TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, JUNE 21, 2016

(Revised 6-21-16)

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE WORK SESSION MEETING
MUNICIPAL COURT ROOM
TUESDAY, JUNE 21, 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

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TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE BUSINESS MEETING
MUNICIPAL COURT ROOM
TUESDAY, JUNE 21, 2016 - 8:00 PM

1. Regular Meeting of the Wyckoff Township Committee called to order by Mayor Kevin J. Rooney
2. Flag Salute
3. Invocation will be given by Reverend Bostwick from Grace Methodist 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. Approval of the following Township Committee meeting minutes: Township Committee Regular Work Session and Regular Business Meeting Minutes from June 6, 2016.

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

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

I Resolutions (Adoption of the following):

#16-180	Authorize Award of Contract from National Cooperative Contract – Fire Apparatus
#16-181	Authorize Change Order #1 Fire Apparatus
#16-182	Award Contract – Fingerprint Reader/Scanner
#16-183	Liquor License Renewal – Barn
#16-184	Liquor License Renewal – Blue Moon
#16-185	Liquor License Renewal – Brick House
#16-186	Liquor License Renewal – Aldo's Pane e Vino
#16-187	Liquor License Renewal – Wine & Spirit World
#16-188	Liquor License Renewal – Jeze Corp (formerly Cedar Hill Liquors)
#16-189	Payment of Bills
#16-190	Refund Landscape Bond – 675 Birchwood Drive
#16-191	Refund Performance Guarantee – 195 Cottage Road
#16-192	Refund Performance Guarantee – 516 Carlton Road
#16-193	Return of Certain Overpaid Taxes, Escrow Monies, etc.

II Motions

a. Approve the request for a temporary tent July 8 through July 24, 2016 on the property of the Eastern Christian Middle School for "Summer Bible Lectures" and a temporary sign at the Sicomac Avenue entrance.

b. Authorize the request for a flea market at Saint Nicholas Greek Orthodox Church and temporary signs on Fridays and Saturdays,

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June 24 & 25 through September 23 & 24.

c. Approve the New Jersey State Firemen's Applications of Bernadette E. Spezia and Lucas K. Sherwin into the Wyckoff Volunteer Fire Department.

d. Approve the Andrew Litchult's Wyckoff Fire Department application as a Junior Volunteer Firefighter.

III Ordinances – Introductions

#1808 - AN ORDINANCE TO AMEND CHAPTER 186 "ZONING," SECTION 186-23, "REGULATIONS APPLYING TO SPECIFIC ZONES."

Following is the vote on the Consent Agenda:
MOTION: _____CAROLAN_____ SECOND _____SCANLAN_____
BOONSTRA_YES_ CAROLAN _YES_ MADIGAN _YES_ SCANLAN_YES_
ROONEY_YES_

IV Ordinance- Not on Consent Agenda

#1807 - AN ORDINANCE TO AMEND THE DEFINITION OF MAXIMUM IMPERVIOUS COVERAGE

MOTION: _____BOONSTRA_____ SECOND _____MADIGAN_____
BOONSTRA_YES_ CAROLAN _YES MADIGAN _YES_ SCANLAN_ABSTAIN_
ROONEY_YES_

V Ordinance – Public Hearing/Further Consideration

#1803 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WYCKOFF CHAPTER 186 "ZONING," SECTION 186-22 "REGULATIONS APPLYING TO ALL ZONES," SUBSECTION 186-22 AFFECTING HOURS OF OPERATION FOR BUSINESS ESTABLISHMENTS AND CHAPTER 82 "ALCOHOLIC BEVERAGES," TO PROVIDE NEW SECTION 82-4 TO ESTABLISH HOURS OF OPERATION FOR RESTAURANTS WITH PLENARY RETAIL CONSUMPTION LICENSES

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

#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

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

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

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

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

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

VI Adjourn

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

FORMAL ACTION MAY BE TAKEN DURING THIS MEETING

TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE REGULAR BUSINESS MEETING
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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 Bostwick from Grace Methodist 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.

Ms. Robike Noll, from Animal Aid USA addressed the Township Committee. Ms. Noll thanked the Mayor and Township Committee for considering and adopting Ordinance #1806 which bans the sale of dogs and cats from pet shops. She said that the Township of Wyckoff was one of the first towns in the State of New Jersey to adopt such an ordinance.

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 June 6, 2016.

MOTION: _____BOONSTRA_____ SECOND _____CAROLAN_____
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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I **Resolutions (Adoption of the following):**

#16-180 **Authorize Award of Contract from National Cooperative Contract – Fire Apparatus**

WHEREAS, the Township Committee adopted resolution #15-196 on July 21, 2015; and,

WHEREAS, the Township of Wyckoff is a member of the Houston-Galveston Area Council (HGAC) purchasing program, a national purchasing cooperative; and,

WHEREAS, HGAC published notices soliciting sealed competitive bids on in the November 1, 2015 issue of the Houston Chronicle, and the November 8, 2015 issue of the Houston Chronicle; and,

WHEREAS, on November 17, 2015 at 2:00pm competitive sealed bids were publicly opened and then their contents read aloud for the purchase of fire apparatus; and,

WHEREAS, the HGAC on January 19, 2016 awarded multiple contracts for the purchase of fire apparatus via contract #FS12-15A for the period February 1, 2016 thru November 30, 2017; and,

WHEREAS, P.L. 2011 c139 (the "Law" or "Chapter 139") allows local contracting units to utilize national cooperative contracts as a method of procurement; and,

WHEREAS, the New Jersey Department of Community Affairs, Division of Local Government Services (DLGS) has published LFN 2012-10, a Local Finance Notice detailing guidance to contracting units desiring to purchase under the Law; and,

WHEREAS, the Township Administrator, Fire Chief and Public Works Manager are satisfied that the procurement conducted by HGAC and the contract awarded to Pierce Manufacturing, Inc. with the associated documentation submitted by both HGAC and Pierce Manufacturing, Inc. are compliant with the guidance in LFN 2012-10; and,

WHEREAS, the Township of Wyckoff published a notice of intent to award contract in the May 6, 2016 edition of the Ridgewood News, (the Township's designated official newspaper for legal notices) and posted the notice on its website Wyckoff-nj.com at the bids and jobs quick link and its bulletin board in Town Hall where notices are customarily posted; and,

WHEREAS, a total purchase price for the fire apparatus is $588,328.73; and,

WHEREAS, a cost savings determination in accordance with LFN-2012-10 has been performed resulting in a cost savings based on price and consideration of other factors as compared to other apparatus prices from the HGAC National Cooperative Contract and compared to, State contract pricing and the cost of a career firefighting department; and,

WHEREAS, the Chief Financial Officer has issued a certificate of available funds indication that sufficient funds exist in capital ordinance #1800 for this purchase; and,

WHEREAS, Sicomac Fire Company #3 has donated $20,700 towards the purchase of a Pierce Fire Pumper in accordance with N.J.S.A. 40A:11-13.1 & N.J.S.A. 40A:5-29; and,

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WHEREAS, the Township Attorney has reviewed this procurement and concurs with the procurement action through this national cooperative contract.

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

1. The Township of Wyckoff is authorized to purchase from the HGAC National Cooperative Contract.

2. After a careful and thorough consideration of cost and other factors, the proposal submitted by Pierce Manufacturing, Inc. in accordance with HGAC Contract #FS12-15A in amount of $528,328.73 is hereby accepted.

3. The Township Administrator is the hereby authorized to issue a purchase order to Pierce Manufacturing, Inc., 2600 American Drive, Appleton, Wisconsin 54914 in the amount of $588,328.73 consisting of the base apparatus and unit price options provided (or published) in the HGAC bid specification totaling $538,472.00 and apparatus unit items not provided for in the bid specification totaling $57,356.73 or 10.65% authorized by resolution #2016-181.

4. This contract, consistent with the HGAC contract and NJSA 40:A11-36(7) includes a trade-in for the existing 1983 Pierce Fire Pumper at the time of delivery of the 2017pumper.

5. This procurement is consistent with N.J.S.A. 40A:11-13.1 & N.J.S.A. 40A:5-29.

#16-181 **Authorize Change Order #1 Fire Apparatus**

WHEREAS, the Township Committee of the Township of Wyckoff has awarded a contract to Pierce Manufacturing, Inc., for the purchase of a Fire Pumper Apparatus that reflects the operational needs of the Wyckoff Volunteer Fire Department and satisfies the desires of the volunteer firefighters at Sicomac Volunteer Fire Company #3 through a National Cooperative Pricing System contract based on price and other factors via Resolution #16-180, dated June 21, 2016 for $538,472.00; and,

WHEREAS, the Township Administrator has filed with the Township Committee, in accordance with a recommendation from the Fire Chief, a written request for a change order in accordance with NJAC 5:34-4.4 prior to the adoption of this resolution; and,

WHEREAS, the Chief Financial Officer has attached a Certificate of Available Funds indicating that funds are available in capital improvement ordinance #1800 for this purpose; and,

WHEREAS, the Township Attorney has reviewed this information and NJAC 5:34-4 and recommends the Township Committee adopt this resolution as for form and procedure.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey that the Change Order is hereby authorized in the amount of $57,356.73 or 10.65% for unpublished unit price items resulting in a total contract of $588,328.73.

BE IT FURTHER RESOLVED that the attached amendatory contract be approved.

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#16-182 Award Contract- Fingerprint Reader/Scanner

WHEREAS, the Police Department has a need to replace its fingerprint technology with state of the art technology; and,

WHEREAS, the Police Department with the use of competitive price quotations obtained two price quotations; and,

WHEREAS, N.J.S.A. 19:44A-20.4 et seq., requires contracts procured through price quotations that are below the municipalities bid threshold but over the Pay to Play threshold of $17,500 to be authorized after municipalities obtain the political contributions disclosure forms and the business entity disclosure certification.

WHEREAS, the aforementioned documentation has been obtained and it is available for public inspection in the Municipal Clerk's office; and,

WHEREAS, an encumbrance of funds certification is attached.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that the Township Committee confirms the award of a purchase order to Crossmatch, 3950 RCA Blvd., Suite 5001, Palm Beach Gardens, Florida, 33410 for $19,079.60.

BE IT FURTHER RESOLVED, that this contract has been awarded to this contractor based on the merits and abilities of the contractor to provide the goods or service as described herein. This contract was awarded through the alternate method pursuant N.J.S.A, 19:44A-20-4 et seq. As such, the undersigned does hereby attest that these contractors, their subsidiaries, assigned or principals controlling in excess of 10% of the company has neither made a contribution, that is reportable pursuant to the Election Law Enforcement Commission pursuant to N.J.S.A. 19-:44A-8 or 19:44A-16, in the one (1) year period preceding the award of the contract that would, pursuant to P.L. 2004, c. 19, affect its eligibility to perform this contract, nor will it make a reportable contribution during the term of these one (1) year contracts to any political party committee in the Township of Wyckoff if a member of that political party is serving in an elective public office of the Township of Wyckoff when the contract is awarded, or to any candidate committee of any person serving in an elective public office of the Township of Wyckoff when the contract is awarded.

#16-183 Liquor License Renewal – Barn

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 liquor license renewal application and electronic payment of $200.00 to the State of New Jersey Department of ABC have been completed by the licensee; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161 has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

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WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Consumption Liquor License of JMJ, Inc. is hereby approved subject to the following conditions:

1. The licensed premises shall be restricted to the existing building commonly known as "The Barn."
2. The Barn Original shall not be open prior to 4:00 p.m. on the days that the Sicomac School is in session.
3. No outside storage.
4. Parking as per the approved Planning Board site plan only.
5. The Barn must remain in compliance with the Court Order dated February 4, 1977 which is attached as if set forth at length.
6. Upon the advice of the Township Attorney, and subject to the general provision that all Liquor License holders shall notify the Police Department, in writing, within seven (7) days of hiring, of any new or additional employees who may be serving alcoholic beverages, so that they can be scheduled to participate in the Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.
7. The one (1) barrier free parking space must remain with the code compliant ADA sign, the penalty placard and van accessible placard.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for JMJ, Inc. effective July 1, 2016.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-184 **Liquor License Renewal – Blue Moon**

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 liquor license renewal application and electronic payment of $200.00 to the State of New Jersey Department of ABC have been completed by the licensee; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161 has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

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WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Consumption Liquor License of the Blue Moon Mexican Cafe is hereby approved.

BE IT FURTHER RESOLVED, upon the advice of the Municipal Clerk, and subject to the general provision that all Liquor License holders shall notify the Police Department, in writing, within seven (7) days of hiring, of any new or additional employees so they can be scheduled to complete the Wyckoff Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.

BE IT FURTHER RESOLVED, an Extension of Premises application must be filed with the Township Clerk for storage of liquor by the Blue Moon outside of the licensed area.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for The Blue Moon Mexican Cafe effective July 1, 2016.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-185 **Liquor License Renewal- Brick House**

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 liquor license renewal application and electronic payment of $200.00 to the State of New Jersey Department of ABC have been completed by the licensee; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161 has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, sketch, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Consumption Liquor License of the The Brick House is hereby approved.

BE IT FURTHER RESOLVED, upon the advice of the Municipal Clerk, and subject to the general provision that all Liquor License holders shall notify the Police Department, in writing, within seven (7) days of hiring, of any new or additional employees so they can be scheduled to complete the Wyckoff Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for The Brick House effective July 1, 2016.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-186 **Liquor License Renewal – Aldo's Pane e Vino**

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 liquor license renewal application and electronic payment of $200.00 to the State of New Jersey Department of ABC have been completed by the licensee; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Consumption Liquor License of Aldo's Italian Restaurant/Pane e Vino is hereby approved.

BE IT FURTHER RESOLVED, upon the advice of the Municipal Clerk, and subject to the general provision that all Liquor License holders shall notify the

Police Department, in writing, within seven (7) days of hiring, of any new or additional employees so they can be scheduled to complete the Wyckoff Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for Aldo's Italian Restaurant/Pane e Vino effective July 1, 2016.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-187 **Liquor License Renewal – Wine & Spirit World**

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 liquor license renewal application and electronic payment of $200.00 to the State of New Jersey Department of ABC have been completed by the licensee; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161 has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Distribution Liquor License of Wine & Spirit World is hereby approved.

BE IT FURTHER RESOLVED, upon the advice of the Municipal Clerk, and subject to the general provision that all Liquor License holders shall notify the Police Department, in writing, within seven (7) days of hiring, of any new or additional employees so they can be scheduled to complete the Wyckoff Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for Wine & Spirit World effective July 1, 2015.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-188 **Liquor License Renewal – Jeze Corp (formerly Cedar Hill Liquors)**

WHEREAS, the New Jersey Division of Alcoholic Control has instituted a new web based licensing system, POSSE ABC, the new online web portal is for Municipal Clerks and Licensees to electronically renew/amend/transfer liquor licenses online; and,

WHEREAS, the Municipal Clerk has verified on POSSE ABC that the electronic 2016/2017 inactive liquor license renewal application and electronic payment of $200.00 has been completed by the licensee to the State of New Jersey ABC; and,

WHEREAS, the $2,500.00 municipal annual liquor license renewal fee has been paid to the Township of Wyckoff and the State of New Jersey Tax Clearance Certificate pursuant to P.L. 1995, Chapter 161 has been issued and verified by the Municipal Clerk; and,

WHEREAS, the Municipal Clerk has requested reports from the Police Department, Fire Prevention Bureau and Sanitarian in conjunction with said renewal application that are attached as if set forth in length.

WHEREAS, the Municipal Clerk has reviewed the on line renewal application, fees, sketch, tax clearance certificate and reports and find them to be in proper order; and,

WHEREAS, the licensee filed a petition in April 2014 with the Director of Alcoholic Beverage Control (ABC) requesting authorization for the Township Committee to renew the Jeze Corporation (formerly Cedar Hill Liquors) inactive license #0270 44 004 005; and,

WHEREAS, the licensee received a Special Ruling subsequent to their petition from the Director of the ABC authorizing the Township Committee to renew the inactive plenary retail distribution liquor license of Jeze Corporation (formerly Cedar Hill Liquors) for two (2) terms 2014-2015 & 2015-2016; and,

WHEREAS, the licensee filed a petition on May 25, 2016 with the Director of Alcoholic Beverage Control (ABC) requesting authorization for the Township Committee to renew the Jeze Corporation (formerly Cedar Hill Liquors) inactive license #0270 44 004 005; and,

WHEREAS, the licensee received a Special Ruling subsequent to their petition from the Director of the ABC authorizing the Township Committee to renew the inactive plenary retail distribution liquor license of Jeze Corperation (formerly Cedar Hill Liquors) for three (3) terms 2016-2017, 2017-2018 & 2018-2019; and,

WHEREAS, no written objections have been received by the Municipal Clerk regarding the renewal of this liquor license.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Wyckoff, that the recommendation of the Municipal Clerk is hereby accepted, and renewal of the Plenary Retail Distribution Liquor License of Jeze Corporation (formerly Cedar Hill Liquors) is hereby approved and the Municipal Clerk is hereby authorized and directed to have a new license drawn up and for

Jeze Corporation effective July 1, 2016 that will be kept by the Municipal Clerk at Town Hall until the licensee activates the inactive status of the liquor license.

BE IT FURTHER RESOLVED, upon the advice of the Municipal Clerk, and subject to the general provision that all Liquor License holders shall notify the Police Department, in writing, within seven (7) days of hiring, of any new or additional employees so they can be scheduled to complete the Wyckoff Police Department training program regarding administration of the Alcoholic Beverage Commission laws of the State of New Jersey as soon as possible and subject also to the applicable specific conditions herein set forth.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized and directed to issue the new liquor license for Jeze Corporation effective July 1, 2016.

BE IT FURTHER RESOLVED, that the Municipal Clerk is hereby authorized to electronically download a copy of this Resolution to the State of New Jersey, Department of Law and Public Safety, Director Division of Alcoholic Beverage Control, 140 East Front Street, CN-087, Trenton, New Jersey.

#16-189 <u>Payment of Bills</u>

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. 14891 – 14941 Payroll A/C, Direct Deposit Vouchers no. 6005 - 6069, Library Payroll check nos. 1221 - 1223, Library Direct Deposit Vouchers no. 2124 - 2155, Claims Wire nos. 160604, 160605 & 160606, check nos. 02327, 02328 & 02329 Accutrack A/C, Claims check nos. 074218 – 074343, Claims Manual check no. 074216 and Voided Claims check no. 074217.

#16-190 <u>Refund Landscape Bond – 675 Birchwood Drive</u>

WHEREAS, Jennifer and Anthony Giampietro 675 Birchwood Drive Block 435 Lot 6 deposited $1,500.00 with the Municipal Clerk on January 12, 2016 for a landscape bond; and,

WHEREAS, in a letter dated June 1, 2016 Jennifer and Anthony Giampietro of 675 Birchwood Drive are requesting that the landscape bond be refunded; and,

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WHEREAS, the Township Engineer, Mark DiGennaro in an email dated June 13, 2016 is recommending that the $1,500.00 landscape bond be refunded:

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 $1,500.00 landscape bond to Jennifer and Anthony Giampietro.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy to the Township Engineer and to Jennifer and Anthony Giampietro, 675 Birchwood Drive, Wyckoff, NJ 07481.

#16-191 **Refund Performance Guarantee – 195 Cottage Road**

WHEREAS, CMC Quality Construction for the homeowner at Block 456 Lot 36 deposited the following for a curb opening for the property located at 195 Cottage Road on May 20, 2016:

Performance Cash	Escrow
$1,000.00	$200.00

WHEREAS, in an email dated June 14, 2016 Mr. Dalvano of 195 Cottage Road has requested the performance guarantee to be released; and,

WHEREAS, the Township Engineer, Mark DiGennaro, in an email dated June 14, 2016 is recommending the following to be released:

Release	Retain
$750.00 Performance Cash	$250.00 Two (2) Year Maintenance Cash

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 release the $750.00 performance cash to CMC Quality Construction and the Township will retain $250.00 as a two (2) year maintenance bond.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy to the Township Engineer, Mr. Dalvano 195 Cottage Road, Wyckoff, NJ and CMC Construction LLC, 40 Keasler Avenue, Lodi, NJ 07644.

#16-192 **Refund Performance – 516 Carlton Road**

WHEREAS, D.R. Mullen on behalf of the property owner at 516 Carlton Road Block 311 Lot 7 deposited the following for a road opening permit:

Performance Cash	Escrow
$1,500.00	$100.00

WHEREAS, in a letter dated December 9, 2016 Mr. Raymond Mullen, D.R. Mullen Construction Co., Inc. requested the performance cash to be released; and,

WHEREAS, the Township Engineer, Mark DiGennaro, in an email dated June 14, 2016 is recommending the following to be released:

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Release	Retain
$1,000.00 Performance Cash	$500.00 Two (2) Year Maintenance Cash

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 release the $1,000.00 performance cash to D.R. Mullen Construction Co., Inc. and the Township will retain $500.00 as a two (2) year maintenance bond.

BE IT FURTHER RESOLVED, that the Municipal Clerk shall forward a copy of this resolution to the Township Engineer, Mr. Richard Carbone, 516 Carlton Road, Wyckoff, NJ 07481 & Mr. Raymond Mullen, D.R. Mullen Construction Co., Inc., 38 Edison Avenue, Oakland, NJ 07436 .

#16-193 **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:
Lauren Pirrmann, 91 Edison Street, Wyckoff, New Jersey 07481 – Return of Escrow – Block 269/Lot 14 - $357.50

BUILDING:
Discola Contracting Corp., 296 Crest Place, Franklin Lakes, New Jersey 07417 – Refund of Stormwater Management Fee for Block 436/Lot 23.01 – 688 Birchwood Drive - $500.00

RECREATION:
Michelle Begina, 240 Wyckoff Avenue, Wyckoff, New Jersey 07481 – Football Refund - $195.00

Yamileth Susino, 110 Colona Street, Wyckoff, New Jersey 07481 – Soccer & Cheerleading Refund - $190.00

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

Vivian Sansone, 551 Old Woods Road, Wyckoff, New Jersey 07481 – Cheerleading Refund - $60.00

Courtney Sanchez, 600 Buena Vista Way, Wyckoff, New Jersey 07481 – Soccer Refund - $65.00

Nancy DenBlaker, 304 Merrywood Drive, Wyckoff, New Jersey 07481 – Lacrosse Refund - $75.00

Lou Terletsky, 395 Lehigh Street, Wyckoff, New Jersey 07481 – Cheerleading Refund - $60.00

Danielle Opalinski, 381 Godwin Avenue, Wyckoff, New Jersey 07481 – Cheerleading Refund - $60.00

II **Motions**

a. Approve the request for a temporary tent July 8 through July 24,

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2016 on the property of the Eastern Christian Middle School for "Summer Bible Lectures" and a temporary sign at the Sicomac Avenue entrance.

b. Authorize the request for a flea market at Saint Nicholas Greek Orthodox Church and temporary signs on Fridays and Saturdays, June 24 & 25 through September 23 & 24.

c. Approve the New Jersey State Firemen's Applications of Bernadette E. Spezia and Lucas K. Sherwin into the Wyckoff Volunteer Fire Department.

d. Approve the Andrew Litchult's Wyckoff Fire Department application as a Junior Volunteer Firefighter.

III **Ordinances – Introductions**

#1808 - AN ORDINANCE TO AMEND CHAPTER 186 "ZONING," SECTION 186-23, "REGULATIONS APPLYING TO SPECIFIC ZONES."

ORDINANCE #1808

AN ORDINANCE TO AMEND CHAPTER 186 "ZONING," SECTION 186-23, "REGULATIONS APPLYING TO SPECIFIC ZONES."

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Section 186-23 "Regulations Applying to Specific Zones" is amended to require written application and approval for special sales pursuant to Section 186-23L(iii), as follows:

SECTION 1 – Chapter 186, Zoning

Section 186-23, Regulations Applying to Specific Zones.

L. Within the B-1, B-1A, B-2, B-3, B-5, B-5/SDAH-2, L-1, and L-2 Zones, there shall be no outdoor display or storage of products, merchandise, or other goods. Notwithstanding the preceding sentence, the following will be permitted:

(i) The display of live plants between the hours of 7:00 a.m. and 6:00 p.m.

(ii) Seasonal decorations that do not include products or merchandise for sale, for no more than thirty (30) consecutive days.

(iii) The display of merchandise in connection with special sales, up to six (6) consecutive days and no more than five (5) times per year, within the hours of 7:00 a.m. and 6:00 p.m., upon the submission and approval of a written application to the Township Committee.

(iv) The display of outdoor decorative items for sale, located in the rear yard and outside of any parking areas.

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With respect to displayed items as permitted above, an unobstructed paved surface for pedestrian traffic, at least six (6) feet wide, shall be maintained upon any private sidewalk or sidewalk within the public right of way.

SECTION 2 Except as hereby amended, all other sections of Chapter 186 shall remain in full force and effect.

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

Following is the vote on the Consent Agenda:

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

IV **Ordinance- Not on Consent Agenda**

#1807 - AN ORDINANCE TO AMEND THE DEFINITION OF MAXIMUM IMPERVIOUS COVERAGE

ORDINANCE # 1807
AN ORDINANCE TO AMEND THE DEFINITION OF MAXIMUM IMPERVIOUS COVERAGE.

BE IT ORDAINED by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 186, Section "Zoning," Section 186-6 "Definition of Terms" is hereby amended as follows:

SECTION 1 - Chapter 186, "Zoning," Section 186-6, "Definitions of Terms" shall be amended to include the following definition for impervious coverage:

Section 186-6 Definition of Terms.

IMPERVIOUS COVERAGE – Land surface areas that do not allow rainwater to be directly absorbed by the ground. These surfaces shall include but not be limited to building coverage, driveways (paved, ~~or~~ gravel, cinder or pavers), paved areas, ~~patios, walkways,~~ tennis courts, ~~pavers, water surface areas of swimming pools~~ and decks which do not allow free drainage of rainwater through to the ground underneath. Impervious coverage shall not include retaining walls, the surface areas of swimming pools, and/or walkways and patios that are constructed of gravel, cinder, pavers, blue stone or other materials that allow for the free drainage of rainwater through to the ground underneath.

SECTION 2 - Except as hereby amended, all other Sections of Chapter 186 shall remain in full force and effect.

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

MOTION: _____BOONSTRA_____ SECOND _____MADIGAN_____
BOONSTRA_YES_ CAROLAN _YES_ MADIGAN _YES_SCANLAN_ABSTAIN_
ROONEY_YES_

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V **Ordinance – Public Hearing/Further Consideration**

#1803 - AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WYCKOFF CHAPTER 186 "ZONING," SECTION 186-22 "REGULATIONS APPLYING TO ALL ZONES," SUBSECTION 186-22 AFFECTING HOURS OF OPERATION FOR BUSINESS ESTABLISHMENTS AND CHAPTER 82 "ALCOHOLIC BEVERAGES," TO PROVIDE NEW SECTION 82-4 TO ESTABLISH HOURS OF OPERATION FOR RESTAURANTS WITH PLENARY RETAIL CONSUMPTION LICENSES

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1803, entitled:

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WYCKOFF CHAPTER 186 "ZONING," SECTION 186-22 "REGULATIONS APPLYING TO ALL ZONES," SUBSECTION 186-22 U AFFECTING HOURS OF OPERATION FOR BUSINESS ESTABLISHMENTS AND CHAPTER 82 "ALCOHOLIC BEVERAGES," TO PROVIDE NEW SECTION 82-4 TO ESTABLISH HOURS OF OPERATION FOR RESTAURANTS WITH PLENARY RETAIL CONSUMPTION LICENSES

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 CAROLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1803, 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 CAROLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1803 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

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Township as provided by law.

COMMITTEEMAN SCANLAN: I move the resolution.

COMMITTEEMAN CAROLAN: Seconded.

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

ORDINANCE #1803

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF WYCKOFF CHAPTER 186 "ZONING," SECTION 186-22 "REGULATIONS APPLYING TO ALL ZONES," SUBSECTION 186-22 U AFFECTING HOURS OF OPERATION FOR BUSINESS ESTABLISHMENTS AND CHAPTER 82 "ALCOHOLIC BEVERAGES," TO PROVIDE NEW SECTION 82-4 TO ESTABLISH HOURS OF OPERATION FOR RESTAURANTS WITH PLENARY RETAIL CONSUMPTION LICENSES

WHEREAS, the Township Committee of the Township of Wyckoff previously adopted Ordinance Section 186-22 U which prohibits the operation of businesses or commercial establishments between the hours of 1:00 a.m. and 5:00 a.m.; and

WHEREAS, the Township of Wyckoff adopted Section 186-22 U with the purpose of preserving Wyckoff's small town charm and character; and

WHEREAS, the Township Committee adopted Section 186-22 U with the purpose of maintaining and preserving the peace, privacy, and repose of the residents of Wyckoff; and

WHEREAS, business owners and residents within the Township of Wyckoff have requested an expansion of the hours of operation for restaurants with plenary retail consumption licenses to 2:00 a.m.; and

WHEREAS, the Township Committee has decided to expand the hours of operation of restaurants with plenary retail consumption licenses on a limited basis for Fridays, Saturdays, and New Year's Eve only; and

WHEREAS, the Township Committee expands the hours of restaurants with plenary retail consumption licenses on a limited basis as stated above with the understanding that such hours of operation will revert to the current restrictions if, in fact, it is later determined that the expanded hours of operation pursuant to this ordinance have a negative impact upon the peace, privacy, health, safety, and welfare of the residents of the Township of Wyckoff or a negative effect upon the health, safety, and welfare of the law enforcement officers, emergency response volunteers, and/or business owners of the Township of Wyckoff.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Wyckoff, County of Bergen, State of New Jersey, that Chapter 186, "Zoning," Subsection 186-22 U, and Chapter 82, "Alcoholic Beverages," Subsection 82-4, are hereby amended as follows:

SECTION 1

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Chapter 186, Zoning.

Section 186-22 Regulations applying to all zones.

Section 186-22 U. No business or commercial establishment to which the public is invited shall be open between the hours of 1:00 a.m. and 5:00 a.m., Eastern standard time. The above prohibition shall not apply to the limited sales by a commercial establishment of medicine, prescription drugs, first aid products, or infant care products. No other products, goods or services may be sold by the commercial establishment during such hours. In addition, the above prohibition shall not govern establishments with a plenary retail consumption license which operates a restaurant upon the licensed premises, which shall be governed by Chapter 82, Subsection 82-4.

SECTION 2

Chapter 82, Alcoholic Beverages.

Section 82-3 Prohibited hours of sale.
Section 82-3. No plenary retail consumption licensee shall sell, serve or deliver, or allow, permit or suffer the sale, service or delivery of, any alcoholic beverage on the licensed premises on New Year's Day, when it is a weekday or a Saturday, between the hours of 5:00 a.m. and 6:00 a.m.; on New Year's Day, when it is on a Sunday, between the hours of 3:00 a.m. and 12:30 p.m.; on all other weekdays and Saturdays between the hours of 1:00 a.m. and 5:00 a.m.; and on all other Sundays between the hours of 1:00 a.m. and 12:30 p.m. The above restrictions shall not apply to plenary retail consumption licensees which operate a restaurant on the licensed premises, as such establishments shall be governed by Section 82-4 below.

SECTION 3

Chapter 82, Alcoholic Beverages.

Section 82-4 Prohibited hours of sale for restaurants.

Section 82-4. No establishment with a plenary retail consumption license which operates a restaurant upon the licensed premises shall be open between the hours of 1:00 a.m. and 5:00 a.m., Eastern standard time, Mondays through Fridays and between the hours of 2:00 a.m. and 5:00 a.m., Eastern standard time, Saturdays through Sundays. Notwithstanding the above, such establishments shall be permitted to be open through 2:00 a.m., Eastern standard time, on January 1st of each and every year.

SECTION 4 - This Ordinance shall take effect upon final passage and publication as required by law.

#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

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MUNICIPAL OPEN SPACE TRUST FUND PURSUANT TO N.J.S.A. 40:12-15.7

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1804, entitled:

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

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 CAROLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1804, 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 CAROLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1804 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 CAROLAN: Seconded.

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

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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

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

#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.

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1805, entitled:

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.

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 CAROLAN: Seconded.

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1805, 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 CAROLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1805 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.

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COMMITTEEMAN CAROLAN: Seconded.

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

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.

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.

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

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

ORDINANCE

FINAL PASSAGE

MUNICIPAL CLERK: Mr. Chairman, I have Ordinance No. 1806 , entitled:

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

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

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

CHAIRMAN: This is the time and place for the Public Hearing on Ordinance No. 1806, and all persons who wish to be heard, please state your name and address before making your statement.

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

COMMITTEEMAN SCANLAN: Seconded.

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

MUNICIPAL CLERK: BE IT RESOLVED, by the Township Committee of the Township of Wyckoff that Ordinance No. 1806 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 BOONSTRA: I move the resolution.

COMMITTEEMAN SCANLAN: Seconded.

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

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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 sometime 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

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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 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.

VI Meeting adjourned 8:14 p.m.

Kevin J. Rooney Mayor	Joyce C. Santimauro Municipal Clerk

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