

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

JUNE 17, 2014- 8:00 P.M.

I. OPEN MEETING STATEMENT - ROLL CALL

Mayor Randall opened the meeting at 8:00 PM and asked the clerk to read the opening statement.

Roll Call:

Mayor Randall	Present
Councilmember Troast	Present
Councilmember Lennon	Present
Councilmember Shea	Present
Councilmember Rorty	Present
Councilmember Weiss	Present
Councilmember Shell	Present

Also present were borough administrator Donald Cirulli and Borough Attorney David Bole.

II. PLEDGE OF ALLEGIANCE

Mayor Randall led all in the pledge of Allegiance

III. APPROVAL OF MINUTES

1. February 18, 2014 Work Session

Motion: Councilmember Rorty

Seconded: Councilmember Lennon

All ayes

Abstain: Councilmembers Troast and Shea

2. February 18, 2014 Closed Session

Motion: Councilmember Rorty

Seconded: Councilmember Lennon

All ayes

Abstain: Councilmembers Troast and Shea

3. February 25, 2014 Public Meeting

Motion: Councilmember Rorty

Seconded: Councilmember Shea

All ayes

4. March 18, 2014 Work Session

Motion: Councilmember Rorty

Seconded: Councilmember Weiss

All Ayes

5. March 25, 2014

Public Meeting

Motion: Councilmember Rorty

Seconded: Councilmember Lennon

All Ayes

6. April 15, 2014

Combined Session

Motion: Councilmember Troast

Seconded: Councilmember Shell

All Ayes

Abstain: Councilmember Lennon

7. May 27, 2014

Public Meeting

Motion: Councilmember Lennon

Seconded: Councilmember Rorty

All Ayes

Abstain: Shell

8. May 27, 2014

Closed Session

Motion: Councilmember Rorty

Seconded: Councilmember Lennon

All Ayes

IV. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – May 2014

B. PUBLIC SAFETY

1. Police Report – May 2014

2. Court Report – May 2014

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works – May 2014

2. Construction Office Report – May 2014

D. WATER

1. Water Supt. Report – May 2014

2. Water Registrar's Report – May 2014

E. FIRE

1. Fire Dept. Report – May 2014

2. Fire Prevention Bureau – May 2014

F. COMMUNITY RELATIONS

1. Library – May 2014
2. Ambulance Report – May 2014

V. PUBLIC DISCUSSION

Kevin Pianfetti thanked Councilmember Lennon for her years of service as a Councilmember to the Borough of Ho-Ho-Kus. Mr. Pianfetti came before Council to discuss the Solid Waste and Recycling issues. Mr. Pianfetti noted that the Recycling center at the DPW is not consumer friendly, there are separate containers for all the recycling, but when it is taken to the recycling center it is all comingled and piled in one container when transporting to the Recycling Center, and asked where is the revenue in that. He spoke with DPW Superintendent Jeff Pattman about the issue and asked that the contract be changed. Mr. Pattman said that nothing can be done now, and that the Borough would have to wait until the next contract to make any changes. Newspapers are all bundled up, Mr. Pianfetti asked why can't the residents just put them in the containers not bundled up, making it easier for the residents. He asked why the recycling center cannot be opened at 7 AM. Mr. Pianfetti suggested having garbage and recycling pick up once a week year round.

Stanley Kober 919 Washington Avenue asked the Mayor and Council to consider updating the sound system in the Council Chambers, because certain agencies in the borough does not let the public the use of cell phones in the Council Chambers because it affects the sound system while the meetings are being recorded, Mr. Kober stated that in prohibiting the public from doing so we are in violation of the constitution rights. Mr. Kober said because of a hearing impaired individual on the dias it is not up to the public to be compelled into doing those prohibitive actions, it's up to the Municipality to come forward and remediate the situation, by changing the existing system or buying a new system. Mr. Kober proceeded to say that there are emergency services, doctors and other professionals that need their phones on at all times. Mayor Randall responded that he would look into this. Councilmember Rorty interjected and said that he realizes what agency Mr. Kober is referring to and commented that the person running the meeting has the right to say what he wants at his meeting, Mr. Kober disagreed. Mayor Randall ended the topic and said that the borough would look into the issue.

VI. ADMINISTRATORS REPORT

All going well at DPW everything moving along nicely

VII. A. CORRESPONDENCE

1. Community Church of Ho-Ho-Kus re: 100th Anniversary Recognition Resolution. Mayor Randall asked Borough Administrator Donald Cirulli to have a resolution for the next meeting.
2. Jersey Shore Volleyball Association: Event seeking site in NJ
3. Social Service Association re: Thank you for grocery donations

B. Ordinances and Resolutions Other Towns.

1. Borough of Parkridge: Resolution # 014-168
Support A-900 Loosening Restrictions on Stream Cleaning

C. Bergen County.

Board of Chosen Freeholders

1. Resolution # 595-14_ Declaring Bergen County a Stigma-Free Zone

D. League of Municipalities.

1. Resiliency Resources Available
2. Draft summary of the proposed COAH regulations
3. Nominations Open for Great Places New Jersey

E. State of New Jersey.

None

VIII. INTRODUCTION OF ORDINANCES

None

IX. FINAL PASSAGE OF ORDINANCES

1. Ord. # 1029 Various Public Utilities Bond

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, AND NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT IN, BY AND FOR THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$510,000 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new automotive vehicles, including original apparatus and equipment, and new communication and signal systems equipment in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized, and the down payment and State grant appropriated, by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the State grant hereinafter appropriated, and (3) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (4) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (5) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the resurfacing of various roads in the Borough (including drainage improvements and reconstruction of curbs, where necessary) as the 2014 Road Resurfacing Program, as set forth on a list on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$170,000
Down Payment Appropriated	\$ 8,100
Bonds and Notes Authorized	\$161,900
Period of Usefulness	10 years

B. Resurfacing of Blauvelt Avenue (from Franklin Turnpike to Sheridan Avenue), including drainage improvements and reconstruction of curbs, where necessary. It is hereby determined and stated that said street being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$230,000
State DOT Grant Appropriated	\$200,000
Down Payment Appropriated	\$ 1,430
Bonds and Notes Authorized	\$ 28,570
Period of Usefulness	10 years

C. Acquisition of a new automotive vehicle, including original apparatus and equipment, consisting of an SUV for the use of the Police Department.

Appropriation and Estimated Cost	\$ 40,000
Down Payment Appropriated	\$ 2,000
Bonds and Notes Authorized	\$ 38,000
Period of Usefulness	5 years

D. Acquisition of a new automotive vehicle, including original apparatus and equipment, and new communication and signal systems equipment for the use of the Fire Department consisting of (i) an SUV and (ii) portable radios.

Appropriation and Estimated Cost	\$ 70,000
Down Payment Appropriated	\$ 3,470
Bonds and Notes Authorized	\$ 66,530
Period of Usefulness	5 years
Aggregate Appropriation and Estimated Cost	\$510,000
State Grant Appropriated	\$200,000
Aggregate Down Payment Appropriated	\$ 15,000
Aggregate Amount of Bonds and Notes Authorized	\$295,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$50,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. The sum of \$200,000 received or to be received as a grant from the State of New Jersey Department of Transportation is hereby appropriated to the payment of the cost of the resurfacing of Blauvelt Avenue set forth in Section 4.B above.

Section 7. It is hereby determined and stated that moneys exceeding \$15,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$15,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 8. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$295,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 9. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$295,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of

such notes then outstanding.

Section 10. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 11. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 8.22 years computed from the date of said bonds.

Section 12. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$295,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 13. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes (other than the State grant hereinbefore appropriated which shall be applied to the cost of such purposes, but shall not be applied to the payment of outstanding bond anticipation notes and the reduction of the amount of bonds authorized), shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 14. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 15. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 16. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage. Councilmember Shea moved the adoption of the Ordinance, seconded by Councilmember Lennon

All Ayes

X. RESOLUTIONS

None

XI. CONSENT RESOLUTION

1. # 14-86 Hours of Employment

Whereas, Ho-Ho-Kus Ordinance 911, which amends Chapter 42 of the code entitled "Personnel" under Section 42-1.1: Adoption by Resolution, enables the Governing Body to adopt and amend Personnel Policies and Procedures including terms and conditions of employment; and

Whereas, Section 42-2: Personnel Practices incorrectly states in paragraph E (1) that Borough Hall is open to the public Monday to Friday from 8:30AM until 5:00PM, whereas for many years Borough Hall has been and will continue to be open to the public Monday to Friday 8:30AM until 4:30PM unless otherwise posted for special reasons.

Now, Therefore Be It Resolved by the Mayor & Council of the Borough of Ho-Ho-Kus that Chapter 42-2 E (1) Hours of Employment is amended as follows:

Employees of the Borough shall ordinarily be required to work five days a week from Monday to Friday. All full-time permanent employees of the Borough shall work 35 or 40 hours per week, 52 weeks per year. Hours of employment shall be determined by the Borough Administrator/Human Resources Director in conjunction with the department head when not specified in the Salary Ordinance. The department head of each department shall schedule the lunch period for each employee of the department, provided that the lunch period shall not exceed one hour. The schedule shall be arranged in a manner that will require the Borough Hall to be open to the public continuously from 8:30AM until 4:30PM, and the Department of Public Works from 7:00AM until 3:30PM, unless otherwise posted for special reasons

2. # 14-87 HHK Stigma Free Zone

Whereas, the "Stigma-Free Zone" designation is being used to spark public interest in and raise awareness of mental illness, decrease the stigma associated with mental illness and encourage those who need care to seek treatment and feel supported within the Stigma-Free Zone community; and

Whereas, the Bergen County Department of Health Services' Division of Mental Health, in collaboration with the Bergen County Mental Health Board, including the Board's Professional Advisory Committee, Acute Care System Review Committee and Children's Interagency Coordinate Council, will continue to work tirelessly to decrease stigma and promote wellness; and

Whereas, the Bergen County Department of Health Services' Division of Mental Health will work in partnership with local leaders to designate each municipality within the County of Bergen as a Stigma-Free Zone; and

Whereas, the Bergen County Department of Health Services' Division of Mental Health will provide each Mayor with a Tool Kit to simplify the action steps needed to establish a Stigma-Free Zone.

Now, Therefore Be It Resolved, that County Executive Kathleen A. Donovan and the Board of Chosen Freeholders of the County of Bergen do hereby designate the County of Bergen, in the State of New Jersey, a Stigma-Free Zone to create an environment in which residents will feel free to identify themselves as having a mental illness and to seek treatment without fear of being stigmatized.

Be It Further Resolved by the Mayor and Council of the Borough of Ho-Ho-Kus that the Borough of Ho-Ho-Kus is hereby designated as a Stigma-Free Zone, and that a copy of this resolution will be sent to the County of Bergen Board of Chosen Freeholders and all municipalities throughout Bergen County urging them to pass a similar resolution.

3. # 14-88 SRO Agreement

Whereas, the Uniform Shared Services and Consolidation Act (NJSA 40A: 65-1, et seq) permits, authorizes and encourages local units to enter into Shared-Service Agreements ("Agreement") with each other to contract for the provision of any service which the parties to such agreement are empowered to provide or receive under and within their own individual jurisdiction, whether administrative or otherwise; and

Whereas, the Borough of Ho-Ho-Kus ("Borough") and the Ho-Ho-Kus Board of Education ("Board") share a common concern about the safety and well-being of the Ho-Ho-Kus public school, its students and employees; and

Whereas, an Agreement currently exists whereby the Borough provides a police officer from its Police Department to be identified as a School Resource Officer ("SRO") to the Board, and the Board provides reimbursement to the Borough for a portion of the SRO's salary, and the Borough and the Board wish to renew such Agreement immediately upon the termination of the current Agreement; and

Now, Therefore Be It Resolved that the Mayor and Council of the Borough of Ho-Ho-Kus hereby authorize the SRO Agreement to be renewed under the same terms and conditions except that there will be a slight increase in the amount to be reimbursed to the Borough by the Board to compensate for an increase in the salary of the School Resource Officer by the Police Department.

4. # 14-89 Liquor License Renewals 2014-2015

WHEREAS, application has 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, 2014 and terminating June 30, 2015;

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, the said applicants have filed the necessary forms and have paid the required fees for said licenses;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following Plenary Retail Distribution licenses be issued.

Garbo's Italian Deli Inc	(0228-44-001-005)
Drinks of Ho-Ho-Kus	(0228-44-003-005)
Russak Inc	(0228-44-004-005)
Ho-Ho-Kus Inn and Tavern	(0228-33-002-010)

5. # 14-90 Appt. Recreation Commission

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following Board Appointments made by Mayor Randall be confirmed.

Recreation Commission Members

1. Steve Courtney

24 Sutton Drive

2. Kenneth White

3 Valley Stream Way

3. Julie Hughes

23 Beechwood Road

4. Jamie Tittensor

179 Sheridan Avenue

Board Of Education Appointee

1. John Buffa

36 Clearwater Drive

Terms of Expiration December 31, 2018

6. # 14-91 Amendment to Resolution # 14-78

WHEREAS, by Resolution 14-78 dated May 27, 2014, the Governing Body awarded a Contract to D&L Paving Contractors, Inc., for road resurfacing in the amount of \$176,904; and

WHEREAS, said Resolution now requires an amendment thereto;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby award a Contract to D&L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, New Jersey 07110, for road resurfacing of Lakewood Avenue, Crescent Place, Pitcairn Avenue and Bernard Place in the amount of \$176,904; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to execute a Contract with the successful bidder following legal review; and

BE IT FURTHER RESOLVED, that all other provisions of Resolution 14-78 not amended herein are ratified and affirmed.

7. # 14-92 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$1,560,465.74.

WHEREAS, such claims have been listed according to Department and account number with corresponding vouchers to be reviewed and approved by the Mayor and Council; and,

WHEREAS, the CFO has determined that the funds have been properly appropriated for such purposes and are available, in the Borough of Ho-Ho-Kus and that the claims specified on the schedule attached hereto, following examination and approval by the Mayor and Council, be paid and checks issued accordingly; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that the claims totaling **\$1,560,465.74** be approved and ratified respectively

8. # 14-93 Forgiveness of Solid Waste Bill.

Whereas, 16 Saddle Ridge in Ho-Ho-Kus is an empty lot because the residential structures have been eliminated, and

Whereas, all resident structures will be credited for 3 months and then to be reviewed for the balance

Therefore, be it resolved, that the bill in question be cancelled

Councilmember Troast moved the approval of the Consent Resolution, seconded by Councilmember Shea.

All ayes.

XII. OLD BUSINESS

A. Liaison Reports.

1. Recreation

2. Board of Education

Councilmember Lennon said that they had meeting June 10. Mrs. Ferrara mentioned that a student was injured on the track during a recent track meet. They are concerned about the safety issue with the cinder tracks. The Board of Education made application for debt service aid for replacement of track. Board of Education is happy with SRO, Police Officer Leonard also taught some classes. The school is contemplating upgrading to a generator that would be capable of running both, the boiler and the sump pump. The board authorized a lighting retrofit project to convert all the lighting to LED lighting, for a cost savings of \$ 400, 000 for the next Ten years. Councilmember Lennon mentioned that School Superintendent Debra Ferrara will be retiring in January.

Other.

B. Shade Tree

C. Chamber of Commerce

Councilmember Shell said that the Chamber of Commerce would be interested in playing a more active role in the Memorial day Parade and also the new resident packet that the borough provides.

XIII NEW BUSINESS

Lt. Michael Pattman commented that the New Computer system that was installed at the PD was going very well.

XV. MAYOR'S REMARKS

Mayor Randall said that he was grateful to all that made the Memorial Day Parade a success and he expressed his thank you to all the folks. Taste of HHK went smoothly and was successful once again.

XIV. CLOSED SESSION

WHEREAS, under the "Open Public Meeting Law", all sessions must be open to the Public, and

WHEREAS, under the Public Meetings Act Law, exceptions exist for a public body to hold a closed session

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus hereby recess under the exception for Contractual agreement, Litigation and Personnel

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

XV. ADJOURNMENT

With no further discussions to come before the Council and on a motion made by Councilmember Rorty, seconded by Councilmember Troast and carried, Mayor Randall adjourned the meeting at 8:40PM

Respectfully submitted,

Laura Borchers RMC/CMR
Borough Clerk.