

BOROUGH OF HO-HO-KUS
COMBINED PUBLIC MEETING
OF THE MAYOR AND COUNCIL
JANUARY 24, 2017- 7:30 P.M
MINUTES

Mayor Randall called the regular meeting to order at 8:00 PM. The open meeting statement was read.

The combined meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session. In accord with the provisions of Section 5 of the "Open Public Meetings Act", I wish to advise that notice of this meeting has been posted in the front lobby entrance to the Council Chambers of the Borough Hall and that a copy of the schedule of this meeting has also been filed with the Borough Clerk, and further that the required 48 hour notices have been sent to The Record and the Ridgewood News - newspapers with general circulation throughout the Borough of Ho-Ho-Kus
Roll Call: Members present were: Mayor Randall, Councilmembers, Rorty, Iannelli, Fiato and Crossley. Also present were borough administrator William Jones and borough attorney David Bole.

Absent: Councilmembers Troast and Shell

Mayor Randall led all in the Pledge of Allegiance

OATH OF OFFICE:

Mayor Randall administered the oath to Police Officer Leif Hanish

APPROVAL OF MINUTES

December 31, 2016 Sine Die

Motion: Councilmember Iannelli

Second: Councilmember Fiato

Abstain: Councilmember Crossley

Absent: Councilmember Rorty

January 3, 2017 Reorganization

Absent: Cn. Rorty

Motion: Councilmember Crossley

Second: Councilmember Iannelli

COMMITTEE REPORTS- December 2016

On File

PUBLIC DISCUSSION

Mauricio Barragan- Wireless Site Consulting Specialist for Tilcon came before the Council to request consent, to upgrade and enhance its network by deploying small network nodes in the borough right of way.

ADMINISTRATORS REPORT

Borough administrator Jones stated that we are preparing to bid for Brandywine drainage project sometime in February. There will be two phases to the project early spring and end of the year. Project consists of replacement of existing pipes.

CORRESPONDENCE

- Police Dispatchers Letter of Resignations- Brian Ciavaglia and Michael Freeman
- Annual Richard's Run/HHK 5K request- Sunday October 15, 2017
Motion: Councilmember Fiato
Second: Councilmember Rorty
All ayes
- County of Bergen- Home Improvement Program
- Worth- Pinkham Memorial Library- 2016 Annual Report
- NWBCUA- Regular and Special Meeting Minutes
- Verizon- Permission to operate in the borough Right of Way.

INTRODUCTION OF ORDINANCES

2017-01 Amend Parking Fee.

AN ORDINANCE TO AMEND CHAPTER 79 OF THE CODE ENTITLED "VEHICLES AND TRAFFIC"

Section 79-19 of the Code Fees, is amended as follows:

Section I- No Change

Section II- No Change

Section III. Commuters

A. No Change

B. In the Lower Commuter Lot 1 and Municipal Lot A and for machines installed on public streets, the fee to be charged for parking during the period that the parking machines are in effect shall be \$6 for 14 hours. (amended 3-25-1980 by Ord. No 546; 11-27-1990 by Ord No. 671; 5-28-1996 by Ord No. 761; 11-28-2006 by Ord. No. 920)

Section

Repealer

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

Severability

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

Effective Date

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

Motion: Councilmember Iannelli

Second. Councilmember Fiato.

FINAL PASSAGE OF ORDINANCES

None

RESOLUTIONS

17-33 Verizon- Right of Way Usage

WHEREAS, New York SMSA Limited Partnership d/b/a Verizon Wireless, ("Verizon Wireless"), is a provider of commercial mobile service subject to regulation by the Federal Communications Commission; and

WHEREAS, Verizon Wireless has entered into agreements with parties that have the lawful right to maintain poles in the public right of way pursuant to which Verizon Wireless may use such poles erected within the public right of way in the Borough of Ho-Ho-Kus; and

WHEREAS, New Jersey law permits such use provide that there is the consent of the relevant municipality;

NOW THEREFORE BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HO-HO-KUS, COUNTY OF BERGEN, STATE OF NEW JERSEY THAT:

Permission and authority are hereby granted to Verizon Wireless and its successors and assigns, to use poles erected by parties that have the lawful right to maintain poles within the public right-of-way in the Borough of Ho-Ho-Kus, subject to the following:

Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws regarding safety requirements related to the use of the public right-of-way.

Verizon Wireless, and its successors and assigns, shall adhere to all applicable Federal, State, and Local laws requiring permits prior to beginning construction, and shall obtain any applicable permits that may be required by the Borough of Ho-Ho-Kus.

Such permission be and is hereby given upon the condition and provision that Verizon Wireless, and its successors and assigns, shall indemnify, defend and hold harmless the Borough of Ho-Ho-Kus, its officers, agents, and servants, from any claim of liability or loss or bodily injury or property damage resulting from or arising out of the acts or omissions of Verizon Wireless or its agents in connection with the use and occupancy poles located within the public right-of-way, except to the extent resulting from the acts or omissions of the Borough of Ho-Ho-Kus.

Verizon Wireless shall, at its own cost and expense, maintain commercial general liability insurance with limits not less than \$1,000,000 for Injury to or death of one or more persons in any one occurrence and \$500,000 for damage or destruction to property in any one occurrence. *Verizon* Wireless shall include the Borough of Ho-Ho-Kus as an additional insured.

Verizon Wireless shall be responsible for the repair of any damage to paving, existing utility lines, or any surface or subsurface installations, arising from its construction, installation or maintenance of its facilities

Notwithstanding any provision contained herein, neither the Borough of Ho-Ho-Kus nor Verizon Wireless shall be liable to the other for consequential, incidental, exemplary, or punitive damages on account of any activity pursuant to this instrument.

This instrument shall be adopted on behalf of the Borough of Ho-Ho-Kus by the Borough Council of the Borough of Ho-Ho-Kus and attested to by the Borough of Ho-Ho-Kus Clerk who shall affix the Borough of Ho-Ho-Kus seal thereto.

The permission and authority hereby granted shall continue for the same period of time as the grant to parties whose poles Verizon Wireless is using.

Verizon Wireless shall submit a map to the Borough for its approval, depicting the nature and location of the work to be performed prior to commencement of any work.

STATEMENT

This resolution authorizes *Verizon* Wireless to use poles erected within the public right-of-way of the Borough of Ho-Ho-Kus by parties that have the lawful right to maintain such poles.

Motion: Councilmember Rorty

Second: Councilmember Iannelli

Absent: Councilmembers Troast and Shell

CONSENT RESOLUTION

#17-29 Inter-local Paramus PSAP

Whereas, the Borough of Ho-Ho-Kus and the Borough of Paramus seek to renew the interlocal Agreement wherein the Borough of Paramus will provide telephonic access to the "Public Safety Answering Point" (PSAP) service on behalf of the Borough of Ho-Ho-Kus; and

Whereas, both of the parties to such an Agreement are authorized by law to enter into an agreement with each other to provide jointly for any lawful service to and for the residents of the respective municipalities pursuant to the provisions of the "Interlocal Services Act" N.J.S.A. 40:8A-1 et seq.; and

Whereas, the borough councils of the Borough of Ho-Ho-Kus and the Borough of Paramus recognize that the implementation of an interlocal Agreement to provide "PSAP" service, on a regionalized, cost-sharing basis is still in the best interest of the taxpayers of the respective municipalities.

Now, Therefore be it Resolved by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, that the interlocal "PSAP" Agreement with the Borough of Paramus is hereby authorized and executed for a period of one year (effective as of January 1, 201) at the cost of \$2103.00 for the calendar year 2017.

#17-30 Appt. Deputy Court Clerk

WHEREAS, the Municipal Court of the Borough of Ho-Ho-Kus finds it necessary to appoint a person as Deputy Court Administrator, a part-time, as needed position to be shared with the Borough of Allendale; and

WHEREAS, the Municipal Court of the Borough of Ho-Ho-Kus finds it necessary to appoint a person as Violations Clerk, a part-time, as needed position to be shared with the Borough of Allendale; and

WHEREAS, Sherri D'Alessandro and Susan Maurer each with the appropriate certification, have been appointed to these positions by the Borough of Allendale

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Sherri D'Alessandro, CMCA, is hereby appointed as Deputy Court Administrator, for a compensation of \$2000 annually at

\$20 per diem and Susan Maurer, is hereby appointed Violations Clerk, for a compensation of \$1170 annually at \$97.56 per court session.

#17-31 Transfer of Funds

	FROM:	TO:
Building and Grounds (O.E.)	\$2,500	
Police (O&E)		\$2,000
Fire (O&E)		\$500

#17-32 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,932,886.09
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 \$2,932,886.09 be approved and ratified respectively

#17-34 Municipal Alliance

WHEREAS, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

WHEREAS, The Borough Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

WHEREAS, the Borough Council of the Borough of Ho-Ho-Kus further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community. and,

WHEREAS, the Borough Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen

NOW THEREFORE BE IT RESOLVED by the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough Council does hereby authorize submission of a strategic plan for the Ho-Ho-Kus Municipal Alliance grant for fiscal year 2018 in the amount of:

DEDR	9,520
Cash Match	2,380
In-Kind	7,140
2. The Borough Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements

Motion: Councilmember Rorty

Second: Councilmember Iannelli

All ayes

Absent: Councilmembers Troast and Shell

OLD BUSINESS

- A. Liaison Reports.
 - 1. Recreation
 - 2. Board of Education
 - 3. Other
- B. Shade Tree
- C. Chamber of Commerce
 - No reports

NEW BUSINESS

None

MAYOR'S REMARKS

CLOSED SESSION

WHEREAS, under the "Open Public Meetings Law", all sessions must be open to the public, and

WHEREAS, under the Public Meetings Act Law, exceptions exist for a public body to hold a Closed Session

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus hereby recess under Personnel, Contract and Litigation

BE IT FURTHER RESOLVED, that the results of the Closed Session will be available to the public in the minutes regarding the same at the conclusion of the matter.

ADJOURNMENT

With no further matters to come before the Council, Mayor Randall adjourned the meeting at 9:40PM.

Respectfully submitted,

Laura Borchers, RMC/CMR