**TOWNSHIP OF WYCKOFF**
**TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING**
**SECOND FLOOR MUNICIPAL COURT ROOM**
**TUESDAY, MAY 5, 2015**

**(Revised May 5, 2015)**

**TOWNSHIP OF WYCKOFF**
**TOWNSHIP COMMITTEE WORK SESSION MEETING**
**MUNICIPAL COURT ROOM**
**TUESDAY, MAY 5, 2015 - 7:30 P.M.**

1. 7:30 pm Work Session Meeting called to order by Mayor Kevin J. Rooney

2. Roll call of Township Committee

3. Reading of "Open Work Session" statement by Mrs. Santimauro

4. Mayor and Municipal Clerk to sign documents

5. a. Finance Committee to review and sign vouchers
   b. Report of Administrator
   c. Report of Attorney

6. 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.

7. Report of Township Committee

8. Recess Work Session Meeting to conduct 8:00 pm Business Meeting

9. Reconvene Work Session Meeting

10. 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**

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**TOWNSHIP OF WYCKOFF**
**TOWNSHIP COMMITTEE BUSINESS MEETING**
**MUNICIPAL COURT ROOM**
**TUESDAY, MAY 5, 2015 - 8:00 PM**

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Flag Salute
3. Invocation given by Pastor Jeff Riley from Power House Church
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. **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):**

#15-149 Payment of Bills
#15-150 Return of Certain Overpaid Taxes, Escrow Monies, etc.
#15-151 Award Contract for Purchase of Truck
#15-152 Preparation of 2015 Estimated Tax Bills
#15-C5 Closed Session – NJSA 10:4-12b(7)

**II** **Motions**

a. Approve from the temporary sign request from the Wyckoff Family YMCA advertising "Wyckoff Day".
b. Authorize the Proclamation "Mind your Health" recognizing May as "Mental Health Month".

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

MOTION: _____SCANLAN_____ SECOND _____JEPSEN_____
BOONSTRA_YES_ JEPSEN _YES_ SCANLAN_YES_ ROONEY_YES_

**III** 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
# TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
# SECOND FLOOR MUNICIPAL COURT ROOM
# TUESDAY, MAY 5, 2015

**Meeting Called To Order**
Mayor Kevin J. Rooney called the regular meeting of the Wyckoff Township Committee in the Municipal Court Room to order at 8:00 pm.

**Attendance**
**Township Committee Present:** Mayor Kevin J. Rooney; Committee Present: Rudolf E. Boonstra, Haakon C. Jepsen and Brian D. Scanlan
**Staff Present:** Township Administrator Robert J. Shannon, Joyce C. Santimauro, Municipal Clerk and Township Attorney Robert Landel.

**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."

**Mayor Rooney Statement**
Mayor Rooney stated that we will continue with the Open Public Meeting comment period during this 8:00 pm Township Committee Business meeting, this is the opportunity in the meeting for the public to provide comments to the Township Committee on any item on or off the meeting agenda.

Mayor Rooney greeted everyone seated in the audience and said, good evening,

As a dog owner myself the incident last week resulting in the loss of Otto was tragic. On behalf of my colleagues and myself, we extend to the family of Otto our sympathy.

The Township Committee continues to believe in the process and the ability of our Police Department to conduct the ongoing investigation. However, as a result of the unfounded accusations of a biased investigation, both Chief Fox and I wrote to Chief Martino, of the Bergen County Prosecutor's office, requesting that one of their detectives assist our Police Department in the ongoing investigation. In addition, I also requested Senator Kevin O'Toole to contact the Prosecutor's and Attorney General's offices.

While we appreciate your comments, please understand we will not engage you, as this is an ongoing police investigation and personnel matter.

Some ground rules, please turn off your cell phones or place them on silence. Speakers must begin by stating their name, address and organization if any. Speakers must be courteous in their language and comments and direct their comments to the Township Committee. There will be no debate or discussion between speakers and members of the audience.

If the rules are ignored, the public comment period will be closed.

You will have the ability to approach the microphone for public comment during our work session and business meetings.

In advance, I would like to thank you, for sharing your comments with us tonight.

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**Flag Salute**
The Township Committee proceeded with the Pledge of Allegiance led by Mayor Kevin Rooney.

**Invocation**
The Invocation was given by Reverend Jeff Riley from Powerhouse Church.

**Mayor Rooney Statement**
Mayor Rooney explained to the audience that he too is a dog owner. Both he and his wife and family love dogs. Mayor Rooney has rescue dogs, he fosters dogs and occasionally takes dogs to his home from the dog shelter to be bathed. The Mayor reiterated that he has requested Senator Kevin O'Toole to contact the Prosecutor's and Attorney General's offices to help with the ongoing investigation.

**Meeting Open for Public Comment**

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

Chris Scalia, 2249 Oakham Court, Mahwah, NJ. Mr. Scalia stated he is Igor Vukobratovic's best friend. Mr. Scalia indicated that the family is devastated, this shooting has shaken our trust in the police department. He was with Igor when Otto their dog was first brought home, Mr. Scalia said he and Igor have found three (3) ballistics in the yard, and they don't know why the police officers could not locate these ballistics. They have received letters in support from all over the country and from England. Police need to return and perform a thorough investigation and not hide behind it.

Nancy Allway, 36 Yawpo Avenue, Oakland, NJ. Ms Allway described herself as an animal lover and she considers her dog her son. She said Wyckoff is totally incompetent, you have a trigger happy incompetent cop and he is clearly incompetent. The officer should pay for the cremation bill.

Susan Winton, 80 Logan Lane, Wyckoff, NJ. Mrs. Winton described herself as a dog lover who has resided in Wyckoff for 50 years. She is heartbroken about the degradation of our police department and it is a disgrace for people who live outside of Wyckoff to make these comments. Our police officers do a good job and this situation is unfortunate. Mrs. Winton said she hoped this isn't a problem with the dispatch operation in Mahwah conducted by Bergen County.

Sheri Lengyl, 89 Crescent Avenue, Wyckoff, NJ. Ms. Lengyl described herself as a dog lover and indicated when this happened it was done to the extreme, we never heard anything from the cop that shot Otto, Police Chief Ben Fox took over. She said, Chief Fox is not civilized, he immediately came to the officer's defense without saying he will look into it, and he jumps to conclusion and offends the public. This is not "Foxdom" it is Wyckoff. Mrs. Lengyl said she works at the court house and they teach employees to be fair and respectful to the public. They have patches at the court house and Fair Lawn's police patch reads to help and protect, Wyckoff is an embarrassment, Police Chief Fox is not well liked, and she didn't think he cares. She is happy the police department will look into it. She hopes the rumors she has heard are not true. Thank you for taking the effort and action you say you will.

Rachael Speena , 135 Franklin Avenue, Oakland, NJ. Ms. Speena described herself as a lifelong dog owner, she works with dogs and she has received two (2) full days of training in order for her to work at her job with dogs. She has broken up fights between dogs, she has separated dogs that are fighting and if she can have this training why can't the police department have this training.

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Sheri Lengyl, 89 Crescent Avenue, Wyckoff, NJ Ms. Lengyl stated mailmen get attacked by dogs all the time and they use spray. That is an option for the police rather than shooting dogs.

Mayor Rooney asked if anyone else in the audience had a public comment to make.
Seeing no one. A motion to close the public comment period was made by Committeeman Scanlan, Seconded by Committeeman Boonstra. Affirmative vote.

Mayor Rooney indicated that the Township Committee will consider their Consent Agenda next and then he will ask Police Chief Fox to make some remarks.

**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."

**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):**

**#15-149 Payment of Bills**

**WHEREAS,** the Township of Wyckoff is a municipality in the State of New Jersey operating under the authority from NJSA 40A:63-1 et seq; and,

**WHEREAS,** the Township of Wyckoff has received vouchers in claim for payment of materials supplied and/or services rendered; and,

**WHEREAS,** the said vouchers have been reviewed and the amount indicated on each voucher has been determined to be due and owing; and,

**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 they have found them to in order; 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 payments of these bills are hereby authorized and the Chief Financial Officer is directed to issue checks for their payments as listed on the bill list attached to this date's meeting minutes and covered by checks no. 13564 –

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13594 Payroll A/C, Direct Deposit Vouchers no. 4558 - 4609, Library Payroll check nos. 1137 - 1139, Library Direct Deposit Vouchers no. 1130 - 1161, Claims Wire nos. 150501, 150502 & 150503, check no. 2182 Dog Trust A/C, Claims check nos. 071440 – 071501 and Voided Claims check no. 071439.

**#15-150 Return of Certain Overpaid Taxes, Escrow Monies, 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:**
Dr. Donald Beauchamp, 698 Charnwood Drive, Wyckoff, New Jersey 07481 – Return of application & escrow fees – Block 421/Lot 90 - $126.02

**BUILDING DEPT.:**
Constance Piccirillo, 516 Franklin Avenue, Wyckoff, New Jersey 07481 – Refund of zoning permit #Z14-61 – Block 231/Lot 10 - $110.00

**TAX REFUND:**
James Goldie, 105 Colona Street, Wyckoff, New Jersey 07481 – State Tax Court Judgement – Block 268/Lot 9 - $392.75

**RECREATION:**
Rene Sbrocco, 19 Shadyside Drive, Wyckoff, New Jersey 07481 – Team Tennis Refund - $50.00

**#15-151 Award Contract for Purchase of Truck**

**WHEREAS,** the Certified Public Works Manager has indicated a need to purchase a replacement pickup truck vehicle with snow plow for four (4) season use; and,

**WHEREAS,** the Township Committee approved the specifications and authorized public competitive bidding; and,

**WHEREAS,** a legal advertisement soliciting competitive bids was published in the April 17, 2015 issue of the Ridgewood News; and,

**WHEREAS,** the Township of Wyckoff posted a notice that this bid specification is available to bidders on the Township's "Bids and Jobs" quick link easily accessed from the Township's Home Page at www.wyckoff-nj.com, and to further encourage competition, the specifications were available with no fee; and,

**WHEREAS,** on May 1, 2015 at 11:00 a.m. the following bids were publicly opened and their contents read aloud:

| | **Bidder** | **Price** |
|---|---|---|
| 1. | Route 23 Automall, LLC<br>1301 Route 23<br>Butler, New Jersey 07405 | $38,903.40 |
| 2. | Beyer Ford<br>170 Ridgedale Avenue<br>Morristown, New Jersey 07962 | $40,238.00 |

**WHEREAS,** attached please find a written recommendation from Certified Public Works Manager which recommends awarding a contract to the lowest responsive and responsible bidder, Route 23 Automall, LLC.;and,

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**WHEREAS,** the Township Attorney and Township Administrator have reviewed the procurement and concur with the recommendation to award a contract to the lowest responsive and responsible bidder; and,

**WHEREAS,** the Chief Financial Officer of the Township of Wyckoff certifies that adequate funds are available in the Township of Wyckoff Capital Account #1768.

**NOW, THEREFORE, BE IT RESOLVED,** by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract for the purchase of a pickup truck with snow plow in strict compliance with the bid specifications (no exceptions) is awarded to Route 23 Automall LLC. for the not to exceed bid price of $38,903.40. This contract award shall be subject to, and the successful bidder shall comply with the liquated damages clause in the specifications.

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

**#15-152** **Preparation of 2015 Estimated Tax Bills**

**WHEREAS,** delays by the Bergen County Board of Taxation in certificating the 2015 Tax Rate will cause delays in regular billing of 2015 taxes; and,

**WHEREAS,** the Township Committee has determined that there will be insufficient cash flow to support operations in late July 2015 unless third quarter revenue is received on time; and,

**WHEREAS,** the Tax Collector and the Chef 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 2015, in accordance with the provisions of N.J.S.A. 54: 4-66.2 et seq.

2. The entire estimated annual tax levy for 2015 is hereby set at $78,280,637.

3. The Tax Collector takes any additional steps necessary to immediately implement this resolution.

**#15-C5** **Closed Session - NJSA 10:4-12b (7)**

**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:

**a. NJSA 10:4-12b(7)**

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**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 5, 2015, hereby authorize, that an Executive Session closed to the public shall be conducted on May 5, 2015, 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.

**II** **Motions**

a. Approve from the temporary sign request from the Wyckoff Family YMCA advertising "Wyckoff Day".
b. Authorize the Proclamation "Mind your Health" recognizing May as "Mental Health Month".

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

MOTION: _____SCANLAN_____ SECOND _____JEPSEN_____
BOONSTRA_YES_ JEPSEN _YES_ SCANLAN_YES_ ROONEY_YES_

Mayor Rooney stated that he has asked Chief Fox to make some comments. Mayor Rooney stated that there have been multiple threats printed on line against Chief Fox, his family, the officer and his wife. This type of conduct is not acceptable in a civil society.

Mayor Rooney again extended his sympathies to the Vukobratovic family and stated that that on the evening of the 29th, the Chief called the Vukobratovic family and both of us requested to visit the Vukobratovic family to provide an explanation, they were too distraught to speak to us, but they spoke to the press that evening.

Police Chief Fox indicated that he has spoken to Mr. & Mrs. Vukobratovic when the incident occurred and he spoke to them and their son Igor tonight. He is also upset at what has occurred as much as everybody else. This is a sad and unfortunate occurrence, I said from the beginning that the officer responded to the wrong house, this is an ongoing investigation, no conclusions have been reached. We are very sad that we arrived at the wrong house. I read in the Bergen Record editorial that I said, but I don't recall saying, that this is a series of small errors. These were not small errors these were significant errors. Policing is not always perfect all the time, if something went wrong in fairness to the Vukobratovic family and the officer I want to correct it. I have requested complete oversight from the Bergen County Prosecutor's office, I haven't been assured that will happen. The Mayor wrote to Senator O'Toole and he contacted the New Jersey Attorney General, we want the investigation to be conducted with their assistance. I am sorry and devastated for the family. I feel horrible that they lost their family dog. A speaker this evening said we have to take a negative and turn it into a positive, I think that was correct, I can't undo some of the things, but we can learn from them and move ahead in a positive way. I have spoken to the Bergen County Communication Center and they have changed their protocol and that protocol is that after the officer calls in at a location, the dispatcher will repeat multiple times the location going forward to ensure it's the

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correct location. When the investigation is done we will speak first to the Vukobratovic family.

**III** Meeting adjourned 9:00 p.m.

| | |
|---|---|
| Kevin J. Rooney<br>Mayor | Joyce C. Santimauro<br>Municipal Clerk |