



session. Mayor Randall commented that it was on the agenda under the consent resolution for approval tonight. Mr. Kober asked if the Council would go into detail about it. Borough attorney David Bole stated that the basis of the settlement that they were going to withdraw retroactive from 2010 to include 2017. The VFW lease with the RVRRC expires on October 31, 2017. Remove claim to an exemption on the property to include 2017. The assessed value on the property was \$135,500 which was reduced to \$67,500. Once the judgement is settled the RVRRC will write a check to the borough for the Taxes retroactive to 2010 up to and including the current time going forward. Mr. Kober asked the Mayor and Council if they considered asking the applicant donate or dedicate 2 or 3 lots to the borough for passive recreation which would also help to the water situation. Mr. Kober also asked if the borough considered any type of purchase of any of the land, depending on the cost which would give Costanzas some money and also reduce the number of homes on the property. Mayor commented that the borough is in litigation and cannot make any suggestions or decision as of now.

#### CORRESPONDENCE

1. Mr. and Mrs. Ralph Seiler- Parking on Warren Avenue
2. Lt. Minchin- Borough Ordinance
3. Ashish Kalekar- Permission to use Hollywood Park for Annual Cub Scout Family Barbeque
4. George Medynski- Loud speakers at Train Station.
5. NJLM- Deptford Challenges Chapter 54 Police Camera Mandate

#### INTRODUCTION OF ORDINANCES

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, that Chapter 79 of the Code is amended and supplemented as follows:

**SECTION I.** In accordance with Section 79-3, Schedule IV is amended to include the following streets:

<b>Name of Street</b>	<b>Location</b>
Gilbert Road	Between Sheridan Ave. and Blauvelt Ave. travelling westbound only
Ross Place	Between Sheridan Ave. and N. Franklin Turnpike travelling westbound only

All other streets and locations not amended herein remain in full force and effect.

#### **SECTION II. REPEALER**

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Ordinances or parts of Ordinances, which are inconsistent with the provisions of this amendatory Ordinance, are hereby repealed to the extent of such inconsistency.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.

Councilmember Troast moved the introduction of the Ordinance, seconded by Councilmember Iannelli  
Absent: Councilmembers Shea, Shell and Weiss

#### 9. FINAL PASSAGE OF ORDINANCES

1. # 1036 Amend Chapter 85 Zoning "Commercial Banners

**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. Chapter 85, "Zoning"** is hereby amended and supplemented to provide additional regulations for commercial banner signs as follows:

Section 85-37K (10) is amended by adding subparagraph (U) to read:

A completed application must be submitted to the Zoning Official at least thirty (30) days prior to the date of the event. Once approved, the sign/banners may be installed at the appropriate locations, but not sooner than thirty (30) days before the date of the event.

(1) Temporary signs or banners may be installed only at the four approved Borough sites and only one may be installed at the headquarters location of the applicant if so desired.

(2) The metal uprights at the four official Borough sites stand eight (8) feet apart and the banner tie-downs extending from them provide a side-to-side spread of from eight (8) feet down to as small as four (4) feet or even smaller depending upon what tie-downs are used. That can be up to four (4) feet high. The allowable maximum size of any banner is twenty four (24) square feet. In-ground signs on wooden stakes or metal stands are permitted, rather than banners, at the same four official Borough sites. The maximum size for such in-ground signs is nine (9) square feet.

(3) No type of illumination is permitted. No reflective letters are permitted.

(4) If the applicant desires to install one temporary sign or banner at the location of its headquarters, such sign is not permitted within ten (10) feet of any street right of way or within fifteen (15) feet of the curb line. No sign shall be permitted where by reason of its size, shape or color it interferes with traffic control signs or in any way adversely affects traffic safety.

(5) **All temporary signs/banners must be removed the day following the event.**

(6) The Borough of Ho-Ho-Kus Zoning Official reserves the right to deny the application if the applicant cannot or will not conform to these guidelines. Additionally, once approved, any violation of these guidelines shall subject the applicant or parties involved to penalties provided for in the Borough Zoning Code. No temporary signage of any type is allowed to be installed on any public property without the express, written consent of the Borough of Ho-Ho-Kus.

## **SECTION II. REPEALER**

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 III. EFFECTIVE DATE**

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

Councilmember Rorty moved the Ordinance, Seconded by Councilmember Troast

Absent: Councilmembers Shea, Shell and Weiss

2. # 1037 Bond Ordinance- Various Improvements

Tabled

3. # 1038 Salary Ordinance-2015

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

Section 1. That the annual compensation to be paid to the following officers and employees of the Borough of Ho-Ho-Kus in 2015 shall be fixed as follows:

<u>OFFICIALS</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	\$ N/A	\$ N/A
Council Members	\$ N/A	\$ N/A

**ADMINISTRATIVE & EXECUTIVE**

Borough Administrator	\$ 75,000	\$120,000
Human Resources/Personnel Director	\$ 6,500	\$ 15,000
Assistant to H.R./Personnel Director	\$ 6, 500	\$ 6,500
Executive Assistant	\$ 20,000	\$ 65,000
Borough Clerk	\$ 25,000	\$ 65,000
Deputy Borough Clerk	\$ 8,000	\$ 35,750
Administrative Assistant/Secretary	\$ 10,000	\$ 65,000
Clerical (Part-time – 24 hours weekly)	\$ 15 per hour	\$ 20 per hour
Purchasing Agent	\$ 15,000	\$ 35,000
Deputy Purchasing Agent	\$ 500	\$ 8,000
Qualified Purchasing Agent	\$ 3,000	\$ 5,000
Public Agency Compliance Officer	\$ 1,000	\$ 2,000
Security Information Officer	\$ 2,000	\$ 5,000
Webmaster	\$ 3,000	\$ 10,000
Custodian	\$ 10,000	\$ 50,000

**FINANCE**

Chief Financial Officer	\$ 35,000	\$ 65,000
Treasurer	\$ 20,000	\$ 30,000
Deputy Treasurer	\$ 3,000	\$ 17,500
Tax Assessor	\$ 8,000	\$ 65,000
Assessment Search Officer	\$ 1,000	\$ 3,000
Tax Collector	\$ 40,000	\$ 70,000
Tax Search Officer	\$ 1,000	\$ 3,000
Payroll Supervisor	\$ 5,000	\$ 20,000
Accounting Asst. (P.T. – 24 hrs. wk.)	\$ 20 per hour	\$ 30 p/h
Accounting Asst. (Full-time)	\$ 20,000	\$ 60,000

**LIBRARY**

Head Librarian (Library Director)	\$50,000	\$ 90,000
Library Asst.	\$ 8.50	\$ 17.50 p/h

**REGISTRARS**

Registrar of Vital Statistics	\$ 8000	\$ 16,000
Deputy Registrar of Vital Statistics	\$ 2,000	\$ 6,000
Water Registrar	\$ 8,000	\$ 22,000
Deputy Water Registrar	\$ 2,000	\$ 6,000
Solid Waste Registrar	\$ 8,000	\$ 22,000
Deputy Solid Waste Registrar	\$ 2,000	\$ 6,000
Registrar of Elections	\$ 8,000	\$ 16,000

**MUNICIPAL COURT**

Municipal Court Judge	\$ 7,500	\$ 12,570
Prosecutor	\$ 6,000	\$ 10,200
Court Administrator	\$10,000	\$ 65,000
Deputy Court Administrator	\$ 500	\$ 3,500
Violations Clerk	\$ 7,500	\$ 23,050
Deputy Violations Clerk	\$ 500	\$ 3,500

**EMERGENCY MANAGEMENT**

*Emergency Management Coordinator	\$ 1,500	\$ 4,750
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Asst. Emergency Management Crdntr.	\$ 250	\$ 1,375
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**POLICE DEPARTMENT**

Police Chief	\$120,000	\$160,000
Police Captain	\$110,000	\$150,000
Police Lieutenant	\$ 97,900	\$140,000
**Police Sergeant	\$ 97,872	\$115,000
**Police Patrolman	\$ 33,000	\$ 95,500
Police Dispatcher (Full-time)	\$ 25,000	\$ 40,000

**DEPARTMENT OF PUBLIC WORKS**

*Superintendent of Public Works	\$ 75,000	\$120,000
Foreman – Public Works	\$ 50,000	\$ 66,000
Secretary – Public Works	\$ 15,000	\$ 30,000
Licensed Water Agent	\$ 3,000	\$ 4,925
Assistant Licensed Water Agent	\$ 1,000	\$ 3,000
Recycling Coordinator	\$ 2,500	\$ 8,400
**Public Works Maintenance Employees	\$ 26,925	\$ 75,000
Custodian	\$ 10,000	\$ 50,000

**RECREATION DEPARTMENT**

Recreation Director	\$ 10,000	\$ 23,100
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**HEALTH DEPARTMENT**

Registered Environmental Health Specialist	\$ 5,000	\$ 18,000
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**RECORDING SECRETARIES**

to Mayor and Council	\$50 per Mtg.	\$100 per Mtg.	
to Municipal Court	\$50 per Mtg.	\$100 per Mtg.	
to Planning Board	\$50 per Mtg.	\$100 per Mtg.	
to Zoning Board of Adjustment	\$50 per Mtg.	\$100 per Mtg.	
to Board of Health Commission	\$50 per Mtg.	\$100 per Mtg.	to Shade Tree

**BOARD SECRETARIES**

Planning Board	\$ 5,000	\$ 18,000
Zoning Board of Adjustment	\$ 5,000	\$ 18,000

**BUILDING/CONSTRUCTION DEPT.**

Chief Construction Official	\$ 5,000	\$ 60,000
Technical Assistant, Building Dept.	\$ 10,000	\$ 40,000
Fire Prevention Official	\$ 500	\$ 8,000
Fire Prevention Inspector	\$ 2,000	\$ 15,000
Zoning Officer/Zoning Official	\$ 500	\$ 8,000
Property Maintenance Official	\$15 per hour	\$20 per hour

Section 2: The compensation ranges set forth above for the Superintendent, Acting Superintendent, Assistant Superintendent and Foreman of Public Works and Water, and the Emergency Management Coordinator (identified in Section 1 with an asterisk), such employees' longevity pay of one percent (1%) for each five (5) years of service, not to exceed four percent (4%). Longevity credit will be computed from the date of employment. Full time Police Officers and Sergeants, and Public Works Maintenance Employees (identified in Section 1 with a double-asterisk) will receive longevity as stipulated in their labor contracts.

Section 3: School Crossing Guards, when on active duty, shall receive compensation of not less than \$15.00 per hour nor more than \$20.00 per hour. Part-time Police Dispatchers/Assistant Police Dispatchers and Police Matrons, when on active duty, shall receive compensation of not less than \$9.50 per hour nor more than \$17.00 per hour.

Section 4: There shall be paid to the Borough Attorney an annual retainer of \$10,500.00 and such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 5: There shall be paid to the Attorney for the Zoning Board of Adjustment an annual retainer of \$300.00 maximum and the sum of \$175.00 for each required appearance before the Board. He shall also receive such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Zoning Board of Adjustment.

Section 6: There shall be paid to the Attorney for the Planning Board an annual retainer of \$600.00 maximum and the sum of a fee of up to \$175.00 for every required appearance before the Board and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Planning Board.

Section 7: There shall be paid to the Borough Engineer an annual retainer of \$1,000.00 and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 8: There shall be paid to the Borough Auditor an annual retainer of \$19,000.00 for municipal services and an annual retainer of \$14,700.00 for services performed for the Water Department and an annual retainer of \$11,400.00 for services performed for the Solid Waste Utility. He also shall receive such other compensation as he legally may be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 9: There shall be paid to designated borough employees, for their being on 24-hour stand-by service and inspecting pump houses of the Borough per weekend, the sum of \$325.00 and on holidays the sum of \$135.00 per unit, and Monday through Friday the sum of \$20.00 per unit in lieu of overtime compensation per contract.

Section 10: There shall be paid to certain borough employees for authorized overtime services an hourly wage equal to one and one-half (1½) times except Sunday, which shall be at two and one-half (2½) times the hourly rate computed from their salaries.

Section 11: All full-time borough employees shall be paid in keeping with a resolution of the Mayor and Council.

Section 12: All full-time borough employees shall be given thirteen (13) paid holidays as described in the personnel code.

Section 13: The salaries, educational credits and longevity payments established herein for the borough employees who are members of the Department of Public Works and the Police Department are subject to and shall be paid in accordance with the labor contracts for current and prior years between the Borough and the respective unions or organizations representing such employees. Such salaries, educational credits and longevity payments shall be specified by Resolution adopted by the Borough Council when appropriate to implement the labor contracts or, if applicable, an arbitration award. The terms and conditions contained in such contracts or an arbitration award are to be incorporated herein and made a part hereof as though set forth at length and copies shall be filed in the office of the Borough Clerk and made available to any member of the public who may wish to examine same.

Section 14: There shall be paid to each qualified emergency medical technician of the *daytime crew* for services performed the sum of sixteen hundred fifty (\$1,650.00) dollars.

Section 15: The provisions of any ordinance or ordinances inconsistent with the provisions hereof are hereby expressly repealed.

Section 16: The Borough Council upon adoption of this Ordinance shall fix the compensation of officers and employees of the Borough of Ho-Ho-Kus which shall be effective as of January 1, 2012.

Section 17: This Ordinance shall take effect upon passage and publication as required by law.

Councilmember Rorty moved the adoption of the Ordinance, seconded by Councilmember Iannelli

Absent: Councilmembers Shea, Shell and Weiss

4. # 1039 Amend Chapter 32- Shade Tree.

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

That **CHAPTER 32B-10B(7) LANDSCAPING** is amended to add thereto a new subparagraph (E) as follows:

## **SECTION I**

(E) The Mayor and Council of the Borough of Ho-Ho-Kus finds that lack of street trees is causing increased drainage problems, soil erosion and sedimentation, decreased fertility of the soil, degradation of water resources, decreased ground water recharge, increased buildup of atmospheric carbon dioxide, the establishment of a heat island effects and increased dust and pollution. All of the above can negatively affect the value of the properties in Ho-Ho-Kus and overall quality of life. Therefore, the Mayor and Council of the Borough of Ho-Ho-Kus finds that a street tree planting deposit is needed to ensure the health, safety and welfare of its residents and to maintain a high quality of life in the Borough of Ho-Ho-Kus.

(1)

Streets trees and plantings within the right of way of the Borough including Borough owned parks and buildings are under the jurisdiction of the Shade Tree Commission. The street planting deposit shall apply to any new house constructed on a vacant parcel or on a lot where an existing residence is 75% or more demolished or more than 50% remodeled and to all commercial properties. The Shade Tree Commission shall inspect the affected property and make a determination on the requirement of a street tree planting deposit before a building permit is issued. The Shade Tree Commission shall be notified before a demolition permit is issued. Prior notification would enable the Shade Tree Commission to inspect the site to evaluate the existing street trees and determine tree preservation and protection measures, if required.

(2)

The Shade Tree Commission shall be notified by the Planning Board or the Zoning Board of Adjustment upon receipt of any application regarding Section I above. The Shade Tree Commission will review and recommend street tree planting requirements. Plantings shall thereafter be done solely by an independent contractor engaged by the Shade Tree Commission and shall not be done by the owner or developer.

(3)

The Shade Tree Commission requires that one tree be planted every thirty (30) to fifty (50) feet of street curb with a minimum of two trees per property or as deemed necessary upon inspection by the Shade Tree Commission. A deposit (currently \$375.00) is required for each two and one half inch Caliper tree. The tree species shall be determined by the Shade Tree Commission for each site and an inspection fee will apply.

(4)

The estimate for street tree planting form is hereby adopted and shall be on file in the Office of the Borough Clerk.

(5)

(a) The Street Tree Planting deposit shall be made prior to issuance of a building permit.

(b) The existing Ho-Ho-Kus Shade Tree Commission Ross Trust Account shall continue until the funds therein have been expended. At such time it will be closed.

(c) There is hereby established a Ho-Ho-Kus Shade Tree Beautification Account. Developer funds currently deposited and to be deposited therein shall be earmarked for the purchase and planting of shade trees and for beautification projects. Such funds are intended to be separate from general operation funds provided to the Commission by the Borough in its annual budget.

## **SECTION II**

### **REPEALER**

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.

Councilmember Rorty moved the adoption of the Ordinance, seconded by Councilmember Iannelli.

Absent: Councilmembers Shea, Shell and Weiss

## RESOLUTIONS

None

## CONSENT RESOLUTION

- Bid Authorizations:

- a. 15-61 Ambulance- 2016

BE IT RESOLVED that the Ho-Ho-Kus Municipal Clerk is hereby authorized and directed to publicly advertise for sealed bids for a 2016 Ambulance, in a legal newspaper of the Borough in accordance with law.

- b. 15-62 Dump Truck- 2016

BE IT RESOLVED that the Ho-Ho-Kus Municipal Clerk is hereby authorized and directed to publicly advertise for sealed bids for a 2016 Dump Truck, in a legal newspaper of the Borough in accordance with law

- c. 15-63 Eastgate Sewer Station

BE IT RESOLVED that the Ho-Ho-Kus Municipal Clerk is hereby authorized and directed to publicly advertise for sealed bids for Replacement of Eastgate Sewer Station, in a legal newspaper of the Borough in accordance with law.

- 15-64 Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title 1 of the Housing and Community Development Act of 1974, as amended, and the HOME Investment Partnership Act of 1990, as amended; and

WHEREAS, the current Interlocal Services Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by July 8 2015, each municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Borough of Ho-Ho-Kus and its residents to participate in said programs; and

NOW, THEREFORE BE IT RESOLVED that the Mayor & Council of the Borough of Ho-Ho-Kus hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant municipality in the Urban County entitlement programs being the Community Development Block Grant Program and the HOME Investment Partnership Act Program for the Program Years 2015, 2016, 2017 (July 1, 2015- June 30, 2018); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Bergen County Division of Community Development no later than July 8, 2015.

- 15-65 Interlocal Well Baby Care- Waldwick

**BE IT RESOLVED** by the Board of Health of the Borough of Ho-Ho-Kus, that the Borough is hereby authorized to enter into an Interlocal Services Agreement with the Borough of Waldwick to provide a Well Baby Clinic program in accord with the terms and conditions of an Interlocal Services Agreement to be entered into and subject to the adoption by the governing body of the Borough of Waldwick of a resolution authorizing the agreement.

- 15-66 Valley Hospital Agreement

WHEREAS, N.J.S.A. 40:8A-5 authorizes a municipality to contract with any public or private entity to provide for any service

which the municipality itself could provide directly; and

WHEREAS, N.J.S.A. 40:8a-1 et seq., the Shared Services Act, provides a mechanism for making such contract between local units; and

WHEREAS, the governing bodies of Ridgewood and Ho-Ho-Kus have by Resolution authorized the execution of an Shared Services Agreement pursuant to the Shared Services Act N.J.S.A. 40:8A-1 et seq., hereinafter referred to as the statute; and

WHEREAS, the purpose of this Shared Services Agreement is contained in the enabling resolution which is hereby incorporated herein by reference.

NOW THEREFORE, it is mutually agreed as follows:

The Village of Ridgewood shall provide adult residents (18 years of age or older) of the Borough of Ho-Ho-Kus the following services:

A. attend and participate in any of the monthly hypertension screening sessions administered by Valley Community Health nursing staff; and

B. Attend and participate in the free fall flu clinics by scheduling an appointment for such participation through Valley Community Health.

The Borough of Ho-Ho-Kus shall pay an annual fee of One Thousand four Hundred (\$1,381.00) Dollars to the Village of Ridgewood for such services for its adult residents.

- 15-67 Appt. Public Defender

WHEREAS, the Borough of Ho-Ho-Kus requires the services of a Public Defender; and

WHEREAS, it is contemplated that the temporary and permanent budgets of the Borough will contain the necessary appropriations estimated to be reasonably required for such professional service; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that Robert C. Metzdorf Esq, 135 Fort Lee Road, Leonia NJ 07605 is appointed public Defender effective May 1, 2015 until December 31, 2015;

BE IT FURTHER RESOLVED, that said Public Defender shall be compensated at the rate of \$200 per case on an as-needed basis;

BE IT FURTHER RESOLVED, that the aforesaid appointment is made without competitive bidding under the provisions of N.J.S.A. 40A:11-5(1)(a) which excepts from competitive bidding professional services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the aforesaid professional named herein for the services to be rendered; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed with the Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten (10) days of the passage as required by law.

- 15-68 Appt. Alternate Public Defender

WHEREAS, the Borough of Ho-Ho-Kus requires the services of an Alternate Public Defender; and

WHEREAS, it is contemplated that the temporary and permanent budgets of the Borough will contain the necessary appropriations estimated to be reasonably required for such professional service; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that Matthew Miller Esq is hereby appointed as Alternate Public Defender effective May 1, 2015 until December 31, 2015;

BE IT FURTHER RESOLVED, that said Alternate Public Defender shall be compensated at the rate of \$200 per case on an as-needed basis;

BE IT FURTHER RESOLVED, that the aforesaid appointment is made without competitive bidding under the provisions of N.J.S.A. 40A:11-5(1)(a) which excepts from competitive bidding professional services rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are hereby authorized to execute a contract with the aforesaid professional named herein for the services to be rendered; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be filed with the Municipal Clerk and made available for inspection and that a brief notice of the passage thereof be published in The Record within ten (10) days of the passage as required by law.

- 15-69 Forgiveness of Solid Waste Bill

Whereas, 8 Brookview, 1000 WSRR, 1010 WSRR, 40 Deerhill Drive and 8 Spruce Place 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

- 15-70 Appt. Fireman Scott C. McDermott

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Scott C. McDermott 446 Upper Blvd, Ridgewood New Jersey; and

WHEREAS, Mr. McDermott has passed his physical as required by the Borough,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Scott McDermott on this date is appointed as fireperson of the Borough of Ho-Ho-Kus

- 15-71 Appt. Full Time Dispatcher- Brian L. Ciavaglia

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that they accept the recommendation of the Police Commissioner and Police Chief and appoint Brian L. Ciavaglia 130 Sanford Ave, Emerson New Jersey, as Police Dispatcher effective May 1, 2015

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

BE IT FURTHER RESOLVED that Brian Ciavaglia shall be paid in accordance with the 2015 Salary Ordinance.

BE IT FURTHER RESOLVED that said appointment and employment shall be subject to a six-month probationary period;

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

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

- Final Retirement Payouts.

- a. 15-72 Police Chief John Wanamaker

WHEREAS, having served as a member of the Police Department Police Chief John Wanamaker and retired from the service as of May 1, 2015; and

WHEREAS, it has been determined by the Chief Financial Officer of the Borough of Ho-Ho-Kus that the following amount in total is owed to Police Chief Wanamaker for unused sick days is \$ 75,029; and

WHEREAS, an amount of \$ 429.38 was deducted for the cost of one (1) month extension of Health Benefits Insurance; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that this payment of \$ 74,599.62 will be made in May 2015.

b. 15-73 Lt. Michael Pattman

WHEREAS, having served as a member of the Police Department Police Captain Michael Pattman and retired from the service as of May 1, 2015; and

WHEREAS, it has been determined by the Chief Financial Officer of the Borough of Ho-Ho-Kus that the following amount in total is owed to Lieutenant Pattman for unused sick days is \$ 72,089.

WHEREAS, an amount of \$ 429.38 was deducted for the cost of one (1) month extension of Health Benefits Insurance; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that this payment of \$ 71, 659.62 will be made in May 2015.

- 15-74 Ramapo Valley RRC Settlement Approval.

WHEREAS, Ramapo Valley Railroad Club (RVRC) are tenants in real estate known as Lot 3, Block 1014 at 620 Cliff Street, Ho-Ho-Kus, New Jersey; and

WHEREAS, RVRC have filed Tax Appeals challenging the Tax Assessment and, in the alternative, seeking a total exemption for the years 2010-2015; and

WHEREAS, Lot 3 of Block 1014 was assessed for the Tax Years 2010-2015 in the total amount of \$135,500.00; and

WHEREAS, the Borough has completed full discovery with respect to this matter and has consulted with the Borough's Tax Assessor and has conducted exhaustive negotiations with Counsel for RVRC; and

WHEREAS, the parties have been able to arrive upon a proposed settlement agreement as follows: a revised assessment of \$67,500.00 for 2010-2015; and

WHEREAS, the settlement aforesaid is further subject to the following conditions:

(i) Any and all interest due either party plus any outstanding interest/penalties resulting from the outstanding taxes due shall be waived;

(ii) RVRC will pay all taxes resulting from this settlement up to and including the current billed quarters within ten(10) business days after entry of Tax Court and/or County Board Judgment;

(iii) Neither party shall appeal the assessment or claim an exemption for 2016-2017 provided the assessment remains at \$67,700;

(iv) Each party shall pay their own attorney's fees provided, however, that if a Motion is filed to enforce the terms of the agreement, the non-defaulting party may request reimbursement for attorney's fees which shall be subject to order of the Tax Court;

(v) The agreement shall be binding upon the parties, tenants, assignees and successors in interest;

and

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

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough, both with respect to the 2010-2014 Tax Appeals pending in the Tax Court of New Jersey under Docket Nos. 020760-2010, 017468-2011, 017489-2011, 017698-2012, 017699-2012, 017926-2013, 017927-2013, 014800-2014, 014810-2014, as well as the 2015 County Board Petition at the new assessment set forth above; and

BE IT FURTHER RESOLVED, that upon receipt of the Tax Court Judgment; RVRC shall pay the amount due to the

Borough within ten (10) business days thereof; and

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

BE IT FURTHER RESOLVED, that copies of this Resolution, once adopted, are to be provided to the Municipal Clerk, Chief Financial Officer, Borough Tax Assessor, Borough Tax Collector and the Municipal Attorney.

- 15-75 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,718,496.04.

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 \$3,718,496.04 be approved and ratified respectively

- 15-76 Authorization to defend Law Suit

WHEREAS the Borough of Ho-Ho-Kus has been named in a lawsuit pending in the Superior Court of New Jersey, Law Division, entitled "Chamberlain Developers, Inc. v. Borough of Ho-Ho-Kus et als" Docket No.: \_\_\_\_\_-2015;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the Municipal Attorney is hereby authorized to accept service of the Summons and Complaint herein and to defend the interest of the Borough accordingly.

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

Absent: Councilmembers Shea, Shell and Weiss

#### OLD BUSINESS

- A. Liaison Reports.
  - 1. Recreation
  - 2. Board of Education
  - 3. Other
- B. Shade Tree
- C. Chamber of Commerce

#### NEW BUSINESS

None

#### MAYOR'S REMARKS

Mayor Randall commented that the Memorial Day Parade was very successful, it's always nice to see everyone come together. He also mentioned and Congratulated EMT volunteer Andrew Pallela that graduated from West Point, was present at the Parade.

## CLOSED SESSION

WHEREAS, under the "Open Public Meetings 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 Litigation (Chamberlain Developers)

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

## ADJOURNMENT

With no further discussions to come before the Council and on a motion made by Councilmember Troast, seconded by Councilmember Rorty and carried, Mayor Randall adjourned the meeting at 9:03 PM.

Respectfully submitted,

Laura Borchers, RMC/CMR

Borough Clerk