

Borough of Ho-Ho-Kus  
County of Bergen  
Mayor and Council Combined Work/Regular Meeting  
November 27, 2018 7:30 p.m.

The Work/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 November 27, 2018. The meeting was called to order at 7:32 p.m. by Mayor Randall who asked the Municipal Clerk to read the open public meeting statement:

The Combined Work/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”, adequate 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
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli
Councilman.....	Kevin Crossley
Councilman.....	Philip Rorty

**ABSENT:**

Councilman.....	Tom Fiato
Council President.....	Douglas Troast

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

**FLAG SALUTE:**

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

**CLOSED SESSION:**

On a motion by Councilman Rorty, seconded by Councilman Crossley, the Mayor and Council approved entering into Executive Session closed to the public. Motion Carried by voice vote – all 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

Kim v. HHK Tax Appeal

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on November 27, 2018 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 7:35 p.m. and ended at 7:45 p.m.

On a motion by Councilman Shell, seconded by Councilman Rorty, the meeting returned to open public session.

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

### **PROCLAMATION**

National Day of Giving (#GivingTuesday) – Mayor Randall read the proclamation in full.

### **APPROVAL OF MINUTES**

A motion was offered by Councilman Iannelli and seconded by Councilman Crossley to approve the Minutes of the October 16, 2018 Work Session Meeting, October 16, 2018 Closed Session, October 23, 2018, Regular Meeting, October 23, 2018 Closed Session & November 8, 2018 Special Meeting. Motion carried on a roll call vote – all present voting “Ayes, with the exception of Councilman Shell who abstained from October 16<sup>th</sup> work and closed session minutes and November 8<sup>th</sup>, 2018 Special Meeting and Councilman Rorty who abstained from the October 23, 2018 regular and closed session meetings.

### **DEPARTMENT REPORTS**

Department reports are on file in the Municipal Clerk’s office

Police Report – October 2018

Court Report – October 2018

Library Report – November 2018

### **PUBLIC PORTION**

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**

Administrator Jones reported 2019 Budget process has started and will be meeting with department heads within the next couple of weeks. He has submitted the 2018/2019 Best Practice Inventory Survey. The Annual Holiday Tree Lighting is scheduled for Friday December 7<sup>th</sup>, 2018 from 6-7:30pm. He also discussed the Resolution #18-134 (HHK Community Development Project) this is a way to partner up with United Way to seek \$500,000 towards our affordable housing project. Lastly, he had gotten an email from FEMA regarding the flood maps which were supposed to be available in the beginning of November, however due to a major error on their end there is going to be a (3) month delay before the Flood Maps will be available.

### **CORRESPONDENCE**

- Thank you letter from the 2018 Project Graduation Committee for your donations
- Northwest Bergen County Utilities Authority’s 2019 Preliminary Budget
- Northwest Bergen County Utilities Authority–Special Meeting Notice 12/11/18
- BC Municipal Joint Insurance Public Hearing Notice-2019 Proposed Budgets
- Municipal Alliance FY2020 Letter of Intent

- Resident Eileen Doyle – requesting late fee for taxes to be removed
- Resignation - Police Dispatcher Kheira Kortebout

Discussion: Administrator explained that the resident Eileen Doyle has been late on two other occasion and was not giving the wrong information. Therefore he suggested not removing the late fee. Borough Council agreed. Administrator will email resident with the outcome.

**ADOPTION OF ORDINANCES:**  
**ORDINANCE #2018-11**

**“AN ORDINANCE TO AMEND CHAPTER 81 OF THE CODE ENTITLED “WATER AND WATER RATES”**

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

**81-21 Rates and Charges** is amended as follows:

- (a) Effective January 1, 2019 all water taken or consumer shall be charged to consumers at the following rates:
- (1) Six dollars and Twenty Five Cents (\$6.25) per one thousand (1,000) gallons, with a minimum charge of Fifty Dollars (\$50) per quarter, or any part thereof.
  - (2) For Water usage over the minimum the following chart will apply:

	Gallons	Rate per 1,000 Gallons	Amount
Minimum	8,000	\$6.25	\$50.00
Next	12,000	\$6.25	
Next	20,000	\$6.868	
Next	40,000	\$7.898	
Over	80,000	9.478	

**SECTION III: Repealer.**

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

**SECTION IV: Effective Date.**

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

**PUBLIC HEARING**

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.

A motion was offered by Councilman Rorty and seconded by Councilman Iannelli to adopt Ordinance #2018-11. Motion carried on a roll call vote – All present voting “Aye”.

**ORDINANCE #2018-12**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 32A OF THE CODE OF THE BOROUGH OF HO-HO-KUS ENTITLED “LAND USE PROCEDURES”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey that Section 32A-29 **Fees Payable to Borough Clerk** is hereby amended and supplemented as follows:

**Section I - Section 32A-29B(1)(a) Minor Subdivision or Resubdivision is amended to read:**

At the time of filing a sketch plat for a minor subdivision, the subdivider shall deposit with the Borough Clerk a filing fee of \$350, by check made payable to the Borough of Ho-Ho-Kus, to cover the administrative costs of the Borough, together with an amount

of \$1,500 in cash to be held by the Borough in escrow which shall be charged for the actual out-of-pocket expenses to the Borough for services rendered to it, including but not limited to legal and engineering fees. If the subdivision is classified by the Planning Board as a major subdivision, then the applicant must submit an additional \$150 filing fee and \$100 for each lot to be created by the proposed subdivision, but applicant shall receive a credit for any amount paid pursuant to this subsection.

**Section II – Section 32A-29B(2)(a) Major Subdivision is amended to read:**

At the time of filing a sketch plat for a major subdivision, the subdivider shall deposit with the Borough Clerk a filing fee of \$500, plus \$100 for each lot to be created by such major subdivision, by check made payable to the Borough of Ho-Ho-Kus, to cover the administrative costs of the Borough, together with an amount of \$5,000 in cash to be held by the Borough in escrow which shall be charged for the actual out-of-pocket expenses of the Borough for services rendered to it including but not limited to legal and engineering fees.

**Section III – Section 32A-29B(5)(a) is amended to read:**

An escrow in the amount of \$1,500 is required for all Zoning Board applications to cover legal and engineering fees.

**Section IV Repealer**

All other provisions of this chapter which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

**Section V Severability**

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section VI Effective Date**

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

**PUBLIC HEARING**

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.

A motion was offered by Councilman Iannelli and seconded by Councilman Shell to adopt Ordinance #2018-12. Motion carried on a roll call vote – All present voting “Aye”.

**ORDINANCE #2018-13**

**ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 79 OF THE  
CODE ENTITLED “VEHICLES AND TRAFFIC”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey, that Section 79-18 of the Code **Permits** is hereby amended as follows:

**Section I**

- A. No change.
- B. The fee to be charged by the Borough Clerk for the resident permits shall be \$375.00 and businessman permits shall be \$100.00. No fee shall be required for permits issued to Borough employees for parking during the regular course of business in Municipal Lot B.
- C.-F. No change.

**Section II**

**Repealer**

All other provisions of this Ordinance which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

**Section III**

**Severability**

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If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section IV**

**Effective Date**

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

**PUBLIC HEARING**

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.

A motion was offered by Councilman Iannelli and seconded by Councilman Shell to adopt Ordinance #2018-13. Motion carried on a roll call vote – All present voting “Aye”.

**ORDINANCE #2018-14**

**ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 13 OF THE  
CODE ENTITLED “CATS”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey, that Section 13-3 G. of the Code **License Fee Schedule** is hereby amended as follows:

**Section I**

13-3 G. License Fee Schedule. The cat license annual fee shall be \$20.00 for each non-altered or altered cat. There will be a \$5.00 renewal fee for each additional cat after three (3). The cat license shall expire on the last day of January in each year. Persons who fail to obtain a license and registration tag, as required, prior to February 28 in each year, will be subject to a late fee based upon the following schedule:

**Late Fee Schedule (after 2/28):**

3/1 - 3/31	\$10.00 + License Fee
4/1 - 4/30	\$15.00 + License Fee
5/1 - 5/31	\$20.00 + License Fee
6/1 - 6/30	\$25.00 + License Fee
7/1 - 7/31	\$30.00 + License Fee
8/1 - 8/31	\$35.00 + License Fee
9/1 - 9/30	\$40.00 + License Fee
10/1 - 10/31	\$45.00 + License Fee
11/1 - 11/30	\$50.00 + License Fee
12/1 - 12/31	\$55.00 + License Fee

No license fee shall be prorated for any portion of the licensing year. Volunteers serving the Borough shall be exempt from the foregoing fees.

**Section II**

**Repealer**

All other provisions of this Ordinance which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance are hereby repealed to the extent of such inconsistency.

**Section III**

**Severability**

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section IV**

**Effective Date**

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

**PUBLIC HEARING**

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.

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

A motion was offered by Councilman Rorty and seconded by Councilman Crossley to adopt Ordinance #2018-14. Motion carried on a roll call vote – All present voting “Aye”.

**ORDINANCE #2018-15**

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 18 OF THE  
CODE ENTITLED “DOGS”**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey, that Section 18-3 A. of the Code **Fees; expiration of tags.** is hereby amended as follows:

**Section I**

18-3 A. The person applying for the license and registration tag of a dog shall pay the annual fee for such license of \$20.00 whether or not the dog is neutered/spayed. For each annual renewal, the fee for the license and registration tag shall be the same as for the original license and tag, and said licenses, registration tags and renewals thereof shall expire on the last day of January in each year. Persons, who fail to obtain a license and registration tag, as required, prior to February 28 in each year, will be subject to a late fee based upon the following schedule:

**Late Fee Schedule (after 2/28):**

3/1 - 3/31	\$10.00 + License Fee
4/1 - 4/30	\$15.00 + License Fee
5/1 - 5/31	\$20.00 + License Fee
6/1 - 6/30	\$25.00 + License Fee
7/1 - 7/31	\$30.00 + License Fee
8/1 - 8/31	\$35.00 + License Fee
9/1 - 9/30	\$40.00 + License Fee
10/1 - 10/31	\$45.00 + License Fee
11/1 - 11/30	\$50.00 + License Fee
12/1 - 12/31	\$55.00 + License Fee

No license fee shall be prorated for any portion of the licensing year. Volunteers serving the Borough shall be exempt from the foregoing fees.

- B. Repealed.
- C. No change.

**Section II**

**Repealer**

All other provisions of this Ordinance which are not affected by this amendatory Ordinance are hereby ratified and confirmed and shall remain in full force and effect. However, all ordinances or parts of ordinances, which are inconsistent with the provisions of this amendatory Ordinance, are hereby repealed to the extent of such inconsistency.

**Section III**

**Severability**

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

**Section IV**

**Effective Date**

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

**PUBLIC HEARING**

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.

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

A motion was offered by Councilman Rorty and seconded by Councilman Crossley to adopt Ordinance #2018-15. Motion carried on a roll call vote – All present voting “Aye”.

**INTRODUCTION OF ORDINANCES:** None

**CONSENT RESOLUTIONS** (18-124 thru 18-134)

**Resolution #18-124 - Introduced by Councilman Rorty**

**A Resolution - Payment of bills**

**WHEREAS**, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,179,106.37; 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 \$2,179,106.37 be approved and ratified respectively

**Resolution #18-125 - Introduced by Councilman Rorty**

**A Resolution - Inter Local Court Agreement with Allendale**

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

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

**Resolution #18-126 - Introduced by Councilman Rorty**

**A Resolution - Drive Sober or Get Pulled Over**

**WHEREAS**, approximately one-third of all fatal traffic crashes in the United States involve drunk drivers; and

**WHEREAS**, impaired driving crashes cost the United States almost \$45 Billion a year; and

**WHEREAS**, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

**WHEREAS**, an enforcement crackdown is planned to combat impaired driving; and

**WHEREAS**, the holiday season in particular are traditionally times of social gatherings which include alcohol; and

**WHEREAS**, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over 2018 Statewide Crackdown*; and

**WHEREAS**, the project will involve increased impaired driving enforcement from December 8, 2018 through January 1, 2019; and

**WHEREAS**, an increase in impaired driving enforcement and a reduction in impaired

driving will save lives on our roadways;

**THEREFORE, BE IS RESOLVED** that the Borough of Ho-Ho-Kus declares it's support for the *Drive Sober or Get Pulled Over 2018 Statewide Crackdown* from December 8, 2018 through January 1, 2019 and pledges to increase awareness of the dangers of drinking and driving.

**Resolution #18-127 - Introduced by Councilman Rorty**

**A Resolution - Arbor Day**

**WHEREAS**, Arbor Day is a nationally celebrated observance that encourages tree planting and tree care; and

**WHEREAS**, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

**WHEREAS**, the idea for this holiday grew in enthusiasm and popular appeal to such an extent that an estimated one million trees were planted on the first Arbor Day; and

**WHEREAS**, the year 2018 is the 146<sup>th</sup> Anniversary of the holiday and Arbor Day is now celebrated throughout the nation and the world; and

**WHEREAS**, trees can reduce erosion of topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air and provide habitat for wildlife; and

**WHEREAS**, trees are a renewable resource for giving us paper, wood for our building industry, fuel and beauty in our communities; and

**WHEREAS**, the Borough of Ho-Ho-Kus is proud to be designated as a Tree City USA and trees wherever they are planted are a source of joy

**NOW, THEREFORE, I, Thomas W. Randall, Mayor of the Borough of Ho-Ho-Kus proclaim December 09, 2018 as the 146th anniversary celebration of ARBOR DAY in the Borough of Ho-Ho-Kus.**

**Resolution #18-128 - Introduced by Councilman Rorty**

**A Resolution - Veteran Tax Exemption – Nino Carnevale**

**WHEREAS**, New Jersey State Statute 54:4-3.30 provides that war veterans, who were honorably discharged from active service, in time of war, in any branch of the Armed Forces of the United States, who have been or shall be declared by the United States Veterans Administration to be 100% permanently disabled, connected from their wartime service, a full tax exemption of their dwelling and the lot on which it is situated; and

**WHEREAS**, the following taxpayer has filed an application for allowance of a full exemption with proper supporting documentation thus making the taxpayer eligible; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor & Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, that **Nino Carnevale** be granted **full exemption** from payment of property taxes from **August 8, 2018** and all subsequent years thereafter on the property identified as **Block 105, Lot 6, also known as 135 Ackerman Avenue and**

**BE IT FURTHER RESOLVED**, that the Treasurer is hereby authorized to refund \$2,596.80 for 2018 property taxes

November 1, 2018	\$3645.48
February 1, 2019	\$3823.74
May 1, 2019	\$3823.75

**Resolution #18-129 - Introduced by Councilman Rorty**

A Resolution - Settlement of Tax Appeal – Kim v. Borough of Ho-Ho-Kus

**WHEREAS**, John S. Kim and Emma Lee-Kim are owners of real estate known as Lot 4, Block 301 better known as 1010 West Saddle River Road, Ho-Ho-Kus, New Jersey; and

**WHEREAS**, the owners John S. Kim and Emma Lee-Kim have filed a tax appeal challenging the tax assessment for the 2018 year; and

**WHEREAS**, Lot 4 in Block 301 was assessed for the tax year 2018 in the total amount of \$1,401,600.00; and

**WHEREAS**, the Borough has completed full discovery with respect to this matter, has consulted with the Borough's Tax Assessor Edmund Brown and has conducted exhaustive negotiations with counsel for the taxpayers; and

**WHEREAS**, the parties have been able to arrive upon a proposed settlement agreement as follows: a revised assessment \$1,299,000.00 for 2018 with a 2019 assessment of \$1,144,900.00; and

**WHEREAS**, the parties have agreed that pre-judgment interest shall be waived as a condition of the settlement; and

**WHEREAS**, the Borough's Tax Assessor is in agreement with the terms of the settlement and believes that it would be in the best interests of the Borough to settle this particular case in accordance with the terms set forth above;

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Borough Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Kim v. Ho-Ho-Kus tax appeal pending in the Tax Court of New Jersey under Docket No. 003348-2018 at the new assessments set forth above; and

**BE IT FURTHER RESOLVED**, that upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayers, without statutory interest, within 60 days from the date of the Tax Court Judgment; and

**BE IT FURTHER RESOLVED**, that this settlement is subject to agreement thereof by the taxpayers; and

**BE IT FURTHER RESOLVED**, that upon adoption of the within Resolution, the Municipal Clerk shall distribute a true copy thereof to the Borough Tax Assessor, Tax Collector, Chief Financial Officer and the Borough Attorney.

Resolution #18-130 - Introduced by Councilman Rorty

A Resolution - Clerk Certification-Best Practice Survey

**WHEREAS**, a 2018/2019 Best Practices Inventory survey was sent to the Borough of Ho-Ho-Kus by the State of NJ and was required to be completed and returned to the State, certified by the CFO, no later than November 12, 2018; and

**WHEREAS**, it was required by the State that the Municipal Clerk, following the consideration of the completed survey by the Governing Body of the Borough of Ho-Ho-Kus at a public meeting, complete the "Best Practices Certification Form" and return it to the State;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that: 1) the survey was completed correctly, certified by the Chief Financial Officer, and returned to the State before the deadline of November 12, 2018 and 2) the survey was discussed at the public meeting of the Mayor and Council on November 27, 2018 and 3) the Municipal Clerk of the Borough of Ho-Ho-Kus hereby certifies each of the above noted points and submits the "Best Practices Certification Form" to the State as required.

Resolution #18-131 - Introduced by Councilman Rorty

A Resolution - Municipal Alliance Grant

**WHEREAS**, the Governor’s Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth, and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough Council of the Borough of Ho-Ho-Kus further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community: and,

**WHEREAS**, the Borough Council has applied for funding to the Governor’s Council on Alcoholism and Drug Abuse through the County of Bergen

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

1. The Borough Council does hereby authorize submission of a strategic plan for the Ho-Ho-Kus Municipal Alliance grant for fiscal year 2020 in the amount of:

DEDR	9,520
Cash Match	2,380
In-Kind	7,140

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

Resolution #18-132 - Introduced by Councilman Rorty

A Resolution - Water & Solid Waste & Tax Cancellation

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

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

**BE IT FURTHER RESOLVED**, that Water & Solid Waste Registrar is hereby authorized to process, without further action on part of the Governing Body, the cancellation of any property tax delinquency of less than (\$10.00) Dollars; and,

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

Resolution #18-133 - Introduced by Councilman Rorty

A Resolution - Transfer of Funds

	<b>FROM:</b>	<b>TO:</b>
Legal (O&E)	\$13,000.00	
Vehicle Maintenance		\$10,000.00
Recycling (O.E)		\$2,000.00

Borough of Ho-Ho-Kus  
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Borough Clerk (O&E)			\$1,000.00
	Total	<u>\$13,000.00</u>	<u>\$13,000.00</u>

**Resolution #18-134 - Introduced by Councilman Rorty**

**WHEREAS**, a Bergen County HOME Investment Partnerships application of \$500,000.00 has been proposed by BCUW Madeline Housing Partners, LLC for Ho-Ho-Kus Commons in the municipality of Ho-Ho-Kus and

**WHEREAS**, pursuant to the State Interlocal Services Act, HOME funds may not be spent in a municipality without authorization by the Mayor and Council, and

**WHEREAS**, the aforesaid project is in the best interest of the people 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 HOME application,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of Ho-Ho-Kus hereby confirm 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 Division of Community Development so that implementation of the aforesaid project may be expedited.

A motion was offered by Councilman Rorty and seconded by Councilman Crossley to approve Resolutions 18-124 through 18-134. Motion carried on a roll call vote – All present voting “Aye”.

**OLD BUSINESS**

**LIAISON REPORTS**

**Recreation** – Councilman Iannelli reported the Football season is completed and the Peewee’s won their super bowl. Juniors had a 5-4 season and the seniors made it into the super bowl. Basketball and wrestling season is underway.

**Board of Education** – No report

**Ambulance Corp.** – Councilman Crossley expressed his concerns about getting new members. They will be re-evaluating the recruiting process.

**Shade Tree** – No report

**Chamber of Commerce** – Councilman Shell reported the Chamber is actively planning the Annual Tree Lighting Ceremony.

**Fire Department** – Councilman Rorty reported, December 4<sup>th</sup>, 2018 at 7pm the Fire Department will be honoring Mort Jennings for his 70 years of service. They started the drilling on Ardmore Road that is scheduled for demolition.

**DPW** – Superintendent, Jeff Pattman reported they are still in the process of cleaning up the leaves.

**Police** – Chief Minchin reminded residents to let neighbors know if packages are being delivered as there have been reports in other towns about missing packages. He also reminds residents to adjust your light timers. There was a surprise lockdown inspection for the state at the school, which went very well. They were impressed with the school plan

**NEW BUSINESS**

**MAYOR'S REMARKS** – Mayor Randall stated that he and the Council went down the New Jersey League of Municipalities and were able to obtain insurance credits which help us maintain a good premium.

**CLOSED SESSION:**

On a motion by Councilman Rorty, seconded by Councilman Crossley, the Mayor and Council approved entering into Executive Session closed to the public. Motion Carried by voice vote – all 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  
Ho-Ho-Kus Police and DPW Negotiations

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on November 27, 2018 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 8:10 p.m. and ended at 8:18 p.m.

On a motion by Councilman Shell, seconded by Councilman Rorty, the meeting returned to open public session.

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

**ADJOURNMENT**

On a motion by Councilman Rorty, seconded by Councilman Iannelli, the meeting was adjourned at 8:19 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve RMC/CMR  
Borough Clerk