

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

MAY 22, 2012- 8:00 P.M.

I. OPEN MEETING STATEMENT - ROLL CALL

Mayor Randall opened the meeting at 8:00 PM and asked the clerk to read the opening statement.

Roll Call:

Mayor Randall	Present
Councilmember Troast	Present
Councilmember Lennon	Present
Councilmember Shea	Present
Councilmember Weiss	Present
Councilmember Shell	Present

Also present were Borough Administrator Donald Cirulli and Borough Attorney David Bole.

II. PLEDGE OF ALLEGIANCE

Mayor Randall led all in the pledge of Allegiance

III. APPROVAL OF MINUTES

1. May 17, 2011- Closed Session

Not eligible- Councilmembers Weiss and Shell

Absent- Councilmember Troast

2. May 24, 2011 Public Meeting

Not eligible- Councilmembers Weiss and Shell

Absent Councilmember- Lennon

Councilmember Troast approved the minutes, seconded by Councilmember Rorty

All Ayes

IV. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – April 2012

B. PUBLIC SAFETY

1. Police Report – April 2012

2. Court Report – April 2012

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works – April 2012

2. Construction Office Report – April 2012

D. WATER

1. Water Supt. Report – April 2012
2. Water Registrar's Report- April 2012

E. FIRE

1. Fire Dept. Report – April 2012
2. Fire Prevention Bureau – April 2012

F. COMMUNITY RELATIONS

1. Library – April 2012
2. Ambulance Report – April 2012
3. Solid Waste Utility – April 2012

V. PUBLIC DISCUSSION

Norman Barrata, John McHugh and Cindy Baxter- Elmwood Ave came before the Council to request signs be place on Enos place for the safety of children playing on the street because motorists drive up and down Elmwood Avenue at high speed. Mayor Randall said that he would have a committee to work on monitoring the traffic.

Carol Tyler 1 Stoudts Lane talked about the use of the Train Station room for Borough organizations. Councilman Shea asked Ms. Tyler why the use of the Ambulance room wasn't allowed. Ms. Tyler responded that the ambulance room was never opened to any organizations it was a favor and ONLY a onetime use, that got out of control.

Debbie Lovett 140 Grant Street Ridgewood asked Mayor Randall to reconsider his decision and have the Garden Club use the Council Chambers for their meetings. Ms. Lovett stated that the room at the train station was too small to accommodate all the members of the Organization. Linda Byer 124 Lakewood Ave added that they have 40 plus members and the room at the train station would be very small.

Steve Sager and Kelly Velasquez- Chamber of Commerce thanked the Mayor and Council for their permission to host the "Taste of Ho-Ho-Kus". Ms. Velasquez mentioned that she put in a request for the use of the Council Chambers and was told that the room was no longer available to any organization, and that the room was left a mess after the last meeting. Steve Sager stated that Chamber of Commerce would like the use of the Train Station for their meeting.

Stanley Kober 919 Washington Avenue

Gary Tyler 23 Hollywood Avenue stated to the Council that he heard that there would not be a new purchase of a police car and commented that it was not a good decision, he also commented that the Police Department would be less one officer at the end of year and asked if that officer would be replaced.

VI. A. CORRESPONDENCE

1. Bergen County Police Chiefs Association- Shared services
2. Permission for Block Party on Sleepy Hollow Drive
3. Village of Ridgewood-Seasonal Membership- Graydon Pool
4. Oscar Menjivar- Permission to hold 2 day Auction at 519 Eastgate Road
5. BSA Troop 54- Use of East Park for End of Year Court of Honor

Ordinances and Resolutions Other Towns:

1. Borough of Oakland- Supporting Assembly Bill 2444-Unemployment for Crossing Guards

C. Bergen County:

Board of Chosen Freeholders:

1. Recognizing May 2012 as:
 - A. Military Appreciation Month
 - B. National Foster Care Month
 - C. Mental Health Month
 - D. Cystic Fibrosis Awareness
2. Recognizing National Public Works Week May 20-26

D. League of Municipalities:

1. Sustainable Jersey: \$200,000 for Municipal Sustainability
2. Property Tax Funding Restoration Committee Action Scheduled
3. Energy Receipts Restoration Bill Introduced
4. New user Fee Cap Bill Introduced
5. Affordable Housing Trust Funds, July Deadline
6. Hiring our Heroes-Mega Job Fair

E. State of New Jersey:

1. Clean Communities Grant - \$7,056.72

VII. INTRODUCTION OF ORDINANCES

1. Ordinance # 1009- Volunteer Incentive Program

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey that schedule A, attachment 1, to Chapter 80 of the Code is amended to read as follows:

SCHEDULE A

BOROUGH OF HO-HO-KUS VOLUNTEER INCENTIVE PROGRAM

VOLUNTEER FIRE DEPARTMENT

To qualify for the Volunteer Incentive Program, a member of the Fire Department must have completed Firefighter I coursework and have been on the department for one (1) year. The firefighter must be in good standing and approved by the Mayor and Council.

A. POINT SCALE

- (1) To qualify for any points in the program, a firefighter must have made a minimum of 30% of department calls during the calendar year. Once

the firefighter has made this minimum, the scale below will apply to call percentage.

Call percentage scale: 30%=30 points
 40%=40 points
 50%=60 points

B. Once a firefighter has met the 30% minimum on call percentage, he is then eligible for points for Clean Ups and Drills based on guidelines listed below:

 (i.) Clean ups: a minimum 12 Clean Ups are required to be eligible for this category with maximum benefit of 20 points with each Clean Up equaling 1 point each.

 (ii.) Drills: A minimum of 12 Drills are required to be eligible for this category with maximum benefit of 20 points with each Drill equaling 1 point each.

C. Once the minimum of 12 Drills and 12 Clean Ups are met, extras can be utilized to meet the 20 point maximum in both categories.

D. Extras: extras are designated as Classes, Parades, Field Day, Memorial Services, Mutual Aid Meetings, Special Drills, Special Events, Open House or Fire Prevention Demonstrations. To be entitled for credit for extras, they must be documented on a drill sheet.

PER CENT OF AWARD

\$15.00 for each point earned

Minimum to be eligible.....35 points

Maximum permitted.....100 points

Repealer

All other provisions of this chapter which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

Severability

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

Councilmember Lennon moved the Ordinance on first reading, seconded by Councilmember Rorty.
All Ayes

VIII. FINAL PASSAGE OF ORDINANCES

None

IX. RESOLUTIONS

None

X. CONSENT RESOLUTION

1. # 12-54 Dedication by Rider

WHEREAS, there is a locally approved program for the collection of recyclable materials, and
WHEREAS, the revenue from the sale of such materials is not subject to reasonable accurate estimate in advance, and

WHEREAS, it is the desire of the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, to expend such revenues when received in cash for the purpose of continuing the recycling program,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that, in accordance with N.J.S.A. 40A:4-39, the dedicated revenues during the year from the sale of recyclable materials are hereby anticipated as revenues, and are hereby appropriated for the purposes to which said revenue is dedicated by statute or other legal requirement.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Finance

2. # 12-55 Energy Renewal

WHEREAS, the Borough of Ho-Ho-Kus has had a contract with America Approved Energy Services, acting as our agent, for the past year or thereabouts to obtain electricity at a reduced rate per kilowatt hour from the most reasonably priced source, in this case Hudson Energy (energy supplier); and

WHEREAS, this has been found to be a successful arrangement in that our monthly bills for electricity have been reduced from 4% to almost 10%,

NOW, THEREFORE BE IT RESOLVED by the Mayor & Council of the Borough of Ho-Ho-Kus that the contract with America Approved Energy Services is hereby renewed for the period of one year.

3. # 12-56 Award AC Shultes-Well # 6 Pump Repairs

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus has determined an emergency situation in regard to the repair of Well #6 pump. (attachment); and

WHEREAS, after A.C. Schultes, Inc. originally removed the pump to assess the damages, it was determined that many repairs had to be performed to bring the unit to proper operating condition ; and

WHEREAS, the Superintendent of Water & Sewers has recommended the award to A.C. Schultes, Inc., 664 S. Evergreen Avenue, Woodbury Heights, NJ 08097,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the contract for repairing the pump at well #6 be awarded to A.C. Schultes in the amount of \$29,434.00; and the CFO has certified that funds are available for this project.

4. # 12-57 Liquor License Renewal 2012-2013

WHEREAS, application has been made by certain persons and corporations for the renewal of Plenary Retail Consumption and Plenary Retail Distribution licenses for the year commencing July 1, 2011 and terminating June 30, 2012;

WHEREAS, no complaints or objections have been filed with the Borough Clerk against said persons or corporations; and

WHEREAS, the Police Department of the Borough of Ho-Ho-Kus has not received any complaints of violations of Alcoholic Beverage Control regulations by any of the applicants hereinafter named; and

WHEREAS, the said applicants have filed the necessary forms and have paid the required fees for said licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following Plenary Retail Distribution licenses be issued:

Ho-Ho-Kus Wine and Spirit World (0228-44-004-005)

Ho-Ho-Kus Inn and Tavern LLC (0228-33-002-009)

5. # 12-58 Military Appreciation Month

WHEREAS, every individual in the United States of America enjoys the Freedom, security and prosperity our armed Forces provide us with; and

WHEREAS, our United States Armed Forces' men and women possess the necessary commitment that is required in the military service to achieve the levels of recruitment and retention that are needed to sustain the strength, vitality, and character of the United States Armed Forces; and

WHEREAS, the sacrifices that such members of the United States Armed Forces and of the family members that support them, have preserved the liberties that have enriched this nation making it unique in the world community; and

WHEREAS, we must respect and value the sacrifices members of the Armed Forces and their families endure to uphold the principles this great nation stands for; and

WHEREAS, the United States Congress, in two thousand and four, passed a resolution proclaiming May as National Military Appreciation Month, calling all Americans to remember those who gave their lives in defense of freedom and to honor the men and women of all our Armed Services who have served and are now serving our country, together with their families; and

WHEREAS, the Borough of Ho-Ho-Kus wants to demonstrate their appreciation by emphasizing the important role the Armed Forces play in our lives and communities; and

NOW THEREFORE BE IT FURTHER RESOLVED, that THE Borough of Ho-Ho-Kus hereby recognizes the hardship the United States Armed undergo every day and commend their leadership in preserving our rights and freedoms, and therefore proclaim the month of May 2012 as National Military Appreciation Month; and

BE IT FURTHER RESOLVED that a copy of this resolution is forwarded to the office of Governor Chris Christie, Senators Frank Lautenberg and Robert Menendez, Congressmen Scott Garrett and Steve Rothman, Bergen County Executive Kathleen Donovan, Bergen County Veteran Services, and the Governing bodies of all municipalities in the County of Bergen.

6. # 12-59 Appt. Alternate Public Defender- Robert C. Metzdorf

WHEREAS, the Borough of Ho-Ho-Kus requires the services of an Alternate Public Defender due to the resignation of the current Alternate Public Defender; and

WHEREAS, it is contemplated that the temporary and permanent budgets of the Borough will contain the necessary appropriations estimated to be reasonably required for such professional service; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that Robert C. Metzdorf of 135 Fort Lee Road, Leonia, New Jersey 07605 is hereby appointed as Alternate Public Defender effective May 22, 2012 until December 31, 2012;

BE IT FURTHER RESOLVED, that said Alternate Public Defender shall be compensated at the rate of \$200 per case on an as-needed basis;

BE IT FURTHER RESOLVED, that the aforesaid appointment is made without competitive bidding under the provisions of N.J.S.A. 40A:11-5(1)(a) which excepts from competitive bidding professional services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the aforesaid professional named herein for the services to be rendered; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed with the Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten (10) days of the passage as required by law.

7. Raffles-St Luke's Church

12-60 On Premise

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following On Premise Raffle Application, submitted by St. Luke's Catholic Church, Identification No. 215-1-105 be and the same is hereby approved.

APPLICATION: RA 395

DATES: October 20th 2012

12-61 Off Premise

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New

Jersey, that the following Off Premise Raffle Application, submitted by St. Luke's Catholic Church, Identification No. 215-1-105 be and the same is hereby approved.

APPLICATION: RA 396

DATES: October 20th 2012

8. # 12-62 Appt. Fireman- Barry Himmelhoch

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Barry Himmelhoch, 43 Sheridan Ave, Ho-Ho-Kus New Jersey; and

WHEREAS, Mr. Barry Himmelhoch 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 Mr. Himmelhoch on this date is appointed as fireman of the Borough of Ho-Ho-Kus

9. Appointments Jr. Firemen

12-63 Kevin James Rickenberg

WHEREAS, the Fire department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Kevin James Rickenberg, 23 Lakewood, Ave Ho-Ho-Kus New Jersey; and

WHEREAS, Mr. Rickenberg 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 Mr. Rickenberg is recommended to the New Jersey State Fireman's Association for junior membership.

12-64 Daniel J. Saporito

WHEREAS, the Fire department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Daniel Joseph Saporito, 668 W. Saddle River Road, Ho-Ho-Kus New Jersey; and

WHEREAS, Mr. Saporito 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 Mr. Saporito is recommended to the New Jersey State Fireman's Association for junior membership.

12-65 Paulina A. Marino

WHEREAS, the Fire department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Paulina Ann Marino, 10 Jacob Road, Ho-Ho-Kus New Jersey; and

WHEREAS, Miss. Marino 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 Miss. Marino is recommended to the New Jersey State Fireman's Association for junior membership.

10. # 12-66 Appt. Brian Dench

WHEREAS, There currently exists a need to appoint a new Police Officer in the Ho-Ho-Kus Police Department in order to ensure proper police coverage for the safety and welfare of the Borough and it's residents;

WHEREAS, appointments to the Police Department are to be made by the Mayor, upon the recommendation of the Chief and confirmation thereof, by the Borough Council pursuant to Code

Section 46-6;

WHEREAS, applicants for appointment are required to take and pass a physical examination and to meet the personnel qualifications set forth in Code Sections 46-7 and 46-8;

WHEREAS, Brian T. Dench is a candidate recommended by the Chief of Police who meets the qualifications set forth herein;

NOW THEREFORE BE IT RESOLVED , by the Governing Body, that it does hereby appoint Brian T. Dench, 92 Arbor Drive, Ho-Ho-Kus NJ, 07423 New Jersey as a Patrolman to the Ho-Ho-Kus Police Department, effective June 26, 2012;

BE IT FURTHER RESOLVED, that said appointment is subject to successful completion of Officer Santos training at the Passaic County Police Academy to commence July 27, 2012;

BE IT FURTHER RESOLVED, that said appointment is also subject to a one year probationary period;

BE IT FURTHER RESOLVED, that the compensation for said position shall be as set forth in such collective bargaining agreement as may be in effect between the Borough of Ho-Ho-Kus and PBA Local 353 as of the date of hire.

11. Payment of Vouchers

See attached

Councilmember Troast moved the Consent Resolution, seconded by Councilmember Lennon and carried

XI. OLD BUSINESS

A. Liaison Reports:

1. Recreation

None

2. Board of Education

Councilmember Lennon reported that she attended the Board of Education meeting.

They discussed the

3. Other

B. Grants

C. Shade Tree

D. COAH Status

XII. NEW BUSINESS

XIII. MAYOR'S REMARKS

Police Chief John Wanamaker the truck accident that occurred on Friday May 18th. The Chief stated that the weight was too heavy and that the County needs to be contacted about the weight issue.

XIV. CLOSED SESSION

None

XV. ADJOURNMENT

With no further business to come before the Council and on a motion made by Councilmember Rorty, seconded by Councilmember Lennon and carried, Mayor Randall

adjourned the meeting at 10:45 PM.

Respectfully Submitted,

Laura Borchers, RMC/CMR
Borough Clerk.