

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Public Meeting
June 25, 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 June 25, 2019. The meeting was called to order at 7:30 p.m. by Mayor Randall who asked the Municipal Clerk to read the open a public meeting statement:

The Public 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
Councilman.....	Dane Policastro

Also in attendance: David Bole Board Attorney; 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 Shell to approve the minutes of the May 21, 2019 – Combined Meeting. Motion carried on a roll call vote – all present voting “Ayes, with the exception of Troast, Iannelli and Policastro who abstained.

PUBLIC DISCUSSION

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

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

ADMINISTRATOR’S REPORT

Old Business

Library – no update

1-9 East Franklin Turnpike Issues – the Borough continues to have issues with the property owner doing work without permits, additional stop work orders and possible fines have been issued. Also the PD will be accepting all his paperwork in the future due to the hostile nature shown to the Borough Employees and Officials.

DOT Train Station – no update

Ordinance “The Flood Plain Management Plan” - This has already been reviewed and is recommended by the DEP for introduction tonight. Hearing and approval is on for next month to stay in line with the August effective dates.

IHA work update – All the required permits will be obtained and reviewed by Mr. Hals office to insure there will be no impact to the Borough & the neighboring residents. Mr. Jones met with all concerned neighbors and the Property Maintenance Manager, they walked the full length of the area – he has agreed to remove all the

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dead/damaged trees (approx. 12), remove or cut up all downed trees impacting the runoff swale area, do a heavy duty general clean up and will continue to maintain all the storm drains. All storm drains were identified and were found to be in good condition with water flowing through all of them. We will also receive reports as was previously required, as a condition of approval.

Bergen County United Way – will be discussed in close session

Paving – All County paving is complete, Rack Track Road and Jacqueline. Borough paving project will commence soon, Brookview Ct, Chestnut Place, Fox Run, Gordon Road, Prescott Road and the ROW between Hollywood & Ross as well as Lloyd Rd (DOT Grant).

New Business

Community Development Grant – For tonight we need to approve the new Community Development Grant application by Resolution. This is to accept \$70,000 for handicapped bathrooms upstairs at Borough Hall. This project replaces the paving of Carlton Avenue as it no longer qualified for funds.

List of Bills – There are several large transfers you will see this month. The police sick payout \$354,768.92, also \$400,000 & \$200,000 from surplus-per the budget. There are also other transfers for health insurance offsets \$35,000-\$95,000-\$25,000 this is just moving the money from the Insurance line to the proper departments. We have a Lawn Mower purchase split between Recreation and DPW \$5000/\$5848. There are other Grants and the Paving of Stone Ridge as well. There are also truck repairs offset by insurance money. It should be noted anytime Pattman Plumbing gets any work he reviews the paperwork and gets additional quotes to keep Jeff out of the conflict.

CORRESPONDENCE

- a) Requesting permission to replace a fence which is located in the ROW on borough owned property from resident at 68 Brandywine Road.
- b) Requesting permission to widen their driveway which is located in the ROW on borough owned property at 598 Cliff Street, Ridgewood.
- c) Thank you letter from the Chairman of the Shade Tree Commission.
- d) HHK Water Usage and EDU DATA.
- e) Annual Bergen County Senior Picnic, Thursday September 5, 2019, 10am-3pm at Van Saun Park.
- f) Notice of executed agreement approved by the DOT in the amount of \$202,000.00 for the Brandywine/Valley Forge Drainage Improvement, Phase 3. *(must be awarded by March 25, 2021)*

Correspondence a - A motion was offered by Councilman Rorty and seconded by Councilman Iannelli to approve the residents request providing they sign a Hold Harmless Agreement. Motion carried on a roll call vote – All present voting “Aye”. Attorney Bole will follow up with the resident.

Correspondence b – This request was tabled to the July 16, 2019 meeting as the Mayor and Council would like some input from the Borough Engineer and Police Chief before making any decision.

INTRODUCTION OF ORDINANCES to be placed on June 25, 2019 agenda

Ordinance 2019-25

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 27 OF THE CODE ENTITLED
“FLOOD PLAIN MANAGEMENT”

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

WHEREAS, the Legislature of the State of New Jersey has in N.J.S.A. 40:48-1 et seq. delegated the responsibility to local government units to adopt regulations designed to promote public health, safety and general welfare of its citizenry. Therefore, the Governing Body of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey does hereby amend and supplement the foregoing Ordinance and does ordain as follows:

§ 27.1 FINDINGS OF FACT

- a) The flood hazard areas of the Borough of Ho-Ho-Kus are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- b) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, causes damage in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

§ 27.2 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- a) Protect human life and health;
- b) Minimize expenditure of public money for costly flood control projects;
- c) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- d) Minimize prolonged business interruptions;
- e) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, bridges located in areas of special flood hazard;
- f) Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- g) Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- h) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

§ 27.3 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- a) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- b) Requiring that uses vulnerable to floods including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- c) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- d) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- e) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

DEFINITIONS

§ 27.4 WORD USAGE; DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance it's most reasonable application.

AH Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

AO Zone- Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.

Appeal — A request for a review of the Construction Code Official's interpretation of any provision of this ordinance or a request for a variance.

Area of Shallow Flooding — A designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent annual or greater chance of flooding to an average depth of one to three feet where a clearly defined

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channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard — Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, V1-30, A, AO, A1-A30, AE, A99, or AH.

Base Flood — A flood having a one percent chance of being equaled or exceeded in any given year.

Base Flood Elevation (BFE) — The flood elevation shown on a published Flood Insurance Study (FIS) including the Flood Insurance Rate Map (FIRM). For zones AE, AH, AO, and A1-30 the elevation represents the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

Basement — Any area of the building having its floor subgrade (below ground level) on all sides.

Breakaway Wall — A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

Development — Any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials located within the area of special flood hazard.

Elevated Building — A non-basement building (i) built, in the case of a building in an Area of Special Flood Hazard, to have the top of the elevated floor, elevated above the base flood elevation plus freeboard by means of piling, columns (posts and piers), or shear walls parallel to the flow of the water, and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood up to the magnitude of the base flood. In an Area of Special Flood Hazard "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters.

Erosion — The process of gradual wearing away of land masses.

Existing Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

Flood or Flooding — A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a) The overflow of inland or tidal waters and/or
- b) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Insurance Rate Map (FIRM) — The official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study (FIS) — The official report in which the Federal Insurance Administration has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

Floodplain Management Regulations — Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing — Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway — The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

Freeboard — A factor of safety usually expressed in feet above a flood level for purposes of flood plain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

Highest Adjacent Grade — The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

Historic Structure — Any structure that is:

- a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

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- b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c) Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved State program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in States without approved programs.

Lowest Floor — The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so to render the structure in violation of other applicable non-elevation design requirements of 44 CFR Section 60.3.

Manufactured Home — A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

Manufactured Home Park or Manufactured Home Subdivision — A parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

New Construction — Structures for which the start of construction commenced on or after the effective date of a floodplain regulation adopted by a community and includes any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision — A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the municipality.

Recreational Vehicle — A vehicle which is [i] built on a single chassis; [ii] 400 square feet or less when measured at the longest horizontal projections; [iii] designed to be self-propelled or permanently towable by a light duty truck; and [iv] designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction — (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (P.L. No. 97-348)) includes substantial improvements and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site such as the pouring of a slab or footings, the installation of pilings, the construction of columns, or any work beyond the stage of excavation, or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling nor does it include the installation of streets and/or walkways, nor does it include excavation for a basement, footings or piers, or foundations or the erection of temporary forms, nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure — A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

Substantial Damage — Damage of any origin sustained by a structure whereby the cost of restoring the structure to its condition before damage would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred.

Substantial Improvement — Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or

- b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Variance — A grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

Violation — The failure of a structure or other development to be fully compliant with this ordinance. A new or substantially improved structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

GENERAL PROVISIONS

§ 27.5 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Borough of Ho-Ho-Kus, Bergen County, New Jersey.

§ 27.6 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard for the Borough of Ho-Ho-Kus, Community No. 340044, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Bergen County, New Jersey (All Jurisdictions)" dated August 28, 2019.
- b) "Flood Insurance Rate Map for Bergen County, New Jersey (All Jurisdictions)" as shown on index 34003C0000 and panel numbers are 34003C0088J, 34003C0089H, 34003C0176H and 34003C0177H whose effective date is August 28, 2019.
- c) Best Available Flood Hazard Data. These documents shall take precedence over effective panels and FIS in construction and development regulations only. Where the effective mapping or Base Flood Elevation conflict or overlap with the Best Available Flood Hazard Data, whichever imposes the more stringent requirement shall prevail.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study, maps and advisory documents are on file at Borough of Ho-Ho-Kus, 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423.

§ 27.7 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$200 or imprisoned for not more than 90 days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Borough of Ho-Ho-Kus from taking such other lawful action as is necessary to prevent or remedy any violation.

§ 27.8 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and other ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

§ 27.9 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- a) Considered as minimum requirements;
- b) Liberally construed in favor of the governing body; and,
- c) Deemed neither to limit nor repeal any other powers granted under State statutes.

§ 27.10 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the area of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.

This ordinance shall not create liability on the part of the Borough of Ho-Ho-Kus, any officer or employee thereof or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ADMINISTRATION

§ 27.11 ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be obtained before construction or development begins, including placement of manufactured homes, within any area of special flood hazard established in section 3.2. Application for a Development Permit shall be made on forms furnished by the Construction Code Official and may include, but not be limited to; plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

- a) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- b) Elevation in relation to mean sea level to which any structure has been floodproofed.
- c) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in section 27.29; and,
- d) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development.

§ 27.12 DESIGNATION OF THE LOCAL ADMINISTRATOR

The Construction Code Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

§ 27.13 DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR

Duties of the Construction Code Official shall include, but not be limited to:

- a) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b) Review all development permits to determine that all necessary permits have been obtained from those Federal, State or local governmental agencies from which prior approval is required.
- c) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of 27.31(a) are met.

§ 27.14 USE OF OTHER BASE FLOOD AND FLOODWAY DATA

When base flood elevation and floodway data has not been provided in accordance with section 27.6, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the Construction Code Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer sections 27.28, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, and 27.29 SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION.

§ 27.15 INFORMATION TO BE OBTAINED AND MAINTAINED

- a) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- b) For all new or substantially improved floodproofed structures:
 - i. verify and record the actual elevation (in relation to mean sea level); and
 - ii. maintain the floodproofing certifications required in section 27.11(c).
- c) Maintain for public inspection all records pertaining to the provisions of this ordinance.

§ 27.16 ALTERATION OF WATERCOURSES

- a) Notify adjacent communities and the New Jersey Department of Environmental Protection, Bureau of Flood Control and the Land Use Regulation Program prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- b) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

§ 27.17 SUBSTANTIAL DAMAGE REVIEW

- a) After an event resulting in building damages, assess the damage to structures due to flood and non-flood causes.
- b) Record and maintain the flood and non-flood damage of substantial damage structures and provide a letter of Substantial Damage Determination to the owner and the New Jersey Department of Environmental Protection, Bureau of Flood Control.
- c) Ensure substantial improvements meet the requirements of sections 27.28, SPECIFIC STANDARDS, RESIDENTIAL CONSTRUCTION, 27.29, SPECIFIC STANDARDS, NONRESIDENTIAL CONSTRUCTION and 27.30, SPECIFIC STANDARDS, MANUFACTURED HOMES.

§ 27.18 INTERPRETATION OF FIRM BOUNDARIES

Make interpretations where needed, as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section 27.19.

§ 27.19 VARIANCE PROCEDURE; APPEAL BOARD

- a) The Board of Adjustment as established by the Borough of Ho-Ho-Kus shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- b) The Board of Adjustment shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Construction Code Official in the enforcement or administration of this ordinance.
- c) Those aggrieved by the decision of the Board of Adjustment, or any taxpayer, may appeal such decision to the Superior Court as provided by law.
- d) In passing upon such applications, the Board of Adjustment, shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - i. the danger that materials may be swept onto other lands to the injury of others;
 - ii. the danger to life and property due to flooding or erosion damage;
 - iii. the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - iv. the importance of the services provided by the proposed facility to the community;
 - v. the necessity to the facility of a waterfront location, where applicable;
 - vi. the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - vii. the compatibility of the proposed use with existing and anticipated development;
 - viii. the relationship of the proposed use to the comprehensive plan and floodplain management program of that area;
 - ix. the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - x. the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - xi. the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- e) Upon consideration of the factors of section 27.19 (d) and the purposes of this ordinance, the Board of Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- f) The Borough of Ho-Ho-Kus shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Insurance Administration upon request.

§ 27-20 CONDITIONS FOR VARIANCES

- a) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items i.-xi. in section 27.19 (d) have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- b) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- c) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- d) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- e) Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant; and,

- iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in section 27.19(d), or conflict with existing local laws or ordinances.
- f) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

PROVISIONS FOR FLOOD HAZARD REDUCTION

§ 27.21 GENERAL STANDARDS

In all areas of special flood hazards, compliance with the applicable requirements of the Uniform Construction Code (N.J.A.C. 5:23) and the following standards, whichever is more restrictive, is required:

§ 27.22 ANCHORING

- a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

§ 27.23 CONSTRUCTION MATERIALS AND METHODS

- a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

§ 27.24 UTILITIES

- a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- b) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters;
- c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding; and
- d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

§ 27.25 SUBDIVISION PROPOSALS

- a) All subdivision proposals and other proposed new development shall be consistent with the need to minimize flood damage;
- b) All subdivision proposals and other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- c) All subdivision proposals and other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and,
- d) Base flood elevation data shall be provided for subdivision proposals and other proposed new development which contain at least fifty (50) lots or five (5) acres (whichever is less).

§ 27.26 ENCLOSURE OPENINGS

All new construction and substantial improvements having fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria: A minimum of two (2) openings in at least two (2) exterior walls of each enclosed area, having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped with screens, louvers, or other covering or devices provided that they permit the automatic entry and exit of floodwaters.

§ 27.27 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data have been provided as set forth in section 27.6, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or in section 27.14, USE OF OTHER BASE FLOOD AND FLOODWAY DATA, the following standards are required:

§ 27.28 RESIDENTIAL CONSTRUCTION

- a) New construction and substantial improvement of any residential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities (including all electrical, heating, ventilating, air-conditioning and other service equipment) and sanitary facilities, elevated at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot, as required by ASCE/SEI 24-14, Table 2-1;
- b) Require within any AO or AH zone on the municipality's DFIRM that all new construction and substantial improvement of any residential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities, elevated above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified) And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

§ 27.29 NONRESIDENTIAL CONSTRUCTION

In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure located in an A or AE zone shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities as well as all electrical, heating, ventilating, air-conditioning and other service equipment:

either

- a) Elevated at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1; and
- b) Require within any AO or AH zone on the municipality's FIRM to elevate above the depth number specified in feet plus one (1) foot, above the highest adjacent grade (at least three (3) feet if no depth number is specified) And, require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures;

or

- c) Be floodproofed so that below the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 6-1, the structure is watertight with walls substantially impermeable to the passage of water;
- d) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- e) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 27.15(b)ii.

§ 27.30 MANUFACTURED HOMES

- a) Manufactured homes shall be anchored in accordance with section 27.22(b).
- b) All manufactured homes to be placed or substantially improved within an area of special flood hazard shall:
 - i. Be consistent with the need to minimize flood damage,
 - ii. Be constructed to minimize flood damage,
 - iii. Have adequate drainage provided to reduce exposure to flood damage,
 - iv. Be elevated on a permanent foundation such that the top of the lowest floor is at or above the more restrictive, base flood elevation (published FIS/FIRM) plus one (1) foot or as required by ASCE/SEI 24-14, Table 2-1 and,
 - v. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

§ 27.31 FLOOD WAYS

Located within areas of special flood hazard established in section 27.6 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

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- a) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a technical evaluation demonstrates that encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- b) If section 27.31(a) is satisfied, all new construction and substantial improvements must comply with PROVISIONS FOR FLOOD HAZARD REDUCTION.
- c) In all areas of special flood hazard in which base flood elevation data has been provided and no floodway has been designated, the accumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than two-tenths (0.2) of a foot at any point.

SEVERABILITY

§ 27.32 SEVERABILITY

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

REPEALER

§ 27.33 REPEALER

The provisions of all Ordinances inconsistent with the provisions hereof are hereby repealed to the extent of such inconsistency.

ENACTMENT

§27.34 ENACTMENT

This Ordinance shall be effective on August 28, 2019 after passage and publication provided by law and shall remain in force until modified, amended or rescinded by Borough of Ho-Ho-Kus, Bergen County, New Jersey.

A motion was offered by Councilman Rorty and seconded by Councilman Shell to approve Introduction of Ordinance #2019-25. Motion carried on a roll call vote – All present voting “Aye”.

CONSENT RESOLUTIONS (19-64 thru 19-73)

Resolution #19-63 – Introduced and read by Council President Troast

A Resolution - Payment of bills – June

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,180,067.33; 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 \$3,180,067.33 be approved and ratified respectively

Resolution #19-64 – Introduced and read by Council President Troast

A Resolution - Support of Path to Progress Recommendations made by New Jersey Economic and Fiscal Policy Workgroup

WHEREAS, New Jersey faces a daunting fiscal crisis; and
WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and
WHEREAS, while local government pension systems are funded at the national average, the State’s unfunded liability for pensions and retiree health benefits now tops \$150 billion – four times the size of the State budget; and
WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year’s budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and
WHEREAS, health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

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WHEREAS, the State has held municipal aid flat, moved the Energy Tax Receipts out of the Property Tax Relief Fund, and with the sunseting of Chapter 78 relief and the 2% arbitration cap; and
WHEREAS, the State must bring pension and health care cost under control in order to hold down property taxes.
NOW, THEREFORE BE IT RESOLVED that the Borough of Ho-Ho-Kus expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and
BE IT FURTHER RESOLVED that an original copy of this resolution be forwarded to Assemblyman Christopher DePhillips, Assemblyman Kevin Rooney, Senator Kristin Corrado, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarol, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, The governor of State of New Jersey, the New Jersey Association of Counties and the New Jersey State League of Municipalities.

Resolution #19-65 – Introduced and read by Council President Troast

A Resolution - Authorizing Appointment of Municipal Representative to the BC Community Development Regional Committee

WHEREAS, the Municipality of the Borough of Ho-Ho-Kus has entered into a three year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:8a-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and
WHEREAS, said Agreement requires that the Municipal Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2019-2020 term starting July 1, 2019 and ending on June 30, 2020.
NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints William Jones as its representative and Thomas Randall as its alternate and that the Mayor hereby appoints himself, Thomas Randall as mayoral representative and William Jones as his alternate to serve on the Community Development Regional Committee for FY 2019-2020; and
BE IT FURTHER RESOLVED that an original copy of this resolution be forwarded to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601 for receipt no later than Monday, July 15, 2019.

Resolution #19-66 - Introduced and read by Council President Troast

A Resolution - Liquor License renewals 2019/2020

WHEREAS, applications have been made by certain persons and corporations for the renewal of Plenary Retail Consumption, and Plenary Retail Distribution licenses for the year commencing July 1, 2019 and terminating June 30, 2020; and
WHEREAS, no complaints or objections have been filed with the Borough Clerk against said persons or corporations; and
WHEREAS, the Police Department of the Borough of Ho-Ho-Kus has not received any complaints of violations of Alcoholic Beverage Control regulations by any of the applicants hereinafter named; and
WHEREAS, said applicants have filed their applications with the Alcohol Beverage Control of the State of New Jersey, paid the State fee, received their Tax Clearance Certificate from the NJ Division of Taxation and paid the municipal fees of \$2,000.00 for the Plenary Retail Consumption license and \$825.00 for each of the three Plenary Retail Distribution licenses.
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following Plenary Retail Consumption and Plenary Retail Distribution licenses be issued:

Ho-Ho-Kus Inn & Tavern LLC	(0228-33-002-010) Retail Consumption	ABC Pocket License
Red Cellar Inc.	(0228-44-003-007) Retail Distribution	DBA: Uncorked Wines
HoHoKus High Spirits, Inc.	(0228-44-004-006) Retail Distribution	DBA: Wine & Spirit World
Garbo's Italian Deli Inc.	(0228-44-001-005) Retail Distribution	DBA: Garbo's Italian Deli & Liquors

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Resolution #19-67 - Introduced and read by Council President Troast

A Resolution - Chapter 159 Clean Communities Program

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and WHEREAS, the Borough received \$9,794.63 from the Clean Communities Program and wishes to amend its 2019 Budget to the entire portion of this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2019 in the sum of \$9,794.63 which is now available as a revenue from the Clean Communities Program:

Miscellaneous Revenues
Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
Public and Private Revenues Offset with Appropriations (continued)
Clean Communities Program, and;

BE IT FURTHER RESOLVED that a like sum of \$9,794.63 be and the same is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from Caps
Public and Private Programs Offset by Revenues: Clean Communities Program:
Other Expenses

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution #19-68 - Introduced and read by Council President Troast

A Resolution - Amending Resolution 19-58 – Award of Contract-2019 Coop Resurfacing Program

WHEREAS, Resolution 19-58 “Award of Contract – 2019 Coop Resurfacing Program” was adopted by the Governing Body on May 21, 2019; and

WHEREAS, it appears that the Contract was awarded by Ramsey as the lead agency to Mike Fitzpatrick & Son, Inc., when, in fact, the correct bidder was Mike Fitzpatrick Contractors, Inc.;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that the Contract award set forth in the aforesaid Resolution 19-58 is amended to reflect that Mike Fitzpatrick Contractors, Inc. was the successful bidder to whom the Contract was awarded;

BE IT FURTHER RESOLVED that all other provisions of the aforesaid Resolution, not amended herein, remain in full force and effect.

Resolution #19-69 - Introduced and read by Council President Troast

A Resolution – Appointment of Fireman – Thomas J. Benintende

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointments of members as follows; and

WHEREAS, Thomas J. Benintende passed his physical as required by the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Thomas J. Benintende is recommended to the New Jersey State Fireman's Association for membership.

Resolution #19-70 - Introduced and read by Council President Troast

A Resolution – Award of Contract 2019 Resurfacing Project/Lloyd Road Section 2

WHEREAS, sealed bids were received by the Borough on June 18, 2019 for the Resurfacing of Lloyd Road, Section 2; and

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WHEREAS, eight (8) bids were received; and
WHEREAS, D&L Paving Contractors, Inc., 675 Franklin Avenue, Nutley, N.J. 07110 is the lowest responsible, responsive bidder; and
WHEREAS, the Borough Engineer has recommended that the Borough award a contract to the aforesaid contractor for the amount of \$131,861.06; and
WHEREAS, the Chief Financial Officer has attached a Certification that adequate funds have been duly budgeted and appropriated to pay for the contract;
NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Ho-Ho-Kus, that a contract for resurfacing Lloyd Road, Section 2 is hereby awarded to D&L Paving Contractors, Inc. in the amount of \$131,861.06 (One Hundred Thirty-One Thousand, Eight Hundred Sixty-One Dollars and Six Cents);
BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to sign a contract with the contractor following legal review; and
BE IT FURTHER RESOLVED, that the bid documents of the next lowest bidder be held pending execution of the contract with D&L Paving Contractors, Inc.

Resolution #19-71 - Introduced and read by Council President Troast

A Resolution – HHK Community Development Projects –ADA Restrooms 2nd Floor of the Municipal Building

WHEREAS, a Bergen County Community Development grant of **\$80,000.00** has been proposed by the Borough of Ho-Ho-Kus for the **2nd Floor ADA Restrooms At Ho-Ho-Kus Municipal Building** in the municipality of Ho-Ho-Kus, and
WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and
WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Ho-Ho-Kus, and
WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.
NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Ho-Ho-Kus hereby confirms endorsement of the aforesaid project, and
BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

Resolution #19-72 - Introduced and read by Council President Troast

A Resolution – Appointment of Zoning Board of Adjustment-Kathleen Rashdorf (alternate member No. 1)

WHEREAS, the Mayor and Borough Council wishes to make appointments of members to the Borough's Zoning Board of Adjustment for terms of office that are open;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Ho-Ho-Kus hereby confirms the following appointments to the Borough of Ho-Ho-Kus Zoning Board of Adjustment for the applicable terms set forth herein voted on June 25, 2019:

1. The following individual is hereby appointed as Alternate Member No. 1 to the Borough of Ho-Ho-Kus Zoning Board of Adjustment for the term stated below:

Kathleen Raschdorf Term commencing 6/25/19, and terminating 12/31/20

Resolution #19-73 - Introduced and read by Council President Troast

A Resolution - Appointment of Zoning Board of Adjustment-Stephen Madden (full member)

WHEREAS, the Mayor and Borough Council wishes to make appointments of members to the Borough's Zoning Board of Adjustment for terms of office that are open;
NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Borough Council of the Borough of Ho-Ho-Kus hereby confirms the following appointments to the Borough of Ho-Ho-Kus Zoning Board of Adjustment for the applicable terms set forth herein voted on June 25, 2019:

1. The following individual is hereby appointed as Member to the Borough of Ho-Ho-Kus Zoning Board of Adjustment for the term stated below:

Stephen Madden Term commencing 6/25/19, and terminating 12/31/19

A motion was offered by Council President Troast and seconded by Councilman Iannelli to approve Resolutions 19-64 through 19-73. Motion carried on a roll call vote – All present voting “Aye”.

LIAISON REPORTS

Recreation – Councilman Iannelli reported the Football Association is in the process of submitting plans to the Planning Board for rebuilding the sheds.

Library – Councilman Policastro reported he attended the Library Board of Trustees’ meeting on Monday June 17th. He learned that the Library has retained an architect who has prepared architectural plans for a library renovation and expansion. The Library indicated they would like to hurry this process because of pressing repairs and they need more information to guide their decision. He has recommended to the Board to come before the M&C to discuss their intentions and long term capital outlook. Additionally, the Library has released a community survey for their 2020-2025 strategic plans. All residents are encouraged to submit a survey which can be filled out online or in person at Borough Hall. The response deadline is July 1st.

Board of Education – Councilman Policastro reported he met with the School Administration on May 16th to discuss their approved 2019-2020 school budget and discussed a few highlights;

- An overall 1.97% increase to the total school tax rate. Projected \$188 year total tax increase for the average home valued at \$766, 676
- Increase of \$126, 888 in net school aid
- They have restored the supervisor of building and grounds position
- 2019-2020 budget includes the approval of capital projects in the amount of \$224, 104 for Technology Infrastructure.

The school administration stated they will not be attempting a separate spending proposal on top of the 2019-2020 budget. Lastly, he inquired as to the status of their facility and if they anticipated any significant upgrades in the near future. Councilman was told they recently hired an outside firm to conduct a facility assessment. The facility is not in need of any urgent upgrades or renovations other than the approved projects in the 2019-2020 capital budget.

Ambulance Corp. – Council Crossley reported last night he attended the last meeting before the summer. He stated they looked at house cleaning duties and one item they discussed a lot was recruitment which has been an on-going problem. One idea that came up was a job fair format, where on movie night they would bring one of the rigs in, have EMT/Driver staff there discuss what they do and that might encourage people to join, more information to follow. Allendale asked them to cover July 4th fireworks. They also made sure everyone had their Narcan kits and the proper training.

Fire Department – Council Rorty reported he spoke the Fire Chief and they are happy with the new vehicle. Come cheer on the Fire Department as they will be walking in the Ridgewood 4th of July Parade. There are some concerns about the ladder truck with the turning radius at the school. They are looking further into this situation.

Chamber of Commerce – The Chamber of Commerce did another great good with The Taste of Ho-Ho-Kus, it was a wonderful and successful event, he thanked the Police Department & CERT and all involved.

MAYOR'S REMARKS

Mayor welcomed the Boy Scouts who were observing the meeting. Mayor questioned the Police Chief regarding some car break-ins in the surrounding towns. Chief responded Ho-Ho-Kus is all good.

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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:

- 7- Matters relating to litigation, negotiations and attorney-client privilege
Bergen County United Way – Affordable Housing Compliance

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on June 25, 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 7:55 p.m. and ended at 8:30 p.m.

On a motion by Councilman Shell, seconded by Councilman Iannelli, the meeting returned to open public session. Motion Carried by voice vote – all present voting “Aye”.

ADJOURNMENT

On a motion by Councilman Crossley, seconded by Councilman Rorty, the meeting was adjourned at 8:30 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve RMC/CMR
Borough Clerk