

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

JANUARY 22, 2013- 8:00 P.M.

I. OPEN MEETING STATEMENT - ROLL CALL

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

Roll Call:

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

II. PLEDGE OF ALLEGIANCE

Mayor Randall led all in the pledge of Allegiance

III. OATHS OF OFFICE:

1. POLICE DEPARTMENT

Mayor Randall administered the Oaths of Office to the Police Sergeants, Michael LaCroix and Jamie Bodart

2. AMBULANCE CORPS.

Mayor Randall administered the Oath of Office to the Officers of the Ambulance Corps.

IV. APPROVAL OF MINUTES

1. May 22, 2012 Public Meeting
All Present
2. June 26, 2012 Public Meeting
Absent: Cn. Troast and Rorty
3. July 24, 2012 Combined Meeting
Absent: Cn. Lennon

V. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report - December 2012

B. PUBLIC SAFETY

1. Police Report - December 2012
2. Court Report - December 2012

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works - December 2012
2. Construction Office Report - December 2012

D. WATER

1. Water Supt. Report - December 2012
2. Water Registrar's Report- December 2012

E. FIRE

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

F. COMMUNITY RELATIONS

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

VI. PUBLIC DISCUSSION

Dana Koenig 65 Edgewood said she was grateful for the police presence at the HHK school, she asked if it could be on a regular basis.

Donna Cioffi, 1 Powderhorn Road thanked Police Chief Wanamaker for curtailing truck traffic on Powderhorn Road. Ms. Cioffi discussed the Well Water issues. She asked when Water Superintendent James Montag would be returning to work and questioned the salary of Mr. Eric Fooder, Licensed Operator of Record.

Leo Strauss 315 Wearimus Road asked the functions of the Borough Tax Collector and stated that he did not receive the revised figure for his taxes.

Suzanna Keenan 19 Boiling Springs asked the Mayor and Council to strengthen the school security.

Cindy Thayaril 4 Bridle Way stated that she is happy with the Police services in the Borough, she is however not too happy with the Borough Engineer, she is still have water issues in her yard.

VII. ADMINISTRATORS REPORT

Borough Administrator Donld Cirulli stated that any residence with a burglar alarm needs to have it registered with the Police Department.

NWBCUA service fees has decreased by 6%.

VIII. A. CORRESPONDENCE

None

B. Ordinances and Resolutions Other Towns:

None

C. Bergen County:

1. Ordinance # 12-36 Revise Speed Limit on County Route S-73 in Wood Cliff Lake and Saddle River

2. Ordinance # 12-37 Revise Speed Limit on County Route 10 in New Milford and Teaneck

D. League of Municipalities:

1. Changes to the Filing of Annual and Supplemental Debt Statements

2. Rebuilding Post Hurricane Sandy

3. NJ Health Info on Flu Activity

4. Fiscal Cliff and “Sandy” Relief Funding

5. Annual Mayor’s Legislative Day

6. Update on Pensions, Retirement, Health Benefits and Service

7. NJLM’s 2013 State Legislative Priorities

8. House passes Emergency Relief Funding Bill

E. State of New Jersey:

None

IX. INTRODUCTION OF ORDINANCES

1. Ordinance # 1014- Repeal Chapter 7 “Background Checks”

BE IT ORDAINED by the Governing Body of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey that Chapter 7 of the Code entitled “Background Checks,” Section 7-1 through 7-11 is hereby repealed and shall have no further force and effect.

Severability.

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy in which such judgment shall be rendered

Effective Date

This Ordinance shall take effect immediately upon final passage and publication as provided by law.

2. Ordinance # 1015- Reestablish Chapter 7 “Criminal History Background Checks”

AN ORDINANCE TO RE-ESTABLISH CHAPTER 7 OF THE CODE PROVIDING FOR CRIMINAL HISTORY BACKGROUND CHECKS FOR ALL EMPLOYEES AND VOLUNTEERS PARTICIPATING IN RECREATION PROGRAMS IN THE BOROUGH OF HO-HO-KUS.

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

Section 7.1. Definitions

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

Borough-Sponsored Program shall mean any program sponsored by the Borough of Ho-Ho-Kus or any group or organization approved by the Recreation Commission.

Criminal History Record Background Check shall mean a determination of whether a person has a criminal record by cross-referencing that person’s name and/or fingerprints with those on file with the Federal Bureau of Investigation, Identification Division, and/or the State Bureau of Identification of the New Jersey State Police.

Criminal History Record Information or CHRI shall mean information collected by criminal justice agencies concerning persons and stored in the computerized databases of the New Jersey State Police SBI Criminal History Information System, the National Law Enforcement Telecommunications System or other states’ computerized repositories containing criminal history record information consisting of identifiable descriptions and notations of arrests, indictments, or other formal criminal charges, and any dispositions arising therefrom, including convictions, dismissals, correctional supervision and release.

Department shall mean the Borough of Ho-Ho-Kus Police Department.

Noncriminal Justice Purpose shall mean any purpose, other than administration of criminal justice or criminal justice purpose, including employment and licensing, for which applicant fingerprints or name search requests are submitted by authorized requesters, as required or permitted by a federal or state statute, rule or regulation, executive order, administrative code provision, local ordinance, resolution or by this Chapter, to the State Bureau of Identification for the dissemination of criminal history record information.

Nonprofit Youth-Serving Organization or Organization shall mean any corporation, association or other organization established pursuant to Title 15 of the Revised Statutes, Title 15A of the New Jersey Statutes, or other law of this state, but excluding public and nonpublic schools, and which provides recreational, cultural, charitable, social or other activities or services for persons younger than eighteen (18) years of age, and is exempt from federal income taxes.

State Bureau of Identification or SBI shall mean the New Jersey State Bureau of Identification created by P.L. 1930, c.65 (N.J.S.A. 52:1-12 et seq.), a bureau within the Division of State Police.

Section 7-2. Request For Criminal Background Checks; Costs

a. The Borough requires that all employees and volunteers, eighteen (18) years of age and older, participating in any activity sponsored by the Borough of Ho-Ho-Kus, the Ho-Ho-Kus Recreation Commission or any nonprofit youth-serving organization approved by the Borough or its Recreation

Commission, undergo through the State Bureau of Identification a criminal history record background check on each prospective and current employee, volunteer or participant. Each employee, volunteer and participant shall be required to undergo the background check not less than once every three (3) years, provided that the Borough reserves the right to require more frequent testing.

b. The Division of State Police shall inform the Department and the individual whether the person's criminal history record background check reveals a conviction of a disqualifying crime or offense set forth in Section 4 of this Ordinance.

c. Prior to the conducting of a criminal history background check, the employee, volunteer or participant shall provide written consent in connection therewith.

d. Either the volunteer or participant or the respective recreation groups and/or organizations and/or their volunteers shall bear the costs associated with conducting the criminal history record background checks.

Section 7-3. Submissions; Exchange of Background Check Information

a. Prospective or current employees, volunteers and participants of nonprofit youth-serving organizations and/or employees and volunteers of Borough sponsored programs shall submit their name, address, fingerprints, or other required information and written consent to the Recreation Commission or such other person or entity designated by the Borough for the criminal history record background check to be performed. Upon receipt thereof, the Recreation Commission or the person or entity designated by the Borough shall submit this documentation to the State Bureau of Identification.

b. The Department shall act as a clearinghouse for the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to this Chapter.

c. The Recreation Commission and/or the person designated by the Borough may, in their discretion, engage the services of a third-party independent agency or a volunteer group authorized by the Chief of Police to conduct the criminal history record background checks authorized under this Chapter.

Section 7-4. Conditions Under Which Person Is Disqualified From Service

a. A person may be disqualified from serving as an employee or volunteer of a nonprofit youth-serving organization if that person's criminal history record background check reveals a record of conviction of any of the following crimes or offenses:

1. In New Jersey, any crime or disorderly persons offense:

(a) Involving danger to the person, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2C:11-1 et seq., N.J.S.A. 2C:12-1 et seq., N.J.S.A. 2C:13-1 et seq., N.J.S.A. 2C:14-1 et seq., or N.J.S.A. 2C:15-1 et seq.

(b) Against the family, children or incompetents, meaning those crimes and disorderly persons offenses set forth in N.J.S.A. 2:14-1 et seq.

(c) Involving theft as set forth in Chapter 20 of Title 2C of the New Jersey Statutes.

(d) Involving any controlled dangerous substance or controlled substance analog as set forth in Chapter 35 of Title 2C of the New Jersey Statutes except paragraph (4) of subsection (a) of N.J.S.A. 2C:35-10.

2. In any other state or jurisdiction, conduct which, if committed in New Jersey, would constitute any of the crimes or disorderly persons' offenses described in Subsection (a)(1) of this Section.

b. For purposes of interpreting the information recorded in a criminal history record to determine the qualifications of the employee or volunteer of a nonprofit youth serving organization and/or the employee or volunteer involved with Borough sponsored programs involving minors, the Borough shall presume that the employee or volunteer is innocent of any charges or arrests for which there are no final dispositions on the record.

c. The determination of whether the information contained in the criminal history record is sufficient to disqualify an employee or volunteer shall be made by the State Police. Any employee or volunteer dissatisfied with the determination shall be entitled to file an appeal with the Criminal Background Check Appeal Panel created pursuant to this Chapter.

Section 7-5. Limitations On Access and Use of Criminal History

Record Background Checks

a. Access to criminal history record information for noncriminal justice purposes, including licensing and employment, is restricted to the Police Department and Criminal Background Check Appeal Panel, on a need-to-know basis, as authorized by federal or state statute, rule or regulation, executive order, administrative code, local ordinance or resolution regarding obtaining and dissemination of criminal history record information obtained under this Chapter.

b. Such persons or organizations shall limit their use of criminal history record information solely to the authorized purpose for which it was obtained, and criminal history record information furnished shall not be disseminated to persons or organizations not authorized to receive the records for authorized purposes. Use of this record shall be limited solely to the authorized purpose for which it was given, and it shall not be disseminated to any unauthorized persons. This record shall be destroyed immediately after it has served its intended and authorized purpose. Any person violating federal or state regulations governing access to criminal history record information may be subject to criminal and/or civil penalties.

Section 7-6. Employee or Volunteer May Challenge Accuracy of

Report

If this criminal history record may disqualify an applicant or existing employee or volunteer for any purpose, the disqualified person shall have an opportunity to complete and challenge the accuracy of the information contained in the criminal history record or request an exception. The disqualified person shall be afforded a reasonable period of time to correct and complete this record. A person is not presumed guilty of any charges or arrests for which there are no final dispositions indicated on the record.

Section 7-7. Criminal Background Check Appeal Process and Criminal Background Check Appeal Panel

a. Criminal background check appeal process. If the State Police disqualifies an employee or volunteer, the employee or volunteer may appeal that disqualification by filing a written notice of appeal with the Chief of Police no later than twenty (20) days after receiving notice of the disqualification from the State Police. Any appeal requested shall proceed before the Criminal Background Check Appeal Panel.

b. Criminal Background Check Appeal Panel. In order to monitor and supervise the enforcement of this Chapter, the Borough of Ho-Ho-Kus hereby creates a Criminal Background Check Appeal Panel, which shall consist of three (3) members. The composition of the Criminal Background Check Appeal Panel shall be as follows:

1. One (1) member of the Criminal Background Check Appeal Panel shall be the Police Chief, or his designee.
2. One (1) member of the Criminal Background Check Appeal Panel shall be the President or Chair of the Recreation Commission.
3. One (1) member of the Criminal Background Check Appeal Panel shall be a member of the Ho-Ho-Kus Police Department selected by the Chief of Police.

c. Powers. The Criminal Background Check Appeal Panel is granted and shall have and exercise, in addition to other powers herein granted, all the powers necessary and appropriate to carry out and execute the purposes of this Chapter, including but not limited to, the following:

1. To hold hearings and adjudicate appeals by employees and volunteers dissatisfied with the disqualification.
2. To hold hearings and adjudicate appeals by employees and volunteers dissatisfied with the determination concerning the accuracy of the criminal history record.
3. To grant exceptions where appropriate.

d. Findings. Not later than forty-five (45) days after the conclusion of the hearing, the Criminal Background Check Appeal Panel shall issue its findings of fact and the Panel's decision to the employee/volunteer involved in the appeal and to the Recreation Commission who shall act in accordance with the Panel's decision.

Section 7-8. Severability

If any section, sentence or any other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not effect, impair, or invalidate the remainder of this Ordinance but shall be confined in its effect to the section, sentence or other part of this Ordinance directly involved in the controversy which such judgment shall be rendered.

Section 7-9. Inconsistent Ordinances Repealed

All ordinances or parts or ordinances which are inconsistent with the provisions of this ordinance

are hereby repealed, but only to the extent of such inconsistencies.

3. Ordinance # 1016- "Water and Water Rates"

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 81 of the code is hereby amended as follows:

81-21 Rates and Charges is amended as follows:

(A) Effective January 1, 2013, all water taken or consumed shall be charged to consumers at the following rates:

- (1) Five dollars and Sixty Two Cents (\$5.62) per one thousand (1,000) gallons, with a minimum charge of Forty Five Dollars (\$45) per quarter, or any part thereof.
- (2) For Water usage over the minimum the following chart will apply:

	Gallons	Rate per 1,000 Gallons	Amount
Minimum	8,000	\$ 5.625	\$ 45.00
Next	12,000	\$ 5.625	
Next	20,000	\$ 6.188	
Next	40,000	\$ 7.116	
Over	80,000	\$ 8.539	

SECTION III: Repealer.

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict.

SECTION IV: Effective Date.

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

4. Ordinance # 1017- "2013 Salary Ordinance"

ORDINANCE No. 1017

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 2013 shall be fixed as follows:

OFFICIALS

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	\$ N/A	\$ N/A
Council Members	\$ N/A	\$ N/A

ADMINISTRATIVE & EXECUTIVE

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	\$ 10,000	\$ 60,000
Borough Clerk	\$ 25,000	\$ 60,000
Deputy Borough Clerk	\$ 8,000	\$ 35,750
Administrative Assistant/Secretary	\$ 10,000	\$ 60,000
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

FINANCE

Chief Financial Officer	\$ 35,000	\$ 60,000
Treasurer	\$ 20,000	\$ 30,000
Deputy Treasurer	\$ 3,000	\$ 17,500
Tax Assessor	\$ 8,000	\$ 50,000

Assessment Search Officer	\$ 1,000	\$ 3,000
Tax Collector	\$ 40,000	\$ 65,000
Tax Search Officer	\$ 1,000	\$ 3,000
Payroll Supervisor	\$ 5,000	\$ 20,000
Accounting Asst. (P.T. – 24 hrs. wk.)	\$ 20 per hour	\$ 30 per hour
Accounting Asst. (Full-time)	\$ 20,000	\$ 60,000

LIBRARY

Head Librarian (Library Director)	\$ 25,000	\$ 60,000
Asst. Librarians (P.T. – 24 hrs. wk.)	\$ 8.50 per hour	\$ 17.50 per hr.

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REGISTRARS

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

MUNICIPAL COURT

Municipal Court Judge	\$ 7,500	\$ 12,570
Prosecutor	\$ 6,000	\$ 10,200
Court Administrator	\$10,000	\$ 60,000
Deputy Court Administrator	\$ 500	\$ 3,500
Violations Clerk	\$ 7,500	\$ 23,050
Deputy Violations Clerk	\$ 500	\$ 3,500

EMERGENCY MANAGEMENT

*Emergency Management Coordinator	\$ 1,500	\$ 4,750
Asst. Emergency Management Crdntr.	\$ 250	\$ 1,375

POLICE DEPARTMENT

Police Chief	\$120,000	\$160,000
Police Captain	\$110,000	\$150,000
Police Lieutenant	\$ 97,900	\$140,000
**Police Sergeant	\$ 97,872	\$112,000
**Police Patrolman	\$ 33,000	\$ 92,332
Police Dispatcher (Full-time)	\$ 25,000	\$ 35,000

DEPARTMENT OF PUBLIC WORKS

*Superintendent of Public Works	\$ 75,000	\$120,000
Assistant Superintendent of Public Works	\$ 57,500	\$ 90,000
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
Assistant Recycling Coordinator	\$ 1,500	\$ 5,300
**Public Works Maintenance Employees	\$ 26,925	\$ 51,514
Custodian	\$ 10,000	\$ 50,000

RECREATION DEPARTMENT

Recreation Director	\$ 10,000	\$ 23,100
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HEALTH DEPARTMENTRegistered Environmental
Health Specialist

\$ 5,000

\$ 18,000

RECORDING SECRETARIES

to Mayor and Council

\$50 per Mtg.

\$75 per Mtg.

to Municipal Court

\$50 per Mtg.

\$95 per Mtg.

to Planning Board

\$50 per Mtg.

\$75 per Mtg.

to Zoning Board of Adjustment

\$50 per Mtg.

\$75 per Mtg.

to Board of Health

\$50 per Mtg.

\$75 per Mtg.

to Recreation

Commission

\$50 per Mtg.

\$75 per Mtg.

to Shade Tree Commission

\$50 per Mtg.

\$75 per Mtg.

BOARD SECRETARIES

Planning Board

\$ 5,000

\$ 18,000

Zoning Board of Adjustment

\$ 5,000

\$ 18,000

BUILDING/CONSTRUCTION DEPT.

Chief Construction Official

\$ 5,000

\$ 60,000

Building Inspector/Sub-code Official

\$ 1,600

\$ 13,725

Assistant Building Inspector

\$ 200

\$ 2,000

Technical Assistant, Building Dept.

\$ 10,000

\$ 40,000

Electrical Inspector/Sub-code Official

\$ 1,500

\$ 11,525

Fire Inspector/Sub-code Official

\$ 1,000

\$ 11,525

Fire Prevention Official

\$ 500

\$ 8,000

Fire Prevention Inspector

\$ 1,875

\$ 4,500

Secretary to Fire Prevention Official

\$ 1,000

\$ 1,900

Plumbing Inspector/Sub-code Official

\$ 1,500

\$ 11,525

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.

5. Ordinance # 1018- Amend Chapter 57 "Shade Tree Commission"

BE IT ORDAINED, by the Governing Body of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 57 of the Code, "Shade Tree Commission," is hereby amended and supplemented as follows:

Section I.

Section 57-1.1: Creation: Composition: Compensation

Is amended to provide that the Commission shall consist of five members appointed by the Mayor, who shall be residents of the Municipality and shall serve without compensation.

All other provisions of Section 57-1.1 not amended herein, remain in full force and effect.

Section II.

Repealer

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict.

Section III.

Severability

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

Section IV.

Effective Date

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

X. FINAL PASSAGE OF ORDINANCES

None

XI. RESOLUTIONS

None

XII. CONSENT RESOLUTION

- 1. # 13-29 Fire Dept- Mutual Aid

WHEREAS, the Ho-Ho-Kus Volunteer Fire Department ("Fire Department") is a member of the Northwest Bergen Mutual Aid Association; and

WHEREAS, the Fire Department wishes to extend mutual aid to the Borough of Hillsdale and its Fire Department;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Ho-Ho-Kus hereby authorizes the Fire Department to respond to calls, as requested and required, from Borough of Hillsdale and its Fire Department.

- 2. # 13-30 Transfer of Funds

	FROM: TO:		
A & E (S&W)	2,000		
Zoning Board (S&W)	2,100		
Borough Clerk (O.E.)	1,000		
Zoning Board (O.E.)	1,600		
Utilities			3,500
Totals	5,100	5,100	

- 3. # 13-31 Road Resurfacing

WHEREAS, it has been determined that certain borough streets require resurfacing during the year 2013, and our borough engineer Schwanewede/Hals Engineering is preparing the detailed information needed for the bidding process; and

WHEREAS, the Northwest Bergen Shared Services Group of 13 municipalities of which the Borough of Ho-Ho-Kus is a member has once again decided that the Borough of Ramsey will act as the lead agency in assembling the engineering information and seeking bids for the resurfacing work,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Borough of Ramsey will act as the lead agency for Ho-Ho-Kus as part of the NW Bergen Shared Services Group to advertise for bids dealing with the resurfacing of certain streets during 2013.

- 4. # 13-32 Permanent Tax Exemption

WHEREAS, the U. S. Department of Veterans Affairs has sent notice to certify that Lazarus, Lester of 241 Sheridan Ave, Ho-Ho-Kus, NJ; is hereby determined to be 100% permanently disabled due to wartime service connected injuries;

WHEREAS, the Records further indicate that Mr. Lazarus served in the United States MARINE CORPS, from October 19, 1951 to October 6, 1953 and received a honorable discharge,

WHEREAS, going forward Mr. Lazarus will hereby be Exempt from paying ALL Real Estate Taxes in the Borough

of Ho-Ho-Kus,

WHEREAS, his exemption status would start this Preliminary Tax billing of February 1, 2013 and May 1, 2013 and /or all subsequent taxes thereafter,

THEREFORE BE IT RESOLVED that the Mayor & Council authorize the Borough Tax Collector to make the necessary arrangements to Grant, Mr. Lazarus his full 100% Permanent Exemption Status in accordance with N.J.S.A. 54: 4-.30, ET.SEQ.

Reference #309/21/VR

CSS 866 827

5. # 13-33 Municipal Alliance Grant

WHEREAS, 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;

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

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

1. The Mayor and Council of the Borough of Ho-Ho-Kus does hereby authorize submission of an application for the Ho-Ho-Kus Municipal Alliance grant for calendar year 2013 in the amount of \$ 9520.00

2. The mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

6. # 13-34 St. Luke's Expansion

7. # 13-35 Sunesys Rights-of-Way Agreement

WHEREAS, Sunesys LLC was approved by the New Jersey Board of Public Utilities to provide local exchange and inter exchange telecommunications services throughout the State of New Jersey by order of approval in docket no. T-E-0040261 on May 9, 2001; and

WHEREAS, pursuant to such authority granted, Sunesys LLC, desires to enter into a Rights-of-Way Use Agreement which would allow it to install its fiber optic cabling on poles owned by Verizon and/or PSE&G and in underground conduit already installed in the public rights of way;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Ho-Ho-Kus, that it does hereby grant consent to Sunesys, LLC for the purpose of owning, constructing, installing, operating, repairing and maintaining the telecommunications system pursuant to the terms of the Rights-of-Way Use Agreement currently on file with the office of the Municipal Clerk and incorporated herein; and

BE IT FURTHER RESOLVED that the Mayor and Municipal Clerk are authorized to execute the Rights-of-Way Use Agreement which shall be subject to review and approval of the Municipal Attorney.

8. # 13-36 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,017,960.32.

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 **\$3,017,960.32** be approved and ratified respectively

9. Traphagen School:

a. # 13-37 On Premise 50/50

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following On Premise 50/50 Raffle Application, submitted by Traphagen School, Identification No. 514-5-33492 be and the same is hereby approved.

APPLICATION:

RA 403

DATES: March 22, 2013

b. # 13-38 On Premise Raffle

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following On Premise Raffle Application, submitted by Traphagen School, Identification No. 514-5-33492 be and the same is hereby approved.

APPLICATION: RA 404

DATES: March 22, 2013

XIII. OLD BUSINESS

A. Liaison Reports:

1. Recreation

Topic of discussion was the North field with the pooling of water. New technique was used recently to stop the pooling of water in the field.

2. Board of Education

3. Other

B. Shade Tree

XIV. NEW BUSINESS

VIP Ordinance

XV. MAYOR'S REMARKS

Police Chief John Wanamaker thanked the Mayor and Council for moving forward with the promotions

XVI. CLOSED SESSION

Litigation, Contract Negotiation

XVII. ADJOURNMENT

With no further discussion to come before the Council and on a motion made by Councilmember Troast, seconded by Councilmember Rorty, and carried, Mayor Randall adjourned the meeting at 8:55 PM.

Respectfully submitted,

Laura Borchers, RMC/CMR
Borough Clerk