

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting Minutes
January 22, 2019 7:30 p.m.

The Combined Work/Regular Public Meeting of the Municipal Council of the Borough of Ho-Ho-Kus was held in the Municipal Building at 333 Warren Avenue, Ho-Ho-Kus, NJ on January 22, 2019. The meeting was called to order at 7:32 p.m. by Mayor Randall asked the Municipal Clerk to read the open public meeting statement:

The Combined Meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session in accordance with the provisions of Section 5 of the “Open Public Meetings Act”, adequate notice of this meeting has been posted in the front lobby entrance to the Borough Hall and Council Chambers, a copy has been filed with the Borough Clerk, and copies of the Annual Notice of Meetings, of which this is a part, have been heretofore sent to the Record and the Ridgewood News.

ROLL CALL:

Mayor.....	Thomas W. Randall
Councilman.....	Douglas Troast - Absent
Councilman.....	Steven Shell - Absent
Councilman.....	Edward Iannelli
Councilman.....	Philip Rorty
Councilman.....	Kevin Crossley
Councilman.....	Dane Policastro

Also in attendance David Bole., Borough Attorney; William Jones, Borough Administrator; Joan Herve, Borough Clerk.

FLAG SALUTE:

Mayor Randall led those present in the salute to the American Flag.

PRESENATION

Mayor and Council recognized the “2018 Peewee Super Bowl Champs”.

Girl Scout Troop 95845 presented to the Mayor and Council as part of the Junior Girl Scout Bronze Service Project they would like to install a Pet Waste Station at two possible locations in town, one at the South end of the Town Green (Sycamore Ave. and Franklin Turnpike) or at the North end of the Town Green (Sycamore Ave. and Orvil Ct.). They also discussed two different types of Pet Waste Station and the cost. Mayor and Council thanked the Girl Scout Troop and stated they would need input from the DPW Supervisor and our Animal Control Officer to see who would maintain this Pet Waste Station before they can move forward with this project.

APPROVAL OF MINUTES

A motion was offered by Councilman Iannelli, seconded by Councilman Crossley to approve the Minutes of the January 7, 2019 – Sine Die Meeting. Motion carried on a roll call vote – all present voting “Ayes, with the exception of Councilman Rorty & Councilman Policastro who abstained.

A motion was offered by Councilman Iannelli, seconded by Councilman Crossley to approve the Minutes of the January 7, 2019 – Reorganization meeting. Motion carried on a roll call vote – all present voting “Ayes, with the exception of Councilman Rorty who abstained.

DEPARTMENT REPORTS

Reports on file in the Clerk's Office

Court Report– December 2018

Zoning Board – Annual Report for 2018

Library Board – Annual Report for 2018

PUBLIC COMMENTS

Mayor opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Stan Kober – 919 Washington Avenue

Resident expressed his concerns and displeasure with the HHK Board of Education.

Carol Tyler, 1 Stouts Lane

Resident suggested the HHK Board of Education should consider having their meetings on a different night than the Mayor and Council meetings.

Patti DeMarco, 19 Crescent Place

Resident also expressed her concerns and displeasure with the HHK Board of Education. Resident suggested they hire an independent Auditor to investigate their bookkeeping.

The Mayor closed the meeting to the public.

ADMINISTRATOR REPORT

Administrator Jones discussed the following: the municipality phone system crashed a few days ago, there was a back-up system running within a short period of time. There is a new system that will be in place next week. He also is looking into a new messaging system as Nixle changed their free system. Mr. Jones explained the two ordinances for adoption tonight 2019-18 & 19 were requested from our zoning officer and construction official for property matters.

CORRESPONDENCE

- BC Division of Community Transportation Stakeholder Meeting
- NJDEP News Release – January 2nd & January 16, 2019
- NJDEP invite to apply for Green Acres funds
- NJDEP revision adoption letter & notice - wastewater management plans
- Stanley Kober email regarding the Ho-Ho-Kus Public School Funding Gap

ADOPTION OF ORDINANCES and PUBLIC HEARING

Ordinance #2019-17

AN ORDINANCE TO ESTABLISH CHAPTER 62 OF THE BOROUGH CODE ENTITLED “SOCIAL MEDIA AND PUBLIC OUTREACH POLICY AND PROCEDURE FOR THE BOROUGH OF HO-HO-KUS”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that it's Social Media and Public Outreach Policy and Procedure is hereby adopted as follows:

Section I. Purpose.

This policy sets forth guidelines for the establishment and use by the Borough of Ho-Ho-Kus (“the Borough”) of its Social Media sites and public outreach tools (Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast, Public Access TV, PowerPoint and any future approved media – hereinafter collectively “Social Media”) as a means of conveying Borough –related information to its residents, employees and visitors. The Borough has an overriding interest

and expectation in deciding what is “spoken” on behalf of the Borough on its Social Media sites and what information get disseminated through its public outreach tools.

The purpose of this Social Media and Public Outreach policy is to establish enforceable rules for the use of Social Media by Borough officers and employees when engaged in Borough business. Social Media and Public Outreach tools at this time refers to Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast, Public Access TV PowerPoint and any other communication whether or not such communication is open to response or comment. Rules are necessary to assure that communications made on behalf of the Borough are properly authorized and in correct form; that communications to the municipality by means of social media which can be viewed by the public are appropriate and pertinent; that all communications to the municipality is related to the posted municipal information; and that the sender is clearly and fully informed that a message received by means of Social Media is not a substitute for required reporting procedures.

For purposes of this policy, “social media” is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples include Facebook, YouTube and Twitter. “Public Outreach Tools” is understood to be content created by individuals and published on the Website, Electronic Sign, E-mail blast and Public Access TV PowerPoint. For purposes of this policy, “comments” include information, articles, pictures, and any other written or communicated words or phrases.

Section II. **Scope.**

1. This policy shall apply to all Municipal agencies and departments as well as any affiliated government or Ho-Ho-Kus sponsored clubs or organizations, and organizations hosting an event for a non-profit organization in Ho-Ho-Kus or official and/or commission or council permitted by the Borough to post on Borough Social Media sites and Public Outreach Tools.

Section III. **General Policy.**

The objective of the use of Social Media and public outreach tools by the Borough or its departments is to expand and facilitate the dissemination of information from the Borough to its residents, taxpayers and the general public.

1. No Borough Social Media site shall be established without prior approval of the Borough Council. The following Social Media sites and Public Outreach tools are approved under the direction of the Borough Administrator or his/her designee – Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast and TV Public Access PowerPoint. The Borough Social Media site and public outreach tools shall be administered by the Borough Administrator or his/her designee. The Administrator or his/her designee shall designate a representative from any Borough Department or Organization to administer their own social media sites in accordance with this policy.
2. The Borough Social Media sites and public outreach tools shall clearly set forth that they are maintained by the Borough and that they follow this Social Media and Public Outreach Policy
3. Wherever possible, the Borough Social Media sites should link back to the official Borough website for forms, documents, online services and other information necessary to conduct business with the Borough.
4. The Borough Social Media sites are not to be used for making any official communications to the Borough, for example, reporting crimes or misconduct, reporting dangerous conditions, requesting an inspection, giving notice required by any statute by, ordinance or regulations such as but not limited to notices of claim. Prominent notice of this paragraph shall be displayed on every Borough Social Media site, along with the appropriate contact information for submitting official communications.
5. This Social Media policy shall be placed on the Borough Website and all Borough Social Media sites and public outreach tools.
6. The Borough Administrator or his/her designee shall monitor Borough Social Media sites and public outreach tools to ensure adherence to both this Social Media and Public Outreach Policy and the interest and goals of the Borough. The Borough has the right and will restrict or remove any content that is deemed in violation of this Policy or any applicable law. Any content removed based on these guidelines will be retained by the Borough Administrator and/or his/her designee pursuant to the applicable Borough retention policy, including the time, date and identity of the poster, when available.
7. These guidelines must be displayed to users or made available by hyperlink.

The Borough will approach the use of Social Media tools as consistently as possible, Borough-wide.

8. The Borough website at www.ho-ho-kusboro.com will remain the Borough's primary and predominate internet presence.

The Borough's Social Media sites and this Policy are subject to all applicable federal and NJ laws and regulations, as well as applicable record retention requirements.

Employees and Volunteers representing the Borough's government via its Social Media sites shall conduct themselves at all times as a representative of the Borough and in accordance with the Employee Rules and Regulations manual.

This Social Media and Public Outreach Policy may be revised at any time by approval of the Borough Council.

This policy governs all Social Media and public outreach tools used by or on behalf of the Borough and/or its departments.

The Borough shall have a single municipal presence on Social Media approved for use, a Borough Police Twitter account and a Volunteer Fire Department Facebook Page.

All Borough presence and activity on Social Media are an integral part of the Borough's information networks and must comply with all rules and policies governing the Borough's computers and electronic media.

All Borough use of Social Media is responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), Open Public Record Act (OPRA), First Amendment, privacy laws, sunshine laws, and information security policies (if applicable) established by the Municipality.

All Municipal policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Municipality.

Section IV. **Comment Policy.**

1. As a public entity the Borough must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing the Borough Social Media sites and public outreach tools is to disseminate information from the Borough about the Borough to its residents, employees and visitors.
3. A comment posted by a member of the public on any Borough Social Media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Borough, nor do such comments necessarily reflect the opinions or policies of the Borough.
4. Any attempt to hack or otherwise compromise the Borough's internet or Social Media sites will be reported to law enforcement and the perpetrator will be denied access to the sites.
5. The Borough reserves the right to deny access to its Social Media sites for any individual who violates the Borough of Ho-Ho-Kus' Social Media and Public Outreach Policy at any time and without prior notice.
6. All comments posted to any Borough sites are bound by any applicable terms and conditions of Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the Borough reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.
7. All comments posted to any Borough sites are bound by any applicable terms and conditions of Twitter's Terms of Service, located at <http://twitter.com/tos>, and the Borough reserves the right to report any violation of Twitter's Terms of Service to Twitter with the intent of Twitter taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.
8. All comments posted to any Borough sites are bound by any applicable terms and conditions of YouTube's Terms of Service, located at <http://www.youtube.com/t/terms>, and the Borough reserves the right to report any violations of YouTube's Terms of Service to YouTube with the intent of YouTube taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.

9. All comments posted to any future Social Media medium or site shall be bound by such site's applicable terms and conditions regarding such posting or commenting.
10. No Borough employee, Borough elected official, vendor performing work or providing services to the Borough, or volunteer may post or comment on a Borough Social Media site.
11. Persons posting prohibited content are subject to being barred from posting comments on Borough Social Media.

Section V. Prohibited Content.

Comments containing any of the following inappropriate forms of content shall not be permitted on the Borough's Social Media sites or public outreach tools and are subject to removal and/or restriction by the Borough Administrator or Chief of Police or their designees.

- a. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or explicit content links to such materials. Any image or link containing minors or suspected minors in sexual and/or provocative situations will be reported to law enforcement;
- b. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, marital status, status with regard to public assistance, physical or mental disability or sexual orientation;
- c. Reference to any political party or activity of a political party;
- d. Reference to any religious belief;
- e. Reference to any private interests group or activity of a private interests group
- f. Defamatory attacks;
- g. Threats to any person or organization;
- h. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- i. Conduct in violation of any federal, state or local law;
- j. Encouragement of illegal activity or illegal activity;
- k. Information that may tend to compromise the safety or security of the public or public systems;
- l. Content that violates a legal ownership interest, such as copyright, of any party the Borough does not permit or allow copyright infringing activities and/or infringement of intellectual property rights on its website or Social Media sites and will remove any and all content and submissions if properly notified that such content and/or submission infringes on another's intellectual property rights;
- m. Private contact information such as names, addresses and phone numbers no matter how easily obtained elsewhere, unless given approval by the organization; Personal information of a person other than the poster;
- n. Spamming or repetitive content;
- o. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection Act. By posting on a Borough Media site, users acknowledge that they are at least 13 years old. Parents are responsible for any minor child's posting or comments;
- p. Content that incites violation;
- q. Comments unrelated to the particular post being commented upon;
- r. Comments containing vulgar, offensive, threatening or harassing language, personal attacks or accusations; and
- s. Persons posting prohibited content are subject to being blocked and barred from posting comments on Borough Social Media.

Section VI. Breach of Policy.

1. The Borough Administrator or Chief of Police or their designee shall be required to remove internet postings on Borough Social Media sites which are deemed to constitute a breach of Policy, as determined by the Borough Administrator or Chief of Police subject to applicable archiving and retention requirements.

2. Any Social Media site created by the Borough remains the property of the Borough, including all the followers and friends generated by the site. If the person who created the site leaves the employment of the Borough, they must immediately relinquish all information related to the site including user names, passwords and/or access codes or information.

Section VII. **Terms of Use of Disclosure.**

(to be posted on all Borough Social Media Sites)

A. Information Disclaimer

By visiting this site, you understand and agree that the Borough of Ho-Ho-Kus site is provided “AS IS”. Borough of Ho-Ho-Kus makes every effort to provide accurate and complete information on this website. The information contained herein is not official nor in any way shall it be deemed to constitute legal notice where such legal notice is required by law. The information contained in this site is provided as a service and convenience to people needing information about the Borough of Ho-Ho-Kus. Portions of the information on this site may be incorrect or not current. Borough of Ho-Ho-Kus, its officers, employees or agents shall not be liable for damages or losses of any kind arising out of or in connection with the use or performance of information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of those materials.

B. Linking Policy – Links to External Sites

The Borough of Ho-Ho-Kus site contains links to outside websites. These websites are not owned, operated, controlled or reviewed by the Borough of Ho-Ho-Kus. These links are provided solely as a courtesy and convenience to you, the visitor.

The Borough of Ho-Ho-Kus, its officers or employees, exercise no control over the organizations, views, accuracy, copyright or trademark, compliance or the legality of the material contained in these outside websites. The Borough of Ho-Ho-Kus, its officers or employees, do not sponsor, endorse, or approve the information, content, proceeds, materials, opinions or services contained on such outside websites. The visitor proceeds to these outside websites at his/her own risk. The Borough of Ho-Ho-Kus specifically disclaims any and all liability from damages, which may result from the accessing of a third-party site, which is linked to the Borough of Ho-Ho-Kus website or from reliance upon only such information.

C. Endorsement Disclaimer

Reference in this website to any specific commercial products, processes, or services, or the use of any trade firm or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by the Borough of Ho-Ho-Kus or its officers, employees or agents.

D. Copyright and Trademark Limitations

Borough of Ho-Ho-Kus makes no warranty that materials contained herein are free of copyright or trademark claims or other restrictions or limitations on free use or display. Making a copy of such material may be subject to copyright or trademark laws.

E. Use of material from this site

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The design of this site, original graphics, and original content are all copyrighted by the Borough of Ho-Ho-Kus and may not be re-engineered, distributed, modified, transmitted, re-used, reposted or duplicated without the express written permission of the Borough of Ho-Ho-Kus in each instance. All requests to use any part of the original design, code, graphics or content of this site should be made via-email to the Borough Administrator.

F. Unauthorized Modifications

Unauthorized attempts to modify or otherwise alter any information or image stored on any Borough of Ho-Ho-Kus website may result in criminal prosecution.

Section VIII. **Procedure.**

This procedure sets forth the guidelines to having information posted on the Borough of Ho-Ho-Kus’ Social Media sites by an organization other than the Borough.

1. Borough of Ho-Ho-Kus information, Borough events and meetings announcements, and emergency notifications take precedent over any other announcements.
2. Requests, including the text of the proposed messages, must be e-mailed to the Borough Administrator and/or his/her designee at least ten (10) days prior to posting the information. The request must contain the following information: full name of organization, time, date and place of the event, contact name, e-mail address and telephone number.
3. Information shall be e-mailed as a Microsoft Word Document in paragraph form (Times New Roman, 12 Font), no PDF or fliers will be accepted.
4. Organization shall include a maximum of two (2) dates of when to post the information.
5. Information will be disseminated for 2 weeks prior to the event.
6. Only Ho-Ho-Kus sponsored clubs or organization, and organizations hosting an event for a non-profit organization in Ho-Ho-Kus shall be permitted to seek approval to post information of Borough of Ho-Ho-Kus' Social Media sites and public outreach tools.
7. Every effort will be made to accommodate all requests. If many requests are received for the same period of time, the posting will be determined on a first come, first serve basis. The dates of postings, their duration, and content are the final decision of the Borough Administrator and/or his/her designee.

Section IX. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section X. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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.

Section XI. **Effective Date.**

This ordinance shall take effect upon passage and publication as required by law.

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-17 and all persons who wishes to be heard, please state your name and address before making your statement.

Stan Kober – 919 Washington Avenue

Resident explained there are issues how this ordinance #2019-17 is written. Administrator responded explaining this is taken from our Insurance Carrier recommendation and it also has been reviewed by an outside firm. This was written to protect the Borough; any amendments can be made at a later date. Resident stated he will review the ordinances and make the changes he feels is necessary for the Mayor and Council consideration.

Mayor closed the meeting to the public.

A motion was offered by Councilman Rorty and seconded by Councilman Crossley to adopt Ordinance #2019-17. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-18

AN ORDINANCE TO AMEND CHAPTER 47 OF THE HO-HO-KUS BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 47 of the Code is amended and supplemented as follows:

Section I. **Article VII Violations.**

Section 47-17 Violations and Penalties is amended to read:

- (a) Any person or entity who shall violate the terms and provisions of this Chapter shall, upon conviction thereof, be subject to any combination of the following: a fine not exceeding \$1,000.00, imprisonment not to exceed 90 days or a period of community service not exceeding 90 days. Each day upon which a violation continues shall constitute a separate offense.
- (b) In addition to the remedies provided for in this Section, should an owner, operator or occupant of any premises fail to comply with any order and/or directive of the enforcement officer within 10 days after notice of such violation or such extended notice period, the enforcement officer may cause such condition to be remedied. In such case, the enforcement officer may cause such remediation by retaining the services of a contractor, in accordance with applicable laws, and the cost of such remediation shall be paid by the Borough. The expenses incurred by the Borough shall become a charge or lien on such lands and shall be added to and become and form a part of the taxes to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner.

Section II. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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.

Section III. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section IV. **Effective Date.**

This ordinance shall take effect upon passage and publication as required by law.

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-18 and all persons who wishes to be heard, please state your name and address before making your statement.

Seeing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Crossley and seconded by Councilman Rorty to adopt Ordinance #2019-18. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-19

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 85 OF THE HO-HO-KUS BOROUGH CODE ENTITLED
“ZONING ORDINANCE”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 85 of the Code is amended and supplemented as follows:

Section I.

Section 85-58 Violations and Penalties is amended to read as follows:

- A. The owner or user of any building or structure, lot or land or part thereof, or anything in violation of this Chapter, shall be placed, used or shall exist and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who assists in the commission of such violation shall be guilty of a separate and distinct violation.
- B. Any person or entity who shall violate the terms and provisions of this Chapter shall, upon conviction thereof, be subject to a combination of the following: a fine not exceeding \$1,000.00, imprisonment not to exceed 90 days or a period of community service not exceeding 90 days. Each day upon which a violation continues shall constitute a separate offense.
- C. In addition to the remedies provided for in this section, should an owner, operator or occupant of any premises fail to comply with any order and/or directive of the Zoning Officer within 10 days after notice of

such violation, the Zoning Officer may cause such condition to be remedied. In such case, the Zoning Officer may cause such remediation by retaining the services of a contractor, in accordance with applicable laws, and the cost of such remediation shall be paid by the Borough. The expenses incurred by the Borough shall become a charge or lien on such lands and shall be added to and become and form a part of the taxes to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner.

Section II. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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.

Section III. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section IV. **Effective Date.**

This ordinance shall take effect upon passage and publication as required by law.

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-19 and all persons who wishes to be heard, please state your name and address before making your statement.

Stan Kober – 919 Washington Avenue

Resident suggested making a few changes to the ordinance:

Section 1 Paragraph A - The owner or user of any building or structure, lot or land or part thereof, or anything in violation of this Chapter, shall be placed, used or shall exist and any architect, builder, contractor, agent, person or corporation employed in connection therewith and who assists in the commission of such violation shall be guilty of a separate and distinct violation.

Should read:

Section 1 Paragraph A - The owner or user of any building or structure, lot or land or part thereof, who is in violation of this Chapter, and any architect, builder, contractor, agent, person or corporation employed in connection therewith who assists in the commission of such violation shall each be guilty of a separate violation thereof.

Borough Attorney Bole will make the necessary changes and since this is not substance change the ordinance can be adopted tonight. Mr. Bole also stated he received a report from the Planning Board who favorably approved this Ordinance.

Mayor closed the meeting to the public.

A motion was offered by Councilman Crossley and seconded by Councilman Iannelli to adopt Ordinance #2019-19 as amended. Motion carried on a roll call vote – All present voting “Aye”.

INTRODUCTION OF ORDINANCES

ORDINANCE #2018-20

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 80 OF THE HO-HO-KUS BOROUGH CODE ENTITLED “VOLUNTEER INCENTIVES”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that **Chapter 80 ARTICLE II Volunteer Fee Exemptions** is hereby amended supplemented to read as follows:

Section I.

Section 80-11. Intent is amended to read:

In recognition of the time and effort donated to the Borough and its citizens, it is the intent of this article to exempt certain volunteers defined in Section 80-12 from certain fees imposed by the Borough.

Section II.

Section 80-12. Definitions is amended to read as follows:

As used in this article, the following terms shall have the meanings indicated:

ACTIVE MEMBER – A resident of the Borough of Ho-Ho-Kus who is an active member in good standing in the Ho-Ho-Kus Volunteer Fire Department, the Ho-Ho-Kus Volunteer Ambulance Corps, the Office of Emergency Management, the Recreation Commission, the Shade Tree Commission, the Zoning Board of Adjustment, the Planning Board, the Library Board or the Board of Health. “Good standing” shall also include current compliance with all municipal, federal and safety mandated programs as may be applicable.

FAMILY – No change.

FEES – No change.

VOLUNTEERS – Includes all active members of the Ho-Ho-Kus Fire Department, the Ho-Ho-Kus Volunteer Ambulance Corps, the Office of Emergency Management, the Recreation Commission, the Shade Tree Commission, the Zoning Board of Adjustment, the Planning Board, the Library Board and the Board of Health who have satisfactorily completed their probationary period, if applicable, and are in good standing either within their respective organizations or their board or commission memberships and whose property taxes or any receivables due to the Borough of Ho-Ho-Kus are not in arrears.

Section III.

Section 80-13. Establishment of fee exemptions - No change.

Section IV.

Section 80-14. Administration.

A. Not later than January 10 of each calendar year, the Fire Chief of the Ho-Ho-Kus Volunteer Fire Department, the Captain of the Ho-Ho-Kus Volunteer Ambulance Corps, the Emergency Management Director, the Chairpersons of the Zoning and Planning Boards, the Chairpersons of the Recreation and Shade Tree Commissions, the Chairpersons of the Library Board and Board of Health shall submit to the Borough Clerk a list of all residents who meet the definition of an “active member in good standing” and whose property taxes or any receivables due to the Borough of Ho-Ho-Kus are not in arrears. Such list shall be updated on a periodic basis by the volunteer organization or boards to add those individuals who have completed their probationary status, as applicable, or to delete individuals who have been removed from membership or who no longer meet the criteria for active member status.

B. - C. – No change.

Section V.

Section 80-15. Exclusions - No change.

Section VI.

Section 80-16. Interpretation - No change.

Section 80-17. Severability.

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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.

Section 80-18. Repealer.

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section 80-19. Effective Date.

This ordinance shall take effect upon passage and publication as required by law.

A motion was offered by Councilman Crossley and seconded by Councilman Iannelli to approve Introduction of Ordinance #2019-20. Motion carried on a roll call vote – All present voting “Aye”.

CONSENT AGENDA RESOLUTIONS (19-32 thru 19-39)

Resolution #19-32 - Introduced by Councilman Rorty

A Resolution – Payment of Bills

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,868,345.13; and

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 \$2,868,345.13 be approved and ratified respectively

Resolution #19-33 - Introduced by Councilman Rorty

A Resolution – Appointment of Fireman Rich Raschdorf

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointments of members as follows; and

WHEREAS, Rich Raschdorf passed his physical as required by the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Rich Raschdorf is recommended to the New Jersey State Fireman's Association for membership.

Resolution #19-34 - Introduced by Councilman Rorty

A Resolution – Security Camera agreement Between Borough of HHK and HHK Public School District

WHEREAS, pursuant to P.L. 2017, c. 119, effective July 21, 2017, if at least one school building of a school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education and local law enforcement must enter into a Memorandum of Understanding (“MOU”) which provides the authorities with the capacity to activate the equipment and view the live streaming video; and

WHEREAS, a representative of the Ho-Ho-Kus Public School District Board of Education and the Ho-Ho-Kus Chief of Police have met and proposed the attached MOU to be entered into between the parties;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ho-Ho-Kus for good cause that it does hereby approve the attached MOU and hereby authorizes the Chief of Police to execute same on behalf of the Borough.

Resolution #19-35 - Introduced by Councilman Rorty

A Resolution – Shared Service Agreement for Short Tem Rental of County Owned Street Sweeper
AN AGREEMENT is made by and between:

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices located at One Bergen County Plaza, Fifth Floor, Hackensack, New Jersey 07601-7076 hereinafter referred to as the “County” and

BOROUGH OF HO-HO-KUS, a body politic and corporate of the State of New Jersey, with administrative offices located at 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423-1547, hereinafter referred to as the “Municipality.”

WITNESSETH:

WHEREAS, the County of Bergen owns certain equipment, including a 2006 Elgin/Pelican 3 wheel broom sweeper (“Street Sweeper”); and

WHEREAS, subject to the operational needs of the County, the County seeks to make the Street Sweeper available to the municipalities within Bergen County for short term use; and

WHEREAS, Municipality wishes ensure its ability to rent the Street Sweeper from the County for use on the Municipality’s roads when needed; and

WHEREAS, the County and Municipality have determined that by entering into this Shared Services Agreement governing the terms for renting the County’s Street Sweeper in advance of Municipality’s need to utilize the Street Sweeper, the parties will be able to facilitate the prompt availability of the Street Sweeper at such time as Municipality has a need to utilize it;

WHEREAS, this Agreement is established in accordance with the Uniform Shared Services and Consolidation Act, P.L.2007, c.63 (N.J.S.A. 40A:65-1, et seq.).

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that the Borough is hereby authorized to enter into a Shared Service Agreement with the County of Bergen to provide Short Term Rental of County owned Street Sweeper.

NOW THEREFORE BE IT FURTHER RESOLVED This Agreement shall become effective upon passage of authorizing Resolutions by the Municipality and the County, and execution hereof by both the County Executive and the Authorized official of the Municipality.

Resolution #19-36 - Introduced by Councilman Rorty

A Resolution – Shared Service Agreement with Bergen County – As-Needed Vehicle Maintenance
COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices at One Bergen County Plaza, Room 580, Hackensack, New Jersey 07601-7076, hereinafter referred to as “COUNTY;” and Borough of Ho-Ho-Kus a body politic and corporate of the State of New Jersey, with administrative offices located at 333 Warren Avenue, NJ, 07423-1547 hereinafter referred to as “MUNICIPALITY.”

COUNTY OF BERGEN, a body politic and corporate of the State of New Jersey, with administrative offices at One Bergen County Plaza, Room 580, Hackensack, New Jersey 07601-7076, hereinafter referred to as “COUNTY;” and Borough of Ho-Ho-Kus a body politic and corporate of the State of New Jersey, with administrative offices located at 333 Warren Avenue, NJ, 07423-1547 hereinafter referred to as “MUNICIPALITY.”

WITNESSETH:

WHEREAS, MUNICIPALITY has need of maintenance and repair services for its vehicles; and

WHEREAS, COUNTY has the personnel and equipment necessary to provide vehicle maintenance and repair services for MUNICIPALITY; and

WHEREAS, MUNICIPALITY wishes to enter into an agreement with COUNTY whereby COUNTY would provide to MUNICIPALITY vehicle maintenance and repair services on an as-needed basis to supplement services provided by MUNICIPALITY’s personnel or vendor(s); and

WHEREAS, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) promotes the broad use of shared services as a technique to reduce local expenses funded by property tax payers; and **WHEREAS**, the Uniform Shared Services and Consolidation Act (N.J.S.A. 40A:65-1 et seq.) allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local participating in the Agreement is empowered to provide or receive within its own jurisdiction, as set forth in N.J.S.A. 40A:65-7(4); and

WHEREAS, pursuant to N.J.S.A. 40A:65-5, the COUNTY and MUNICIPALITY have each adopted resolutions authorizing entry into this Agreement, copies of which are annexed hereto as exhibits,

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that the Borough is hereby authorized to enter into a Shared Service Agreement with the County of Bergen to provide As-Needed Vehicle Maintenance.

NOW, THEREFORE, BE IT AGREED, in consideration of the promises and of the covenants, terms, and conditions hereinafter set forth, COUNTY and MUNICIPALITY agree to perform in accordance with the provisions, terms and conditions set forth in the Agreement.

Resolution #19-37 - Introduced by Councilman Rorty

A Resolution – Forgiveness of Solid Waste 1st Qtr. 2019 Bill

WHEREAS, 115 Jacquelin Ave., 26 Prescott Road, 11 Saddle Brook Drive, 524 Eastgate Road, 319 Ardmore, 806 West Saddle River Road, 47 Arbor Drive, 61 Lloyd Road, 109 Blauvelt Avenue are lots under construction; and

WHEREAS, forgiveness of Solid Waste for all four quarters in 2019 for properties; 262 Wearimus Road is vacant, 801 East Saddle River Road, 813 East Saddle River Road which have been demolished and are vacant; and

WHEREAS, the above residential structures will be credited accordingly and then will be reviewed for the balance.

NOW THEREFORE, be it resolved that the bills in question be cancelled.

Resolution #19-38 - Introduced by Councilman Rorty

A Resolution – Transfer of Funds

	FROM:	TO:
Legal (O&E)	\$22,000.00	
Finance (O&E)		\$15,000.00
Recycling (O&E)		\$3,500.00
Building & Grounds (O&E)		\$2,000.00
Police (O&E)		\$1,500.00
Total	<u>\$22,000.00</u>	<u>\$22,000.00</u>
Water (S&W)	\$10,000.00	
Water (O&E)		\$10,000.00
Total	<u>\$10,000.00</u>	<u>\$10,000.00</u>

Resolution #19-39 - Introduced by Councilman Rorty

A Resolution – Borough Employee Salaries and Wages

WHEREAS, Ordinance # 2016-03 establishes salary ranges for employees; and **WHEREAS**, said Ordinance requires that individual salaries be set by Resolution.

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

the following salaries are hereby authorized for the period of January 1, 2019 through December 31, 2019. Those not here listed are unchanged, unless otherwise noted or set by agreement and / or contract under separate Resolution.

<u>Position</u>	<u>2019 Salary/Rate</u>
Borough Administrator/ Human Resources Director	\$123,429
Borough Clerk/ Registrar of Vital Statistics & Elections, et al.	\$67,000
Chief Financial Officer/Treasurer	\$32,473
Tax Collector/Deputy Treasurer/Payroll	\$89,973
Tax Assessor	\$20,400
Finance Clerk	\$54,776
Municipal Court Administrator	\$70,359
Solid Waste/Water Registrar/Deputy Tax Collector	\$48,899
Planning/Zoning Board Secretary/Construction Office	\$62,424
Deputy Registrar/ Deputy Clerk/ Administrative Assistant, et al.	\$51,858
Public Works Superintendent	\$110,143
Water Licensed Operator of Record/Public Works Forman	\$92,325
Custodian	\$32,640
Accounting Assistant	\$30/hour
Crossing Guard	\$18/hour

A motion was offered by Councilman Rorty and seconded by Councilman Crossley to approve Resolutions 19-32 through 19-39. Motion carried on a roll call vote – All present voting “Aye”.

OLD BUSINESS - None

LIAISON REPORTS

Recreation – No report

Board of Education – No report

Ambulance Corp. – Councilman Crossley reported next week is there first meeting of the year he will have a report for the next meeting.

Fire Department – Councilman Rorty reported the Fireman’s Dinner will be held on Saturday, January 26, 2019.

Library - Councilman Policastro reported the first library meeting is next Monday and he will be in attendance.

Shade Tree - No report

Chamber of Commerce – was deferred until next month due to the absence of Councilman Shell.

NEW BUSINESS - None

ADJOURNMENT

On a motion by Councilman Rorty, seconded by Councilman Iannelli, the meeting was adjourned at 8:44 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve, RMC/CMR
Borough Clerk

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Reorganization Meeting
January 7, 2019 7:00 p.m.

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Borough of Ho-Ho-Kus
County of Bergen
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