

**BOROUGH OF HO-HO-KUS**

**MAYOR AND COUNCIL PUBLIC MEETING**

**NOVEMBER 27, 2012- 8:00 P.M.**

**I OPEN MEETING STATEMENT - ROLL CALL**

Mayor Randall opened the meeting at 8:00 PM 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	Absent
Councilmember Weiss	Present
Councilmember Shell	Present

Also present were Borough administrator Donald Cirulli and Borough attorney David Bole.

**II. PLEDGE OF ALLEGIANCE**

Mayor Randall led all in the pledge of Allegiance.

**III. APPROVAL OF MINUTES**

**IV. COMMITTEE REPORTS**

**A. FINANCE**

Finance Officer's Report – October 2012

**B. PUBLIC SAFETY**

1. Police Report – October 2012
2. Court Report – October 2012

**C. PUBLIC WORKS & PROPERTIES**

1. Supt. of Public Works – October 2012
2. Construction Office Report – October 2012

**D. WATER**

1. Water Supt. Report – October 2012
2. Water Registrar's Report- October 2012

**E. FIRE**

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

**F. COMMUNITY RELATIONS**

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

**V. PUBLIC DISCUSSION**

**VI. ADMINISTRATORS REPORT**

Borough administrator Donald Cirulli commented that Recreation Director Ed Gartner

would like to switch the fingerprinting method for all Volunteer coaches to where they pay for their fingerprinting.

Mr. Cirulli thanked John Hanlon for all his efforts and work with FEMA

**VII. A. CORRESPONDENCE**

1. Mr. and Mrs. Kevin Pianfetti- Storm “Sandy”
2. Passaic River Coalition

**B. Ordinances and Resolutions Other Towns:**

None

**C. Bergen County:**

Board of Chosen Freeholders

Resolutions:

1. American Diabetes Month
2. Pancreatic Cancer Awareness Month
3. National Caregivers Awareness Month
4. Supporting Veterans Awareness Week
5. Support of the Blue Laws

**D. League of Municipalities:**

1. “Sandy” Aftermath Update
2. Honor and Remember Flag Bill Signed
3. S-2 Amended by Senate Budget and Appropriations Committee
4. Updated Guidance on Affordable Housing Trust Fund Dollars

**E. State of New Jersey:**

1. Senator Kevin J. O’Toole- Superstorm “Sandy”

**VIII. INTRODUCTION OF ORDINANCES**

Ordinance # 1013- Amend Chapter 29 Health Code- Fee

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 29 of the Code is amended as follows:

**I. Section 29-52 License Requirements: Fees**

- A. No Change
- B. License Fees

1. License fees for retail food handling establishments be and are hereby established as follows:

<u>Establishment</u>	<u>2013</u>	<u>2014 &amp; beyond</u>
Restaurant capacity:		
25-49	\$200.00	\$250.00
50-100	\$250.00	\$300.00
100+	\$300.00	\$350.00
Bakery	\$200.00	\$225.00
Butcher	\$200.00	\$225.00
Convenience Store	\$150.00	\$200.00
Dairy	\$175.00	\$200.00
Dairy-Milk	\$ 50.00	\$ 75.00
Delicatessen	\$200.00	\$225.00
Ice Cream	\$100.00	\$100.00
Keeping of Poultry or Fowl	\$ 50.00	\$ 50.00
Late Fees		50% of license fee
Mobile Vendor	\$100.00	\$100.00
Nursery/Day Care	\$175.00	\$200.00
Petshop/Grooming/Boarding	\$150.00	\$175.00
Pharmacy/Liquor		

Prepackaged	\$ 80.00	\$ 80.00
Produce	\$150.00	\$150.00
School Catering	\$200.00	\$225.00
Special Temporary	\$ 50.00	\$ 50.00
Supermarket	\$800.00	\$800.00
2. No Change		
C. No Change		
D. No Change		
E. No Change		
F. No Change		

**II. Section 29-52.1** is added entitled “Plan Review”

A. Plan Review Fees

1. Plan review fees for retail food handling establishments be and are hereby established as follows:

<u>Type of Plan Review</u>	<u>2013</u>	<u>2014 &amp; beyond</u>
New Establishment	\$150.00	\$150.00
Alteration/Modification	\$100.00	\$100.00
Change of Ownership	\$100.00	\$100.00

**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.

**IX. FINAL PASSAGE OF ORDINANCES**

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

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

**I. Section 85-32.3 Driveways:**

In all residential zones, all driveways accessory to residential dwellings shall comply with the following requirements:

A. to I. (no change)

J. No driveway shall provide for access to or from a public street through the rear yard of any property.

**II.** The Borough Clerk is hereby directed to give notice at least ten (10) days prior to hearing on the adoption of this ordinance to the County Planning Board and to other persons entitled thereto pursuant to N.J.S.A. 40:55D-15 and N.J.S.A. 40:55D-63, if required. Upon the adoption of this ordinance after a public hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16. The Clerk shall also forthwith transmit a copy of this ordinance after final passage to the Borough Tax Assessor as required by N.J.S.A. 40:49-2.1

**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.

**IV. 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.

**V. Effective Date**

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

**X. RESOLUTIONS**  
None

**XI. CONSENT RESOLUTION**

1. St Luke's Church- Raffles
  - a. # 12-111- On Premise

**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 St. Luke's Catholic Church, Identification No. 215-1-105 be and the same is hereby approved.

APPLICATION: RA 401  
DATES: March 10, 2013

- b. # 12-112- Off Premise

**BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following Off Premise Raffle Application, submitted by St. Luke's Catholic Church, Identification No. 215-1-105 be and the same is hereby approved.

APPLICATION: RA 402  
DATES: March 10, 2013

2. # 12-113- Transfer of Funds

	<b>FROM:</b>	<b>TO:</b>
Planning Bd (O&E)	4,500	
A&E (S&W)	30,000	
Legal (O&E)	15,000	
Planning Bd (S&W)	5,000	
Recycling (O.E.)	20,000	
Zoning Bd (O.E.)		4,500
Engineering (O&E)		3,000
Police (S&W)		35,000
Police (O&E)		5,000
Uniform Fire Safety (O&E)		200
Construction (S&W)		16,500
B&G (S&W)		10,300
Totals	74,500	74,500

3. # 12-114- Dedication by Rider

**WHEREAS**, permission is required of the Director of the Division of Local Government Services for approval as a dedication by rider of revenues received by a municipality when the revenue is subject to reasonably accurate estimates in advance; and, **WHEREAS**, the Borough of Ho-Ho-Kus provides for receipt of excess salary & wages by the municipality to provide for the operating costs to administer this act; and,

**WHEREAS**, N.J.S.A. 40A:4-62.1 provides the dedicated revenues anticipated from the Snow Removal Reserve Trust Fund are hereby anticipated as revenue and are hereby appropriated for the purpose to which said revenue is dedicated by statute or other legal requirement:

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

1. The Governing Body does hereby request permission of the Director of the Division of Local Government Services to pay expenditures of the Snow Removal Reserve Trust Fund.
2. The Clerk of the Borough of Ho-Ho-Kus, County of Bergen, is hereby directed to forward two certified copies of this Resolution to the Director of the Division of Local Government Services

4. # 12-115- Appt. Jr Fireman- Paul C. Mallalieu

**WHEREAS**, the Fire department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Paul C. Mallalieu 352 Pershing Avenue, Ridgewood NJ, and  
**WHEREAS**, Mr. Mallalieu has passed his physical as required by the Borough,  
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Mr. Mallalieu is recommended to the New Jersey State Fireman's Association for junior membership.

5. # 12-116- Appt. Fireman- Kai N. Kunitomo

**WHEREAS**, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Kai N. Kunitomo, 3 Blanchfield Court Ho-Ho-Kus New Jersey; and  
**WHEREAS**, Mr. Kunitomo has passed his physical as required by the Borough,  
**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Kai Kunitomo on this date is appointed as fireman of the Borough of Ho-Ho-Kus

6. # 12-117- Commendation to Legislatures

**WHEREAS**, the damage caused by Hurricane Sandy, which struck on October 29<sup>th</sup>, included fallen trees and downed power lines which left 98% of Ho-Ho-Kus homes without electric service power; and  
**WHEREAS**, Senator Kevin J. O'Toole, Assemblyman David C. Russo and Assemblyman Scott T. Rumana provided an extraordinary level of service to the Borough of Ho-Ho-Kus during the storm and in its aftermath; and,  
**WHEREAS**, Mayor Randall joined Senator O'Toole and Assemblyman Rumana in a meeting with the Bergen County Executive and the President of Public Service Gas & Electric during which they requested PSEG to increase staff and provide adequate crews to restore power in the Borough of Ho-Ho-Kus; and  
**WHEREAS**, Senator O'Toole, Assemblymen Russo and Rumana joined with Mayor Randall in pressing Public Service Electric and Gas to restore power in the Borough of Ho-Ho-Kus on an emergent basis.  
**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 Senator Kevin J. O'Toole, Assemblyman David C. Russo and Assemblyman Scott T. Rumana are recognized and thanked for their tireless efforts in the aftermath of Hurricane Sandy to obtain the restoration of power for residents and businesses in the Borough of Ho-Ho-Kus.

7. # 12-118- Payment of Vouchers

**WHEREAS**, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$1,978,766.10.

**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 **\$1,978,766.10** be approved and ratified respectively

**XII. OLD BUSINESS**

- A. Liaison Reports:
  - 1. Recreation  
The little league will be going to Cooperstown.
  - 2. Board of Education  
A meeting with the Board of Education is scheduled.
  - 3. Other
- B. Grants
- C. Shade Tree
- D. COAH Status

**XIII**

**NEW BUSINESS**

1. Background Check- Fingerprinting  
Borough administrator Donald Cirulli commented that Recreation Director Ed Gartner would like to switch the fingerprinting method for all Volunteer coaches to where they pay for their fingerprinting.
2. New HHK Facebook Page  
Councilmember Shell stated that the Borough of Ho-Ho-Kus has a Facebook page and asked the residents to “Like” the page.
3. Nixle.com- Municipal Mass Communication System  
Councilmember Shell mentioned that the Nixle program is just offered to Municipalities and we should get on board with it.

**XIV.**

**MAYOR'S REMARKS**

Mayor Randall thanked all that was involved for their efforts with “Superstorm” Sandy.

**XV.**

**CLOSED SESSION**

Litigation, Personnel

**XVI.**

**ADJOURNMENT**

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

Respectfully Submitted

Laura Borchers, RMC/CMR  
Borough Clerk.