

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

The Public Meeting of the Municipal Council of the Borough of Ho-Ho-Kus was held in the Municipal Building at 333 Warren Avenue, Ho-Ho-Kus, NJ on March 26, 2019. The meeting was called to order at 7:30 p.m. by Council President Troast who asked the Municipal Clerk to read the open a public meeting statement:

The Work Session Meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session in accordance with the provisions of Section 5 of the "Open Public Meetings Act". Notice of this meeting has been posted in the front lobby entrance to the Borough Hall and Council Chambers, a copy has been filed with the Borough Clerk, and copies of the Annual Notice of Meetings, of which this is a part, have been heretofore sent to the Record and the Ridgewood News.

ROLL CALL:

Mayor.....	Thomas W. Randall
Council President.....	Douglas Troast
Councilman.....	Philip Rorty
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli
Councilman.....	Kevin Crossley – Absent
Councilman.....	Dane Policastro

Also in attendance Dave Bole, Board Attorney., Attorney; William Jones, Borough Administrator; Joan Herve, Borough Clerk.

FLAG SALUTE: Mayor Randall led those present in the salute to the American Flag.

APPROVAL OF MINUTES

A motion was offered by Councilman Rorty, seconded by Councilman Policastro to approve the Minutes of the February 26, 2019 – Combined Meeting. Motion carried on a roll call vote – all present voting "Ayes."

PROCLAMATION

April is National Autism Awareness Month – Mayor read the proclamation

PUBLIC DISCUSSION

Mayor opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand and to be recognized, come forward to the microphone and state your name and address for the record.

Tom Locicero– Owner of All Points Towing

Mr. Locicero explained his industry has been under attack from the Department of Consumer Affairs not allowing them to bill for services if it's not spelled out in the ordinance. He thanked the Mayor, Council, Police Chief and the Borough Attorney for their diligent for revising this towing ordinance and for their consideration in adopting the ordinance tonight.

The Mayor closed the meeting to the public.

ADMINISTRATOR

Administrator Jones reported last week was the deadline to submittal for the Northwest Bergen Paving Contract, where Ramsey is the lead agency. Streets scheduled to be paved are: Chestnut Place, Gordon Road, Brookview Court, Prescott Road, Fox Run and the right of way between Hollywood and Cross Place. We have two grants for the paving on Stone Ridge Lane and Lloyd Road. On Monday he met with the County Contractor to do the handicap curb ramps along Racetrack Road and Franklin Turnpike which will commence in the next few weeks. As per a request from Councilman Crossley at the last meeting regarding the towns obligation for affordable housing, Mr. Jones explained the

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

agreement for Ho-Ho-Kus is 30 units, (8) at the Crossing Project, with a rental credit of 2-1 (which is 16), the 13 units we will be building with the Bergen County United Way at the lower train station lot, and (1) that was approved on Maple Avenue in a property owned by Chamberlin Developers. Tonight we will be introducing our budget and we are coming in at a zero percent increase. This budget allows for \$800,000 for capital improvements which includes the paving project, Water System Asset Management Plan, DPW and Public Safety Equipment for all departments. This marks the fifth year in the past eight years there was no tax increase from the Mayor & Council, with no cut in services. Administrator thanked the Finance Committee for their hard work and dedication during this budget process.

CORRESPONDENCE

- Planning Board approval review of Ordinance No. 2019-21 & 2019-22
- Westwood & Elmwood Park Resolution – Oppose the Vegetative Management Response Act
- Westwood Resolution – Supporting the Gateway Project
- BC Division of Family Guidance invite to the re-opening of the Historic Conklin Building
- NJDEP news release – Introducing the Recyclable Coach App.

INTRODUCTION OF ORDINANCE

ORDINANCE 2019-24

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP

BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus in the County of Bergen finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Council hereby determines that a 1% increase in the budget for said year, amounting to \$62,520 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Ho-Ho-Kus shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$218,821, and that the CY 2019 municipal budget for the Borough of Ho-Ho-Kus be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

A motion was offered by Council President Troast and seconded by Councilman Iannelli to approve Introduction of Ordinance #2019-24. Motion carried on a roll call vote – All present voting “Aye”.

OFF-CONSENT RESOLUTIONS

Resolution #19-44- Introduced and read by Councilman Shell

A Resolution – Budget Introduction

Borough of Ho-Ho-Kus
 County of Bergen
 Mayor and Council Public Meeting
 March 26, 2019 7:30 p.m.

BE IT RESOLVED, that the following statements of Revenues and appropriations shall constitute the Municipal Budget for the year 2019; and

CURRENT FUND

General Appropriations

Appropriations within "CAPS"- Municipal Purposes	\$6,571,022.00
Appropriations excluded from "CAPS"-Municipal Purchases	3,018,721.41
Reserve for Uncollected Taxes	<u>260,000.00</u>
Total General Appropriations	9,848,743.41
Less: Anticipated Revenues	<u>2,609,345.41</u>
Amount to be raised by Taxes for Support of Municipal Budget	
Local Tax Municipal Purposes	\$6,803,976.00
Minimum Library Tax	<u>436,422.00</u>
Total to be raised by Taxes	<u>\$7,240,398.00</u>

WATER UTILITY FUND

Appropriations	<u>\$1,268,000.00</u>
Utility Revenues	<u>\$1,268,000.00</u>

SOLID WASTE UTILITY FUND

Appropriations	<u>\$1,245,000.00</u>
Utility Revenues	<u>\$ 1,245,000.00</u>

BE IT RESOLVED, that said budget be published in the Ridgewood News on March 29th 2019; and

BE IT FURTHER RESOLVED, that the Governing Body of the borough of Ho-Ho-Kus does hereby approve the following as the Budget for the year 2019

A motion was offered by Councilman Shell and seconded by Councilman Policastro to approve Resolution #19-44. Motion carried on a roll call vote – All present voting “Aye”.

Resolution #19-45- Introduced by Councilman Shell

A Resolution – Self-Examination of Budget

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5 the BOROUGH of HO-HO-KUS has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLOVED by the governing body of the BOROUGH of HO-HO-KUS that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer’s certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,

- b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.
- BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the director of the division of Local Government Services upon adoption.

A motion was offered by Councilman Shell and seconded by Councilman Policastro to approve Introduction of Ordinance #2019-45. Motion carried on a roll call vote – All present voting “Aye”.

ADOPTION OF ORDINANCES and PUBLIC HEARING

ORDINANCE #2018-21

AN ORDINANCE TO AMEND CHAPTER 85 (ZONING) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HO-HO-KUS SO AS TO AMEND CERTAIN PROVISIONS RELATING TO BUSINESS AWNING SIGNS.

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:

SECTION 1. Chapter 85, “Zoning”, shall be amended to amend certain provisions relating to business awning signs as follows:

Section 85-37.2. Awnings, canopies and marquees.

B. Prohibitions.

- (4) No lettering, logo or symbol identifying the business shall exceed eight (8) inches in height. The address numbers shall not exceed six (6) inches in height and shall be located within the bottom one-third (1/3) of the front of the awning, canopy or marquee on both sides.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any parts, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable to the State of New Jersey, the balance and remainder of such publication shall remain in full force and effect.

SECTION 4. This Ordinance shall become effective upon adoption and publication according to law.

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-21 and all persons who wishes to be heard, please state your name and address before making your statement.

Seeing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Shell and seconded by Council President Troast to adopt Ordinance #2019-21. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-22

AN ORDINANCE TO AMEND CHAPTER 85 (ZONING) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF HO-HO-KUS SO AS TO AMEND CERTAIN PROVISIONS RELATING TO DRIVEWAYS.

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:

SECTION I. Chapter 85, “Zoning”, shall be amended to amend certain provisions relating to residential driveways as follows:

Section 85-32.3. Driveways.

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

- B. The width of the driveway shall be at least eight (8) feet, and shall not exceed 20 feet within 16 feet of the curb line, including any adjacent parking areas or turning areas. The driveway may be widened to no more than 35 feet thereafter. Notwithstanding the foregoing, the width of circular or curved driveways shall not exceed 12 feet. The driveway shall be measured perpendicular to the normal direction of travel. If a residence has a three-car garage, a driveway width of not more than 32 feet shall be permitted from the entrance of the garage to 20 feet past

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

the garage entrance, then transition to 25 feet wide (or 20 feet wide within 16 feet of the curb line) over the next five (5) feet of length.

K. A parking space or parking area which is separate from the driveway shall not be permitted in front, side or rear yard required setbacks.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any parts, sections, provisions, or the total of any of the above-mentioned publications are held to be invalid or unenforceable in any court, the findings or judgments of which court are applicable to the State of New Jersey, the balance and remainder of such publication shall remain in full force and effect as an Ordinance of the Borough of Ho-Ho-Kus.

SECTION 4. This Ordinance shall become effective upon adoption and publication according to law.

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-22 and all persons who wishes to be heard, please state your name and address before making your statement.

Seeing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Rorty and seconded by Councilman Policastro to adopt Ordinance #2019-22. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-23

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 75 OF THE HO-HO-KUS BOROUGH CODE ENTITLED “TOWING SERVICES”

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 75 of the Code is amended as follows:

Section I.

Section 75-1 Definitions is amended, in part, as follows:

STORAGE CHARGES FOR TWENTY-FOUR HOUR PERIOD - The maximum allowable amount to be charged by a storage facility for a calendar day or fraction thereof. A new 24 hour period begins at 12:01 a.m.

TOW VEHICLES BASE OF SERVICE – The towing operator’s principal places of business where the tow vehicle is stationed when not in use.

Section II.

Section 75-4 Application Process is amended to read:

A. (1) The name, residence and business addresses and telephone number of the owner of the towing company. If the owner is a corporation, the application shall contain the name, residence and business address and telephone number of every stockholder owning more than 10% of the issued stock.

Section 75-4 C. (4) is amended to read:

Neither the applicant nor the applicant’s personnel have been convicted of a criminal offense within the past year.

Section III.

The following subsections of Section 75-6 Minimum standards of performance are amended to read:

A. (1)(c) One medium duty wrecker.

(1)(d) One heavy-duty hydraulic wrecker one with at least 30 ton capacity and 3 stages under reach.

A. (4) is amended to read:

All equipment shall comply with all state and federal regulations and all vehicle operators shall possess a CDL license for over 26,000 pounds.

B. Minimum equipment requirements:

(5)(a) Towing operators’ vehicles shall display New Jersey commercial license plates and registrations issued to the licensed towing service.

C. (1) (f) Not have been convicted of a crime within the past year.

D. (1) (d) The storage area shall be in an area legally zoned for such use and shall have video surveillance. A certificate of occupancy for towing and storage use is required.

(1)(e) The storage facility shall be available 24 hours a day, 365 days per year and shall be open to the public on weekdays during normal business hours and for four hours on Saturdays. The applicant shall specify the hours on which the facility will be open on Saturdays. The applicant is not required to be open on Sundays or Federal/State holidays.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

(1)(g) The hours of release for any impounded vehicles are Monday-Friday from 8:00 A.M. to 4:30 P.M. If the owner of the vehicle is requesting that the vehicle be released after hours, there will be a \$75.00 fee for after-hours release when the tower is available to do so.

Section IV.

Section 75-10 Towing and storage fee schedule is amended to read:

- A. Fees for towing and storage of private passenger vehicles, damaged in an accident or recovered after being stolen, may not exceed the fees established by the New Jersey Department of Insurance.
- B. The following is a fee schedule for basic automobiles, motorcycles, motorized bikes, towing services and heavy-duty recovery.
 - (1)(a) to (e) repealed.
 - (2)(a), (b) repealed.
 - (3) repealed.
 - (4)(a) to (c) repealed.
 - (5)(a) repealed.
- C. (1) (a), (b) repealed.
(2)(a) to (e) repealed.
- D. (1), (2) repealed
- E. (1) (a), (b) repealed.
 - (2)(a) repealed.
 - (3)(a) repealed.
- F. (1) to (9) repealed.
(10) If tower is called by police and arrives on the scene and owner refuses services or no service is required, there is a fee of \$75.00 for the tow truck responding.

The following fee schedule applies in lieu of the foregoing repealed fees:
ROAD SERVICES ONLY

CARS (LIGHT)	\$125.00 PER HOUR PLUS PARTS
TRUCKS (MEDIUM/HEAVY)	\$175.00 PER HOUR PLUS PARTS

TOWING – BASIC

LIGHT DUTY – up to 8,000 lbs.	HOOK UP \$150.00
MEDIUM DUTY – 8,001 – 16,000 lbs.	\$250.00 PER HOUR
HEAVY DUTY – 16,001 and above	\$500.00 PER HOUR
DECOUPLING FEE (if tow is not performed)	½ OF BASIC RATE

LIGHT DUTY ON HOOK MILEAGE
WHEN VEHICLE IS NOT TOWED TO STORAGE YARD
OR TOWED OUT-OF-TOWN

LIGHT DUTY	\$6.00/PER LOADED MILES
MEDIUM DUTY	N/A
HEAVY DUTY	N/A

Light duty vehicles to be towed out-of-state will require an agreed price and/or hourly rate.

RECOVERY/WINCHING (In Addition to Towing- per truck including driver)

LIGHT/MEDIUM DUTY up to 16,000 lbs.	\$350.00 PER HOUR
HEAVY DUTY 16,001 and above	\$600.00 PER HOUR

SPECIALIZED RECOVERY EQUIPMENT

ROTATOR/CRANE RECOVERY UNIT	\$1,200.00 PER HOUR
TRACTOR WITH LANDOLL TRAILER OR DETACH TRAILER	\$450.00 PER HOUR
TRACTOR/TRANSPORT HAULER ONLY	\$250.00 PER HOUR
REFRIGERATED TRAILER W/TRACTOR	\$450.00 PER HOUR

Borough of Ho-Ho-Kus
 County of Bergen
 Mayor and Council Public Meeting
 March 26, 2019 7:30 p.m.

BOX TRAILER W/ TRACTOR	\$400.00 PER HOUR
AIR CUSHION UNIT	\$1,000.00 PER HOUR
LIGHT TOWER	\$250.00 PER HOUR
PALLET JACK	\$200.00 PER HOUR
ROLLERS	\$200.00 FLAT RATE
ANY OTHER SPECIALIZED EQUIPMENT	\$250.00 PER HOUR
LOADER/BACKHOE/TELESCOPIC HANDLER/BULLDOZER/BOBCAT	\$300.00 PER HOUR EACH
FORKLIFT	\$300.00 PER HOUR
DUMP TRUCK /DUMP TRAILER W/ TRACTOR	\$350.00 PER HOUR
ROLL-OFF WITH CONTAINER	\$350.00 PER HOUR PLUS DISPOSAL
RECOVERY SUPERVISOR VEHICLE	\$150.00 PER HOUR
SCENE SAFETY EQUIPMENT, COMMUNICATION EQUIPMENT, TRAFFIC MANAGEMENT EQUIPMENT, ETC.	\$250.00 PER HOUR EACH TYPE USED
RECOVERY SUPPORT VEHICLE/TRAILER, ADDITIONAL RECOVERY EQUIPMENT	\$350.00 PER HOUR

LABOR – ALL LABOR MIN. OF 1 HOUR

ACCIDENT MINOR CLEAN-UP AND DISPOSAL OF DEBRIS	\$75.00 PER HOUR ONE HOUR MINIMUM PLUS ABSORBANT MATERIALS USED
RECOVERY SUPERVISOR AND/OR LEVEL III RECOVERY SPECIALIST	\$225.00 PER HOUR
CERTIFIED TOWING OPERATOR	\$125.00 PER HOUR PER MAN
MANUAL LABORERS	\$100.00 PER HOUR PER MAN

STORAGE – PER CALENDAR DAY
 (INSIDE RATES TWO TIMES OUTSIDE RATE)

CARS/LIGHT TRUCKS – 10' X 20' SPACE	\$45.00 PER DAY
TRUCKS (DUAL WHEELS)/SINGLE AXLE	\$90.00 PER DAY
TRACTOR/DUMP TRUCK/TRACTOR AND TRAILER COMBO/TRAILERS	\$125.00 PER UNIT PER DAY
BUSES	\$150.00 PER DAY
ROLL-OFF	\$125.00 PER DAY FOR EACH
CARGO/ACCIDENT DEBRIS/LOAD STORAGE/VEHICLE COMPONENTS 10' X 20' SPACE	\$45.00 PER SPACE USED PER DAY
RENTAL OF ANY TOW COMPANY SUPPLIED TRAILER POST INCIDENT	\$500.00 PER DAY

** STORAGE BILLED PER CALENDAR DAY**

ADDITIONAL SERVICES/NOTES

FUEL/HAZ-MAT/CARGO SPILLS CLEAN-UP AND DISPOSAL	TIME AND MATERIAL
HAZMAT AND TRASH RECOVERY	SURCHARGED 10%
SUBCONTRACTOR MARK-UP	10%
ADMINISTRATIVE CHARGE ONLY AFTER 3 rd VISIT TO VEHICLE	CARS ONLY - \$50.00
ADMINISTRATION CHARGE	MEDIUM/HEAVY TRUCK - \$200.00
AFTER HOURS RELEASE	\$75.00
NOTIFICATION DOCUMENTATION FEE	\$50.00
TARPING/WRAPPING VEHICLE	\$90.00 PER CAR \$250.00 PER TRUCK

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

FUEL SURCHARGE	RESERVED FOR FUTURE NEED
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Section 75-10 Heavy Vehicle Recovery (Over 16,000 lbs.)

(1) Is amended to read as follows:

To provide heavy vehicle recovery, the Borough of Ho-Ho-Kus requires that the licensee have on scene a recovery supervisor with Level 3 certification from the Towing and Recovery Association of America (TRAA) or another nationally recognized certification such as Wreck master.

Section 75-10 G. is amended to add a new subsection (5):

(5) Acceptance of credit/debit cards are at towing company's discretion. A maximum of 4% service fee may be added to offset expenses. Credit/debit cards do not have to be accepted for any impounded vehicles.

Section V. **Severability.**

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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 VI. **Repealer.**

All other ordinances or parts of ordinances of the Borough which are inconsistent with this ordinance are hereby repealed but only to the extent of such inconsistencies.

Section VII. **Effective Date.**

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

PUBLIC HEARING

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2019-23 and all persons who wishes to be heard, please state your name and address before making your statement.

Seeing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Rorty and seconded by Councilman Policastro to adopt Ordinance #2019-23. Motion carried on a roll call vote – All present voting “Aye”.

CONSENT AGENDA RESOLUTIONS (19-46 thru 19-52)

Resolution #19-46- Introduced by Council President Troast

A Resolution – Payment of Bills

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$1,974,794.05; and
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 \$1,974,794.05 be approved and ratified respectively

Resolution #19-47- Introduced by Council President Troast

A Resolution – Recycling Tonnage Grant

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and
WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and
WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and
WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and
WHEREAS, A resolution authorizing this municipality to apply for the 2018 Recycling Tonnage Grant will memorialize the

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

commitment of this municipality to recycling and to indicate the assent of the Borough of Ho-Ho-Kus Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Mayor and Council hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Jeffrey Pattman DPW Superintendent, Certified Recycling Professional (CRP) to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Resolution #19-48- Introduced by Council President Troast

A Resolution – Authorize submission of enrollment application for participation in the “Law Enforcement Support Office (LSEO) 1033 Program” through the United States Department of Defense

WHEREAS, pursuant to Senate Bill S2364, Federal law permits the Secretary of the United States Department of Defense to transfer to Federal and State agencies personal property of the Department of Defense that the secretary determines is suitable for use by agencies in law enforcement activities; and

WHEREAS, known as the “Law Enforcement Support Office (LESO) 1033 Program”, this program allows local law enforcement agencies to obtain, at little or no cost, surplus federal property originally intended for use by the United States Armed Forces; and

WHEREAS, although equipment is provided through the “Law Enforcement Support Office (LESO) 1033 Program” at no cost to county and municipal law enforcement agencies, these agencies are responsible for costs associated with the maintenance, fueling and upkeep of the equipment and for specialized training for its operation; and

WHEREAS, taxpayers are the primary consumers and financiers of services provided by county and municipal law enforcement agencies and have the right to be assured that their money is being spent in an efficient and effective manner and the right to know the purposes for which public funds are utilized; and

WHEREAS, it is appropriate to establish a system of local oversight for county and municipal law enforcement agencies that participate in and acquire equipment through the “Law Enforcement Support Office (LSEO) 1033 Program” and guideline for the use of this equipment of those agencies; and

WHEREAS, an application for the enrollment of a municipal law enforcement agency in any program established by the United States Department of Defense pursuant to 10 U.S.C. s.257a shall be approved by a resolution adopted by a majority of the full membership of the governing body of a local unit prior to the transmittal of any such application to the State Coordinator of any such program.

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

1. The Mayor & Council of the Borough of Ho-Ho-Kus does hereby authorize and approve participation in the “Law Enforcement Support Office (LSEO) 1033 Program” established by the United States Department of Defense pursuant to 10 U.S.C. s.2576a.
2. The Mayor and Council of the Borough of Ho-Ho-Kus does further authorize an application for the enrollment be made on behalf of the Borough of Ho-Ho-Kus.
3. The Mayor and Council further agrees that the acquisition of any property by the Borough of Ho-Ho-Kus shall be approved by a resolution adopted by a majority of the full membership of the governing body.
4. A copy of this resolution shall be forwarded to the Borough Administrator, Police Chief, Chief Financial Officer and any other interested parties.

Resolution #19-49- Introduced by Council President Troast

A Resolution – Shared Services Construction Department amending Resolution #18-142

WHEREAS, Ho-Ho-Kus and Midland Park are in full agreement to continue their current shared service agreement of a merged Construction Department as outline in our shared service agreement: and

WHEREAS, the Shared Services agreement between Midland Park and Ho-Ho-Kus is amending resolution #18-142 to commence services effective January 1, 2019 until December 31, 2022.

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized and directed to execute a contract in connection with the aforesaid Agreement.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

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

Resolution #19-50- Introduced by Council President Troast

A Resolution – Appointment of Police Dispatcher

BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that they accept the recommendation of the Mayor, the Police Commissioner and Police Chief and appoint Police Dispatcher, Anthony D’Angelo.

BE IT FURTHER RESOLVED that said position shall be as permanent full-time employee;

BE IT FURTHER RESOLVED That the duties for the aforesaid position shall be as set forth in the job description and functions of the Borough of Ho-Ho-Kus;

That said appointment shall be subject to revised Chapter 42 of the Borough Code: Personnel Policies, Practices and Regulations, as well as applicable State agencies having jurisdiction.

Resolution #19-51- Introduced by Council President Troast

A Resolution – Grant Permission – Annual Plant Sale

WHEREAS, the Borough of Ho Ho-Kus has received a request from the Ho-Ho-Kus Garden Club requesting permission to hold the annual Plant sale in the Gazebo located at the Town Green on Saturday, May 11, 2019;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that permission is hereby granted to hold the annual Plant Sale event.

Resolution #19-52- Introduced by Council President Troast

A Resolution – Transfer of Funds (2018 Budget)

	FROM:	TO:
Legal (O&E)	\$1,000.00	
DCRP		\$1,000.00
Total	<u>\$1,000.00</u>	<u>\$1,000.00</u>

A motion was offered by Council President Troast and seconded by Councilman Rorty to approve Resolutions 19-46 through 19-52. Motion carried on a roll call vote – All present voting “Aye”.

LIAISON REPORTS

Library - Conversation to be deferred in Closed Session

Board of Education – No report

Recreation – Councilman Iannelli reported Football on-line registration will be going live on Friday, March 29th. In person registration for Lacrosse and Soccer is scheduled for April 1st, 2019 in the all-purpose room at the school. 2019 Budget will be finalized after registration is complete.

Ambulance Corp. – Due to the Absence of Councilman Crossley, report will be on for next meeting.

Fire Department – No Report

Chamber of Commerce – Councilman Shell reported the “Taste of Ho-Ho-Kus” is scheduled June 5th, 2019 from 6-9pm.

NEW BUSINESS - None

MAYOR'S REMARKS

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
March 26, 2019 7:30 p.m.

Mayor stated he appreciated Mr. Kober's information regarding the NJ Jersey legalization of Marijuana, however since bill did not pass for the time being we will hold off doing anything. The budget hearing is scheduled for the next meeting and he thanked all persons involved.

CLOSED SESSION: On a motion by Councilman Rorty, seconded by Councilman Shell, the Mayor and Council approved entering into Executive Session closed to the public. Motion Carried by voice vote – all present voting “Aye”.

A Resolution - providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. NJSA 10:4-12

Whereas, the Borough Council of the Borough of Ho-Ho-Kus is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6; and

Whereas, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by resolution; and

Whereas, it is necessary for the Borough Council of the Borough of Ho-Ho-Kus to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12 (b) as follows:

4-Matters relating to collective bargaining agreements
HHK Library Board

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on March 19, 2019 that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above.

Closed Session began at 8:00 p.m. and ended at 9:25 p.m.

On a motion by Councilman Iannelli, seconded by Council President Troast, the meeting returned to open public session.

Motion Carried by voice vote – all present voting “Aye”.

ADJOURNMENT

On a motion by Council President Troast, seconded by Councilman Rorty, the meeting was adjourned at 9:26 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve RMC/CMR
Borough Clerk