

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

The Combined 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 July 16, 2019. The meeting was called to order at 7:33 p.m. by Council President Troast who asked the Municipal Clerk to read the open a public meeting statement:

The Public 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". 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 - Absent
Council President.....	Douglas Troast
Councilman.....	Philip Rorty
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli
Councilman.....	Kevin Crossley
Councilman.....	Dane Policastro

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

FLAG SALUTE:

Council President Troast led those present in the salute to the American Flag.

APPROVAL OF MINUTES

A motion was offered by Councilman Shell, seconded by Councilman Rorty to approve the minutes of June 18, 2019 – Closed and Work Session Meeting of the Mayor and Council. Motion carried on a roll call vote – all present voting "Ayes, with the exception of Troast and Policastro who abstained.

A motion was offered by Councilman Rorty, seconded by Councilman Shell to approve the minutes of June 25, 2019 – Closed and Public Meeting of the Mayor and Council. Motion carried on a roll call vote – all present Voting "Ayes".

DEPARTMENT REPORTS

Reports on file in the Clerk's Office

Police Report – June 2019

Court Report– June 2019

PUBLIC DISCUSSION

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

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

ADMINISTRATOR'S REPORT

Old Business

Library – Mr. Jones will be meeting with the Library Board sometime in September.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

1-9 East Franklin Turnpike Issues – issues continue; he will keep the Mayor and Council up-to-date as they evolve.

IHA work update – A soil movement application has been granted after it was reviewed by the engineer. We are asking for more information to ensure the residents are satisfied on what is going on. As part of the condition of this approval is to live up to the obligation of the 2003 Zoning Board approval which includes maintenance of the swale and drainage system that do come into Ho-Ho-Kus; as part of the fields are in our town. He walked the property with the head of property maintenance of the schools and the residents concerned. They agreed to remove all the trees that were potentially endangered of falling.

DOT Train Station – nothing new to report, we are waiting on their plans.

Right of Ways (ROW) – regarding 124 Elmwood for their stone wall & 68 Brandywine for their fence both residents have expressed some concerns about signing a hold harmless agreement. Attorney Bole added he had a conversation with the owner of 124 Elmwood, it appears the property owner applied for a driveway permit only. He torn down and rebuilt the stone wall in the same location with no permits. It was not until the engineer inspected the driveway that it was discovered he put in this stone wall which is in the Borough's ROW. The way it stands right now based upon his conversation with the owner he does not want to sign the hold harmless agreement. He has two objections, 1) because we want him to name the borough as an additional insured on his home owner's policy, 2) pay an escrow of \$293.00 for the preparation of the agreement, which we want to record with county because it would run with the land for any future successor and title. The Council decided to have Mr. Bole contact the resident with two options, either take down the wall or sign all the necessary paperwork.

598 Cliff Street, Ridgewood - regarding widen of the owner's driveway which is in the Ho-Ho-Kus right-of-way; a report from the Police Chief and Borough Engineer was discussed. Before moving forward the Borough Engineer would like a plan showing the proposed driveway location with respect to the existing curb line of First Street and Cliff Street and the right-of-way lines should be submitted. The Police Chief had concerns with the view obstruction and recommends an ordinance to replace the yield signs with stop signs. This would have to be a joint effort with the Village of Ridgewood. Once these items are submitted, the engineer and will have a final recommendation at our August 20th, 2019 meeting.

New Business

Paving – They paving in the borough it taking place this week, expected to be completed this Friday, weather permitting.

Ordinance #2019-25(Floodplain maps) – This Ordinance that is on the agenda for tonight will make us in compliance for the August 28th adoption, which will give many of our residents relief from having to obtain flood insurance. Letters will be distributed to residents from FEMA regarding the process.

Brandywine/Valley Forge Drainage Improvement Phase 3 - The Borough received a NJDOT Grant Approval in the amount of \$202,000.00.

Resurfacing of Mill Road (section 2) – NJDOT grant application will be submitted upon the approval of Resolution #19-75.

Grant Writing & Consulting Services – Resolution # 19-76 added tonight is for an agreement between the Borough of Ho-Ho-Kus and Bruno Associates, a Consultant firm who helps Government agency to obtain federal, state, county and foundation grants. This is month-to-month agreement in the amount \$2,000.00 per month,

which is well below their normal rate.

CORRESPONDENCE

- a) Resignation letter from Planning Board Member, Brett Carrick
- b) Planning Board Report on review of Ordinance #2019-25
- c) BC is collaborating with NJ Motor Vehicle to bring “Mobile Units” to One Bergen County Plaza
- d) Resignation letter from Full Time Dispatcher, Chris Vieitez effective 7/15/2019

ADOPTION OF ORDINANCES and PUBLIC HEARING

Ordinance 2019-25

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 27 OF THE CODE ENTITLED
“FLOOD PLAIN MANAGEMENT”**

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey as follows:

WHEREAS, the Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq. delegated the responsibility to local government units to adopt regulations designed to promote public health, safety and general welfare of its citizenry. Therefore, the Governing Body of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey does hereby amend and supplement the foregoing Ordinance and does ordain as follows:

§ 27.1 FINDINGS OF FACT

- a) The flood hazard areas of the Borough of Ho-Ho-Kus are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§ 27.2 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 27.3 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,

- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

DEFINITIONS

§ 27.4 WORD USAGE; DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

Appeal — A request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood — A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Erosion — The process of gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

GENERAL PROVISIONS

§ 27.5 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Ho-Ho-Kus, Bergen County, New Jersey.

§ 27.6 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Borough of Ho-Ho-Kus, Community No. 340044, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)" dated August 28, 2019.
- b) "Flood Insurance Rate Map for Bergen County, New Jersey (All Jurisdictions)" as shown on index 34003C0000 and panel numbers are 34003C0088J, 34003C0089H, 34003C0176H and 34003C0177H whose effective date is August 28, 2019.
- c) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or Base Flood Elevation conflict or overlap with the Best Available Flood Hazard Data, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at Borough of Ho-Ho-Kus, 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423.

§ 27.7 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$200 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of Ho-Ho-Kus from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 27.8 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 27.9 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

§ 27.10 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of Ho-Ho-Kus, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ADMINISTRATION

§ 27.11 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 27.29; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

§ 27.12 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

§ 27.13 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Code Official shall include, but not be limited to:

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 27.31(a) are met.

§ 27.14 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 27.6, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 27.28, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 27.29 SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

§ 27.15 INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
 - i. verify and record the actual elevation (in relation to mean sea level); and
 - ii. maintain the floodproofing certifications required in section 27.11(c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

§ 27.16 ALTERATION OF WATERCOURSES

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

§ 27.17 SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of sections 27.28, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 27.29, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 27.30, SPECIFIC STANDARDS, MANUFACTURED HOMES.

§ 27.18 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 27.19.

§ 27.19 VARIANCE PROCEDURE; APPEAL BOARD

- a) The Board of Adjustment as established by the Borough of Ho-Ho-Kus shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court as provided by law.
- d) In passing upon such applications, the Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - i. the danger that materials may be swept onto other lands to the injury of others;
 - ii. the danger to life and property due to flooding or erosion damage;
 - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iv. the importance of the services provided by the proposed facility to the community;
 - v. the necessity to the facility of a waterfront location, where applicable;
 - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - vii. the compatibility of the proposed use with existing and anticipated development;
 - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 27.19 (d) and the purposes of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Borough of Ho-Ho-Kus shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

§ 27-20 CONDITIONS FOR VARIANCES

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 27.19 (d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 27.19(d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

PROVISIONS FOR FLOOD HAZARD REDUCTION

§ 27.21 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

§ 27.22 ANCHORING

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

§ 27.23 CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

§ 27.24 UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

§ 27.25 SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

§ 27.26 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

§ 27.27 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 27.6, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 27.14, USE OF OTHER BASE FLOOD AND FLOODWAY DATA, the following standards are required:

§ 27.28 RESIDENTIAL CONSTRUCTION

- a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot, as required by ASCE/SEI 24-14, Table 2-1;
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified) And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

§ 27.29 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

either

- a) Elevated at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- b) Require within any AO or AH zone on the municipality's FIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified)_And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- c) Be floodproofed so that below the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water;
- d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 27.15(b)ii.

§ 27.30 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 27.22(b).

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting
July 16, 2019 7:30 p.m.

- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
- i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and,
 - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

§ 27.31 FLOOD WAYS

Located within areas of special flood hazard established in section 27.6 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 27.31(a) is satisfied, all new construction and substantial improvements must comply with PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SEVERABILITY

§ 27.32 SEVERABILITY

If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

REPEALER

§ 27.33 REPEALER

The provisions of all Ordinances inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

ENACTMENT

§27.34 ENACTMENT

This Ordinance shall be effective on August 28, 2019 after passage and publication provided by law and shall remain in force until modified, amended or rescinded by Borough of Ho-Ho-Kus, Bergen County, New Jersey.

PUBLIC HEARING

Council President opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-25 and all persons who wishes to be heard, please state your name and address before making your statement.

Seeing none, the Council President closed the meeting to the public.

A motion was offered by Councilman Rorty and seconded by Councilman Iannelli to adopt Ordinance #2019-25. Motion carried on a roll call vote – All present voting “Aye”.

CONSENT RESOLUTIONS (19-74 thru 19-76)

Resolution #19-74 – **Introduced and read by Council President Troast**

A Resolution - Payment of bills – July

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Work/Public Combined Meeting
July 16, 2019 7:30 p.m.

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$1,682,355.13; 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 \$1,682,355.13 be approved and ratified respectively

July bill list

19-00986	06/27/19	01571	BOROUGH OF MIDLAND PARK	POLICE COVERAGE-ROAD REPAVING	Open	680.34	0.00
19-00988	06/27/19	01223	SELECTIVE INSURANCE	FLOOD INSURANCE-333 WARREN AVE	Open	1,877.00	0.00
19-00989	06/28/19	03048	QUALITY FORD	2 HANDLES FOR pOL VEHICLES	Open	22.51	0.00
19-00990	06/28/19	03204	MONTAGUE TOOL & SUPPLY	LAWN MOWER BLADES/SVC KIT-DPW	Open	212.08	0.00
19-00991	06/28/19	00886	SCHWANENEDE/HALS ENGINEERING	SITE PLAN REVIEW 705/9	Open	400.00	0.00
19-00992	06/28/19	03158	WM RECYCLE AMERICA	RECYCLING PICKUPS MAY - DPW	Open	421.32	0.00
19-00993	06/28/19	01511	UNIVERSAL AWARDS	NAMEPLATE K RASCHDORF-ZONE BD	Open	20.00	0.00
19-00994	06/28/19	00105	P S E & G	JUN 2019 GAS/ELECT. - CURRENT	Open	9,788.70	0.00
19-00995	06/28/19	00105	P S E & G	JUN 2019 GAS/ELECT. -WATER DEPT	Open	6,433.23	0.00
19-00996	07/01/19	00374	NJ DIV OF ALCOHOL BEV CONTROL	LIQUOR LICENSE RENEWAL 2019-20	Open	12.00	0.00
19-00997	07/01/19	02615	TREASURER, STATE OF NJ	MARRIAGE LIC FEE TO NJ MAR- JUN	Open	125.00	0.00
19-00998	07/01/19	03224	ALS GROUP USA CORP.	WATER TESTS 6/11 & 6/18	Open	786.00	0.00
19-00999	07/01/19	00610	NJ DEPT OF HEALTH	MAY-JUNE DOG LICENSES #490-503	Open	16.80	0.00
19-01000	07/01/19	00001	HOME HARDWARE	JUNE PURCHASES - WATER DEPT	Open	29.98	0.00
19-01001	07/01/19	01607	BURGIS ASSOCIATES, INC.	PROF. SVCS- BORO PLANNERS-MAY	Open	937.50	0.00
19-01002	07/01/19	00037	MUNICIPAL CLERKS' ASSOC OF NJ	MUNI CLERKS ASSN -MEMBERSHIP	Open	100.00	0.00
19-01003	07/02/19	03241	COUNTY OF BERGEN	TRIP TO COUNTY PARK - 7/10/19	Open	388.00	0.00
19-01004	07/02/19	00886	SCHWANENEDE/HALS ENGINEERING	ENG. SOIL MOVING - 605/2	Open	250.00	0.00
19-01005	07/02/19	00886	SCHWANENEDE/HALS ENGINEERING	ENG. PLAN REVIEW - 2019/15	Open	400.00	0.00
19-01006	07/02/19	00886	SCHWANENEDE/HALS ENGINEERING	ENG - ROAD OPENING-4 STRATFORD	Open	250.00	0.00
19-01007	07/02/19	00886	SCHWANENEDE/HALS ENGINEERING	ENG. -ROAD OPENING 14 STRATFORD	Open	250.00	0.00
19-01008	07/02/19	02779	FASTENAL	BLACK GLOVES - DPW	Open	139.20	0.00
19-01009	07/02/19	01647	WSP USA	WATER COMPLIANCE SVC THRU 5/31	Open	2,515.00	0.00
19-01010	07/02/19	01088	DEPOSITORY TRUST COMPANY	GEN. BOND PRINCIPAL/INT 7/19	Open	390,550.00	0.00
19-01011	07/02/19	01088	DEPOSITORY TRUST COMPANY	WATER BOND PRINCIPAL/INT 7/19	Open	93,765.00	0.00
19-01012	07/02/19	00436	TREASURER STATE OF NJ	2ND QTR REFUND DCA PERMIT FEES	Open	3,442.00	0.00
19-01013	07/03/19	02711	OPTIMUM *	OPTIMUM SVC BORO HL 7/1-7/31	Open	29.95	0.00
19-01014	07/03/19	01662	AAA EMERGENCY SUPPLY	AIR FILL MACHINE SVC-FIRE DEPT	Open	72.77	0.00
19-01015	07/03/19	80068	MALES, CHRIS	FOLD/STUFF/SEAL WATER BILLS Q2	Open	250.00	0.00
19-01016	07/03/19	02331	WISS & BOUREGY P.C.	LABOR ATTORNEY-PBA MATTERS-MAY	Open	28.50	0.00
19-01017	07/03/19	02968	STONEFIELD ENGINEERING	TRAFFIC STUDY - CROSSINGS	Open	1,500.00	0.00
19-01018	07/03/19	03208	MONMOUTH TELECOM	TELECOM SERVICE JULY	Open	830.34	0.00
19-01019	07/03/19	00406	RINBRAND WELL DRILLING CO	REPLACE WELL MOTOR - WELL #1	Open	9,765.00	0.00
19-01020	07/03/19	00213	AMERICAN TRADE MARK	CUSTOM PLAQUE-PARK BENCH-DANZA	Open	85.00	0.00
19-01021	07/03/19	03168	RE-TRON TECHNOLOGIES	875 CCA 12V VEHICLE BATTERY-DP	Open	179.70	0.00
19-01023	07/08/19	00537	IVY LEAGUE CLEANERS	CLEAN POLICE DEPT. BLANKET	Open	18.00	0.00
19-01024	07/08/19	02671	SUBURBAN DISPOSAL INC.	SOLID WASTE/RECYCLING JUN 2019	Open	48,691.78	0.00
19-01025	07/08/19	00229	BORO OF H-H-K WATER DEPARTMENT	2ND QTR WATER BILLING TO DEPTS	Open	1,302.97	0.00
19-01026	07/08/19	01486	BORO OF SADDLE RIVER	POLICE COVERAGE-ROAD PAVING	Open	2,346.46	0.00
19-01027	07/08/19	03124	CP ENGINEERS, LLC	AS-BUILT REV/SITE WALK/BOND LT	Open	902.50	0.00
19-01028	07/08/19	02887	VALLEY PHYSICIAN SERVICES	2ND QTR DOT TESTING - DPW	Open	153.00	0.00
19-01029	07/08/19	00252	RIDGWOOD PRESS	CCR POSTCARDS/POSTAGE-WATER DP	Open	933.50	0.00
19-01030	07/08/19	02779	FASTENAL	PAINT & PRY BARS - WATER DEPT	Open	180.51	0.00

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Work/Public Combined Meeting
July 16, 2019 7:30 p.m.

19-01031	07/08/19	02429	GRAINGER	PORTABLE AIR CONDITIONER -DPW	Open	330.25	0.00
19-01032	07/08/19	03205	NORTH JERSEY PUMP & CONTROL	EVALUATWE WELL#1/TEST EASTGATE	Open	431.40	0.00
19-01033	07/08/19	02584	INTER CITY TIRE	55 SCRAP TIRES REMOVED - DPW	Open	204.50	0.00
19-01034	07/08/19	01424	CHRIS JOY ELECTRIC, INC.	REPLACE OUTLET BOXES/NEW GFCI	Open	440.00	0.00
19-01035	07/08/19	00022	STONE INDUSTRIES	TOP ASPHALT - ROADS DEPT.	Open	163.00	0.00
19-01036	07/08/19	00157	TREASURER - STATE OF NJ	DEP-NJ SAFE DRINKING WATER	Open	720.00	0.00
19-01037	07/08/19	03048	QUALITY FORD	BRAKE PAD KIT/ROTOR ASSY-DPW	Open	225.42	0.00
19-01038	07/08/19	03243	CAMPBELL SUPPLY COMPANY	AIR/FUEL/LUBE FILTERS - DPW	Open	286.20	0.00
19-01039	07/08/19	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS ZONING BD-JUNE 2019	Open	84.12	0.00
19-01040	07/08/19	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS - BORO JUNE 2019	Open	563.11	0.00
19-01041	07/09/19	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS - PLANNING BD. -JUN	Open	64.46	0.00
19-01042	07/09/19	00144	BORO OF H-H-K PAYROLL ACCT	2018 POL/DPW SICK TIME PAYOUT	Open	140,674.51	0.00
19-01043	07/10/19	01831	COMPUTER SERVICE CENTER	COMPUTER TECH SUPPORT - JUNE	Open	2,963.00	0.00
19-01044	07/10/19	00144	BORO OF H-H-K PAYROLL ACCT	MEDICAL/PRESCRIPT/DENTAL - JUL	Open	77,902.10	0.00
19-01045	07/10/19	00294	STATE OF NEW JERSEY-PWT	2ND QTR PENNY TAX -WATER USAGE	Open	348.93	0.00
19-01047	07/10/19	80258	VACCARINO, JAMES	RETURN UNUSED ZB ESCROW 705/9	Open	904.95	0.00
19-01048	07/10/19	00166	BOLE, DAVID B., ESQ.	BORO ATTORNEY SVCS - JUNE	Open	2,943.00	0.00
19-01049	07/10/19	03150	ELECTRO BATTERY SYSTEMS	2 VEHICLE BATTERIES	Open	187.49	0.00
19-01050	07/10/19	00010	FRANKLYN' S PHARMACY	ALEVE PAIN RELIEVER - DPW	Open	13.49	0.00
19-01051	07/10/19	03132	KIRKS' S NORTHERN TIRE & AUTO	6 TIRES - POLICE DEPT	Open	774.00	0.00
19-01052	07/10/19	00347	HAWTHORNE CHEVROLET	TANK - DPW	Open	52.50	0.00
19-01053	07/10/19	03048	QUALITY FORD	REPLACE SENSOR DPW VEH #765	Open	435.00	0.00
19-01054	07/10/19	02484	RACHLES/MICHELE' S OIL CO.	1550 GALS GAS DELIVERED 6/13	Open	2,806.30	0.00
19-01055	07/10/19	80203	CAPORALE, ELISA B.	REIMB TRAVEL EXP-CLERK COURSE	Open	205.32	0.00
19-01057	07/11/19	00992	GREGO, ANTHONY	REIMB. -EAR PIECE/BATTERIES-PD	Open	30.48	0.00
19-01058	07/11/19	03169	SELECTIVE INSURANCE *	FLOOD INSURANCE-44 SHERIDAN AV	Open	11,230.00	0.00
19-01059	07/11/19	03170	SELECTIVE INSURANCE **	FLOOD INSURANCE-55 SYCAMORE AV	Open	2,835.00	0.00
19-01060	07/11/19	02690	VERIZON WIRELESS*	WIRELESS CHARGES 6/4-7/3	Open	1,626.20	0.00
19-01061	07/11/19	00821	AT&T	JUNE 2019 FAX/LONG DISTANCE	Open	116.13	0.00
19-01062	07/11/19	02788	KONICA MINOLTA **	QTR 2 COPIER MAINT/COPIES-POL	Open	627.87	0.00
19-01063	07/11/19	03119	KONICA MINOLTA ****	COPIER PLN/ZON/CONS 4/4-7/3	Open	55.78	0.00
19-01064	07/11/19	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MONTH 7/15	Open	177,117.39	0.00
19-01065	07/11/19	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 7/15	Open	8,131.80	0.00
19-01066	07/11/19	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-SWASTE 1/2 MONTH 7/15	Open	4,492.78	0.00
19-01069	07/11/19	02899	OFFICE CONCEPTS GROUP	INK CARTRIDGES -DPW WATER DPT	Open	77.98	0.00
19-01070	07/12/19	00038	VERIZON	WATER DEPT PHONES - JUNE/JULY	Open	398.16	0.00
19-01071	07/12/19	00038	VERIZON	JUNE/JULY FAX/PHONE - DEPTS.	Open	920.63	0.00
19-01072	07/12/19	03140	SKY ZONE INDOOR TRAMPOLINE PK.	PIZZA/DRINKS - JR POLICE ACAD.	Open	282.00	0.00
19-01073	07/12/19	03124	CP ENGINEERS, LLC	PLOT PLAN/SOIL MOVING-802/2. 01	Open	1,175.00	0.00
19-01074	07/12/19	03124	CP ENGINEERS, LLC	ENG -SOIL MOVING REVIEW (TOLL)	Open	1,500.00	0.00
19-01075	07/15/19	00144	BORO OF H-H-K PAYROLL ACCT	TAX LIABILITY-SICKLEAVE PAYOUTS	Open	12,030.14	0.00
19-01076	07/15/19	00555	P S E & G *	ELECT. SVC-EASTGATE THRU 7/10	Open	109.02	0.00
19-01077	07/15/19	02849	PRINCETON HOSTED SOLUTIONS	PHONE PROVIDER - FINAL PAYMENT	Open	1,679.69	0.00
19-01091	07/15/19	80202	JONES, WILLIAM J.	REIMB-REGISTER HHK DOMAIN NAME	Open	116.81	0.00

Resolution #19-75 – Introduced and read by Council President Troast

A Resolution - Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Resurfacing of Mill Road, Section 2 project.

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Ho-Ho-Kus formally approves the grant application for the above stated project.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Work/Public Combined Meeting
July 16, 2019 7:30 p.m.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2020- Resurfacing Mill Road, Section 2 - 00594** to the New Jersey Department of Transportation on behalf of the Borough of Ho-Ho-Kus.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Ho-Ho-Kus and that their signature constitutes acceptance of the terms and conditions of the grand agreement and approves the execution of the grant agreement.

Resolution #19-76 – Introduced and read by Council President Troast

A Resolution – Grant Writing & Consulting Services

WHEREAS, an agreement between the **Borough of Ho-Ho-Kus** having its principal offices located 333 Warren Avenue, Ho-Ho-Kus NJ 07423 County of Bergen and State of New Jersey, party of the first part, hereinafter referred to as Client and **Bruno Associates, Inc.**, a New Jersey Corporation, having its principal offices located at 1373 Broad Street, Suite 304, Clifton, NJ 07013, hereinafter referred to as Consultant.

WHEREAS, the Consultant has offered to the Client its professional services to study, evaluate and apply for federal, state, county and foundation grant programs on behalf of the Client and the Client wishes to engage the Consultant to perform such professional services; and,

WHEREAS, the Consultant agrees to perform all necessary professional consultation and other work involved in the study of federal, state, county and foundation grant program needs of the Client, and the related research, planning, preparation and submission of all applications for such programs, as the client shall agree to submit, for the sum of \$2,000.00 per month, payable on the first day of each month.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that a contract for the above-referenced services is hereby awarded to **Bruno Associates, Inc.** of 1373 Broad Street, Suite 304, Clifton, NJ 07013.

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to sign a contract with the contractor following legal review; and

BE IT FURTHER RESOLVED, which a copy of this resolution shall be sent to **Bruno Associates, Inc.** of 1373 Broad Street, Suite 304, Clifton, NJ 07013

A motion was offered by Council President Troast and seconded by Councilman Policastro to approve Resolutions 19-74 through 19-76. Motion carried on a roll call vote – All present voting “Aye”.

LIAISON REPORTS

Recreation – Councilman Iannelli reported the baseball season has come to an end. Football will begin their summer workouts starting August 13th. Soccer will commence around the same time. The project for completing the sheds is on hold, they are looking for financing for one shed and the other two to follow.

Library – no report, however Councilman Policastro stated he will be meeting with the Library Director on Thursday afternoon at her request. He asked the library board to attend our September or October work session meeting to meet in executive session under contract negotiations, just waiting for a reply.

Board of Education – No report

Ambulance Corp. – No report

Fire Department – Councilman Rorty reported the Fire Department attended the Ridgewood 4th of July parade, where they won best department regulation uniform and best antique truck.

Chamber of Commerce – No report

MAYOR'S REMARKS

CLOSED SESSION: On a motion by Councilman Rorty, seconded by Councilman Shell, the Mayor and Council approved entering into Executive Session closed to the public. Motion Carried by voice vote – all present voting “Aye”.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Work/Public Combined Meeting
July 16, 2019 7:30 p.m.

A Resolution - providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. NJSA 10:4-12

Whereas, the Borough Council of the Borough of Ho-Ho-Kus is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6; and

Whereas, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by resolution; and

Whereas, it is necessary for the Borough Council of the Borough of Ho-Ho-Kus to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12 (b) as follows:

- 7- Matters relating to litigation, negotiations and attorney-client privilege
Lease Agreement – American Tower

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on July 16, 2019 that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above.

Closed Session began at 7:55 p.m. and ended at 8:10 p.m.

On a motion by Councilman Shell, seconded by Councilman Iannelli, the meeting returned to open public session. Motion Carried by voice vote – all present voting “Aye”.

ADJOURNMENT

On a motion by Councilman Crossley, seconded by Councilman Rorty, the meeting was adjourned at 8:11 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve RMC/CMR
Borough Clerk