

BOROUGH OF HO-HO-KUS
COMBINED PUBLIC MEETING
OF THE MAYOR AND COUNCIL
AUGUST 16, 2016- 8:00 P.M
MINUTES

Council President Troast called the combined meeting to order at 8:00 PM. The open meeting statement was read. The regular meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session. In accord with the provisions of Section 5 of the "Open Public Meetings Act", I wish to advise that notice of this meeting has been posted in the front lobby entrance to the Council Chambers of the Borough Hall and that a copy of the schedule of this meeting has also been filed with the Borough Clerk, and further that the required 48 hour notices have been sent to The Record and the Ridgewood News - newspapers with general circulation throughout the Borough of Ho-Ho-Kus

Roll Call: Members present were: Councilmembers Troast Rorty, Shell, Iannelli and Fiato.

Absent: Mayor Randall, Councilmember Shea

Also present were borough attorney David Bole and borough administrator William Jones

Council President Troast led all in the pledge of Allegiance

CLOSED SESSION

Tax Appeal- 3 Hollis drive

APPROVAL OF MINUTES

1. July 26, 2016 Combined Meeting

Motion: Councilmember Rorty

Second: Councilmember Iannelli

Absent: Cn. Shell

COMMITTEE REPORTS- July 2016

On File

PUBLIC DISCUSSION

Steve Reilly 26 Sleepy Hollow Drive asked if the School Resource Officer is being replaced by anyone. Mr. Jones responded saying that he was being replaced by a retired Police Officer but the Borough has no involvement. Police Chief Minchin was invited to the meeting to meet the new SRO.

Mr. Reilly asked what was going on at Brandywine and Washington. Mr. Jones stated that there was a gas leak and also being prepped for drainage. Mr. Reilly further asked about the Chamberlain Law Suit. Borough attorney stated that it's still in mediation and could not further comment, but stated that the case management was set for September 15th, 2016.

Stanley Kober 919 Washington Ave commented that it has been a 10 year gas leak in that location on Brandywine.

ADMINISTRATORS REPORT

Mr. Jones deferred to the next meeting for his report.

CORRESPONDENCE

1. HHK Pack 54- Use of East Park.

Approved

2. State of New Jersey- DOT Grant Applications Requests.

Progress

3. Chamber of Commerce-Turn the Town Teal.

Approved

INTRODUCTION OF ORDINANCES

None

FINAL PASSAGE OF ORDINANCES

None

RESOLUTIONS

None

CONSENT RESOLUTION

- 2016-88 Tax Appeal- 3 Hollis Drive

WHEREAS, Michael Nally and Maureen Nally are owners of real estate known as Three Hollis Drive, Flo-Ho-Kus, New Jersey and also known as Lot 11, Block 204 on the Borough Tax Maps;

and

WHEREAS, the aforesaid owners have filed tax appeals challenging the tax assessment for the years 2014-2016; and

WHEREAS, Lot 11, Block 204 was assessed for the tax years 2014-2016 in the total amount of \$1,602,900; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the

Borough's real estate appraiser and has conducted exhaustive negotiations with the counsel for the taxpayer;

and

WHEREAS, the parties have been able to arrive at a proposed settlement as follows: taxpayer to withdraw 2014 appeal; a revised assessment for 2015 of \$1,550,000; and for 2016 \$1,500,000 with a reciprocal application for the Freeze Act to apply for the years 2017 at \$1,500,000; and

WHEREAS, the parties have agreed that prejudgment interest shall be waived as a condition of the settlement; and

WHEREAS, the Tax Assessor Marie Merolla and the Borough's real estate Appraiser are in agreement with the terms of the settlement and believe that it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above;

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Attorney to execute a stipulation of settlement on behalf of the Borough with respect to the Nally v. Borough of Ho-Ho-Kus tax appeal pending in the Tax Court of New Jersey under Docket Nos. 005632-14, 006225-15 and 005146-16 at the new assessments set forth above; and

BE IT FURTHER RESOLVED, that upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest within sixty (60) days from the date of the Tax Court Judgment; and

BE IT FURTHER RESOLVED, that this Settlement is subject to agreement and acceptance thereof by the taxpayer; and

BE IT FURTHER RESOLVED, that copies of this Resolution are to be provided to the Municipal Clerk, Borough Tax Assessor, Borough Tax Collector and the Municipal Attorney.

- 2016-89 Municipal Consortium Payment

BE IT RESOLVED, by the Governing Body, that it does hereby authorize an additional \$ 2,000 payment to the Municipal Consortium to assist in State-Wide litigation with Fair Share Housing Center.

- 2016-90 Appt. Fireman Timothy Dunker.

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief has recommended to the Mayor and Council the appointment of Timothy J. Dunker of Ho-Ho-Kus New Jersey; and

WHEREAS, Mr. Dunker has passed his physical as required by the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-

Kus that Timothy Dunker on this date is appointed as fireperson for the Borough of Ho-Ho-Kus

- 2016-91 Retirement Payoff- Sean Leonard

WHEREAS, having served as a member of the Police Department Patrolman Sean Leonard and retired from the service as of August 1, 2016; and

WHEREAS, it has been determined by the Chief Financial Officer of the Borough of Ho-Ho-Kus that the following amount in total is owed to Patrolman Sean Leonard for unused sick days is \$66679.00; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that this payment of \$66679.00 will be made in August 2016.

- 2016-92 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,091,599.92

WHEREAS, such claims have been listed according to Department and account number with corresponding vouchers to be reviewed and approved by the Mayor and Council; and,

WHEREAS, the CFO has determined that the funds have been properly appropriated for such purposes and are available, in the Borough of Ho-Ho-Kus and that the claims specified on the schedule attached hereto, following examination and approval by the Mayor and Council, be paid and checks issued accordingly; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that the claims totaling \$2,091,599.92 be approved and ratified respectively

Motioned: Councilmember Shell

Second: Councilmember Fiato

All ayes.

OLD BUSINESS

A. Liaison Reports:

1. Recreation

Football registration has started. There is an overuse of Lloyd field.

2. Board of Education

No report

3. Other

B. Shade Tree

No report

C. Chamber of Commerce

No report

NEW BUSINESS

None

MAYOR'S REMARKS

None

CLOSED SESSION

Litigation, Personnel

ADJOURNMENT

With no further discussion to come before the Council, the meeting was adjourned at 8:50 PM.

Motion: Councilmember Shell

Second: Councilmember Rorty

Respectfully submitted,

Laura Borchers, RMC/CMR

Borough Clerk