

**BOROUGH OF HO-HO-KUS**  
**MEETING OF**  
**THE MAYOR AND COUNCIL**  
**October 24, 2017- 7:30 PM**  
**MINUTES**

Mayor Randall called the regular meeting to order at 7:30 PM. The open meeting statement was read.

The combined meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session. In accord with the provisions of Section 5 of the "Open Public Meetings Act", I wish to advise that notice of this meeting has been posted in the front lobby entrance to the Council Chambers of the Borough Hall and that a copy of the schedule of this meeting has also been filed with the Borough Clerk, and further that the required 48 hour notices have been sent to The Record and the Ridgewood News - newspapers with general circulation throughout the Borough of Ho-Ho-Kus

Roll Call: Members present were Mayor Randall, Councilmembers Troast, Rorty, Iannelli, Fiato and Crossley. Also present were Borough administrator William Jones and Borough attorney David Bole.

Mayor Randall led all in the pledge of Allegiance

**APPROVAL OF MINUTES**

1. September 19, 2017 Work Session

Motion: Councilmember Rorty

Second: Councilmember Crossley

All ayes

Absent: Councilmember Shell

2. September 26, 2017 Public Session

Motion: Councilmember Crossley

Second: Councilmember Rorty

All ayes

Absent: Councilmember Shell.

**COMMITTEE REPORTS-September 2017**

On file

**ADMINISTRATORS REPORT**

Best practices filed with the State. Score at 23 out of 25, we will qualify for 100% of aid that will be made available. Bridge demolition has taken place installation of new bridge should be done within two weeks. The Borough received a dividend of \$8905.80 from JIF that will be applied towards 2018 premium.

**PUBLIC DISCUSSION**

Anthony Lombardo 30 Arbor Drive discussed an ongoing issue he has had with the Shade Tree Commission. Stanley Kober 919 Washington Ave came before council to ask and confirm receipt of a letter that was sent to Diane Mardy superintendent of the school regarding the Special Education Bill.

## CORRESPONDENCE

1. Borough of Norwood:
  - a. Resolution in Support of Widening of the George Washington Bridge Sidewalks
  - b. Opposition to Employee Compensation Disclosure Proposed by Local Finance Board
2. State of New Jersey:
  - a. 2018 NJDOT Local Freight Impact Fund.
  - b. Resolution 216 Support Bee Populations and Create Habitat for Pollinators
3. Neile Weissman-Widen Bicycle Paths on GWB

## INTRODUCTION OF ORDINANCES

None

## FINAL PASSAGE OF ORDINANCES

None

## RESOLUTIONS

None

## CONSENT RESOLUTION

1. # 2017-102 Tax Appeal- Vikner vs Ho-Ho-Kus

**WHEREAS,** David W. Vikner is the owner of real estate known as Lot 14.01, Block 502, better known as 6 Bridle Way, Ho-Ho-Kus, New Jersey; and

**WHEREAS,** the owner has filed tax appeals challenging the assessment for the years 2016-2017; and

**WHEREAS,** Lot 14.01 in Block 502 was assessed for the tax years 2016-2017 in the total amount of \$2,475,000; and

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

**WHEREAS,** the parties have been able to arrive upon a proposed settlement agreement as follows: Taxpayer to withdraw 2016 appeal; a revised assessment of \$2.4M for 2017; with the reciprocal Freeze Act application for the tax year 2018; and

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

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

**NOW, THEREFORE, BE IT RESOLVED,** that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Vikner v. Ho-Ho-Kus tax appeals pending in the Tax Court of New Jersey, under Docket Nos. 004161-2016 and 001137-2017 at the new assessment set forth above; and

**BE IT FURTHER RESOLVED,** that upon receipt of the Tax Court Judgment the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer without statutory

interest within sixty (60) days from the date of the Tax Court Judgment; and

2. # 2017-103 Best Practices Clerk Certification

**WHEREAS**, a 2017/2018 Best Practices Inventory survey was sent to the Borough of Ho-Ho-Kus by the State of NJ and was required to be completed and returned to the State, certified by the CFO, no later than October 21, 2017; and

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

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Ho-Ho-Kus that: 1) the survey was completed correctly, certified by the Chief Financial Officer, and returned to the State before the deadline of October 20, 2017 and 2) the survey was discussed at the public meeting of the Mayor and Council on October 24, 2017 and 3) the Municipal Clerk of the Borough of Ho-Ho-Kus hereby certifies each of the above noted points and submits the "Best Practices Certification Form" to the State as required.

3. # 2017-104 Chapter 159- Body Armor Replacement Fund

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough received \$1785.52 from the Body Armor Replacement Fund and wishes to amend its 2017 Budget to the entire portion of this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2017 in the sum of \$1782.52 which is now available as a revenue from the Body Armor Replacement Fund.

**Miscellaneous Revenues**

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local

Government Services:

Public and Private Revenues Offset with Appropriations (continued)

Body Armor Replacement Fund, and;

**BE IT FURTHER RESOLVED** that a like sum of \$1782.52 be and the same is hereby appropriated under the caption of:

General Appropriations

(a) Operations Excluded from Caps

Public and Private Programs Offset by Revenues: Clean Communities Program.

Other Expenses

**BE IT FURTHER RESOLVED**, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

4. # 2017-105 Chapter 159- DDEF- HHK Police Fund

**WHEREAS**, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

**WHEREAS**, said Director may also approve the insertion of an item of appropriation for an equal amount, and

**WHEREAS**, the Borough received \$2500.00 from the DDEF Ho-Ho-Kus Police Fund and wishes to amend its 2017 Budget to the entire portion of this amount as a revenue.

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue

in the Budget of the year 2017 in the sum of \$2500.00 which is now available as a revenue from the Body Armor Replacement Fund.

**Miscellaneous Revenues**

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services.  
Public and Private Revenues Offset with Appropriations (continued)  
DDEF Ho-Ho-Kus Police Fund, and;

**BE IT FURTHER RESOLVED** that a like sum of \$2500.00 be and the same is hereby appropriated under the caption of:  
General Appropriations  
(a) Operations Excluded from Caps  
Public and Private Programs Offset by Revenues. DDEF Ho-Ho-Kus Police Fund.  
Other Expenses

**BE IT FURTHER RESOLVED**, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

5. # 2017-106 Health Insurance Waiver

**WHEREAS**, in accordance with Chapter 92, P.L. 2007 and Chapter 2, P.L. 2010, the following employees agreed to waive all health care coverage provided by the Borough of Ho Ho Kus which includes the State Health Benefits Program (SHBP-medical),

**WHEREAS**, the Borough of Ho Ho Kus has accepted the terms of these individuals opting out of the Borough's Health Plan, and; also has agreed to the terms and guidelines set forth by Chapter 92 & Chapter 2,

**WHEREAS**, the Borough of Ho Ho Kus in place of providing Health Coverage to the following individuals the Borough will issue payment to the above employee which may not be more than 25% (twenty-five), of the amount saved by the employer because of the waiver or \$5,000, whichever is less,

**NOW, THEREFORE BE IT RESOLVED**, that Borough of Ho Ho Kus authorize the finance Department to go forward in calculating the 2016 payment and implement the rules set forth by Chapter 92 & Chapter 2.

**FURTHERMORE, BE IT RESOLVED**, the following employees receive compensation for their withdrawal:

Mr. John F. Vanderzee	\$5,000.00
Mrs. Lisa Perricelli (2m Prorated)	\$ 833.34

6. # 2017-107 Widening of GWB Walkway/Bike Path

**WHEREAS**, the George Washington Bridge's sidewalks are the only connection across the Hudson River between New York City and New Jersey for pedestrians, runners and bicyclists; and

**WHEREAS**, the paths are heavily used, with an average of 1,700 cyclists and 900 pedestrians crossing each day; and

**WHEREAS**, according to Federal Highway Administration guidelines, shared-use paths should be at least ten feet wide and up to fourteen feet wide if they are heavily used; and

**WHEREAS**, the sidewalks are currently ten feet wide except where the bridge's suspender ropes pass through, where they are even less than seven feet wide, and

**WHEREAS**, the Port Authority of New York and New Jersey is planning an extensive renovation that will replace all of the bridge's suspender ropes beginning in 2017 and lasting until 2024; and

**WHEREAS**, as part of the project the sidewalks will be replaced and new ramps that will provide access to the sidewalks will be constructed, but the sidewalks will not be widened; and

**WHEREAS**, the Port Authority's bicycle policy states that its goals are to integrate

"improved bicycle access" and "safe bicycle lanes" and to "promote the safe coexistence of motor vehicles, bicycles and pedestrians" at its facilities; and  
WHEREAS, the width of the bridge's sidewalks does not meet federal standards for high-use pedestrian and bicycle paths; and  
WHEREAS, the planned renovation project presents a unique opportunity to build sidewalks that would be able to safely and comfortably accommodate the increasing number of pedestrians and bicyclists expected to use the bridge in the decades to come  
**NOW, THEREFORE, BE IT RESOLVED** by the Governing Body of the Borough of Ho-Ho-Kus that, the Borough fully supports the widening of the George Washington Bridge sidewalks.

7. # 2017-108 Payment of Voucher

**WHEREAS**, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,194,283.18

**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 \$3,194,283.18 be approved and ratified respectively

8. # 2017-109 Sustainable Open Space Funding

Whereas New Jersey's population demands an ample water supply provided by adequate open space to support our quality of life; and

Whereas, Open Space in the form of parkland, family farms, historic and cultural sites, recreational areas and natural watershed areas is vital to our economy, planned growth, protection of property values, water quality, and safety and urban, suburban and rural quality of life; and

Whereas, continued, plentiful and sustained funding is vital to a strategic Open Space program to bolster and enhance private, municipal, county, other state and federal Open Space funding programs; and

Whereas provisions for stewardship to properly care for parks, preserved lands, and historic sites is an important component of Open Space efforts; and

Whereas, New Jersey's Payment In Lieu of Taxes program (PILOT) should be restored to full funding because it encourages municipalities to host state and non-profit preserved open space;

Now therefore be it resolved that Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey supports sustainable, continuing funding for Open Space in New Jersey.

Motion: Councilmember Troast

Second: Councilmember Rorty

Absent: Councilmember Shell

**OLD BUSINESS**

A. Liaison Reports:

1. Recreation

Wrestling will now be included in the JIF insurance for coverage.

2. Board of Education

There were concerns with the maintenance of field. The grass is starting to brown with lack of watering due to the watering system shut off. Councilmember Iannelli spoke to Ms. Diane Mardy, Superintendent to the school about the concerns, Ms. Mardy was not aware of the issues given the change in administration.

3. Other

a. Ambulance

The Corps does not meeting until October 30<sup>th</sup>. Mayor Randall commented that the ambulance Corps was present at Richards Run.

b. Fire

Open house was a great success, ATV raffle winner was Peter Marron. Ladder truck continues to be built.

c. Library

None

B. Shade Tree

None

C. Chamber of Commerce

None

NEW BUSINESS

Police Chief Minchin reported that Halloween Window Painting and Richards Run went well with no issues or problems. There is a spike on crime and burglary of cars. He asked all resident to make sure the car doors are locked at night.

MAYOR'S REMARKS

None

CLOSED SESSION

None

ADJOURNMENT

With no discussion to come before the Council, Mayor Randall adjourned the meeting at 8:25 PM.

Respectfully submitted,

Laura Borchers RMC/CMR

Borough clerk.