

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

MARCH 26, 2013- 8:00 P.M.

I OPEN MEETING STATEMENT - ROLL CALL

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

Roll Call:

Mayor Randall	Present
Councilmember Troast	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. BUDGET PRESENTATION
MAYOR'S STATEMENT**

Mayor Randall announced the proposed 2013 Municipal Capital Budget and the 2013 Water Utility and Solid Waste Utility Budgets

IV. FINANCE CHAIRMAN COMMENTS

BUDGET RESOLUTIONS

1. Annual Budget Examination (by title only)
2. Budget Resolution (by title only)
3. Reserve for Uncollected Taxes (by title only)
4. Introduction to 2013 Budgets

V. APPROVAL OF MINUTES

1. October 23, 2012 Public Meeting
Councilmember Shea approved the minutes, seconded by Councilmember Rorty
All Ayes
2. November 25, 2012 Combined Meeting
Councilmember Lennon approved the minutes, seconded by Councilmember Troast.
Absent: Cn. Rorty

VI. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – February 2013

B. PUBLIC SAFETY

1. Police Report – February 2013
2. Court Report – February 2013

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works – February 2013
2. Construction Office Report – February 2013

E. FIRE

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

F. COMMUNITY RELATIONS

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

VII. PUBLIC DISCUSSION

Kevin Pianfetti came before the Council to discuss the Ordinance that he would like the Borough to adopt a “Smoke Free” ordinance.

Robert Earl 85 Ardmore Road questioned the budget, mainly focusing on the Police Department.

VIII. A. CORRESPONDENCE

1. Karen Piotti- Construction Fee Waiver- “Superstorm Sandy”
2. Ho-Ho-Kus Education Foundation- Permission to hang banners for Annual Gala
Councilmember Lennon made a motion to approve the hanging of the banners, seconded by Councilmember Shell.
All ayes.

B. Ordinances and Resolutions Other Towns:

Borough of Hasbrock Heights and New Milford

1. Resolution Supporting Mutual Aid Plan and Rapid Deployment Force

C. Bergen County:

Board of Chosen Freeholders

1. Resolution # 291-13 Women’s History Month March 2013

D. League of Municipalities:

1. Governor introduces State FY 2014 Budget
2. League opposes early voting bills A3553 and S2364

3. Public Hearing of the New Jersey Clean Water Council
4. Snow Removal Trust Funds, League Resolution 2012-19

E. State of New Jersey:
None

IX. INTRODUCTION OF ORDINANCES

1. # 1019 Amend Chapter 79 “Vehicles and Traffic”

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

Section I. §79-19 Time Limitations: Fees for Commuters is amended as follows:

A. No Change

B. In the Lower Commuter Lot 1 and Municipal Lot A and for machines installed on public streets, the fee to be charged for parking during the period that the parking machines are in effect shall be \$5 for 14 hours.

Section II. 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 III. 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 IV. Effective Date.

This Ordinance shall take effect upon final adoption and publication as prescribed by law; provided, however, that the rate set forth herein shall become effective on May 1, 2013. Councilmember Troast approved the adoption of the Ordinance, seconded by Councilmember Shell
All Ayes

2. # 1020 Index Rate

X. FINAL PASSAGE OF ORDINANCES
None

IX. RESOLUTIONS
None

XI. CONSENT RESOLUTION

1. # 13-46 Change Order- Emergency Warning Signal

WHEREAS, additional work is required for the project known the Emergency Vehicle Warning Signals for the Borough of Ho-Ho-Kus”; and

WHEREAS, the original contract price was \$46,646.50 and Change Order Number 1 is \$4,551.62 resulting in a new contract price of \$51,198.12; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate

funds are available to pay for the Change Order;

NOW THEREFORE BE IT RESOLVED by the Governing Body that it does hereby authorize and approve Change Order Number 1 for the Contract aforesaid and the appropriate Borough officials are hereby authorized to sign the Change Order to carry this resolution into effect.

2. # 13-47 Oppose S2364/S3553 Early Voting Bill

WHEREAS, Senate Bill S-2364 and Assembly Bill A3553 propose to create a system of early voting in the State of New Jersey; and

WHEREAS, the goal of accommodating voters in pursuit of greater participation in the democratic process is a worthy goal; and

WHEREAS, these bills would in reality increase workloads, add more costs to the election process, and ultimately serve to confuse voters more than it would accommodate their needs; and

WHEREAS, these bills would require for each primary and general election a public facility, except a public school, located in each municipality in an area of a high concentration of population to be open and available to registered voters starting 15 days before an election for early polling, possibly conflicting with if not pushing out other important uses for these buildings, causing inconvenience to residents; and

WHEREAS, these bills require retraining of poll workers and dramatically increased hours, as well as chain of custody requirements to protect the voting process, despite the fact that recruiting and training polls workers is already a difficult process; and

WHEREAS, these bills would increase costs to municipalities, including overtime pay for workers; and

WHEREAS, although these bills allow municipalities to request reimbursement for extra costs and provide an appropriation, the appropriation does not outline a specific amount nor dedicated funding, only that which the State Treasurer and the Director of the Division of Budget and Accounting deem necessary, and they do not outline the procedure for a municipality whose reimbursement request is denied; and

WHEREAS, the opportunity for "Early Voting" already exists in the State of New Jersey through the Vote by Mail ballot process.

NOW, THEREFORE, BE IT RESOLVED that governing body of the Borough of Ho-Ho-Kus in the County of Bergen does hereby oppose S2364 and A3553; and

3. # 13-48 Tonnage Grant-2012

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to Implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, A resolution authorizing this municipality to apply for the 2012 Recycling Tonnage Grant will memorialize the commitment of this municipality to recycling and to indicate the assent of the Borough of Ho-Ho-Kus Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Mayor and Council

hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Donald Cirulli Borough Administrator to ensure that the application is properly filed; and **BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

4. # 13-49 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$1,625,816.81.

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 **\$1,625,816.81** be approved and ratified respectively

Councilmember Troast made a motion to approve the Resolutions, seconded by Councilmember Lennon.

All Ayes

XII. OLD BUSINESS

A. Liaison Reports:

1. Recreation

Councilmember Shea stated that the association is getting ready for baseball and softball season

2. Board of Education

3. Other

B. Shade Tree

Mayor Randall commented that he is looking for volunteers to serve on the Shade Tree Commission

XIII NEW BUSINESS

None

XIV. MAYOR'S REMARKS

None

XV. 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: Negotiations

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

XVI. ADJOURNMENT

With no further business to come before the Council, and on a motion made by Councilmember Shea, seconded by Councilmember Rorty, Mayor Randall adjourned the meeting at 8:45 PM.

Respectfully submitted,

Laura Borchers, RMC/CMR
Borough Clerk.