TOWNSHIP OF WYCKOFF
TOWNSHIP COMMITTEE OPEN PUBLIC WORK SESSION
SECOND FLOOR MUNICIPAL COURT ROOM
TUESDAY, MAY 17, 2016 – 8:00 P.M.

TOWNSHIP OF WYCKOFF
48 HOUR NOTICE

The purpose of this Notice is to comply with the Open Public Meeting Act and advise the public that the Township Committee of the Township of Wyckoff shall start its Tuesday, May 17, 2016 regularly scheduled 7:30 pm Work Session Meeting at 8:00 pm. The Tuesday, May 17, 2016 regularly scheduled 8:00 pm Business Meeting shall start at 8:30 pm. The meetings are conducted in the second floor Court Room in Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff New Jersey 07481.

The purpose of the modified start time is for the Wyckoff Township Committee to achieve a quorum. All business items scheduled for the Wyckoff Township Committee meetings remain as is.

Formal action may be taken.

Mayor Kevin J. Rooney opened the Work Session Meeting at 8:00 p.m. in the second floor municipal court room.

Municipal Clerk Santimauro read the 48 Hour Open Public Work Session statement: “The purpose of this Notice is to comply with the Open Public Meeting Act and advise the public that the Township Committee of the Township of Wyckoff shall begin their regularly scheduled Tuesday, May 17, 2016, 7:30 p.m. Open Work Session Meeting in the Municipal Court Room, Wyckoff Town Hall, 340 Franklin Avenue, Wyckoff, New Jersey at 8:00 pm. The Township Committee will call to order the Open Work Session Meeting at 8:00 p.m. At least 48 hours prior to this meeting the Agenda thereof was similarly posted, filed and mailed to said newspapers.”

Present: Mayor Kevin J. Rooney, Committeemen Thomas J. Madigan, Brian D. Scanlan, Rudolf E. Boonstra and John A. Carolan
Also Present: Township Administrator Robert J. Shannon, Jr., Township Attorney Robert Landel and Municipal Clerk Joyce C. Santimauro

Mayor Rooney stated that he will change the meeting format this evening to ensure the governing body accomplishes a number of items requiring discussion. The public comment portion of the meeting will commence at approximately 8:25 p.m.

1. Mayor Rooney advised that an e-mail has been circulated to the Township Committee from representatives of the New Jersey Residents Against Puppy Mills, specifically Jeanne Clayton. This group has encouraged municipalities to ban the sale of dogs and cats bred in inhuman conditions, such as puppy mills. However, research indicates that this would not affect the Pet Valu store in Wyckoff. Occasionally, Pet Valu conducts pet adoptions. Mayor Rooney requested that before the Township expends any resources to consider such an ordinance, does any member of the governing body have an issue with prohibiting the sale of dogs and cats from a pet shop. A sample ordinance was sent to the Township Committee and a list of thirty-seven (37) municipalities in New Jersey that have adopted this ordinance. The governing body discussed this ordinance at length with questions and a consensus appeared to exist that all members would be in favor of such an ordinance to prohibit these types of situations. Therefore, the Township Attorney, Robert Landel was instructed to review the draft ordinance provided and to prepare a draft ordinance in this regard.

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2. Mayor Rooney reviewed the proposed Shade Tree Preservation ordinance in draft form. At the last Planning Board Meeting, an application review was conducted where a resident is proposing to remove forty-seven (47) trees from his property prior to constructing a new home, those trees range from 8" to 40" in diameter. The Planning Board has charged the Shade Tree Commission with reviewing this plan. However, the Shade Tree Commission has also been asked to look at the draft ordinance that has been circulated each week to the Township Committee since February. The Township Staff of Mark DiGennaro and Thomas Gensheimer have also been sent the draft ordinance requesting any input and/or comments. The Shade Tree Commission will return their comments on Monday, May 23, 2016 and those comments will be provided to the governing body members. Committeeman Scanlan indicated there was a recent clear cutting of trees in a lot on Highview Drive. Mr. Scanlan requested for clarity, the definition of a mature tree. Mayor Rooney responded that the standard in most communities is 24" in diameter.
Committeeman Madigan reported that at last evening's Environmental Commission Meeting, the commission expressed an interest to weigh-in on the tree preservation ordinance.
Mayor Rooney advised that the current ordinance has been considered by the governing body for several months and is receiving input from the Shade Tree Commission whose members are professionals in the "green" industry. Support from the Environmental Commission to endorse a tree preservation ordinance would be beneficial however, sufficient input has been received relative to the drafting of the ordinance at this time. Clarification was requested if this tree preservation ordinance would be considered a zoning ordinance. The response was it would not be a zoning ordinance – it would be Chapter 150 of the Code of the Township of Wyckoff.

3. Mayor Rooney reported that a draft ordinance was circulated to the governing body and now is the time to discuss this ordinance. The ordinance, both a zoning ordinance and an ordinance which allows establishments which have an Alcohol Beverage Commission License to operate on Fridays and Saturdays and New Year's Eve to 2:00 a.m. All other days would remain at the current closing time of 1:00 a.m. This ordinance was requested by two (2) local business owners, Howard Felixbrod and Aldo Cascio. Mayor Rooney advised that he spoke to Police Lieutenant Van Dyk, Acting Officer in Charge regarding this proposed amendment and Lt. Van Dyk stated he had no objections. The governing body has discussed this in the past and comments and/or feedback were requested as to whether this ordinance should be introduced this evening. All members of the governing body were in favor of this ordinance to support all business owners.
If the ordinance is introduced this evening, it will then be forwarded to the Planning Board on Wednesday, June 8, 2016 for review and recommendation. On Wednesday, June 21, 2016 there would be a public hearing and further consideration by the governing body for adoption. A Township Committee consensus existed to introduce this ordinance this evening.

4. The request from a resident who resides on one side of Beekman Place to vacate the Beekman roadway and right-of-way was previously considered last November. For a number of reasons, it was determined not to move forward with same. One of the reasons was the property owner sent a letter which indicated if the Township Committee approved the ordinance, the resident would be permitted to receive free services from a builder. The governing body did not feel that was appropriate nor

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was it germane to the request. However, a letter has now been received from both property owners requesting the vacation of Beekman Place. Mayor Rooney reviewed a series of requirements necessary prior to the vacation of the roadway. It was clarified that when a governing body vacates a road, it is prohibited from selling that property. Each adjacent property owner receives half of the proposed vacated property as the beneficiary. Therefore, the governing body was inclined to vacate the road – the property owners would be responsible for the preparation of the deed, the ordinance preparation, the update of the tax maps to reflect the change, removal of the roadway and plant a lawn area. There would be a deed restriction prohibiting that area to be sold to an adjacent property owner for a cut-thru to a Franklin Lakes road. The governing body discussed this at length – clarifications were requested regarding both property owners driveways. Property owners will be required to modify their driveways to connect to Charnwood Drive – not Beekman Place. All members of the governing body were in favor of moving forward based on these terms. Mayor Rooney asked the Township Attorney to draft a letter to both property owners advising them of the conditions required for the Township Committee to consider an ordinance to vacate Beekman Place. It was also noted that the Township Committee may not comment on any resulting tax amount. That falls under the purview of the licensed Tax Assessor.

5. Committeeman Scanlan has been contacted by two (2) residents on Hamden Court where a drainage issue exists on their sideyard. The property owners have been requesting the Township Committee construct rock walls which are on each side of the drainage brook. The Township Engineer has indicated that the easement when filed, did not reflect those rock walls and speculated that the rock walls were constructed after the filing of the subdivision and easement to maximize lawn area. Mr. Landel, Township Attorney had an opportunity to review the documents and indicated the subdivision went back to the 1950's. The Township's procedure and policy relative to easements is that an easement on a private property is for a specific public purpose, which in this case is drainage. The Township does not cut the grass or maintain the area around the easement. However, if an obstruction fell into the easement prohibiting the proper flow of water, the Township would remove that obstruction, (i.e. tree limb/branches).
One of the residents sent a citation to the Township Engineer. Mr. Landel had an opportunity to review that case and his opinion is that the municipality is responsible on an easement for the public purpose of the easement not to manicure the area of the easement. The governing body discussed at length, asking various questions and a consensus existed. Committeeman Scanlan asked the Township Attorney to send a letter to the both property owners. The Township Committee agreed.

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At 8:27 p.m. Mayor Rooney opened the meeting for the ten (10) minute total public comment period for any item on or off the Agenda, two (2) minutes per speaker, with a motion from Committeeman Scanlan, seconded by Committeeman Boonstra.

There was no public comment.

Committeeman Scanlan motioned to close the public comment period, seconded by Committeeman Carolan with an affirmative voice vote.

The Open Work Session Meeting adjourned at 8:30 p.m.

Kevin J. Rooney Mayor	Joyce C. Santimauro Municipal Clerk