TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
MONDAY, JUNE 6, 2016

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
MONDAY, JUNE 6, 2016 - 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. 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
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TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
MONDAY, JUNE 6, 2016 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Flag Salute
   Invocation will be given by Reverend Wesley Kenyon from Wyckoff Assembly of God Church
3. Reading of the "Open Public Meetings Act" statement by Mrs. Santimauro
4. Roll call of the Township Committee

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

6. Approval of the following Township Committee meeting minutes:

   Township Committee Regular Work Session and Regular Business Meeting Minutes from May 17, 2016.

MOTION: _____CAROLAN_____ SECOND _____BOONSTRA_____
BOONSTRA_YES_ CAROLAN _YES_ MADIGAN _YES_ SCANLAN_YES_
ROONEY_YES_

9. **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):**

#16-159	Authorize Railway Crossing Improvements at Lawlins Road
#16-160	Payment of Bills
#16-161	Return of Certain Overpaid Taxes, Escrow Monies, Recreation Fees, etc.
#16-162	Authorize Easement in Favor of Electric Utility
#16-163	Authorize the Month of June as National Safety Month
#16-164	Approve Chapter 159 – JIF Police Accreditation Program Grant
#16-165	Authorize Refund of the Maintenance Guarantee for a Sewer Extension at 191 Van Houten Avenue – 292/10
#16-166	Refund the Maintenance Guarantee for Barrister at Deep Brook, Block 497 Lots 11.01, 10, 8.01 & 7
#16-167	Authorize the Refund of the Landscape Bond for 211 Hillcrest Avenue, Block 462 Lot 91
#16-168	Authorize the Refund of the Maintenance Bond for a Road Opening for Sewer Connection at 348 William Way, Block 391 Lot 3
#16-169	Release Maintenance Guarantee for 243 Morse Avenue, Block 283 Lot 6.01
#16-170	Refund Maintenance Guarantee for 339 Franklin Avenue, Block 239/Lot 1
#16-171	Approve Chapter 159 – 2016 Clean Communities Program
#16-172	Cancel Unexpended & Complete Capital Improvement Authorizations
#16-173	Close Completed Capital Grant Receivables & Authorizations

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#16-174	Award Contract Electrical Work to Connect Lights at Pulis Field
#16-175	Appoint Community Development Representatives
#16-176	Authorize Purchase of Police Car from State Contract
#16-177	Accept Bergen County Open Space Grant
#16-178	Establish Lien – 312 James Way Block 349 Lot 72
#16-179	Establish Lien – 94 Midland Avenue Block 304 Lot 1

II **Motions**

a. Approve the request from Cedar Hill Church to waive the Municipal portion of the elevator inspection fee.
b. Approve specifications and authorize bidding for improvements to a section of Crescent Avenue.
c. Authorize the request for ten (10) day temporary signs from the Christian Health Care Center advertising a sidewalk sale on August 5th at the gift shop.

III **Ordinances – Introductions**

#1804 – AN ORDINANCE PROVIDING FOR A PUBLIC QUESTION, WHICH IF APPROVED BY THE VOTERS WOULD CONTINUE THE EXISTING ANNUAL LEVY TO FUND THE EXISTING MUNICIPAL OPEN SPACE TRUST FUND PURSUANT TO NJSA 40:12-15.7

#1805 – AN ORDINANCE TO APPROPRIATE BERGEN COUNTY OPEN SPACE GRANT FOR BASKETBALL COURTS

#1806 **-** AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF BANNING THE SALE OF DOGS AND CATS FROM PET SHOPS

Following is the vote on the Consent Agenda:

MOTION: _____BOONSTRA_____ SECOND _____CAROLAN_____
BOONSTRA_YES_ CAROLAN _YES_ MADIGAN _YES_ SCANLAN_YES_
ROONEY_YES_

IV Adjourn

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

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
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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.

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

Invocation
The Invocation was given by Reverend Wesley Kenyon from Wyckoff Assembly of God Church.

Attendance
Township Committee Present: Mayor Kevin J. Rooney; Committee Present: Rudolf E. Boonstra, John A. Carolan, Thomas J. Madigan 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."

Meeting Open for Public Comment
The Township Committee voted unanimously to open the public portion of the meeting.

No one came forward

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

Approval of the following Township Committee meeting minutes:

> Township Committee Regular Work Session and Regular Business Meeting Minutes from May 17, 2016.

MOTION: _____CAROLAN_____ SECOND _____BOONSTRA_____
BOONSTRA_YES_ CAROLAN _YES_ MADIGAN _YES_ SCANLAN_YES_
ROONEY_YES_

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:

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SECOND FLOOR MUNICIPAL COURT ROOM
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I Resolutions (Adoption of the following):

#16-159 Authorize Railway Crossing Improvements at Lawlins Road

WHEREAS, the New Jersey Department of Transportation Railroad Division and the New York Susquehanna and Western Railway Corporation have advised the Township of Wyckoff that NJDOT has authorized necessary railroad crossing safety improvements at the Lawlins Road railway crossing; and,

WHEREAS, the Wyckoff Police Department has approved a traffic detour; and,

WHEREAS, Lawlins Road is a municipal road; and,

WHEREAS, the duration of the road closing shall be from Monday, June 20, 2016 through Saturday, June 25, 2016, weather permitting; and,

WHEREAS, in the event of inclement weather, the road detour is extended to allow the completion of the safety improvements; and,

WHEREAS, the road closing shall be a 24-Hour closing.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Lawlins Road 24-Hour Closing is hereby authorized for the purpose of performing necessary safety improvements from June 20, 2016 through June 25, 2016 and the road detour approved by the Wyckoff Police Department is hereby authorized.

BE IT FURTHER RESOLVED, that this road closing and detour is hereby extended if needed due to inclement weather or any other reason if additional days are required to complete the improvements; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide certified copies of this resolution to the Wyckoff Acting Officer in Charge of the Police Department, Fire Chief, Township Engineer, DPW Manager and the Franklin Lakes and Mahwah Police Chiefs.

#16-160 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.

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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. 14811 – 14890 Payroll A/C, Direct Deposit Vouchers no. 5954 - 6003, Library Payroll check nos.1214 - 1216, Library Direct Deposit Vouchers no. 2091 - 2122, Voided Library check nos. 1217 – 1220, Claims Wire nos. 160507, 160601, 160602 & 160603, Dog Trust Trs. $1,039.58, Claims check nos. 074073 - 074215 and Voided Claims check no. 074072.

#16-161 **Return of Certain Overpaid Taxes, Escrow Monies, 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:
Christopher Moore, 233 Rock Road, Glen Rock, New jersey 07452 – Return of Escrow – Block 224/Lot 15.01 – 441 Clinton Avenue - $390.52

Joseph & Sarah Puchalik, 269 Cedar Hill Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 352/Lot 4 - $424.77

PLANNING BOARD:
Patrick & Anne Marie Macejka, 442 New York Avenue, Wyckoff, New Jersey 07481 – Return of Escrow – Block 451/Lot 4 - $206.35

TAX REFUND:
Douglas M. Standriff, Attorney Trust Account, 60 West Ridgewood Avenue, Ridgewood, New Jersey 07450 – State Tax Court Judgement – George & Weislawa Kotlar, 253 Meadowbrook Road – Block 208/Lot 98 - $3,492.10

Spiotti & Esposito, PC, Attorney Trust Account, 271 US Highway 46, Ste. F105-106, Fairfield, New Jersey 07004 – State Tax Court Judgement – Block 421/Lot 44 – 767 Charnwood Drive – William & Karen Regan - $6,936.98

Daniel & Karen Rauh, 127 Brewster Road, Wyckoff, New Jersey 07481 – State Tax Court Judgement – Block 449/Lot 1.02 – Q/C127 - $1,363.55

Eugene Ottens, 393 Lehigh Street, Wyckoff, New Jersey 07481 – State Tax Court Judgement –
Block 481/Lot 8 - $1,363.55

Zipp & Tannenbaum, LLC, 280 Raritan enter Patkway, Edison, New Jersey 08837 – State Tax Court Reduction – Jared & Amy Minatelli, 368 Dartmouth Street – Blcok 476/Lot 4 - $1,998.57

RECREATION:
Diane Kellogg, 750 Highview Drive, Wyckoff, New Jersey 07481 – Soccer Refund - $90.00

Susan Bavagnoli, 251 Navajo Drive, Wyckoff, New Jersey 07481 – Football Refund - $195.00

Jennifer Donegan, 424 Glendale Road, Wyckoff, New Jersey 07481 – Soccer Late Fee Refund - $25.00

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Amy Baxter, 382 Holly Drive, Wyckoff, New Jersey 07481 – Soccer Refund - $65.00

Gretchen Morrison, 412 Cornwall Court, Wyckoff, New Jersey 07481 – Lacrosse Refund - $60.00

Lauren McCarthy, 432 Kelly Court, Wyckoff, New Jersey 07481 – Soccer Clinic Refund - $30.00

Dana Bridenbecker, 17 Ward Avenue, Wyckoff, New Jersey 07481 – Football Refund - $195.00

Wendy Coffey, 305 Cedar Hill Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - $60.00

Chrissie Signore, 437 Lafayette Avenue, Wyckoff, New Jersey 07481 – Summer Camp Refund - $95.00

Russell Saslow, 498 Ackerson Avenue, Wyckoff, New Jersey 07481 – Football Refund - $195.00

#16-162 **Authorize Easement in Favor of Electric Utility**

WHEREAS, the Township of Wyckoff is the owner of Block 202/Lot 7.03; and,

WHEREAS, the Township Committee improved Block 202/Lot 7.03 with an artificial turf playing surface, parking lot safety lights and an open air pavilion all which require electric service; and,

WHEREAS, the Project Manager, Scott Fisher, the Certified Public Works Manager has advised that Orange & Rockland Utilities, Inc., requires an easement across a specific section of Block 202/Lot 7.03 to provide sufficient electric service to the electric panel to power the electric needs of the Pulis Field Athletic Complex; and,

WHEREAS, the Wyckoff Certified Public Works Manager has reviewed this request and easement document and determined both to be acceptable; and,

WHEREAS, the Township Attorney has reviewed the easement document and the Township's Public Works Manager's conclusion and approves the document language and form.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to sign the easement document.

BE IT FURTHER RESOLVED that the Municipal Clerk is instructed to provide both executed documents to the Public Works Manager and provide an executed copy to Steve Eid, the Township's Licensed Surveyor.

#16-163 **Authorize the Month of June as National Safety Month**

WHEREAS, National Safety Month focuses on reducing the leading causes of injury and death at work, on the roads and in our community; and,

WHEREAS, Bureau of Labor Statistics data indicates the US workplace fatality rate increased for the first time since 2010 and the total number of on the job deaths was the highest since 2008; and,

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WHEREAS, Implementing safety measures can help change these statistics by providing safety training which builds skills to raise awareness of what it takes to stay safe; and,

WHEREAS, Safety is no accident; it's a choice we need to make throughout our entire lives to make safe decisions for ourselves and those we care about; and

WHEREAS, the National Safety Council saves lives by preventing injuries and death in the workplace, in homes and communities and on the roads through leadership, research, education and advocacy; and,

WHEREAS, the Township of Wyckoff and the Wyckoff Mayor's Wellness Campaign recognize the need to educate individuals and the need to utilize best practice documents which address specific safety topics.

NOW THEREFORE, BE IT PROCLAIMED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the month of June be designated as National Safety Month; and,

BE IT FURTHER PROCLAIMED, that the Municipal Clerk provided a certified copy of this resolution to the Wyckoff Board of Health and Bergen County Joint Insurance Fund.

#16-164 **Approve Chapter 159 – JIF Police Accreditation Program Grant**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Wyckoff, County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $25,000, which is now available from the 2016 Bergen County JIF; and,

BE IT FURTHER RESOLVED, that the like sum of $25,000 is hereby appropriated under the caption 2016 JIF Police Accreditation Program; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the 2016 JIF Police Accreditation Program in the amount of $25,000; and,

#16-165 **Authorize Refund of the Maintenance Guarantee for a Sewer Extension at 191 Van Houten Avenue – 292/10**

WHEREAS, Mr. Douglas G. Hayes deposited the following with the Township Clerk's office for a sewer extension project for the property at **191** Van Houten Block 292 Lot 10:

Performance cash	$6,467
Performance bond	$58,200
Engineering escrow	$4,000

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WHEREAS, the Wyckoff Township Committee authorized the following refund of performance guarantee and instituted a two (2) year maintenance guarantee in 2014:

Two (2) year maintenance bond	$7,275
Maintenance cash	$ 808

WHEREAS, in an email dated May 19, 2016 Mr. Douglas G. Hayes has requested a refund of the two (2) year maintenance guarantee and balance of engineering escrow for the sewer extension project at 191 Van Houten; and,

WHEREAS, the Township Engineer Mark DiGennaro has approved the refund to Mr. Douglas G. Hayes for the property at 191 Van Houten:

Two (2) year maintenance bond	$7,275
Maintenance cash	$ 808
Balance of escrow	$2054.50

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to return the two (2) year maintenance bond of $7,275; Maintenance cash in the amount of $808 and balance of escrow in the amount of $2054.50 to Douglas G. Hayes for the property at 191 Van Houten.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and to Mr. Douglas G. Hayes, J4 Azules Del Mar, URB Dorado Del Mar, Dorado, PR 00646

#16-166 **Refund the Maintenance Guarantee for Barrister at Deep Brook, Block 497 Lots 11.01, 10, 8.01 &7**

WHEREAS, Mr. Robert Milanese, Barrister Home Construction, Inc., posted the following developers escrow with the Township Clerk in October 2008 for the Barrister at Deep Brook project located on Ravine Avenue:

Performance Bond	$750,600
Performance Cash	$ 83,400

WHEREAS, Township of Wyckoff Resolution #09-257 that was approved on December 15, 2009 authorized the following:

	Current Performance Guarantees	Recommended Amount To Be Held	Amount to be Released
Performance Bond	$750,600	$225,180	$525,420
Performance Cash	$ 83,400	$ 25,020	$ 58,380
Total Performance Guarantee	$834,000	$250,200	$583,800

WHEREAS, in a letter dated February 22, 2016 Mr. Robert Milanese has requested the performance guarantee to be returned; and,

WHEREAS, Mr. Peter Ten Kate the Township's Consulting Engineer with Boswell McClave Engineering in a letter dated May 17, 2016 recommends that the performance guarantee be refunded and the two (2) year maintenance guarantee be established as follows:

	Current Performance Guarantee	Two Year Maintenance Maintenance Cash Bond	Amount of Performance Guarantee to be Refunded

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Performance Cash	$ 25,020	$10,425	$ 14,595
Performance Bond	$225,180	0	$225,100
Total	$250,200	$10,425	$239,775

WHEREAS, according to the recommendation of the Township's Consulting Engineer in his May 17, 2016 letter the performance guarantee will be refunded upon the posting of a $93,845 two (2) year maintenance bond; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk will forward a copy of this resolution to Mr. Robert Milanese, Barrister Home Construction, Inc., PO Box 459, Wyckoff, NJ 07481 and Mr. TenKate, Boswell McClave Engineering, 330 Phillips Avenue, PO Box 3152, Hackensack, NJ 07606-1722

#16-167 **Authorize the Refund of the Landscape Bond for 211 Hillcrest Avenue, Block 462 Lot 91**

WHEREAS, Brian and Anne O'Reilly from 211 Hillcrest Avenue Block 462 Lot 91 deposited $2,000.00 as a landscape bond with the Municipal Clerk on December 12, 2014; and,

WHEREAS, in a letter dated April 25, 2016 Brian and Anne O'Reilly of 211 Hillcrest Avenue have requested that their landscape bond be refunded; and,

WHEREAS, the Township Engineer, Mark DiGennaro is recommending that the $2,000.00 landscape bond be refunded; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the $2,000.00 landscape bond for 211 Hillcrest Avenue to Brian and Anne O'Reilly.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and to Brian and Anne O'Reilly, 211 Hillcrest Avenue, Wyckoff, NJ 07481.

#16-168 **Authorize the Refund of the Maintenance Bond for a Road Opening for Sewer Connection at 348 William Way, Block 391 Lot 3**

WHEREAS, the following was deposited with the Municipal Clerk for a road opening for a sewer connection for the property at 348 William Way Block 391 Lot 3:

Maintenance bond	$750.00	William D. Severs Co.

WHEREAS, in a letter dated May 4, 2016 the property owners Maryellen & Richard Tafrate have requested the release of the road opening maintenance bond to William D. Severs Co; and,

WHEREAS, the Township Engineer, Mark DiGennaro in a notation dated May 25,2016 is recommending the $750.00 maintenance bond be refunded to William D. Severs Co.; and,

WHEREAS, the Chief Financial Officer, Diana McLeod, has verified the funds.

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby concur with the recommendation of the Township Engineer to refund the

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$750.00 maintenance bond for 348 William Way Block 391 Lot 3 to William D. Severs Co.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer and to Maryellen and Richard Tafrate, 348 William Way, Wyckoff, NJ 07481 and William D. Severs Co. Excavating Contractors, 17 Sunrise Drive, Hawthorne, NJ 07506.

#16-169 **Release Maintenance Guarantee for 243 Morse Avenue Block 283 Lot 6.01**

WHEREAS, 243 Morse Ave LLC, Dr. Frederick Puccio, Midland Family Dental Care of Wyckoff, deposited the following with the Township of Wyckoff Municipal Clerk for a site improvement project at 243 Morse Avenue:

Performance Cash Bond	$8,400.00
Professional Escrow	$3,500.00

WHEREAS, Township of Wyckoff Resolution #14-96 authorized the following:

Current Performance Guarantee Posted	Maintenance Bond to be Held by Township	Amount of Cash Bond to be Released to 234 Morse LLC
$8,400.00	$1,050.00	$7,350.00

WHEREAS, in a letter dated March 1, 2016 Dr. Frederick Puccio requested that the two (2) year maintenance guarantee and balance of engineering escrow for the 243 Morse Avenue property be refunded; and,

WHEREAS, the Township Consulting Engineer, Peter Ten Kate from Boswell/McClave Engineering, and Mark DiGennaro the Township Engineer, concur with the refund.

WHEREAS, the Chief Financial Officer has verified the funds; and,

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby accept the recommendations of the Township's Consulting Engineer, Peter TenKate and the Township Engineer Mark DiGennaro to refund the two year cash maintenance bond of $1,050.00 and
the balance of the engineering escrow of $1,329.75 to 243 Morse Ave LLC.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to 243 Morse Ave LLC, Dr. Frederick Puccio, Midland Family Dental Care of Wyckoff, 243 Morse Avenue, Wyckoff, NJ 07481 and Mr. Peter TenKate, Boswell/McClave Engineering 330 Phillips Avenue, PO box 3152, South Hackensack, NJ 07606-1722 and Mark DiGennaro the Township Engineer.

#16-170 **Refund Maintenance Guarantee for 339 Franklin Avenue, Block 239/Lot 1**

WHEREAS, in April 2012 the following performance guarantee was posted by Adelhardt Construction Corp. for improvements at Bank of America which is located at 339 Franklin Avenue:

Performance Bond	$31,364.00
Performance Cash	$ 3,480.00
Engineering Escrow	$ 4,320.00
Maintenance Cash	$ 435.60

WHEREAS, Township of Wyckoff approved Resolution #14-87 authorized the release of the performance guarantee upon the submission of a two (2) year maintenance bond in the amount of $3,921.00 which was provided by Adelhardt Construction Corp.

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Two (2) Year Maintenance Bond	$3,921.00
Two (2) Year Maintenance Cash	$ 435.60

WHEREAS, an email was received by the Municipal Clerk from Mr. Alexander Barranco from Adelhardt Construction requesting a refund of the two (2) year maintenance guarantee and balance of engineering escrow; and,

WHEREAS, the Township Engineer Mark DiGennaro is recommending refunding the balance of the engineering escrow and the two (2) year maintenance guarantee to Adelhardt Construction Corp.; and,

WHEREAS, the Chief Financial Officer has verified the funds.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen and State of New Jersey that they hereby approve the recommendation of the Township's Consulting Engineer to refund to Edelhardt Construction Corps the two (2) year maintenance cash of $435.60, the two (2) year maintenance bond in the amount of $3,921.00 and the balance of professional escrow in the amount of $3,312.50.

BE IT FURTHER RESOLVED, that a copy of this resolution will be forwarded to Mr. Alex Barranco, Controller, Adelhardt Construction Corp., 535 Eighth Avenue, 18th Floor, New York, NY 10018 and the Township Engineer.

#16-171 **Approve Chapter 159 – 2016 Clean Communities Program**

WHEREAS, NJSA 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item have been made available by law and the amount was not determined at the time of the adoption of the budget; and,

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount.

NOW, THEREFORE, BE IT RESOLVED, that the Township of Wyckoff, County of Bergen, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of $43,008.27, which is now available from the 2016 Clean Communities; and,

BE IT FURTHER RESOLVED, that the like sum of $43,008.27 is hereby appropriated under the caption 2016 Clean Communities; and,

BE IT FURTHER RESOLVED, that the above is the result of funds from the 2016 Clean Communities Program in the amount of $43,008.27; and,

#16-172 **Cancel Unexpended & Complete Capital Improvement Authorizations**

WHEREAS, certain General Capital Improvement appropriations remain dedicated to projects now completed and fully funded; and,

WHEREAS, it is necessary to formally cancel said balances so that unexpended balances may be returned to each respective Capital Improvement Fund or credited to Surplus or unused debt authorizations may be canceled.

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

unexpended and dedicated balances of the General Capital Improvement Appropriations be canceled:

Ordinance #	Project Description	Amount Canceled Funded
1602	Ballfield Redevelopment	$4,926.00

#16-173 **Close Completed Capital Grant Receivables & Authorizations**

WHEREAS, certain Grant Receivables and Grant Reserves for prior years remain legislative grant programs now completed and closed; and,

WHEREAS, the Chief Financial Officer and Municipal Accountant have reviewed and audited the accounts and state that all monies have been received from the Bergen County Open Space and the accounts are considered closed; and,

WHEREAS, the 2015 Annual Audit have been completed and the final balances of Ordinance #1719 OST Russell Farms Community Park Receivables and Authorizations have been verified and closed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Chief Financial Officer is instructed to cancel the following dedicated balances of OST Russell Farms Community Park Ordinance #1719 as follows:

Ordinance #		Amount
1719	2013 OST Russell Farms Community Park/Receivable	$810.63
	2013 OST Russell Farms Community Park/Authorization	$810.63

#16-174 **Award Contract Electrical Work to Connect Lights at Pulis Field**

WHEREAS, the Township Committee has a need to connect electric power to the Pulis Field Athletic Complex to operate the outdoor sports lighting system, the pavilion and the parking lot security lights; and,

WHEREAS, the Township Committee has approved bid specifications and authorized competitive bidding; and,

WHEREAS, a legal notice soliciting competitive bids was published in the May 20, 2016 issue of the Suburban News; and,

WHEREAS, the legal notice was posted on the Township's bids and jobs quick link easily accessible from the Townships website home page; and,

WHEREAS, bid documents were made available free of copying charge to encourage competition; and,

WHEREAS, on June 1, 2016 at 11:00 am the following sealed bids were received, opened and their contents read aloud:

BIDDER	BID PRICE
1. Vanore Electric, Inc 145 Lexington Avenue	$108,241.00

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Hackensack, NJ 07601

2. Quality Electric Construction Co. $ 23,737.00
   290 Laurel Avenue
   Hazlet, NJ 07734

WHEREAS, the Township of Wyckoff's certified Public Works Manager has reviewed the bids submitted and he recommends a contract award to the lowest responsive and responsible bidder.

WHEREAS, the Township Attorney and the Township Administrator have reviewed this procurement and concur with the recommendation.

WHEREAS, the Wyckoff CFO has attached a certificate indicating that available funds for this procurement exists in account number T-12-56-800-704 & C-04-55-985.

NOW THEREFORE BE IT RESLOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract is hereby awarded, in strict accordance with the specification to Quality Electric Construction Company, 290 Laurel Avenue, Hazlet, New Jersey 07734 for the performance of the work described in the specification for a not to exceed fee of $23,737.00.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall provide a certified copy of this resolution to the Public Works Manager, Accounts Payable Control Officer and the CFO.

#16-175 **Appoint Community Development Representatives**

WHEREAS, the Bergen County Community Development Office has notified the Township that the Community Development representatives from Wyckoff shall be appointed for a term effective from July 1, 2016 to June 30, 2017.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the following appointments as Community Development representatives are made:

Joyce C. Santimauro
Business Phone: 201-891-7000, ext 102

Robert J. Shannon, Jr.
Business Phone: 201-891-7000, ext 104

#16-176 **Authorize Purchase of Police Car from State Contract**

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

WHEREAS, a need exists to purchase one (1) replacement police vehicle; and,

WHEREAS, the Wyckoff Police Acting Officer in charge (AOIC) has recommended purchasing one (1) Police Interceptor Vehicle; and,

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

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WHEREAS, a recommendation by the Township Administrator and Police AOIC to purchase the aforementioned police vehicle from the State of New Jersey contract, #88728 for a 2017 Ford Police Interceptor utility all-wheel drive vehicle; and,

WHEREAS, the CFO has issued an encumbrance of funds certification from Account
#C-04-55-932-101.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that a contract is hereby awarded to the current state contract vendor, Winner Ford, 250 Haddonfield-Berlin Road, Cherry Hill, New Jersey 08034 for the purchase of one (1) police vehicle for $25,479.00

#16-177 Accept Bergen County Space Grant

BE IT RESOLVED, that the Mayor and Township Committee of the Township of Wyckoff wish to enter into a Bergen County Trust Fund Project Contract ("Contract") with the County of Bergen for the purpose of using a $22,220.00 matching grant award from the 2015 Funding Round of the Bergen County Open Space, Recreation, Floodplain Protection, Farmland and Historic Preservation Trust Fund ("Trust Fund") for the municipal park project entitled Basketball Courts in Memorial Field Complex located in Lot 1.01/Block 258 on the tax map of the Township of Wyckoff.

BE IT FURTHER RESOLVED, that the Mayor and Township Committee hereby authorize Mayor Kevin J. Rooney and Municipal Clerk Joyce Santimauro to be a signatory to the aforesaid Contract; and,

BE IT FURTHER RESOLVED, that the Mayor and Township Committee hereby acknowledge that, in general, the use of this Trust Fund grant towards this approved park project must be completed by or about May 18, 2018; and,

BE IT FURTHER RESOLVED, that the Mayor and Township Committee acknowledge that the grant will be disbursed to the municipality as a reimbursement upon submittal of certified Trust Fund payment and project completion documents and municipal vouchers, invoices, proofs of payment, and other such documents as may be required by the County in accordance with the Trust Fund's requirements; and,

BE IT FURTHER RESOLVED, that the Mayor and Township Committee acknowledge that the grant disbursement to the municipality will be equivalent to fifty (50) percent of the eligible costs incurred (not to exceed total grant award) applied towards only the approved park improvements identified in the aforesaid Contract in accordance with the Trust Fund's requirements.

#16-178 Establish Lien – 312 James Way Block 349 Lot 72

WHEREAS, the residential home and land at 312 James Way, Block 349/Lot 72 is owned by Ronald Gilmore; 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 the owners of real 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 312 James Way. The Zoning Administrator has attempted to obtain compliance through letters and telephone calls as detailed on the attached certification with the result that the owner and mortgagee have failed to abate the violations enumerated in the abatement notice; and,

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

WHEREAS, the Zoning Administrator has filed a certification dated June 3, 2016 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of $ 500.00 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 June 3, 2016 from the Zoning Administrator and find it to be correct and cause the cost of
$ 500.00 to be charged against the land, namely Block 349/Lot 72, known as 312 James Way as a lien on the property for the cost to abate the property maintenance violation.

BE IT FURTHER RESOLVED, that the amount of $ 500.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the taxes next to be assessed and levied upon Block 349 Lot 72, 312 James Way. 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.

#16-179 **Establish Lien – 94 Midland Avenue Bock 304 Lot 1**

WHEREAS, the residential home and land at 94 Midland Ave, Block 304/Lot 1 is owned by Jennie Marcus [etal]; 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 the owners of real 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 94 Midland Ave. The Zoning Administrator has attempted to obtain compliance through letters and telephone calls as detailed on the attached certification with the result that the owner and mortgagee have failed to abate the violations enumerated in the abatement notice; and,

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

WHEREAS, the Zoning Administrator has filed a certification dated June 3, 2016 (attached as if set forth at length) in compliance with Chapter 152 which certifies the cost of $ 445.00 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

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Wyckoff, County of Bergen, State of New Jersey that they have examined the certification dated June 3, 2016 from the Zoning Administrator and find it to be correct and cause the cost of $ 445.00 to be charged against the land, namely Block 304/Lot 1, known as 94 Midland Ave as a lien on the property for the cost to abate the property maintenance violation.

BE IT FURTHER RESOLVED, that the amount of $ 445.00 charged shall become a lien upon such lands and shall be added to and become, in form, part of the taxes next to be assessed and levied upon Block 304 Lot 1, 94 Midland Ave. 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.

II Motions

a. Approve the request from Cedar Hill Church to waive the Municipal portion of the elevator inspection fee.
b. Approve specifications and authorize bidding for improvements to a section of Crescent Avenue.
c. Authorize the request for ten (10) day temporary signs from the Christian Health Care Center advertising a sidewalk sale on August 5th at the gift shop.

III Ordinances – Introductions

ORDINANCE #1804

AN ORDINANCE PROVIDING FOR A PUBLIC QUESTION, WHICH IF APPROVED BY THE VOTERS WOULD CONTINUE THE EXISTING ANNUAL TAX LEVY TO FUND THE EXISTING MUNICIPAL OPEN SPACE TRUST FUND PURSUANT TO N.J.S.A. 40:12-15.7

WHEREAS, the Township Committee of the Township of Wyckoff is committed to maintaining Wyckoff as one of the most desirable communities in the State of New Jersey; and

WHEREAS, the Township Committee believes that the preservation and protection of Open Space is an important component in preserving the character and desirability of Wyckoff; and

WHEREAS, the Township Committee recognizes the Township's past successful efforts in securing and maintaining approximately 269 acres of open space within the Township; and

WHEREAS, the Township Committee believes it is desirable for the Township and its residents to continue to preserve, maintain, improve and acquire, when available, open space for passive and recreational use by the residents of the Township of Wyckoff; and

WHEREAS, the Township Committee is also aware of the current financial burden placed on municipalities and their residents as a result of the reduction in State aid and the recent State budget crisis; and

WHEREAS, on November 7, 2006, at the general election, the voters of the Township of Wyckoff previously authorized the establishment of the Municipal

Open Space Tax, which has been used to fund the Municipal Open Space Fund; and

WHEREAS, on November 8, 2011, at the general election, the voters of the Township of Wyckoff voted to extend and continue the Municipal Open Space Tax for an additional five years, through December 31, 2016; and

WHEREAS, the annual tax levy which funds the Municipal Open Space Fund expires on December 31, 2016; and

WHEREAS, the Township Committee believes that it is in the best interest of the residents of the Township of Wyckoff to have the opportunity to maintain and carry the existing municipal Open Space Trust Fund and to continue to fund the Municipal Open Space Trust Fund; and

WHEREAS, in recognizing the Township's effort to acquire, maintain, improve and preserve open space, the Township Committee finds that it is appropriate for the Township to again place a public question on the general election ballot for November 8, 2016, so as to allow the public to vote to maintain and carry the existing Open Space trust fund and to continue the existing annual tax levy which funds the Municipal Open Space Trust Fund, for an additional 5 years.

BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that a public question shall be placed on the general election ballot for the November 8, 2016 general election, which if approved would maintain and carry the existing Municipal Open Space Trust Fund, and continue its funding in a form and manner stated below:

SECTION 1 - The Township of Wyckoff's Municipal Open Space Trust Fund shall be maintained and continued for an additional 5 years, commencing January 1, 2017.

SECTION 2 - The Municipal Open Space Trust Fund shall be funded by the continuance of the annual tax levy of .005 (1/2 cent) per one hundred ($100.00) dollars of assessed valuation.

SECTION 3 - All existing and future monies contained in the Municipal Open Space Trust Fund and all income and interest that accrues thereon, shall be used and allocated for any one or all of the following purposes, or any combination thereof, as determined by the governing body after conducting at least one public hearing:

a. Acquisition of lands for recreation and conservation purposes;

b. Development of lands acquired for recreation and conservation purposes;

c. Maintenance of lands acquired for recreation and conservation purposes;

d. Acquisition of farmland for farmland preservation purposes;

e. Historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the

acquisition of such properties, structures, facilities, sites, areas, or objects for historic preservation purposes;

f. Payment of debt service on indebtedness issued or incurred by the municipality for any of the purposes set forth in sub-paragraph a, b, c, d, or e of this paragraph; or

e. Trust fund monies may be returned to the taxpayers of the Township of Wyckoff as tax relief.

SECTION 4 - The annual tax levy utilized to fund the Municipal Open Space Trust Fund shall be in effect for a period of five years commencing January 1, 2017.

SECTION 5 - This ordinance shall not take effect until it is approved by the voters in a public question at the next general election on November 8, 2016.

SECTION 6 - The following referendum question shall be submitted to the Bergen County Clerk with the question sheet printed on the ballot for consideration by the voters of the Township of Wyckoff at the November 8, 2016 general election:

Shall the Township of Wyckoff continue, carry, maintain and fund the existing Municipal Open Space Trust Fund in the following manner and according to the following purposes:

A. The Open Space Trust Fund shall continue to be funded through the collection of local property taxes in an amount of .005 (1/2 cent) per one hundred ($100.00) dollars of assessed value, per annum, for a period of five years, unless a proposition extending the time period is approved by the voters of the Township of Wyckoff.

B. Monies within the Municipal Open Space Trust Fund shall be used for any one or all of the following purposes, or any combination thereof, as determined by the governing body:

(i) Acquisition of lands for recreation and conservation purposes;

(ii) Development of lands acquired for recreation and conservation purposes;

(iii) Maintenance of lands acquired for recreation

and conservation purposes;

(iv) Acquisition of farmland for farmland preservation purposes;

(v) Historic preservation of historic properties, structures, facilities, sites, areas, or objects, and the acquisition of such properties, structures, facilities, sites, areas, or objects, for historic preservation purposes;

(vi) Payment of debt service on indebtedness issued or incurred by a municipality for any of the purposes set forth in paragraphs (i), (ii), (iii), (iv) or (v); or

(vii) Trust fund monies may be returned to the taxpayers of the Township of Wyckoff as tax relief.

ORDINANCE #1805

AN ORDINANCE TO PROVIDE A CERTAIN CAPITAL IMPROVEMENT IN THE TOWNSHIP OF WYCKOFF AND TO PROVIDE FOR THE RECEIPT, ACCEPTANCE AND DEPOSIT OF GRANT FUNDS THEREFORE.

WHEREAS, the Township of Wyckoff has made an application to the Bergen County Open Space Trust Fund Municipal Program for Park Improvement and Development to receive grant funds for resurfacing and improving the basketball courts located in the Memorial Field Recreation Complex; and,

WHEREAS, the Township of Wyckoff has been advised it is the recipient of a grant in the amount of $22,220.00 for resurfacing and improving the basketball courts in the Memorial Field Recreation Complex; and,

WHEREAS, the Township of Wyckoff shall enter into a contract with the Bergen County Open Space Trust Fund Program to participate in the receipt of grant funds made available; and,

NOW THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, as follows:

SECTION 1. The Township of Wyckoff, in the County of Bergen shall proceed with the resurfacing and improving the basketball courts in the Memorial Field Recreation Complex, Block 258/Lot 1.01, with a Bergen County Open Space Trust Fund Grant of $22,220.00.

SECTION 2. The cost of implementing said improvements in Section 1 shall be paid by the Township out of funds to be received specifically for said purpose through the Bergen County Open Space Trust Fund Grant Program.

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SECTION 3. It is hereby determined and stated:

a. Said purpose is not a current expense. The same is an Improvement which the Township of Wyckoff may lawfully make or acquire and no part of the cost of said improvement has been or shall be specifically benefited.

b. It is not necessary to finance this authorization by the issuance of obligations by the Township of Wyckoff pursuant to the Local Bond Law of the State of New Jersey.

c. The total authorized appropriation in the ordinance is $22,220.00.

SECTION 4. The monies which the Township of Wyckoff is authorized to receive pursuant to the terms of the Bergen County Open Space Trust Fund Program, shall, when received, be placed in a capital improvement fund of the Township of Wyckoff for the purpose set forth in Section 1 of this ordinance.

SECTION 5. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this Ordinance, and no obligations in the matter of notes or bonds are authorized by this Ordinance.

SECTION 6. This ordinance shall take effect after publication thereof and final passage as required by law.

r the purpose set forth in Section 1 of this ordinance.

SECTION 5. It is hereby determined and stated that no supplemental debt statement is required to be made and signed in connection with said purpose, since the gross debt of the Township of Wyckoff as defined under the Local Bond Law is not increased by this Ordinance, and no obligations in the matter of notes or bonds are authorized by this Ordinance.

ORDINANCE # 1806

AN ORDINANCE OF THE TOWNSHIP OF WYCKOFF BANNING THE SALE OF DOGS AND CATS FROM PET SHOPS

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for ("puppy mills" and kitten mills," respectively). According to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop animals originate from these puppy and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding; inbreeding; minimal to non-existent veterinary care; lack of adequate and nutritious food, water and shelter; lack of socialization; and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities

lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases. These health and behavior issues, which may not present themselves until some time after purchase of animals, can impose exorbitant financial and emotional costs on consumers; and

WHEREAS, current Federal and State regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of dogs and cats to only those that are sourced from shelters or rescue organizations is likely to decrease the demand for puppies and kittens bred by mills, and is likely to increase demand for pets from animal shelters and rescue organization; and

WHEREAS, according to the New Jersey Department of Health 2014 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 20,000 dogs and cats are euthanized in New Jersey animal shelters annually. Restricting the retail sale of dogs and cats to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats. Many of these shops collaborate with local animal shelters and rescue organization to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or a shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs or cats are bred, or can confer directly with the hobby breeder concerning these conditions; and

WHEREAS, the Township Committee of the Township of Wyckoff believes it is in the best interests of the Township of Wyckoff to adopt reasonable regulations to reduce costs to the Township of Wyckoff and its residents, protect the citizens of the Township of Wyckoff who may purchase dogs or cats from a

pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare, and foster a more humane environment in the Township of Wyckoff.

SECTION 1.Chapter 111-19 Sale of Dogs and Cats

A. Definitions.

(i) **Animal care facility-** an animal control center or animal shelter, maintained by or under contract with any state, country, or municipality, whose mission and practice is, in whole, or significant part, the rescue and placement of animals in permanent homes or rescue organizations

(ii) **Animal rescue organization-** any not-for-profit organization which has tax-exempt status under Section 501(c)(3) of the United State Internal Revenue Code, whose mission and practice is, in whole, or significant part, the rescue and placement of animal in permanent homes.

(iii) **Cat-** a member of the species of domestic cat, Felis catus

(iv) **Dog-** a member of the species of domestic dog, Canis familiaris

(v) **Offer for sale-** to sell, offer for sale or adoption, advertise for the sale of, barter, auction, give away or otherwise dispose of a dog or cat.

(vi) **Pet shop-** a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined herein.

B. Restrictions on the Sale of Animals.

(i) A pet shop may offer for sale only those dogs and cats that the pet shop has obtained from or displays in cooperation with:

a. An animal care facility; or

b. An animal rescue organization.

(ii) A pet shop shall not offer for sale a dog or cat that is younger than eight weeks old.

C. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason, such decision

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shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 2.

All other sections of Chapter 111 shall remain in full force and effect except as modified herein.

SECTION 3.

This Ordinance shall take effect upon final passage and publication as required by the law.

Following is the vote on the Consent Agenda:

MOTION: BOONSTRA SECOND CAROLAN
BOONSTRA YES CAROLAN YES MADIGAN YES SCANLAN YES
ROONEY YES

IV Meeting adjourned 8:05 p.m.

Kevin J. Rooney
Mayor

Joyce C. Santimauro
Municipal Clerk

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