

**BOROUGH OF HO-HO-KUS**  
**PUBLIC MEETING OF**  
**THE MAYOR AND COUNCIL**  
**APRIL 28, 2015- 8:00 PM**  
**MINUTES**

Mayor Randall called the meeting to order at 8:00 pm. The opening statement was read.

The Regular Meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session. In accord with the provisions of Section 5 of the "Open Public Meetings Act", I wish to advise that notice of this meeting has been posted in the front lobby entrance to the Council Chambers of the Borough Hall and that a copy of the schedule of this meeting has also been filed with the Borough Clerk, and that copies of the annual notice of meetings, of which this is a part, have been heretofore sent to The Record and the Ridgewood News - newspapers with general circulation throughout the Borough of Ho-Ho-Kus

Roll Call: Members present were: Councilmembers, Troast, Rorty, Weiss, Shell and Iannelli. . Also present was borough attorney David Bole.

Absent: Councilmember Shea

Mayor Randall led all in the pledge of allegiance

**MAYOR'S STATEMENT:**

Mayor Randall informed the public the portion of the meeting was for the purpose of a public hearing and the adoption of the 2015 Municipal Water and Solid Waste Budget.

Mayor Randall opened the Public Hearing and asked the Finance Chairman and/or Borough Auditor to summarize the major points of the budget.

**A. Budget Posting Resolution**

Mayor Randall will invited questions from the public

**B. Approve the Budgets**

**6. APPROVAL OF MINUTES**

1. February 24, 2015      Closed Session

All present

Cn. Rorty approved the minutes, seconded by Cn. Troast

All ayes

2. March 17, 2015      Work Session

3. March 17, 2015      Closed Session

Cn. Troast approved the minutes, seconded by Cn. Rorty

Abstain: Cn. Shell and Weiss

4. March 24, 2015      Public Meeting

Cn Weiss approved the minutes, seconded Cn. Iannelli

Abstain: Cn. Troast

## 7. COMMITTEE REPORTS– March 2015

On file

## 8. PUBLIC DISCUSSION

Boy Scout Brian O'Connor 135 Ardmore Road asked for permission to sell Hot Dog on Memorial Day in front of Community Church in efforts to raise money for an Eagle Scout Project.

Permission granted.

## 9. CORRESPONDENCE

1. Ho-Ho-Kus Garden Club re: Permission to use Town Green for plant sale– May 16, rain date May 17
2. Go 4 The Goal re: Annual Richard's Run HHK 5K– October 4, 2015
3. Letter from Assemblyman Robert Auth re: Support Bill A4235 "Transparent Tax Act of 2015."

## 10. INTRODUCTION OF ORDINANCES

1. # 1037 Bond Ordinance– Various Improvements

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

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery and new automotive vehicles, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds.

### SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the resurfacing of various roads in the Borough (including drainage improvements and reconstruction of curbs, where necessary) as the 2015 Road Resurfacing Program, as set forth on a list on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$300,000
Down Payment Appropriated	\$ 14,300

Bonds and Notes Authorized	\$285,700
Period of Usefulness	10 years

B. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of a dump truck for the use of the Department of Public Works ("DPW").

Appropriation and Estimated Cost	\$200,000
Down Payment Appropriated	\$ 10,000
Bonds and Notes Authorized	\$190,000
Period of Usefulness	5 years

C. Acquisition of new additional or replacement equipment and machinery for the use of the DPW consisting of (i) replacement garage doors for the DPW Garage, (ii) a pole-mounted pipeline and manhole camera, (iii) a chipper safety shield and (iv) a vehicle lift.

Appropriation and Estimated Cost	\$ 61,000
Down Payment Appropriated	\$ 3,000
Bonds and Notes Authorized	\$ 58,000
Period of Usefulness	15 years

D. Acquisition of new additional or replacement equipment and machinery and a new automotive vehicle, including original apparatus and equipment, for the use of the Police Department consisting of (i) a license plate reader and (ii) an SUV.

Appropriation and Estimated Cost	\$ 63,000
Down Payment Appropriated	\$ 3,200
Bonds and Notes Authorized	\$ 59,800
Period of Usefulness	5 years

E. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an ambulance for the use of the Ambulance Corps.

Appropriation and Estimated Cost	\$225,000
Down Payment Appropriated	\$ 11,800
Bonds and Notes Authorized	\$213,200
Period of Usefulness	5 years

F. Acquisition of new additional or replacement equipment and machinery for the use of the Fire Department consisting of (i) thermal imaging cameras, (ii) self-contained breathing apparatus equipment and (iii) a respirator fit tester (Borough portion to be shared with the Borough of Midland Park).

Appropriation and Estimated Cost	\$ 33,000
Down Payment Appropriated	\$ 1,700
Bonds and Notes Authorized	\$ 31,300
Period of Usefulness	5 years
Aggregate Appropriation and Estimated Cost	\$882,000
Aggregate Down Payment Appropriated	\$ 44,000
Aggregate Amount of Bonds and Notes Authorized	\$838,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$60,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$44,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$44,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$838,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$838,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 7.39 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$838,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall take effect twenty days after the first publication thereof after final passage. Councilmember Rorty moved the Ordinance, seconded by Councilmember Weiss

All Ayes

Absent- Cn. Shea

2. # 1038 Salary Ordinance-2015

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

Section 1. That the annual compensation to be paid to the following officers and employees of the Borough of Ho-Ho-Kus in 2015 shall be fixed as follows:

<b><u>OFFICIALS</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Mayor	\$ N/A	\$ N/A
Council Members	\$ N/A	\$ N/A
<b><u>ADMINISTRATIVE &amp; EXECUTIVE</u></b>		
Borough Administrator	\$ 75,000	\$120,000
Human Resources/Personnel Director	\$ 6,500	\$ 15,000
Assistant to H.R./Personnel Director	\$ 3,000	\$ 5,000
Executive Assistant	\$ 20,000	\$ 65,000
Borough Clerk	\$ 25,000	\$ 65,000
Deputy Borough Clerk	\$ 8,000	\$ 35,750
Administrative Assistant/Secretary	\$ 10,000	\$ 65,000
Clerical (Part-time – 24 hours weekly)	\$ 15 per hour	\$ 20 per hour
Purchasing Agent	\$ 15,000	\$ 35,000
Deputy Purchasing Agent	\$ 500	\$ 8,000
Qualified Purchasing Agent	\$ 3,000	\$ 5,000
Public Agency Compliance Officer	\$ 1,000	\$ 2,000
Security Information Officer	\$ 2,000	\$ 5,000
Webmaster	\$ 3,000	\$ 10,000
Custodian	\$ 10,000	\$ 50,000
<b><u>FINANCE</u></b>		
Chief Financial Officer	\$ 35,000	\$ 65,000
Treasurer	\$ 20,000	\$ 30,000
Deputy Treasurer	\$ 3,000	\$ 17,500
Tax Assessor	\$ 8,000	\$ 65,000
Assessment Search Officer	\$ 1,000	\$ 3,000
Tax Collector	\$ 40,000	\$ 70,000
Tax Search Officer	\$ 1,000	\$ 3,000
Payroll Supervisor	\$ 5,000	\$ 20,000
Accounting Asst. (P.T. – 24 hrs. wk.)	\$ 20 per hour	\$ 30 p/h
Accounting Asst. (Full-time)	\$ 20,000	\$ 60,000
<b><u>LIBRARY</u></b>		
Head Librarian (Library Director)	\$50,000	\$ 90,000
Library Asst.	\$ 8.50	\$ 17.50 p/h
<b><u>REGISTRARS</u></b>		
Registrar of Vital Statistics	\$ 8,000	\$ 16,000
Deputy Registrar of Vital Statistics	\$ 2,000	\$ 6,000
Water Registrar	\$ 8,000	\$ 22,000
Deputy Water Registrar	\$ 2,000	\$ 6,000
Solid Waste Registrar	\$ 8,000	\$ 22,000
Deputy Solid Waste Registrar	\$ 2,000	\$ 6,000

Registrar of Elections	\$ 8,000	\$ 16,000	
<b><u>MUNICIPAL COURT</u></b>			
Municipal Court Judge	\$ 7,500	\$ 12,570	
Prosecutor	\$ 6,000	\$ 10,200	
Court Administrator	\$10,000	\$ 65,000	
Deputy Court Administrator	\$ 500	\$ 3,500	
Violations Clerk	\$ 7,500	\$ 23,050	
Deputy Violations Clerk	\$ 500	\$ 3,500	
<b><u>EMERGENCY MANAGEMENT</u></b>			
*Emergency Management Coordinator	\$ 1,500	\$ 4,750	
Asst. Emergency Management Crdntr.	\$ 250	\$ 1,375	
<b><u>POLICE DEPARTMENT</u></b>			
Police Chief	\$120,000	\$160,000	
Police Captain	\$110,000	\$150,000	
Police Lieutenant	\$ 97,900	\$140,000	
**Police Sergeant	\$ 97,872	\$115,000	
**Police Patrolman	\$ 33,000	\$ 95,500	
Police Dispatcher (Full-time)	\$ 25,000	\$ 40,000	
<b><u>DEPARTMENT OF PUBLIC WORKS</u></b>			
*Superintendent of Public Works	\$ 75,000	\$120,000	
Foreman – Public Works	\$ 50,000	\$ 66,000	
Secretary – Public Works	\$ 15,000	\$ 30,000	
Licensed Water Agent	\$ 3,000	\$ 4,925	
Assistant Licensed Water Agent	\$ 1,000	\$ 3,000	
Recycling Coordinator	\$ 2,500	\$ 8,400	
**Public Works Maintenance Employees	\$ 26,925	\$ 75,000	
Custodian	\$ 10,000	\$ 50,000	
<b><u>RECREATION DEPARTMENT</u></b>			
Recreation Director	\$ 10,000	\$ 23,100	
<b><u>HEALTH DEPARTMENT</u></b>			
Registered Environmental Health Specialist	\$ 5,000	\$ 18,000	
<b><u>RECORDING SECRETARIES</u></b>			
to Mayor and Council	\$50 per Mtg.	\$100 per Mtg.	
to Municipal Court	\$50 per Mtg.	\$100 per Mtg.	
to Planning Board	\$50 per Mtg.	\$100 per Mtg.	
to Zoning Board of Adjustment	\$50 per Mtg.	\$100 per Mtg.	
to Board of Health	\$50 per Mtg.	\$100 per Mtg.	to Shade Tree Commission
	\$50 per Mtg.	\$100 per Mtg.	
<b><u>BOARD SECRETARIES</u></b>			
Planning Board	\$ 5,000	\$ 18,000	
Zoning Board of Adjustment	\$ 5,000	\$ 18,000	
<b><u>BUILDING/CONSTRUCTION DEPT.</u></b>			
Chief Construction Official	\$ 5,000	\$ 60,000	
Technical Assistant, Building Dept.	\$ 10,000	\$ 40,000	
Fire Prevention Official	\$ 500	\$ 8,000	
Fire Prevention Inspector	\$ 2,000	\$ 15,000	

Zoning Officer/Zoning Official	\$ 500	\$ 8,000
Property Maintenance Official	\$15 per hour	\$20 per hour

Section 2: The compensation ranges set forth above for the Superintendent, Acting Superintendent, Assistant Superintendent and Foreman of Public Works and Water, and the Emergency Management Coordinator (identified in Section 1 with an asterisk), such employees' longevity pay of one percent (1%) for each five (5) years of service, not to exceed four percent (4%). Longevity credit will be computed from the date of employment. Full time Police Officers and Sergeants, and Public Works Maintenance Employees (identified in Section 1 with a double-asterisk) will receive longevity as stipulated in their labor contracts.

Section 3: School Crossing Guards, when on active duty, shall receive compensation of not less than \$15.00 per hour nor more than \$20.00 per hour. Part-time Police Dispatchers/Assistant Police Dispatchers and Police Matrons, when on active duty, shall receive compensation of not less than \$9.50 per hour nor more than \$17.00 per hour.

Section 4: There shall be paid to the Borough Attorney an annual retainer of \$10,500.00 and such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 5: There shall be paid to the Attorney for the Zoning Board of Adjustment an annual retainer of \$300.00 maximum and the sum of \$175.00 for each required appearance before the Board. He shall also receive such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Zoning Board of Adjustment.

Section 6: There shall be paid to the Attorney for the Planning Board an annual retainer of \$600.00 maximum and the sum of a fee of up to \$175.00 for every required appearance before the Board and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Planning Board.

Section 7: There shall be paid to the Borough Engineer an annual retainer of \$1,000.00 and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 8: There shall be paid to the Borough Auditor an annual retainer of \$19,000.00 for municipal services and an annual retainer of \$14,700.00 for services performed for the Water Department and an annual retainer of \$11,400.00 for services performed for the Solid Waste Utility. He also shall receive such other compensation as he legally may be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 9: There shall be paid to designated borough employees, for their being on 24-hour stand-by service and inspecting pump houses of the Borough per weekend, the sum of \$325.00 and on holidays the sum of \$135.00 per unit, and Monday through Friday the sum of \$20.00 per unit in lieu of overtime compensation per contract.

Section 10: There shall be paid to certain borough employees for authorized overtime services an hourly wage equal to one and one-half (1½) times except Sunday, which shall be at two and one-half (2½) times the hourly rate computed from their salaries.

Section 11: All full-time borough employees shall be paid in keeping with a resolution of the Mayor and Council.

Section 12: All full-time borough employees shall be given thirteen (13) paid holidays as described in the personnel code.

Section 13: The salaries, educational credits and longevity payments established herein for the borough employees who are members of the Department of Public Works and the Police Department are subject to and shall be paid in accordance with the labor contracts for current and prior years between the Borough and the respective unions or organizations representing such employees. Such salaries, educational credits and longevity payments shall be specified by Resolution adopted by the Borough Council when appropriate to implement the labor contracts or, if applicable, an arbitration award. The terms and conditions contained in such contracts or an arbitration award are to be incorporated herein and made a part hereof as though set forth at length and copies shall be filed in the office of the Borough Clerk and made available to any member of the public who may wish to examine same.

Section 14: There shall be paid to each qualified emergency medical technician of the *daytime crew* for services performed the sum of sixteen hundred fifty (\$1,650.00) dollars.

Section 15: The provisions of any ordinance or ordinances inconsistent with the provisions hereof are hereby expressly repealed.

Section 16: The Borough Council upon adoption of this Ordinance shall fix the compensation of officers and employees of the Borough of Ho-Ho-Kus which shall be effective as of January 1, 2012.

Section 17: This Ordinance shall take effect upon passage and publication as required by law.

Councilmember Rorty moved the Ordinance, seconded by Councilmember Weiss

All Ayes

Absent- Cn. Shea

3. # 1039 Amend Chapter 32- Shade Tree.

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

That **CHAPTER 32B-10B(7) LANDSCAPING** is amended to add thereto a new subparagraph (E) as follows:

#### **SECTION I**

(E) The Mayor and Council of the Borough of Ho-Ho-Kus finds that lack of street trees is causing increased drainage problems, soil erosion and sedimentation, decreased fertility of the soil, degradation of water resources, decreased ground water recharge, increased buildup of atmospheric carbon dioxide, the establishment of a heat island effects and increased dust and pollution. All of the above can negatively affect the value of the properties in Ho-Ho-Kus and overall quality of life. Therefore, the Mayor and Council of the Borough of Ho-Ho-Kus finds that a street tree planting deposit is needed to ensure the health, safety and welfare of its residents and to maintain a high quality of life in the Borough of Ho-Ho-Kus.

Streets trees and plantings within the right of way of the Borough including Borough owned parks and buildings are under the jurisdiction of the Shade Tree Commission. The street planting deposit shall apply to any new house constructed on a vacant parcel or on a lot where an existing residence is 75% or more demolished or more than 50% remodeled and to all commercial properties. The Shade Tree Commission shall inspect the affected property and make a determination on the requirement of a street tree planting deposit before a building permit is issued. The Shade Tree Commission shall be notified before a demolition permit is issued. Prior notification would enable the Shade Tree Commission to inspect the site to evaluate the existing street trees and determine tree preservation and protection measures, if required.

The Shade Tree Commission shall be notified by the Planning Board or the Zoning Board of Adjustment upon receipt of any application regarding Section I above. The Shade Tree Commission will review and recommend street tree planting requirements. Plantings shall thereafter be done solely by an independent contractor engaged by the Shade Tree Commission and shall not be done by the owner or developer.

The Shade Tree Commission requires that one tree be planted every thirty (30) to fifty (50) feet of street curb with a minimum of two trees per property or as deemed necessary upon inspection by the Shade Tree Commission. A deposit (currently \$375.00) is required for each two and one half inch Caliper tree. The tree species shall be determined by the Shade Tree Commission for each site and an inspection fee will apply.

The estimate for street tree planting form is hereby adopted and shall be on file in the Office of the Borough Clerk.

(a) The Street Tree Planting deposit shall be made prior to issuance of a building permit.

(b) The existing Ho-Ho-Kus Shade Tree Commission Ross Trust Account shall continue until the funds therein have been expended. At such time it will be closed.

(c) There is hereby established a Ho-Ho-Kus Shade Tree Beautification Account. Developer funds currently deposited and to be deposited therein shall be earmarked for the purchase and planting of shade trees and for beautification projects. Such funds are intended to be separate from general operation funds provided to the Commission by the Borough in its annual budget.

#### **SECTION II**

##### **REPEALER**

All Ordinances or parts of Ordinances, which are inconsistent with the provisions of this amendatory Ordinance, are hereby repealed to the extent of such inconsistency.

#### **SECTION III**

##### **SEVERABILITY**

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

involved in the controversy in which such judgment shall have been rendered.

**SECTION IV  
EFFECTIVE DATE**

This Ordinance shall take effect after final passage and publication as required by law.

Councilmember Rorty moved the Ordinance, seconded by Councilmember Weiss

All Ayes

Absent- Cn. Shea

**FINAL PASSAGE OF ORDINANCES**

Ordinance # 1036 Amend Chapter 85 Zoning "Commercial Banners"

Tabled until the next meeting

**RESOLUTIONS**

None

**CONSENT RESOLUTION**

- 15-47 Appt. Water Operator William Hahn

**WHEREAS**, it is required that the Borough of Ho-Ho-Kus employ a licensed water operator of record to oversee its water utility; and,

**WHEREAS**, William Hahn holding the following licenses: W-3 Water License, T-3 Treatment License, and C-3 Collection License, among others, has agreed to become the licensed water official of the Borough of Ho-Ho-Kus as a temporary consultant at the rate of \$2500 per month,

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that, effective May 1, 2015 William Hahn 80 Nottingham Road. is hired as the licensed water operator for the Borough.

- 15-54 Authorize Amendment to Inter-local Agreement- Midland Park

**WHEREAS**, Resolution 13-121 dated December 17, 2013 authorized a Shared Services Agreement (SSA) between Ho-Ho-Kus and Midland Park for Construction Code Services; and

**WHEREAS**, the parties wish to amend said SSA in part; and

**NOW, THEREFORE**, the Governing Body does hereby authorize a First Amendment to said SSA which First Amendment is on file with the office of the Borough Clerk; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are authorized to sign the First Amendment to SSA following legal review.

- 15-55 Award D&L Paving- Road Resurfacing

**WHEREAS**, the Borough of Ramsey, acting as a lead agency for municipalities in the Northwest Bergen County Shared Services Group has received bid results for the Northwest Bergen Cooperative for the 2015 Resurfacing Program; and

**WHEREAS**, D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110 is the lowest responsible, responsive bidder; and

**WHEREAS**, the Borough of Ho-Ho-Kus plans to resurface Pinecrest Road, Arbor Drive and Linden Road; and

**WHEREAS**, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the Contract;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Ho-Ho-Kus that the Contract for resurfacing of the aforesaid streets within Ho-Ho-Kus is hereby awarded to D&L Paving Contractors, Inc., in the amount

of \$113,313.72; and

**BE IT FURTHER RESOLVED**, that the Mayor and Borough Clerk are authorized to sign a Contract following legal review.

- 15-56 Hazard Mitigation Plan

WHEREAS the Borough of Ho-Ho-Kus, NJ, has experienced natural hazards that result in public safety hazards and damage to private and public property;

WHEREAS the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offers the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risk;

WHEREAS the New Jersey Office of Emergency Management is providing federal mitigation funds to support development of the mitigation plan;

WHEREAS a *Hazard Mitigation Plan* has been developed by the Mitigation Planning Committee;

WHEREAS the *Hazard Mitigation Plan* includes a prioritized list of mitigation actions including activities that, over time, will help minimize and reduce safety threats and damage to private and public property, and

WHEREAS the draft plan was provided to each participating jurisdiction and was posted on the County Office of Emergency Management's website so as to introduce the planning concept and to solicit questions and comments; and to present the Plan and request comments, as required by law, and

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

1. The Bergen County Multi-Jurisdictional *Hazard Mitigation Plan, as submitted to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency* by the Bergen County Office of Emergency Management is hereby adopted as an official plan of the Borough of Ho-Ho-Kus; minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Ho-Ho-Kus departments identified in the Plan are hereby directed to pursue implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Ho-Ho-Kus, and this resolution shall not be interpreted so as to mandate any such appropriations.
4. The Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the Bergen County Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date as agreed upon by all stakeholders.

- 15-57 Arbor Day

WHEREAS, Arbor Day is a nationally celebrated observance that encourages tree planting and tree care; and

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, the idea for this holiday grew in enthusiasm and popular appeal to such an extent that an estimated one million trees were planted on the first Arbor Day; and

**WHEREAS**, the year 2010 is the 138<sup>th</sup> anniversary of the holiday and Arbor Day is now celebrated throughout the nation and the world; and

**WHEREAS**, trees can reduce erosion of topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource for giving us paper, wood for our building industry, fuel and beauty in our communities. and

**WHEREAS,** the Borough of Ho-Ho-Kus is proud to be designated as a Tree City USA and trees wherever they are planted are a source of joy.

**B. NOW, THEREFORE,** I, Thomas W. Randall, Mayor of the Borough of Ho-Ho-Kus proclaim Monday, May 4th, 2015 as the 143rd anniversary celebration of ARBOR DAY in the Borough of Ho-Ho-Kus.

- 15-58 Payment of Vouchers

**WHEREAS,** claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,561,791.12.

**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 **\$2,561,791.12** be approved and ratified respectively

- 15-59 2013 Corrective Action Plan

**WHEREAS,** Local Finance Notice 92-15 issued by the Division of Local Government Services requires all municipalities to prepare a Corrective Action Plan as a part of their annual audit process; and

**WHEREAS,** The Chief Financial Officer has prepared the attached 2013 Corrective Action Plan in conjunction with the appropriate department heads;

**NOW THEREFORE BE IT RESOLVED** that the attached 2013 Corrective Plan is approved by the Borough Council of the Borough of Ho-Ho-Kus as required by Local Finance Notice 92-15.

**BE IT FURTHER RESOLVED** that the Borough Clerk is directed to send a certified copy of this resolution to the Director of Local Government Services

- 15-60 2014 Corrective Action Plan

**WHEREAS,** Local Finance Notice 92-15 issued by the Division of Local Government Services requires all municipalities to prepare a Corrective Action Plan as a part of their annual audit process; and

**WHEREAS,** The Chief Financial Officer has prepared the attached 2014 Corrective Action Plan in conjunction with the appropriate department heads;

**NOW THEREFORE BE IT RESOLVED** that the attached 2014 Corrective Plan is approved by the Borough Council of the Borough of Ho-Ho-Kus as required by Local Finance Notice 92-15.

**BE IT FURTHER RESOLVED** that the Borough Clerk is directed to send a certified copy of this resolution to the Director of Local Government Services;

Councilmember Troast approved the consent resolution, seconded by Councilmember Rorty.

All ayes

Absent. Cn. Shea

#### **14. OLD BUSINESS**

A. Liaison Reports:

1. Recreation

2. Board of Education

3. Other

B. Shade Tree

C. Chamber of Commerce

Councilmember Shell requested permission to post signs for Taste of Ho-Ho-Kus to be held on June 3<sup>rd</sup>

2015.

**15. NEW BUSINESS**

**16. MAYOR'S REMARKS**

**17. CLOSED SESSION**

Contract Negotiation (HHK/Upper Saddle River-Assessor and Recreation Director)  
(188 Franklin Turnpike)  
Litigation (RVRC vs HHK Tax Court Proceeding)

**18. ADJOURNMENT**

With no further discussions to come before the Council and on a motion made by Council member Troast, seconded by Councilmember Weiss and Carried, Mayor Randall adjourned the meeting at 8.37 PM.

Respectfully Submitted,

Laura Borchers, RMC/CMR  
Borough Clerk