 067098 and Claims Wire nos. 130801 & 130802.

#13-205 Return of overpaid taxes, escrow, recreation fees, etc.

BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Treasurer is hereby authorized and directed to return certain monies as follows:

BOARD OF ADJUSTMENT:

Robert & Noreen Weidener, 208 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 462/Lot 2.01 - \$124.52

Ed Bocchino, 299 Martom Road, Wyckoff, New Jersey 07481 – Return of Escrow – Block 289/Lot 3 - \$104.11

TAX REFUND:

Green Tree Servicing, LLC, C/O Lereta, 1123 Park View Drive, Covina, CA 91724 – Refund of 2nd Quarter Taxes due to overpayment – Block 497/Lot 25 – 531 Lafayette Avenue - \$1,959.30

Gregory Andersin, 494 Weymouth Drive, Wyckoff, New Jersey 07481 – State Court Tax Reduction – Block 314/Lot 7 - \$1,483.09

RECREATION:

Brigitte Bogart, 366 Harvey Court, Wyckoff, New Jersey 07481 – Soccer Refund - \$45.00

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Carly Blake, 155 Cottage Street, #4B, Midland Park, New Jersey 07432 – Softball Refund - \$45.00

Karin Baanvinger, 413 O'Brien Court, Wyckoff, New Jersey 07481 - Soccer Refund – \$45.00

Meaghann Hoffman, 210 Franklin Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - \$255.00

#13-206 Authorize Fire Department Fireworks Fundraiser at Municipal Complex

WHEREAS, the Wyckoff Volunteer Fire Department has requested the use of the Memorial Town Hall complex and grounds on Saturday, August 31, 2013 for the annual fireworks display fund raiser with a rain date of Monday, September 2, 2013 or the first clear night thereafter; and,

WHEREAS, in accordance with N.J.S.A. 21:3-3, the Township Committee has received letters from the Police Chief and Fire Chief approving this activity, copies of said letters are attached hereto and made a part hereof as though set forth herein at length; and,

WHEREAS, the Township Committee desires to approve this request and to forward a copy of the approval to the Fire Marshal for his use in issuing a Fire Prevention Permit for this activity; and,

WHEREAS, in accordance with the aforesaid N.J.S.A. 21:3-3, the contract between the Fire Department and the fireworks contractor and the insurance certificate have been approved by the Township Attorney.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff as follows:

1. The use of Memorial Town Hall complex for the annual Fire Department fireworks display fund raiser on Saturday, August 31, 2013, with a rain date of Monday, September 2, 2013 or the first clear night thereafter, is hereby approved.
2. The Municipal Clerk shall forward a copy of the Insurance Certificate and permit to the N.J. Department of Labor.

#13-207 Authorize Road Closure

WHEREAS, the Wyckoff Volunteer Fire Department has received permission to conduct its Annual Fire Department Fundraiser – fireworks display, at Memorial Field on August 31, 2013 with a rain date of September 2, 2013; and,

WHEREAS, the use of Memorial field for the fireworks fundraiser requires the closing of certain roads that intersect the Memorial Town Hall complex for safety.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the following roads or sections thereof are closed on August 31, 2013 from 4 pm through 11 pm and on September 2, 2013 if the rain date is needed as follows:

Voorhis Avenue (High Street to Van Houten Avenue)
High Street (Voorhis Avenue to Monroe Avenue)
Woodland Avenue (Monroe Avenue to Demarest Avenue)
Scott Plaza
Memorial Field access roads from the Ambulance Corps to the tennis courts

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BE IT FURTHER RESOLVED, the Municipal Clerk provide a certified copy of this resolution to the Fire Chief, Police Chief, DPW Manger and Recreation Director.

#13-208 Release Landscapes Bond – 237 Madison Avenue

WHEREAS, Dr. Michael Gentile from 237 Madison Avenue Block 237 Lot 4 submitted a duplicate copy of a \$12,500.00 Letter of Credit for landscaping on February 28, 2013 to the township clerk. An original copy of Letter of Credit #SB1572060001 from M&T bank was not received by the township clerk; and,

WHEREAS, in a letter dated July 23, 2013 Peter TenKate the Township's Consulting Engineer from Boswell Engineering is recommending the release of the \$12,500.00 landscape bond to Dr. Michael Gentile.

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's consulting engineer.

BE IT FURTHER RESOLVED, that the municipal clerk forward a copy of this resolution along with a copy of Letter of Credit #SB1572060001 to Dr. Michael Gentile, 237 Madison Avenue, Wyckoff, NJ 07481. A copy of this resolution will also be forwarded to the township's consulting engineer, Peter TenKate, Boswell McClave Engineering, 330 Phillips Avenue, PO Box 3152, South Hackensack, NJ 07606-1722.

#13-209 Release Landscape Bond – 232 Madison Avenue

WHEREAS, KMIA, LLC (Martha Sutphin) deposited a \$1,500. Landscape bond for 232 Madison Avenue on March 12, 2013 for the property located at 232 Madison Avenue Block 238 Lot 15; and,

WHEREAS, Martha Sutphin KMIA,LLC in a letter dated July 25, 2013 has requested the release of the \$1,500 landscape bond for 232 Madison Avenue; and,

WHEREAS, the Township Engineer in a notation dated July 26, 2013 is recommending the release of the \$15,000. landscape bond for 232 Madison Avenue.

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 release the \$1,500. landscape bond to KMIA LLC, 366 Paul Avenue, Allendale, NJ 07401.

#13-210 Approve Road Closing

WHEREAS, Bergen County is requiring that PSEG re-apply the "safety grip road treatment" onto (Bergen County Route #93) Cedar Hill Avenue where the road curves at Maple Avenue; and,

WHEREAS, Bergen County has approved this improvement to be performed on Saturday, August 10, 2013; and

WHEREAS, this improvement will require a road closing to through traffic on Cedar Hill Avenue from Wyckoff Avenue to Newtown Road, however access for local traffic will be available from either side of Cedar Hill Avenue (but not both) up to the area where the improvement will be performed; and,

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WHEREAS, the Township Engineer and the Wyckoff Police Department have worked with the contractor to design a road closing detour plan to allow the contractor to complete this work safely and expeditiously where possible, and to attempt to minimize the inconvenience to residents, motorists and the business community; and

WHEREAS, the Police Department has reviewed the need for this work, the scope and type of work and they recommend the following road closure and traffic plans.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Township Committee does hereby authorize the following road closure and detour plan as recommended by the Wyckoff Police Department and Wyckoff Township Engineer due to Bergen County's decision to issue road work permits for Saturday August 10, 2013.

BE IT FURTHER RESOLVED, that the Township Traffic Safety Officer will implement public notice of this work.

BE IF FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to Police Chief Fox, Lieutenant Van Dyke, Township Engineer DiGennaro, Public Works Manager Fisher and Fire Chief Graglia.

#13-211 Reject All Bids and Authorize Change of Specifications and Re-advertising

WHEREAS, the Township of Wyckoff has been awarded a \$50,000.00 open space grant to improve facilities at municipal locations; and

WHEREAS, the Township Committee of the Township of Wyckoff has determined to utilize this grant and the municipal matching appropriation to improve the drainage at the existing Charles Avenue Compost facility/Pulis Soccer field facility and connect the drainage improvements into the municipal storm water system in the public road of Spring Meadow Drive; and

WHEREAS, the Township Committee of the Township of Wyckoff has approved the specifications and authorize competitive bidding; and

WHEREAS, a legal advert soliciting competitive bids was published in the July 26, 2013 issue of The Ridgewood News; and

WHEREAS, on July 26, 2013 the legal advert soliciting bids was also posted on the Township's web site at Jobs and Bids, where municipal purchase orders directs vendors to reference for bid and quote opportunities; and

WHEREAS, on August 6, 2013 at 11a.m., the following bids were received and they were publicly opened and contents read as follows:

<u>Bidder</u>	<u>Amount Bid</u>
M. Ingannamorte & Son 211 LaRoche Avenue Harrington Park, NJ 07640	\$160,000.00
New N House Service 537 Ramapo Avenue	

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Pompton Lakes, NJ 07442	\$31,200.00
Montana Construction Corp. Inc. 80 Contant Avenue Lodi, NJ 07644	\$115,000.00
D&S Land Development P.O. Box 344 Ramsey, NJ	\$340,000.00
Matina & Son, Inc. 146 English Street Hackensack, NJ 07601	\$100,000.00
Haskell Paving, Inc. 30 Greenwood Lake Tpk. Ringwood, NJ 07456	\$192,000.00
Sanitary Construction Company 415 Franklin Avenue Rockaway, NJ 07866	\$122,000.00

WHEREAS, the apparent low bidder does not possess a New Jersey Public Works Contractor Registration Act Certificate as of August 6, 2013 (the date of the bid opening in accordance with NJSA 34:11-56.55); and

WHEREAS, the second apparent low bidders price is \$100,000.00, which significantly exceeds the township's budget for this project by almost 50%; and,

WHEREAS, in accordance with NJSA 40A:11-13.2 a, b & d the second apparent low bid amount of \$100,000.00 exceeds the township's cost estimate, the second apparent low bid exceeds Wyckoff's project appropriation and the township will be required to modify the specifications to comply with a new period of construction that must be compliant with the deadline to obtain reimbursement of the grant that funds half of this project; and,

WHEREAS, attached is a recommendation from the Township Administrator recommending the Township Committee reject all bids pursuant to NJSA 40A:11-13.2 and NJSA 34:11-56.55, modify the specifications and re-advertise for bids; and,

WHEREAS, the Township Attorney has reviewed this procurement and concurs with the award recommendation; and

NOW THEREFOR BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey after careful review and guidance from the Township Attorney the bids are rejected pursuant to NJSA 34:11-56.55 and NJSA 40A:11-13.2 a, b, & d and authority is granted to modify the specifications and to re-bid.

#13-212 Authorize Contract for Supply of Drainage Material

WHEREAS, the Township of Wyckoff has been awarded a \$50,000.00 open space grant to improve facilities at municipal locations; and

WHEREAS, the Township Committee of the Township of Wyckoff has determined to utilize this grant and the municipal matching appropriation to improve the drainage at the existing Charles Avenue Compost facility/Pulis Soccer field facility and connect the drainage improvements into the municipal

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storm water system in the public road of Spring Meadow Drive; and

WHEREAS, the Township Committee of the Township of Wyckoff has approved the specifications and authorize competitive bidding; and

WHEREAS, a legal advert soliciting competitive bids was published in the July 26, 2013 issue of The Ridgewood News; and

WHEREAS, on July 26, 2013 the legal advert soliciting bids was also posted on the Township’s web site at Jobs and Bids, where municipal purchase orders directs vendors to reference for bid and quote opportunities; and

WHEREAS, on August 6, 2013 at 11a.m., the following bids were received and they were publicly opened and contents read as follows:

<u>Bidder</u>	<u>Amount Bid</u>
H&D Waterworks Supply 61 Gross Avenue Edison, NJ 08837	\$46,739.80
Progressive Brick 190 Route 17 Post Office Box 306 Hasbrouck Heights, NJ 07604	\$51,726.00
Capital Supply 55 Hounbeck Road Denville, NJ 07834	\$41,999.45

WHEREAS, attached is an award recommendation from the certified Public Works Manager recommending an award as an approved equal to the lowest responsive and responsible bidder; and

WHEREAS, the Township Administrator and the Townships attorney have reviewed this procurement and concur with the award recommendation; and

WHEREAS, the CFO has issued the attached certificate of available funds certifying that adequate funds exist to award this contract in capital account C-04-56-985 and C-04-56-912.

NOW THEREFOR BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a not exceed time of the essence contract in strict compliance with the specification and purchase order/contract is issued to Capital Supply, 55 Haunbeck Road, Denville, NJ 07834 for a not to exceed price for the supply and delivery of drainage materials for \$41,999.45.

#13-C7 Closed Session – NJSA 40:4-12(b)-7- 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,

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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 40:4-12(b)-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 August 6, 2013 hereby authorize, that an Executive Session closed to the public shall be conducted on August 6, 2013, in the Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey 07481, for the discussion of matters relating to the specific items designated above.

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

III Ordinance – Introduction

ORDINANCE #1717

AN ORDINANCE TO AMEND CHAPTER 183 OF THE CODE OF THE TOWNSHIP OF WYCKOFF, “WATER EMERGENCIES”, SPECIFICALLY, SECTION 183-5 “REGULATIONS” TO DELETE THE EXISTING SECTION 183-5 AND REPLACE IT WITH NEW REGULATIONS.

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 183-5, “Regulations” is hereby deleted and replaced with the following:

SECTION 1

The following water emergency regulations are hereby adopted to become effective as set forth herein:

A. The stages shall be as follows:

Stage of Emergency Regulation	Drought/ Emergency Condition	User Restrictions
I	Moderate	Mandatory restriction of irrigation to Tuesdays, Thursdays and Saturdays for properties with odd-numbered addresses and Wednesdays, Fridays and Sundays for properties with even-numbered addresses. Irrigation using a hand-held hose shall be allowed at any time.

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Stage of Emergency Regulation	Drought/ Emergency Condition	User Restrictions
		No irrigation shall be allowed on Mondays except for the use of a hand held hose.
II	Severe	Mandatory restriction of irrigation to Tuesdays and Saturdays for properties with odd-numbered addresses and Wednesdays and Sundays for properties with even-numbered addresses. No irrigation shall be allowed Mondays, Thursdays or Fridays except for the use of a hand held hose. Irrigation using a hand held hose shall be allowed at any time.
III	Pending/ Critical	Mandatory restriction of irrigation to the use of a hand held hose on Tuesdays and Saturdays for properties with odd-numbered addresses and Wednesdays and Sundays for even-numbered addresses. No irrigation of any kind shall be allowed on Mondays, Thursdays and Fridays.
IV	Critical	Irrigation is prohibited at any time. Exceptions for irrigation using a hand held hose may be allowed under conditions prescribed by the Village Manager of the Village of Ridgewood.

B. Stage I, Stage II, Stage III and Stage IV emergency regulations shall become effective upon declaration of each stage by the Village Manager of the Village of Ridgewood. Stage I shall become effective without such declaration on June 1st of each year and shall remain in effect through August 31st of that year except for any period where Stage II, Stage III or Stage IV emergency regulations are declared. Exceptions to the user restrictions such as for irrigation of newly planted lawns or shrubs, for cleaning cars or houses, for filling swimming pools or other such outdoor water usages shall be determined by the Village Manager of the Village of Ridgewood or a Village of Ridgewood employee designated by the Village Manager. Use of any private well shall be exempt from these regulations, provided that said well is first registered with the Wyckoff Board of Health.

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BE IT FURTHER ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 183-6, "Violations and Penalties" is hereby amended as follows:

SECTION 2

The following "Violations & Penalties" section 183-6 is amended as follows:

!83-6 Violations and Penalties

It shall be unlawful and a violation of this chapter for any person to use any water purveyed by the Department of Water Supply of the Village of Ridgewood except in compliance with the rules and regulations governing the same and promulgated in accordance herewith. Violators shall be subject to a fine of ~~at least \$50.00 payable to the Wyckoff Violation Bureau and not to exceed \$500 or imprisonment for a term not to exceed 90 days, or both.~~ Upon further violations, ~~the Department of Water Supply shall have the right and it is hereby empowered to cut off the supply of water to the premises and meter upon and from which such violation shall have taken place for such a period or periods of time as shall be deemed necessary to secure compliance with all the terms of this chapter.~~

SECTION 3 - Except as hereby amended, all other Sections of Chapter 183 shall remain in full force and effect.

SECTION 4 - This Ordinance shall take effect upon final passage and publication according to law.

Following is the vote on the Consent Agenda:

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

IV Ordinance: (Public Hearing & Further Consideration):

ORDINANCE #1716

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," TO ADD RUSSELL FARMS COMMUNITY PARK AND LARKIN HOUSE AND TO ADD A NEW SECTION, "SMOKE FREE ZONES."

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1716, entitled:

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," TO ADD RUSSELL FARMS COMMUNITY

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PARK AND LARKIN HOUSE AND TO ADD A NEW SECTION, "SMOKE FREE ZONES."

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

COMMITTEEMAN CHRISTIE: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1716, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN CHRISTIE: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1716 be, and the same is hereby adopted, and the Municipal Clerk is hereby authorized and directed to publish the Notice of Final Passage of said Ordinance in the official newspaper for the Township as provided by law.

COMMITTEEMAN SCANLAN: I move the resolution.

COMMITTEEMAN CHRISTIE: Seconded.

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

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ORDINANCE #1716

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF WYCKOFF, CHAPTER 146, "PARKS, PLAYGROUNDS AND RECREATIONAL AREAS," TO ADD RUSSELL FARMS COMMUNITY PARK AND LARKIN HOUSE AND TO ADD A NEW SECTION, "SMOKE FREE ZONES."

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BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 146 “Parks, Playgrounds and Recreational Areas,” Section 146-6 “Definitions” is hereby amended to add the following:

SECTION 1 - Section 146-4 Definitions

RUSSELL FARMS COMMUNITY PARK - All the lands and premises located within the Township of Wyckoff being Lot 18.05, Block 377, as shown and designated on the current tax map of the Township of Wyckoff.

THE LARKIN HOUSE PARK – All the lands and premises located within the Township of Wyckoff being Lot 32.01, Block 205, as shown and designated on the current tax map of the Township of Wyckoff.

SECTION 2 New Section 146-36 “Smoke Free Area” is hereby added and established within Chapter 146 as follows:

Section 146-36 Smoke Free Area

It shall be unlawful for any person to smoke within the boundary of any of the parks, playgrounds or recreational areas which are defined within Section 146-4 of this Chapter. To the extent possible, “Smoke Free Area” signs shall be clearly, sufficiently and conspicuously posted at properties where smoking is prohibited by this Chapter. The signs shall have the words “Smoke Free Area” in lettering that is not less than two inches in height and shall contain the international no smoking sign.

Notwithstanding the above, smoking shall not be prohibited within the parking lots or vehicular access lanes to such parks, playgrounds and/or recreational areas unless prohibited by other applicable law.

SECTION 3 - The following Sections and headings shall be renumbered as follows:

~~146-36—Violations and Penalties~~
146-37 Violations and Penalties

~~146-37—Enforcement~~
146-38 Enforcement

~~146-38—Severability~~
146-39 Severability

~~146-39—When Effective~~
146-40 When Effective

SECTION 4 - Except as hereby amended, all other Sections of Chapter 146 shall remain in full force and effect.

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SECTION 5 - This Ordinance shall take effect upon final passage and publication according to law.

V Meeting adjourned at 8:45 p.m.

Mayor Rudolf E. Boonstra

Joyce C. Santimauro
Municipal Clerk