

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

NOVEMBER 25, 2014- 8:00 P.M.

I OPEN MEETING STATEMENT - ROLL CALL

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

Roll Call:

Mayor Randall	Present
Councilmember Troast	Absent
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

October 21, 2014 Work Session

Absent: Cn: Rorty and Weiss

October 28, 2014 Public Meeting

Absent: Cn: Troast

Councilmember Lennon moved the approval of the Minutes, seconded by Councilmember Shell.

All Ayes

Absent: Cn Troast

IV. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – October 2014

B. PUBLIC SAFETY

1. Police Report – October 2014

2. Court Report – October 2014

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works – October 2014

2. Construction Office Report – October 2014

D. WATER

1. Water Supt. Report – October 2014

2. Water Registrar's Report- October 2014

- E. **FIRE**
 - 1. Fire Dept. Report – October 2014
 - 2. Fire Prevention Bureau – October 2014

- F. **COMMUNITY RELATIONS**
 - 1. Library – October 2014
 - 2. Ambulance Report – October 2014

V. **ADMINISTRATOR’S REPORT**
Borough administrator reported that the Library Board of Trustees appointed Laurie Meeske as the new Library Director

VI. **PUBLIC DISCUSSION**
Stefan Deppisch went on record to discuss the school referendum for the Turf Field. Mr. Deppisch claimed that he was against the installation of the Turf Field. He was going through the process over the several months and could not find any convincing arguments as to why the School should do this, and that alternative option should be investigated. When Mr. Deppisch was playing with his children at the school, he ran into the gentleman that was presenting the turf installation along with the custodian of the school who asked him about his presence there, the gentleman responded that he was asked to come by but didn’t know why because the public school of that size is not one of their clients.

VII. A. **CORRESPONDENCE**
None

- B. **Ordinances and Resolutions Other Towns:**
 - 1. City of Hackensack- Resolution Authorizing November as Epilepsy Awareness Month
 - 2. Borough of New Milford- Solar Energy

- C. **Bergen County:**
None

- D. **League of Municipalities:**
 - 1. Constitutional Issues Involving Holiday Displays
 - 2. 2015 Pension Cost- CY 2015 Municipal Budget Cap Information

- E. **State of New Jersey:**
None

VIII. **INTRODUCTION OF ORDINANCES**
None

IX. **FINAL PASSAGE OF ORDINANCES**

- 1. Ordinance # 1033 Amend Chapter 46 “Police Department”

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:

Chapter 46 of the Code is amended and supplemented as follows:

46-1: No change.

46-2.: No change.

46-3. Chief of Police; Powers and Duties

The Borough shall appoint a Chief of Police who shall have all of the powers set forth in N.J.S.A. 40A:14-118 and who shall be directly responsible to the "Appropriate Authority" for the efficiency and routine day-to-day operations of the Police Department.

46-4 to 46-11: No change.

46-12: Disciplinary Actions

Discipline of employees and police officers will be imposed consistent with New Jersey State statutes and the Rules and Regulations of the Ho-Ho-Kus Police Department. The Chief of Police or designee will proffer the written charges as provided in the New Jersey Statutes and the Police Department's Rules and Regulations. Police officers and employees may also be subject to discipline for violating other statutes, ordinances and policies.

46-13: Designation of Appropriate Authority

In accordance with N.J.S.A. 40A:14-118, the Mayor and Borough Council of Ho-Ho-Kus is hereby designated as the Appropriate Authority and is hereby vested with the powers and duties of an Appropriate Authority as delegated by law.

46-14: Rules and Regulations

The "Appropriate Authority" shall, from time to time as may be necessary, adopt and amend the rules and regulations for the government and discipline of the Police Department and employees thereof. Said rules and regulations may fix and provide for the enforcement of such rules and regulations and the enforcement of penalties for the violation of such rules and regulations. All employees of the Police Department shall be subject to such rules and regulations and penalties.

46-15 to 46-20: No change

SEVERABILITY

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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.

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.

EFFECTIVE DATE

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

Councilmember Lennon moved the adoption of the Ordinance, seconded by Councilmember Weiss.

All ayes.

Absent: Cn. Troast

2. Ordinance # 1034 Amend Chapter 79 "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 PERMITS is amended as follows:

Paragraph A – No change.

Paragraph B – The fees to be charged by the Borough Clerk for the resident, overnight resident and businessman permits shall be \$325.

No fee shall be required for permits issued to Borough employees for parking during the regular course of business in Municipal Lot B. [Amended 12/17/1968 by Ordinance No. 445; 11/28/1978 by Ordinance No. 527; 8/28/1979 by Ordinance No. 535; 11/25/1986 by Ordinance No. 600; 6/25/1991 by Ordinance No. 682; 11/22/2011 by Ordinance No. 1000].

Paragraph C – No change.

Paragraph D – No change.

Paragraph E – No change.

Paragraph F – No change.

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.

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.

Effective Date

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

Councilmember Lennon moved the adoption of the Ordinance, seconded by Councilmember Weiss.

All ayes.

Absent: Cn. Troast

3. Ordinance # 1035 Amend Chapter 85 "Zoning"

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 85 of the Code is hereby amended and supplemented as follows:

SECTION I

Section 85-9(G)(1) is deleted in its entirety and amended to read:

(1) Lot coverage shall not exceed 20% of Lot area.

Section 85-9(G)(5) is deleted in its entirety and is amended to read:

(5) Lot coverage by accessory buildings and structures shall not exceed 6% of Lot area.

Section 85-10(G)(1) is deleted in its entirety and amended to read:

(1) Lot coverage shall not exceed 20% of Lot area.

Section 85-10(G)(5) is deleted in its entirety and is amended to read:

(5) Lot coverage by accessory buildings and structures shall not exceed 6% of Lot area.

Section 85-11(G)(1) is deleted in its entirety and is amended to read:

(1) Lot coverage shall not exceed 25% of Lot area.

Section 85-11(G)(5) is deleted in its entirety and is amended to read:

(5) Lot coverage by accessory buildings and structures shall not exceed 7.5% of Lot area.

SECTION II

The Borough Clerk is hereby directed to give notice at least ten (10) days prior to Hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S.40:55D-15 and N.J.S. 40:55D-63 (if required). Upon the adoption of this Ordinance after Public Hearing thereon, the Borough Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

SECTION III: SEVERABILITY

If any portion of this ordinance is adjudged unconstitutional or invalid by the 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: 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 V: EFFECTIVE DATE

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

Councilmember Lennon moved the adoption of the Ordinance, seconded by Councilmember Weiss.

All ayes.

Absent: Cn. Troast

X. RESOLUTIONS

None

XI. CONSENT RESOLUTION

1. # 14-134 Transfer of Funds

	FROM:	TO:
Construction (S&W)	20,000	
Finance (S&W)	8,900	
Planning Bd (S&W)		2,500
Recreation (S&W)		1,700
Zoning Officer (S&W)		12,700
B & G (S&W)		1,200
A & E (S&W)		2,500
Tax Collector (S&W)		1,300
Zoning Bd (S&W)		1,000
Zoning Bd (O.E.)		1,000
Boro Clerk (S&W)		2,000
Uniform Fire Safety (S&W)		3,000
Totals	28,900	28,900

2. # 14-135 Appt. Library Director Laurie Meeske

Whereas, fulfilling its responsibility regarding the position of Library Director, the Board of Trustees of the Worth-Pinkham Memorial Library, acting as an autonomous body according to the local, state and national laws that affect and govern libraries, has created a change in the position of Library Director; and

Whereas, having duly advertised the availability of the position, and having appropriately interviewed and evaluated each applicant with the assistance of a library consultant, the Board of Trustees has hired a Library Director; and

Whereas, the appointee, Ms. Laurie Meeske, is considered to be quite competent and qualified, having the appropriate credentials and having worked at several libraries in Bergen County. She is currently employed as the Internet Librarian for the Bergen County Cooperative Library System (BCCLS). Ms. Meeske's starting date as the Library Director of the Worth-Pinkham Memorial Library in Ho-Ho-Kus is December 8th, 2014.

Now, Therefore be it Resolved that the Mayor and Council of the Borough of Ho-Ho-Kus recognize the appointment of Ms. Meeske and welcome her to her new position within the Borough.

3. # 14-136 Appt. Fireperson- Aimee Rodriguez

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of Aimee Rodriguez 16 Pitcairn Avenue Ho-Kus New Jersey; and

WHEREAS, Ms. Rodriguez 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 Aimee Rodriguez on this date is appointed as fireperson of the Borough of Ho-Ho-Kus

4. # 14-137 Appt. Jr. Fireman- Nicholas Marchese

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has

recommended to the Mayor and Council the appointment of Nicholas Marchese 19 Scott St, Waldwick New Jersey; and

WHEREAS, Mr. Marchese 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 Nicholas Marchese on this date is appointed as fireperson of the Borough of Ho-Ho-Kus

5. Traphagen School- Raffles

a. # 14-138 On Premise 50/50

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following On Premise 50/50 Raffle Application, submitted by Traphagen School, Identification No. 514-5-33492 be and the same is hereby approved.

APPLICATION: RA 422

DATES: February 28, 2014

b. # 14-139 On Premise Raffle

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, Bergen County, New Jersey, that the following On Premise Raffle Application, submitted by Traphagen School, Identification No. 514-5-33492 be and the same is hereby approved.

APPLICATION: RA 423

DATES: February 28, 2014

6. # 14-140 Inter-local Agreement Paramus- Borough Vehicle Repairs

WHEREAS, the Borough of Ho-Ho-Kus is continually seeking ways to reduce costs while improving efficiency and services to the community; and

WHEREAS, it has been found that the costs involved with the repair and maintenance of Ho-Ho-Kus Borough Vehicles can be greatly reduced through an inter-local agreement with the neighboring Borough of Paramus; and

WHEREAS, such an agreement for repairs and maintenance would include: parts, tires, motor oil, hydraulic oil, transmission fluid, anti-freeze, coolant, gear oil, Freon, scheduled repairs and maintenance, and unscheduled repairs,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that such an inter-local agreement is hereby approved.

7. # 14-141 Award Solid Waste Collection and Disposal Services

WHEREAS, bids for Solid Waste Collection and Disposal Services were received on November 6, 2014; and

WHEREAS, the bid documents have been reviewed and it is determined that Suburban Disposal, Inc., is the lowest responsible, responsive bidder for the items selected; and

WHEREAS, the Chief Financial Officer has attached hereto a Certification that adequate funds are or will be budgeted in the temporary and permanent budgets of the Borough for the years in question to pay for the Contract;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby award a contract to Suburban Disposal, Inc., of 54 Montesso Road, Fairfield, New Jersey, for Solid Waste Collection and Disposal Services for a five (5) year term commencing January 1, 2015 until December 31, 2019. Said Contract shall be for alternate Bid Proposal No. 1, (\$2,934,000), and Alternate Bid No. 2., (\$402,000) for a total of \$3,336,000 over the five (5) year term which price is, however subject to the following:

That the Contractor will invoice the Borough monthly for the disposal costs using the actual tonnage

disposed of multiplied by the tonnage fee of \$73.70. The Borough will then pay the Contractor's actual monthly disposal cost rather than the estimate set forth in the bid specifications.

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

8. # 14-142 Police Department Rules and Regulations

WHEREAS, Chapter 46-14 of the Borough Code provides that the "Appropriate Authority" may adopt and amend the rules and regulations for the government and discipline of the Police Department and employees thereof; and

WHEREAS, the Mayor and Council as the Appropriate Authority finds it necessary and appropriate to adopt revised rules and regulations;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby adopt the Department Rules and Regulations which shall be known as the "Ho-Ho-Kus Police Department Rules and Regulations", a copy of which shall be on file in the office of the Borough Administrator and Chief of Police; and

BE IT FURTHER RESOLVED, that all rules and regulations previously issued and policies and procedures that are contrary to the rules contained herein are hereby revoked. All other policies and procedures shall remain in force.

9. # 14-143 Authorize Sewer Line Connection

WHEREAS, Robert Rigoglioso ("owner"), is constructing a new home on property located within the Village of Ridgewood ("Village") at Lot 2.02, Block 2906, and also involving property within the Borough of Ho-Ho-Kus ("Borough") at Lot 19 in Block 1016, to be known as 248 Franklin Turnpike, Ridgewood, New Jersey ("the property"); and

WHEREAS, the owner has requested permission from the Borough to connect into the Borough's sewer main located on Franklin Turnpike; and

WHEREAS, the matter has been reviewed and the Borough Engineer has issued a letter in connection with same;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that it does hereby approve a sewer connection for the property into the Franklin Turnpike Sewer Main subject, however, to the following conditions:

1. An Interlocal Connection Agreement between the Village, Borough and owner, to be prepared by the Municipal Attorney and to be executed by the Mayor and Municipal Clerk ;
2. Compliance with all requirements set forth in the Borough Engineer's letter dated November 24, 2014 attached hereto;
3. Payment of all required fees and professional escrows to the Borough of Ho-Ho-Kus;
4. Approval from Northwest Bergen County Utilities Authority;
5. Approval from any and all agencies which may have jurisdiction over this matter, including, but not limited to NJDEP;
6. Issuance of permits required by the Borough of Ho-Ho-Kus and payment of all permit fees.

10. # 14-144 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,080,519.42.

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 **\$2,080,519.42** be approved and ratified respectively
Councilmember Lennon moved the approval of the Consent Resolution, seconded by Councilmember Rorty.
All ayes
Absent Cn. Troast

XII. OLD BUSINESS

A. Liaison Reports:

1. Recreation

None

2. Board of Education

Councilmember Lennon reported that the Board of Education had a meeting to discuss the upcoming School Referendum. The Borough recreation programs will be negatively affected if the Referendum does not pass. BOE approved a motion to pay additional hours to the Borough Clerk and Dave Males who will be assisting after the closing of the Polls. The BOE requests continued collegiality between the Council and the board. Mayor Randall joined the School Board President for a Field Walk and discussed the field condition. The district wants to reach out to the Borough to confirm the recycling program. The BOE is in the final stages of discussion to proceed with the school generator. According to Borough Engineer David Hals, he recommended a portable generator similar to one that is used by the town and should be purchased by the school. Adequate power is needed to run the boilers the Sump pumps and the computers applications necessary to run the boilers will be needed. Wiring for the project will be installed the next few months. The BOE will contact the DPW to make sure there is consistency with that.

Borough administrator said that the Board of Education sent a letter thanking Councilmember Lennon for all her years of being a liaison to the Board of Education and commented that she did a wonderful job and that she will be missed.

3. Other

B. Shade Tree

None

C. Chamber of Commerce

Councilmember Shell stated that the Chamber of Commerce will hold a Small Business Saturday on December 6th 2014.

XIII NEW BUSINESS

XIV. MAYOR'S REMARKS

Mayor Randall commented that the governing body attended the Annual League of Municipalities in Atlantic City. All attended classes and seminars. With each Councilmember that attend the Joint Insurance Fund seminar the borough got \$ 250 applied towards the insurance premium. DPW superintendent reported that the leaf pick up is on schedule. There was a water main break on Wearimus Road.

Police Chief John Wanamaker reported that everything was quiet.

Councilmember stated that the borough is trying to increase the recycling tonnage. Contractors have noticed that, with bulk garbage pickup residents have been mixing recycling with the garbage. Moving forward with the new contractor, the garbage contractors have been asked to leave behind any recyclables that are mixed with the garbage.

XV. CLOSED SESSION

Contract-188 Franklin Turnpike

XVI.

ADJOURNMENT

With no further business to come before the Council and on a motion made by Councilmember Rorty, seconded by Councilmember Lennon and carried, Mayor Randall adjourned the meeting at 8:30 PM

Respectfully Submitted,

Laura Borchers, RMC/CMR
Borough Clerk.