

**BOROUGH OF HO-HO-KUS**

**MAYOR AND COUNCIL PUBLIC MEETING**

**DECEMBER 17, 2013- 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 Absent

Councilmember Lennon Present

Councilmember Shea Present

Councilmember Rorty Present

Councilmember Weiss Present

Councilmember Shell Absent

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. AMBULANCE CORPS PRESENTATION**

Mayor Randall gave the Oaths of Office to 2014 Slate of Officers.

**IV. PRESENTATION- Chairman John Hanlon**

Planning Board Chairman John Hanlon discussed the 2014 Masterplan to the Governing Body.

**V. APPROVAL OF MINUTES**

1. July 16, 2013- Combined Meeting

All Present

Councilmember Shea approved the minutes, seconded by Councilmember Lennon.

All Ayes:

Absent: Councilmembers Troast and Shell

**VI. COMMITTEE REPORTS**

**A. FINANCE**

Finance Officer's Report – November 2013

**B. PUBLIC SAFETY**

1. Police Report – November 2013

2. Court Report – November 2013

**C. PUBLIC WORKS & PROPERTIES**

1. Supt. of Public Works – November 2013

2. Construction Office Report – November 2013

**D. WATER**

1. Water Supt. Report – November 2013

2. Water Registrar's Report- November 2013

**E. FIRE**

1. Fire Dept. Report – November 2013
2. Fire Prevention Bureau – November 2013

**F. COMMUNITY RELATIONS**

1. Library – November 2013
2. Ambulance Report – November 2013

**VII. PUBLIC DISCUSSION**

1. Scott Collins and Matthew Welch from Riker Danzig came before the Mayor and Council for clarification on paperwork that was submitted to install a handicapped ramp on the Borough Right of Way.
2. Kevin Pianfetti discussed the solid waste and recycling pick up and the tonnage issue.
3. Mrs. DeMarco 16 Spruce place asked that the Mayor and Council an Eagle Scout display case be displayed at Borough hall.

**VIII. ADMINISTRATORS REPORT**

None

**IX. A. CORRESPONDENCE**

1. Planning Board-Minor Site Plan

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

None

**C. Bergen County:**

None

**D. League of Municipalities:**

None

**E. State of New Jersey:**

None

**X. INTRODUCTION OF ORDINANCES**

None

**XI. FINAL PASSAGE OF ORDINANCES**

None

**XII. RESOLUTIONS**

None

**XIII. CONSENT RESOLUTION**

1. # 13-120 Transfer of Funds

	<b>FROM:</b>	<b>TO:</b>
Roads (S&W)	27,400	
Public Defender(O.E.)		400
Zoning Bd (O.E.)		1,000
Insurance Other Premiums		16,000
Police (O.E.)		5,000
Street & Traffic Lights (O.E.)		5,000
Totals	27,400	27,400

2. # 13-121 Shared Services Construction Department

**WHEREAS**, the Uniform Shared Services Act, N.J.S.A. 40A:65-1 et seq. (“the Act”) promotes the broad use of shared services as a method to reduce local expenses funded by property taxpayers; and

**WHEREAS**, the Act allows for any local unit to enter into an agreement with any other local unit or units to provide or receive any services that each local unit participating in the agreement is empowered to provide or receive within its own jurisdiction; and

**WHEREAS**, the Boroughs of Ho-Ho-Kus and Midland Park have proposed to enter into a shared services agreement pertaining to the Construction Departments of each municipality for economy and efficiency purposes; and

**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Ho-Ho-Kus for good cause that it hereby authorizes a shared services agreement with the Borough of Midland Park for the provision of Construction Code Services substantially in the form currently on file with the office of the Borough Administrator; and

**BE IT FURTHER RESOLVED** that said shared services agreement shall commence effective January 1, 2014 until December 31, 2016 upon adoption of appropriate resolutions by both Municipalities and execution of the agreement authorized herein; and

**BE IT FURTHER RESOLVED** that the Mayor and Municipal Clerk are authorized to execute such agreement on behalf of the Borough; and

**BE IT FURTHER RESOLVED** that a copy of the shared services agreement shall be open to public inspection at the offices of the Municipal Clerk of Ho-Ho-Kus immediately following adoption of this resolution.

3. # 13-122 Appointment Fire Official- Dan McEldowney

**WHEREAS**, following the creation of a new interlocal shared-services agreement between the Borough of Ho-Ho-Kus (Ho-Ho-Kus) and the Borough of Midland Park (Midland Park) whereby Midland Park will act as the lead construction department for both municipalities; and

**WHEREAS**, a certified Fire Official, who also will perform the duties and responsibilities of Fire Inspector and Fire Prevention for Ho-Ho-Kus is required by Ho-Ho-Kus; and

**WHEREAS**, Daniel McEldowney, currently employed on a part-time basis by Ho-Ho-Kus as a Property Maintenance Inspector, possesses the certifications, qualifications and experience to act as the Fire Official (also Fire Prevention and Fire Inspector) on behalf of Ho-Ho-Kus while also continuing in his position as Property Maintenance Inspector.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Daniel McEldowney is hereby hired and appointed to the positions mentioned above at the annual salary of \$25,000, effective January 1, 2014.

4. # 13-123 Tub Grinder Agreement- Waldwick

**WHEREAS**, there currently exists a joint ownership agreement between the Borough of Waldwick and the Borough of Ho-Ho-Kus of a Tub Grinder for the purpose of processing and grinding the vegetative waste collected by each municipality; and

**WHEREAS**, both municipalities contract with RVH Mulch Supply LLC to remove by truck the ground vegetative waste from the Tub Grinder that is located within the Borough of Waldwick; and

**WHEREAS**, all parties (Waldwick, Ho-Ho-Kus and RVH) desire to amend the agreements to permit RVH to use the Tub Grinder during periods of “down time” for which RVH will pay the sum of one-thousand dollars (\$1000) per month (to be paid quarterly) to the Borough of Waldwick which will be shared equally with the Borough of Ho-Ho-Kus; and

**WHEREAS**, RVH shall properly insure said Tub Grinder and shall be solely responsible for all maintenance and repairs, until such time as this agreement is terminated; and

**WHEREAS**, the payment of twelve-thousand dollars (\$12,000) per year, to be paid quarterly, will be made to the Borough of Waldwick in cash, then, in turn, the payment of six-thousand dollars (\$6,000) will be paid to the Borough of Ho-Ho-Kus in the form of a credit on their invoices for the disposal of the ground leaves.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor & Council of the Borough of Ho-Ho-Kus that such agreement shall take effect immediately.

5. Raffle Licenses- St. Luke’s Church

a. # 13-124 Off Premise Raffle

**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 412  
DATES: March 9, 2014

b. # 13-125 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 St. Luke's Catholic Church, Identification No. 215-1-105 be and the same is hereby approved.

APPLICATION: RA 413  
DATES: March 9, 2014

6. # 13-126 Emergency Appropriation

**WHEREAS**, An emergency exists at the Borough of Ho-Ho-Kus' Eastgate Sewer Station and must be repaired as soon as possible, and;

**WHEREAS**, the Borough of Ho-Ho-Kus, in dire need of repairing this sewer station for the health and safety of the public as quickly as possible, and the cost for the parts and labor totaling \$80,000 for David Zuidema Inc. from Midland Park, N.J. R & R Pump & Control Services from Franklin Lakes, N.J., and J. Fletcher Creamer & Son, Inc. from Hackensack, N.J. and;

**WHEREAS**, an Authorization for the Expenditure of Funds for an Emergency Situation for this amount is required, **NOW, THEREFORE BE IT RESOLVED**, that the Mayor and Council of the Borough of Ho-Ho-Kus approve an Authorization for Expenditure of Funds for an Emergency Situation in the amount of \$80,000.

7. # 13-127 Court Appointments

**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 Deputy Violations Clerk, a part-time, as needed position to be shared with the Borough of Allendale; and

**WHEREAS**, Sherri D'Alessandro and Barbara Meyer, 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, and Barbara Meyer, is hereby appointed as Deputy Violations Clerk, compensation for said positions being set forth in the annual salary ordinance.

8. # 13-128 Appt. Fireman-Chrisopher Mead

**WHEREAS**, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Christopher D. Mead 452 Cambridge Road, Ridgewood New Jersey; and

**WHEREAS**, Mr. Mead 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 Christopher Mead on this date is appointed as fireman of the Borough of Ho-Ho-Kus

9. # 13-129 Water, Solid Waste and Tax Cancellation

**WHEREAS**, N.J.S.A 40A: 5-17.1 provides that a municipality may authorize the processing of tax refunds of less than Ten (\$10.00) Dollars and the cancellation of Water, Solid Waste and Tax Delinquencies of less than Ten (\$10.00) Dollars.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Ho-Ho-Kus that the Water & Solid Waste Registrar is hereby authorized to process, without any further action on the part of Governing Body, any property tax refund of less than (\$10.00) Dollars; and

**BE IT FURTHER RESOLVED**, that Water & Solid Waste Registrar is hereby authorized to process, without any further action on part of the Governing Body, the cancellation of any property tax delinquency of less than

(\$10.00) Dollars; and,

BE IT FURTHER RESOLVED, that a certified Copy of this Resolution be provided by the Municipal Clerk to the Water & Solid Waste Registrar, the Tax Collector and the Chief Financial Officer.

10. # 13-130 Final Retirement Payout/Eugene Shultz

**WHEREAS**, having served as a member of the Police Department for 28 years, Officer Eugene Schultz retired from the service as of December 1, 2013; and

**WHEREAS**, Officer Schultz has agreed that one-half of the monies owed to him may be paid to him during 2013 with the remaining one-half of the monies owed to him to be paid during 2014; and

**WHEREAS**, it has been determined by the Chief of Police and by the Chief Financial Officer of the Borough of Ho-Ho-Kus that the following amounts in total are owed to Officer Schultz for: 22 unused sick days-\$15,121.92; 12 untaken holidays-\$8,248.32; 3 unused personal days-\$2,062.08; 25.5 unused vacation days-\$17,527.68; and 23 Kelly-time hours-\$15,809.28 for a grand total of \$58,769.28. As noted above, this total will be divided into two equal payments of \$29,384.64 each; and

**WHEREAS**, it must be noted that Officer Schultz, upon retirement, would normally receive only the amount due for 22 unused sick days, however, because of his shoulder and arm injuries he was unable to work and to use the other days due to him as noted.

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that two payments of \$29,384.64, one during December 2013 and one during 2014, will be made to former Officer Eugene Schultz.

11. # 13-131 Court Inter-Local Agreement

**NOW, THEREFORE BE IT RESOLVED** that the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, that it hereby authorizes the Mayor and Council and the Municipal Clerk to sign the Interlocal Court Agreement of 65%/35%.

**BE IT FURTHER RESOLVED** that the Borough of Ho-Ho-Kus contributes 65% of all cost and the Borough of Allendale contribute 35% of all cost.

12. # 13-132 Payment of Vouchers

**WHEREAS**, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,646,858.04.

**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 Councilmember Lennon approved the Consent Resolutions, seconded by Councilmember Shea and Carried.

**XIV. OLD BUSINESS**

**A. Liaison Reports:**

1. Recreation
2. Board of Education
3. Other

**B. Shade Tree**

**C. Chamber of Commerce**

**XV NEW BUSINESS**

None

**XVI. MAYOR'S REMARKS**

Mayor Randall stated that the Governing body attended the League of Municipalities and took the JIF class. The Borough will be credited \$250 per person towards out Insurance Premium. A committee has be assigned to work on the Borough website as stated in the Masterplan.

XVII.

**CLOSED SESSION**

**WHEREAS**, under the "Open Public Meeting 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-HoKus hereby recess under the exception for: Tax Appeal Litigation

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

XVIII.

**ADJOURNMENT**

With no further business to come before the Council and on a motion made by Councilmember Shea, seconded by Council member Rorty and carried, the meeting was adjourned at 8:50 PM.

Respectfully submitted

Laura Borchers, RMC/CMR  
Borough Clerk.