

Borough of Ho-Ho-Kus  
County of Bergen  
Mayor and Council Combined Work/Public Meeting Minutes  
December 20, 2022 7:00 p.m.

The Combine Work/Public Meeting of the Municipal Council of the Borough of Ho-Ho-Kus was held in the Municipal Building at 333 Warren Avenue, Ho-Ho-Kus, NJ on December 20, 2022. The meeting was called to order at 7:11 p.m. by Mayor Randall who asked the Clerk to read the open a public meeting statement:

The Combine Work/Public Meeting of the Mayor and Council of the Borough of Ho-Ho-Kus is now in session in accordance with the provisions of Section 5 of the “Open Public Meetings Act”. Notice of this meeting has been posted in the front lobby entrance to the Borough Hall and Council Chambers, a copy has been filed with the Borough Clerk, and copies of the Annual Notice of Meetings, of which this is a part, have been heretofore sent to the Record and the Ridgewood News.

**ROLL CALL:**

Mayor.....	Thomas W. Randall
Council President.....	Douglas Troast
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli
Councilman.....	Kevin Crossley
Councilman.....	Dane Policastro
Councilwoman.....	Kathleen Moran

Also, in attendance Timothy Wiss , Borough Attorney; William Jones, Borough Administrator; Michael LaCroix; Police Chief, DPW Superintendent, Jeff Pattman and Joan Herve, Borough Clerk.

**FLAG SALUTE:**

Mayor Randall led those present in the salute to the American Flag. Mayor asked for a moment of silence for (3) long time residents who sadly passed away this month. Louis Policastro, Barbara Halon & Stan Kober.

**PROCLAMATION(S) (presented by Mayor Randall)**

Mayor Randall & Council recognized the following Zoning Board Members for their years of Service & Dedication;

John Deegan who served as ZBA Member for 6 years from 2016 – 2022.  
Frank Cox who served as ZBA Members for 22 years from 2000 – 2022.  
George Forst who served as ZBA Member for 15 years from 2007 – 2022.

Mayor Randall & Council recognized Prosecutor John Guerin for his dedication & service to the Ho-Ho-Kus Court for 48 years (1974 – 2022) and serving as the longest serving prosecutor in Bergen County History. Also, Rose Novelli-Salyer Court Administrator presented John with a gift on behalf of Judge Norton and herself.

**SPECIAL RECOGNITION**

A Special Recognition was given to John Halon who was recognized by Congressman Josh Gottheimer as a Hometown Hero. The Hometown Heroes Awards are presented to neighbors, business leaders, first responders, teachers, children, seniors, and community leaders in recognition of their outstanding contribution to New Jersey’s Fifth District and for their commitment to bettering the lives of other Jersey residents and families. A lifelong resident of Ho-Ho-Kus, John has served our community his entire life. He has been a 36-year member of the Ho-Ho-Kus Planning Board, serving the last 28 years as Chairman. He was Chief of the Ho-Ho-Kus Volunteer Fire Department from 1978 to 1979, and has served on the Office of Emergency Management as Chief Mitigation Officer, handling all FEMA government reporting for various storms for the past 30 years,

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successfully recovering hundreds of thousands of dollars for the Borough. Additionally, Mr. Hanlon is a well-respected Borough historian. John's service to Ho-Ho-Kus is unequalled. On behalf of all Ho-Ho-Kus residents and volunteers, the Mayor and Council congratulates John on the distinguished honor of being named our Hometown Hero for 2022. Congratulations John! Thank you for your service.

### **DEPARTMENT REPORTS**

Reports on file in the Clerk's Office

Police Report – November 2022

Court Report – November 2022

Library Report – December 2022

Northwest Bergen Regional Health Report – November 2022

### **APPROVAL OF MINUTES**

A motion was offered by Councilman Iannelli and seconded by Councilman Policastro to approve the minutes of the November 22, 2022 Combined Work/Public Meeting of the Mayor and Council. Motion carried on a roll call vote – all present voting “Ayes, with the exception of Council President Troast who abstained.

A motion was offered by Councilman Policastro and seconded by Councilman Iannelli to approve the minutes of the November 28, 2022 Public Information Meeting. Motion carried on a roll call vote – all present voting “Ayes,

### **PUBLIC COMMENTS**

Mayor Randall opened the meeting to the public. He stated if anyone desired to be heard, state your name and address for the record. Seeing none, Mayor Randall closed the meeting to the public.

### **ADMINISTRATORS REPORT**

#### **Unfinished Business**

Water filtration System Project - The borough is expecting final approval in January. Looking to go out to bid in the spring and hope to complete this project before the end of 2023.

#### **New Business**

Water tanks - Received approval from the Board of Utilities to add our concrete tank which is a million gallon tank to our rehabilitation and maintenance agreement with Veolia (Suez).

Administrator reported on the agenda tonight:

The appointment of our new prosecutor, Christopher Botta, Esq.

Purchase of a new DPW Vehicle

Transferring of Funds from various accounts , which are legal transfers moving one line item to another.

Lastly, we are asking for approval for the Memorandum of Understanding for our DPW Employee Association & PBA Local 353 for the Mayor to sign those agreements. Both of these agreement add additional give backs from the employees to get 2% raises and we have solidified loss term stability with our health plans for an additional percentage that each will receive with new employees coming in at a lower insurance plan. This is a significant savings to both the employee and borough as we move forward with each new hire.

## **CORRESPONDENCE**

- a) North Bergen County Utilities Authority 2023 Proposed Rates
- b) North Bergen County Utilities Authority HHK Preliminary service charges for 2023
- c) Resignation letter from dispatcher, Christopher Corra

## **ADOPTION OF ORDINANCES and PUBLIC HEARING** - None

## **INTRODUCTION OF ORDINANCES**

### **ORDINANCE #2022-77**

#### **AN ORDINANCE TO REPEAL CERTAIN PORTIONS OF THE CODE OF THE BOROUGH OF HO-HO-KUS TO ABOLISH THE SHADE TREE COMMISSION, AND CREATE A “SHADE TREE AND BEAUTIFICATION COMMITTEE**

**WHEREAS**, the Mayor and Council of the Borough of Ho-Ho-Kus believes it is in the best interest of the residents of the Borough to create a new Committee, which shall have the purpose of advising the Governing Body regarding issues related to downtown beautification; trees located on Borough Property; trees beautification generally; and such other issues as the Borough may, from time to time, deem necessary and appropriate; and

**WHEREAS**, the existing Shade Tree Commission structure is no longer in the best interests of the Borough and its residents; and

**WHEREAS**, A “Shade Tree and Beautification Committee” is more appropriate given the current issues facing the Borough of Ho-Ho-Kus, and the need to avoid duplicative and overlapping responsibilities;

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 57, “Shade Tree Commission,” 57-1 to 57-16 of the Code of the Borough of Ho-Ho-Kus is hereby repealed and the Shade Tree Commission is hereby abolished;

**BE IT FURTHER ORDAINED**, that any debts of the Shade Tree Commission shall be undertaken by the Borough of Ho-Ho-Kus;

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 57, “Shade Tree Commission,” which was heretofore repealed, is replaced as follows (deletions in ~~strike through~~, additions in bold):

#### **§ 57-1. Established.**

**A Shade Tree and Beautification Committee for the Borough of Ho-Ho-Kus is hereby established.**

#### **§ 57-2. Membership; term of office; vacancies.**

**The Shade Tree and Beautification Committee shall consist of seven (7) members up to a maximum of twenty-one (21) members who shall be residents of the Borough and who shall be appointed by Mayor, with the advice of the Borough Council. The term of each member of the member shall be for one year and members shall serve for their respective terms and until their successors are appointed and qualified. The members of the Committee shall be appointed at the organization meeting of the Governing Body in January of each year. Vacancies in the membership of the Committee, occurring for whatever cause, shall be promptly filled by the Mayor for the unexpired term.**

**Notwithstanding the above, the Mayor may waive the residency requirement of any member of the Committee for any individual upon application and for good cause shown.**

#### **§ 57-3. Compensation.**

**The members of the Shade Tree and Beautification Committee shall serve without compensation.**

#### **§ 57-4. Officers; meetings.**

**The Mayor shall appoint a Chairperson and request meetings as he may deem necessary. The Shade Tree and Beautification Committee shall hold its organizational meeting in January of each year and elect its officers at the organizational meeting.**

#### **§ 57-5. Duties.**

**The duties of the Shade Tree and Beautification Committee shall be as follows:**

**A. To exercise, subject to review by the Borough Council, recommendation over the regulation, planting and care of shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, public park or public lands owned or under the jurisdiction of the Borough of Ho-Ho-Kus including the planting, trimming, spraying, care and protection thereof. The provisions of this Article do not and shall not be interpreted**

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to delegate any authority to the Shade Tree and Beautification Committee to enforce any of the provisions of Borough Code.

B. To recommend the removal of any tree or part thereof in any public highway, public park or public lands owned or under the jurisdiction of the Borough of Ho-Ho-Kus that presents a danger to public safety.

C. To encourage the planting of shade and ornamental trees and shrubbery throughout the Borough of Ho-Ho-Kus on public and on private property and to assist the various public boards, bodies and agencies of the Borough in their efforts with regard to the encouragement of planting shade and ornamental trees and shrubbery.

D. To prepare, develop and distribute information with respect to the growing of and care for shade and ornamental trees and shrubbery.

E. To provide for or administer treatment to or provide for the removal of any trees situate upon private property which are believed to harbor a disease or insects readily communicable to neighboring healthy trees in the care of the Borough, and to enter upon private property for that purpose; provided, however, that the consent of the property owner is first obtained in writing, and provided further that the suspected condition is confirmed by an arborist or as may be required by law.

F. To prepare, develop and recommend any improvements for the purpose of enhancing the overall outdoor appearance of the downtown area through streetscape design, plantings and landscaping, hardscape items, and other recommended projects in order to attract residents and businesses in a pedestrian friendly atmosphere.

G. To make annual reports to the Borough Council setting forth therein and detailing the activities and operations of the Shade Tree and Beautification Committee during the preceding 12 months.

§ 57-6. Appropriation of Funds. There may be appropriated in each annual budget of the Borough such sum or sums as may be determined by the Borough Council to be necessary for the proper operation and functioning of the Shade Tree and Beautification Committee; and the Committee is authorized, subject to approval of the Borough Council, to use and expend such funds for such purposes upon the adoption of the annual budget. All payments for services rendered to the Shade Tree and Beautification Committee shall be on standard Borough vouchers and shall be approved by the Borough Council before payment.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that a new Chapter of the Borough Code, "Chapter 75B – Trees", is hereby established as follows (deletions in ~~strike through~~/additions in **bold**):  
§ 75B-1 Definitions.

As used in this chapter, the terms hereinafter set forth shall be defined and deemed to have the following meanings:

**COMMITTEE**

The Shade Tree and Beautification Committee of the Borough of Ho-Ho-Kus, including any of its duly appointed members and any of its duly authorized agents or designees.

**DRIP LINE**

A boundary on the soil surface delineated by the branch spread of the tree or group of trees.

**PERMITS**

Whenever, pursuant to any provision of this chapter, a permit is required, the applicant shall apply to the Borough of Ho-Ho-Kus building department, which shall refer the matter to the Shade and Beautification Committee, Zoning Official, Planning or Zoning Board, or other agency or Official as may be appropriate. The Construction Official (or appropriate official or officer or designee) shall either recommend approval or denial of an application for a permit, and it shall, in determining whether or not to recommend the issuance of such permit, take into consideration the nature, species, size, age and condition of any tree involved; the location thereof in the street or park; the planting, care, protection, maintenance, or removal procedures involved; the public safety and welfare; and the improvement and advancement of the shade tree plan or program of the Borough, based on conditions which may be established from time to time. The Construction Official shall thereafter make the final determination, subject to review by the Governing Body, of any permit application.

**PERSON**

Any individual, firm, partnership or corporation, or any combination thereof. Where, in the proper context, it is so required, this term may be construed to designate the plural as well as the singular.

**STREET**

Any road, avenue, street or highway dedicated to the public use for street purposes. A street shall be deemed to include all portions lying between the dedicated or established right-of-way lines and/or planting easement thereof, said lines being identical with the front property lines of lands abutting the street.

**TREE**

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**Any tree, shrub or plant, or any root, branch, flower or other part thereof that is located in or upon any street, park or public property.**

**TREE PROTECTION ZONE**

**The area designated by the Ho-Ho-Kus Shade Tree and Beautification to be free of equipment, supplies or building materials and to be delineated by an orange construction fence.**

**§75B-2 Responsibility for costs of planting and improvements.**

Except as hereinafter provided, the initial cost of all trees recommended for planting by the Committee, the cost of planting the same, the cost of the posts and boards or guards used for the protection thereof, and the cost of the removal of any tree or part thereof dangerous to the public safety shall, if the Committee shall so determine, in accordance with uniform rules and regulations promulgated for this purpose, be a charge upon the real estate in front of which such tree or trees shall be planted or removed as an improvement thereof. Such cost, if it is so determined that it is to be paid by the owner, shall, unless paid directly to the Borough of Ho-Ho-Kus, be certified by it to the Collector of Taxes of the municipality; shall thereupon become and be a lien upon said real estate; shall be included in the next tax bill rendered to the owner or owners thereof; and be collected in the same manner as other taxes against that property.

**B. The provisions of this section shall not apply to:**

**(1) A planting to replace a tree or trees theretofore recommended for planting by the Committee.**

**(2) A planting in connection with Arbor Day exercises or other educational demonstration.**

**§ 75-3 Prohibited acts.**

No person shall, without a permit, do any of the following acts:

**A. Cut, prune, break, injure, remove, disturb or interfere in any way with any tree, including the root system.**

**B. Spray with any chemical any tree or near a tree to cause injury or death to said tree;**

**C. Fasten any rope, wire, sign or other device to a tree or to any guard about such tree;**

**D. Remove or injure any guard or device placed to protect any tree;**

**E. Close or obstruct any open space provided about the base of a tree to permit the access of air, water and fertilizer to the roots of such trees.**

**F. Excavate under the drip line**

**G. No person shall plant any tree in any park, street, right of way, or Borough property without a permit.**

**H. Place any sign, lighting or decoration on a tree or root system.**

**§ 75-4 Obstructions.**

**A. No person shall, without a permit, place or maintain in any street or park any stone, cement or other sidewalk or any stone, cement or other substance which shall impede the free access of air and water to the roots of any tree.**

**B. Where any tree is to be surrounded by pavement of stone, cement, asphalt or any other substance tending to impede the free access of air and water to the roots of the tree, no portion of such pavement shall be nearer to any portion of the base of the trunk than four feet.**

**C. As to Borough sidewalks, this shall apply only to new development(s); not to replacement of existing sidewalks.**

**§ 75-4 Injurious substances; maintenance of utility lines.**

**A. No person shall place salt, brine, oil or any other substance injurious to plant growth in any street or park in such a manner as to injure any tree.**

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**B.** No person shall build any fire or station any tar kettle, road roller, fuel-oil-dispensing truck, or other engine in any street or any other place in such a manner that the heat, vapors, fuel, or fumes therefrom may injure any tree.

**C.** Every person or entity, having or maintaining any underground or overhead utility lines in any street, public property or park shall maintain such lines in such a manner as will safeguard the trees against any damage therefrom and shall make periodic adjustments whenever necessary to prevent damage to trees  
§ 75-6 Construction and excavation work.

**A.** In any site improvement, erection, alteration or repair of any structure or building, the owner, contractor or other person in charge thereof shall place required protection around all street trees and nearby trees as directed by the Construction Official or his designee. No storage of equipment, supplies or building materials will be permitted in the tree protection zone.

**B.** No person shall use or operate any power equipment or any other implement or tool in such a manner so as to damage or destroy any tree.

§ 75-7 Wires; utility trimming.

**A.** No person shall string any wires in or through a public park or property without a permit.

**B.** Every person having or maintaining any electric, telephone, telegraph, cable TV or other wires running in or through a street, public property, or park shall securely fasten and maintain such wires in such manner as will safeguard all trees against any damage there from and shall make periodic adjustment whenever necessary to prevent damage to all trees.

**C.** No person shall, without a permit, attach or fasten any wires, insulator or other device for holding any wire to any tree.

**D.** Whenever the Commission shall deem it necessary to prune or remove any tree, any persons having a wire running in or through any street or park shall temporarily remove such wire within 24 hours after the service upon the owner or his agent of a written notice to do so.

**E.** Any public utility or its agents may upon receiving written permission (permit) from the Commission at least 72 hours prior to the start of work, prune or remove trees for line clearance of utility wires in nonemergency situations pursuant to a line clearance program.

**F.** Any public utility or its agents may undertake emergency tree work to restore electrical service or spot work to prevent interruption of electrical, telephone, telegraph, cable TV or other wire services. In such event the utility will notify the Commission of said work within three business days of its beginning.

§ 75-8. Violations and penalties; ordinances of Commission; restitution; exemptions.

**A.** Any person who violates any provisions of this chapter or who fails to comply with the terms and provisions of any permit issued pursuant hereto shall pay a fine not less than \$200 nor more than \$1,500 for each violation. Each day that a violation shall continue shall constitute a separate offense. This chapter shall be enforced by either the Property Maintenance Officer, Zoning Officer or by the Borough of Ho-Ho-Kus through any of its duly authorized agents or employees by like proceedings and process consistent with the practice for the enforcement of ordinances of the Borough of Ho-Ho-Kus. The officers authorized by law to serve and execute process in the aforementioned court shall be the officers to serve and execute any process issued out of any court under this chapter.

**B.** Restitution. In addition to the penalties authorized in this chapter, any person who removes, damages or otherwise destroys a tree in violation of a municipal ordinance shall pay restitution or a replacement assessment to the municipality. The replacement assessment shall be the value of the tree as determined by the appraisal of a trained forester or licensed tree expert for that purpose. In lieu of an appraisal, replacement shall be determined by

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use a formula and schedule based upon the Council of Tree and Landscape Appraisers Guide for Plant Appraisal, 9th Edition (or latest edition) guidelines.

**D.** In the absence of the Property Maintenance or Zoning Officer, stop orders may be issued by the Borough Administrator, Superintendent of Public Works or duly authorized police officer.

**§ 75-9. Disposition of fines and penalties.**

**A.** All monies collected, either as fines or penalties, for any violation of a rule or regulation or as a charge against real estate, under any provision of this chapter, shall be forthwith paid over to the Custodian of the Municipal Funds.

**B.** Restitution shall be paid or the value of a tree removed, destroyed or damaged and for the value of labor and materials required.

**§ 75-10. Liability.**

Nothing in the chapter contained shall be construed to make the Committee or any member thereof responsible for the death or injury of any person or for any injury to any property or highway tree or shrub.

**§ 75-11. Fee schedule.**

**A.** The Shade Tree Committee shall adopt, upon approval of the governing Body, from time to time, a fee schedule policy for permits and services

**B.** Permit fee schedule.

**(1)** Tree Planting. One up to five trees: \$50 each. Over five trees: \$25 each additional tree.

**(2)** Tree Pruning. One up to five trees: \$100 each. Over five trees: \$50 each additional tree.

**(3)** Tree Removal. One up to five trees: \$250 each. Over five trees: \$150 each additional tree.

**(4)** Excavation Inspection Fee: \$125 per hour.

**(5)** General Tree Inspection Fee: \$125 per hour.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 76 is here is hereby modified as follows (deletions in ~~strike through~~ **additions in bold**):

**§ 76-1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**PERSON**

Every person, firm, association, partnership, corporation and individual.

**SHADE TREE**

Shade and ornamental trees and shrubbery now located or which may hereafter be planted in any public highway, park or parkway in the Borough, except those located or planted on county highways, parks and parkways and state highways.

**SHADE TREE COMMISSION**

~~The Shade Tree Commission of the Borough of Ho-Ho-Kus and its duly authorized representatives.~~

**STREET**

Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway or which is shown upon a plat heretofore approved pursuant to law or which is approved by official action as provided by the Municipal Land Use Act or which is shown on a plat duly filed and recorded in the office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such Board of the power to review plats and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines. For the purpose of this chapter, "street" shall be classified as follows:

**A. ARTERIAL** Those streets which are used primarily for fast or heavy traffic.

**B. COLLECTOR** Those streets which carry traffic from minor streets to the major system of arterial streets, including the principal entrance streets of a residential development and streets for circulation within such development.

**C. MINOR** Those streets which are used primarily for access to the abutting properties.

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D. MARGINAL ACCESS Those streets which are parallel to and adjacent to arterial streets and highways and which provide access to abutting properties and protection from through traffic.

E. ALLEYS Minor streets which are used primarily for vehicular service access to the back or side of the properties otherwise abutting on a street.

**§ 76-2 Prohibited acts.**

A. No person, firm, corporation or individual connected with such firm or corporation shall do or cause to be done by others to any tree, shrub or plant on a public highway or place, either purposely, carelessly or negligently ~~Shade Tree Commission~~, any of the following acts:

(1) Cut, prune, climb with spikes, break, damage or remove.

(2) Cut, disturb or interfere in any way with any root.

(3) Spray with any chemical.

(4) Fasten any rope, wire, sign or other device.

(5) Remove or damage any guard or device placed to protect any tree or shrub.

**§ 76-3 Obstructions.**

A. No person or corporation shall, ~~without the permission of the Shade Tree Commission~~, place or maintain or cause to be placed or maintained upon the ground in any public highway or place any stone, cement or other sidewalks, or any stone, cement or other substance, which shall impede the free access of air and water to the roots of any tree or shrub in any public highway or place.

**§ 76-5 Laying of sidewalks; construction and paving of streets.**

No person, firm or corporation is permitted to lay any sidewalk along or to open, construct, curb or pave any street or do any like act so as to interfere with or do injury to any highway shade tree ~~without the consent of the Shade Tree Commission~~.

**§ 76-6 Construction and excavation work.**

A. No person, firm or corporation shall do any excavating within two feet of any tree or shrub ~~without the permission of the Shade Tree Commission~~.

B. Where, in authorized excavations, it becomes necessary to expose or cut roots more than one inch in diameter, it shall be the duty of the contractor to protect such roots ~~under advice from the Shade Tree Commission~~.

**§ 76-7 Wires; utility trimming.**

A. No person, firm or corporation shall, ~~without written permission of the Shade Tree Commission~~, attach or fasten any wire, insulator or other device for holding any wire to any tree or shrub in any public highway or place.

B. Any utility company or its agents may, ~~with prior permission from the Shade Tree Commission~~, prune and remove trees for line clearance of utility wires.

**§ 76-8 Application for permit.**

Where the permission, consent or approval ~~of the Shade Tree Commission~~ is required by the provisions of this chapter, any person, firm or corporation required to obtain such permission, consent or approval shall first make application therefor to **the Building Department** ~~the Shade Tree Commission, Borough of Ho-Ho-Kus, County of Bergen~~.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 80, is hereby modified as follows (deletions in ~~strike through~~, additions in bold):



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Article II. Volunteer Fee Exemptions

§ 80-12. Definitions.

As used in this article, the following terms shall have the meanings indicated:

**ACTIVE MEMBER**

A resident of the Borough of Ho-Ho-Kus who is an active member in good standing in the Ho-Ho-Kus Volunteer Fire Department, the Ho-Ho-Kus Volunteer Ambulance Corps, the Office of Emergency Management, the Recreation Commission, ~~the Shade Tree Commission,~~ **the Shade and Beautification Committee**, the Zoning Board of Adjustment, the Planning Board, the Library Board or the Board of Health. "Good standing" shall also include current compliance with all municipal, federal and safety mandated programs as may be applicable.

**FAMILY**

An active volunteer member, his or her spouse and all natural or adopted children under 21 years of age who are unmarried and permanently occupying the same residence as an active volunteer member in the Borough of Ho-Ho-Kus.

**FEES**

Those charges established by the governing body of Ho-Ho-Kus, County of Bergen.

**VOLUNTEERS**

Includes all active members of the Ho-Ho-Kus Fire Department, the Ho-Ho-Kus Volunteer Ambulance Corps, the Office of Emergency Management, the Recreation Commission, ~~the Shade Tree Commission,~~ **the Shade and Beautification Committee** the Zoning Board of Adjustment, the Planning Board, the Library Board and the Board of Health who have satisfactorily completed their probationary period, if applicable, and are in good standing either within their respective organizations or their board or commission memberships and whose property taxes or any receivables due to the Borough of Ho-Ho-Kus are not in arrears.

§ 80-14. Administration.

A. Not later than January 10 of each calendar year, the Fire Chief of the Ho-Ho-Kus Volunteer Fire Department, the Captain of the Ho-Ho-Kus Volunteer Ambulance Corps, the Emergency Management Director, the Chairpersons of the Zoning and Planning Boards, the Chairpersons of the Recreation ~~and Shade Tree Commissions,~~ **the Chairperson of the Shade and Beautification Committee** the Chairpersons of the Library Board and Board of Health shall submit to the Borough Clerk a list of all residents who meet the definition of an active member in good standing and whose property taxes or any receivables due to the Borough of Ho-Ho-Kus are not in arrears. Such list shall be updated on a periodic basis by the volunteer organization or boards to add those individuals who have completed their probationary status, as applicable, or to delete individuals who have been removed from membership or who no longer meet the criteria for active member status.

B. On a form provided by the Borough Clerk, each active member shall provide information related to family status to assist municipal officials to determine eligibility for the waiving of fees.

C. All active members and their families must comply with all registration procedures and complete all application forms established by the Borough of Ho-Ho-Kus.

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 1, is hereby modified as follows (deletions in ~~strike through~~ **additions in bold**):

**§ 1-1Adoption of Code.**

Pursuant to N.J.S.A. 40:49-4, the ordinances of the Borough of Ho-Ho-Kus of a general and permanent nature, adopted by the Mayor and Council of the Borough of Ho-Ho-Kus and accepted and adopted by ~~the Shade Tree Commission of the Borough of Ho-Ho-Kus and~~ the Board of Health of the Borough of Ho-Ho-Kus, as revised, codified and consolidated into titles, chapters and sections by General Code Publishers Corp. and consisting of Chapters **1** through 86, together with an

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Appendix and Index, are hereby approved, ordained and enacted as "The Code of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey."

**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 63, is hereby modified as follows (deletions in ~~striktthrough~~ **additions in bold**):

Chapter 63. Soil Movement

§ 63-17. General regulations.

Soil moving conducted in the Borough shall be performed in accordance with the following regulations:

A. In all operations for which a permit is required:

(1) Prior to the start of soil movement operations, the disturbance of a lot or construction, the following must be performed:

(a) The limits of disturbance must be delineated with construction fencing.

(b) Sediment barriers must be installed and maintained throughout the entire length of the project.

(c) Tree-protection measures must be installed and approved by the Borough Engineer ~~and/or the Shade Tree Commission.~~

(2) Lands shall be graded to conform to the approved contour lines and grades.

(3) Streets, roads and paved surfaces shall be cleaned, at the applicant's expense, on a daily basis, of sediments and debris.

(4) The top layer of soil, to a depth of six inches, shall not be removed from the premises, but shall be set aside and respread over the premises when the remainder of the soil has been moved.

B. In all operations, whether or not a permit is required:

(1) Prior to the start of soil movement operations, the disturbance of a lot or construction, the following must be performed:

(a) Sediment barriers must be installed and maintained throughout the entire length of the project.

(b) Tree-protection measures must be installed and approved by the Borough Engineer ~~and/or the Shade Tree Commission.~~

(2) All boulders, tree stumps and other debris shall be removed from the property.

(3) In dry weather, the person conducting such operation shall dampen the ground where operations are conducted to prevent dust.

(4) No trucks used shall be loaded above the level of the sides of the truck, to prevent spillage, and all streets shall be cleaned, at the applicant's expense, each day, of any spillage or soil on such streets resulting from truck operations.

(5) All truckloads shall be covered with tarpaulin and, if necessary, treated by water or chemicals to prevent flying dust.

(6) No trucks, machinery or any part of the operation shall be conducted before 8:00 a.m. or after 5:00 p.m. on weekdays nor at any time on Saturday, Sunday or federal or state legal holidays.

(7) All vehicles engaged in such operations shall use as routes only those Borough streets which have been approved by the Planning Board. The applicant shall notify the Police Department as to the route which will be utilized for transporting soil.

(8) The entire area covered by the work shall be maintained and left in such manner as not to create or maintain a nuisance or condition hazardous to life and limb or to the health or general welfare of the inhabitants or the Borough of Ho-Ho-Kus.

(9) All excavation, removal and other mandatory ground cover work, including restoration of property to final grades and subsequent seeding, must be completed within one year from the date of the permit.

(10) No more soil shall be removed than is reasonably necessary for the development and use of the land.

(11) No soil removal shall be allowed which shall cause drainage to adjacent property or prejudicially affect the values of adjacent properties.

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**BE IT FURTHER ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 32B-10, is hereby modified as follows (deletions in ~~strike through~~, additions in bold):

Chapter 32B. Land Subdivision and Site Plan Review

§ 32B-10. Design standards.

(7) Landscaping.

(d) Prior to any preliminary and/or final site plan approval, the Board shall have received a report from the ~~Shade Tree Commission~~ **Shade and Beautification Committee, Borough Planner, or Borough Arborist, or its designee**, as to the adequacy of the landscape plan.

(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 groundwater 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 **regulated by Ordinance 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 demolished or the additional floor area is increased by 25% as determined by the Construction Code Official and to all commercial properties. The ~~Shade Tree Commission~~ **Construction Code Official, Borough Arborist, or its designee**, 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~~ **Shade and Beautification Committee or Borough Arborist** shall be notified by the Planning Board or the Zoning Board of Adjustment upon receipt of any application regarding Subsection E(1) above. ~~The Shade Tree Commission~~ **The Shade and Beautification Committee, Borough Arborist, or its designee**, will review and recommend street tree planting requirements within 15 business days. Plantings shall thereafter be done solely by an independent contractor engaged by the ~~Shade Tree Commission~~ **Borough** and shall not be done by the owner or developer, **absent written approval for the same.**

[3] ~~The Shade Tree Commission requires that~~ One tree shall be planted every 30 feet to 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 \$500) is required for each two-and-one-half-inch-caliper tree. The tree species shall be determined by the ~~Shade Tree Commission~~ **Shade and Beautification Committee or Borough Arborist** 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] Deposit; accounts.

[a] The street tree planting deposit shall be made prior to the issuance of a certificate of occupancy.

~~[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.~~

§ 32B-11. Improvements

(e) Shade trees should be located and of such types as specified by the ~~Shade Tree Commission~~ **Shade and Beautification Committee or Borough Arborist** of the Borough of Ho-Ho-Kus.

**SECTION II: Repealer.**

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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 III: Effective Date.**

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

**SECTION IV:** The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

A motion was offered by Councilman Crossley and seconded by Councilwoman Moran to Introduce Ordinance #2022-77. Motion carried on a roll call vote – All present voting “Aye”.

**CONSENT AGENDA RESOLUTIONS** (22-129 thru 22-136)

All Items listed were considered to be routine and non-controversial by the Mayor and Council and were approved by one motion.

**Resolution #22-129**

A Resolution – Payment of Bills – December 2022

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,560,675.57; and

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 \$2,560,675.57; be approved and ratified respectively

**BILL LIST:**

21-00740	05/14/21	03299	GEM SPORTS, LLC	POLICE DISPATCHER UNIFORMS	Open	45.00	0.00
21-01927	12/27/21	00413	BORO OF H-H-K TRUST ACCT	8 ALLBAND PORT RADIOS W/ACCESS	Open	61,211.50	0.00
22-01492	09/26/22	02811	R.R. DONNELLEY	CERT. COPY- VITAL RECORD FORMS	Open	91.70	0.00
22-01674	10/25/22	00001	HOME HARDWARE	NOV PURCHASES - DPW	Open	357.26	0.00
22-01675	10/25/22	00056	TYCO ANIMAL CONTROL SERVICES	ANIMAL CONTROL SVC NOV 2022	Open	560.00	0.00
22-01678	10/25/22	02686	ONE CALL CONCEPTS	ONE CALL MESSAGES - NOV 2022	Open	35.75	0.00
22-01722	11/01/22	02069	PATTMAN PLUMBING	INSTALL BATHROOM FIXTURES- PD	Open	6,035.00	0.00
22-01728	11/02/22	02179	GARDEN STATE HIGHWAY PRODUCTS	TRAFFIC CONES - POLICE DEPT	Open	2,585.00	0.00
22-01750	11/07/22	03454	MAJOR POLICE SUPPLY	WEAPON MOUNT - POLICE DEPT.	Open	665.00	0.00
22-01757	11/09/22	03511	NO ACCESS ARMOR	6 MOBILE BALLISTIC SHIELDS-POL	Open	2,654.76	0.00
22-01782	11/14/22	03511	NO ACCESS ARMOR	2 MOBILE BALLISTIC SHIELDS-POL	Open	867.46	0.00
22-01787	11/15/22	02551	TURN-OUT UNIFORMS	EMBROIDERED SHIRTS-POLICE DEPT	Open	335.94	0.00
22-01790	11/15/22	00106	M G L PRINTING SOLUTIONS	4000 SOLID WASTE BILLS	Open	794.00	0.00
22-01791	11/15/22	00106	M G L PRINTING SOLUTIONS	2000 WATER BILLS	Open	346.00	0.00
22-01801	11/23/22	03514	HO-HO-KUS GARDEN CLUB	DONATION-BORO HALL DECORATIONS	Open	300.00	0.00
22-01804	11/23/22	01840	OPTIMUM	POLICE/CAD CABLE 12/16-1/15	Open	93.44	0.00
22-01805	11/23/22	00030	HO-HO-KUS BOARD OF EDUCATION	SCHOOL TAX - MONTH OF DEC.	Open	1,583,905.20	0.00
22-01807	11/23/22	00209	WORTH PINKHAM MEMORIAL LIBRARY	TRANSFER QTR 4 2022 OPER CASH	Open	54,634.50	0.00
22-01808	11/23/22	01446	ROGUT MCCARTHY	REV. REDEVELOPMENT AGREEMENT	Open	500.00	0.00
22-01809	11/23/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG ROAD OPENING- 109 ARBOR DR	Open	250.00	0.00
22-01810	11/23/22	00232	SITEONE LANDSCAPE SUPPLY	FERTILIZER - DPW	Open	79.04	0.00
22-01811	11/23/22	03158	WM RECYCLE AMERICA	RECYCLING PICKUPS OCT - DPW	Open	319.80	0.00

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22-01812	11/23/22	03472	AMAZON CAPITAL SERVICES	5 CAR FRONT SEAT ORGANIZERS-PD	Open	327.28	0.00
22-01813	11/23/22	03472	AMAZON CAPITAL SERVICES	SEAT BELT CUTTER/HAMMER - POL	Open	15.25	0.00
22-01814	11/23/22	03472	AMAZON CAPITAL SERVICES	2 CASES-NALOXONE OPIOD KIT-PD	Open	33.98	0.00
22-01815	11/23/22	03472	AMAZON CAPITAL SERVICES	3 CASES-NALOXONE OPIOD KIT-PD	Open	50.97	0.00
22-01816	11/23/22	03472	AMAZON CAPITAL SERVICES	SEAT BELT CUTTER/HAMMER - POL	Open	15.98	0.00
22-01817	11/23/22	01620	NOVELLI-SALYER, ROSEMARIE	REIMB. NJLM CONF. EXPENSES	Open	222.88	0.00
22-01818	11/23/22	03128	P S E & G **	ELECT/GAS ORVIL CT 10/4-11/14	Open	424.36	0.00
22-01819	11/28/22	01051	V.E. RALPH & SON	14 DEFIBTECH AED PADS - POL	Open	1,155.00	0.00
22-01820	11/28/22	01051	V.E. RALPH & SON	PULSE OXIMETER & CASE-AMBUL.	Open	552.00	0.00
22-01821	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	DCRP - NOV 2022	Open	261.58	0.00
22-01822	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	CURRENT SOCIAL SECURITY - NOV	Open	15,241.01	0.00
22-01823	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	WATER DPT SOCIAL SECURITY-NOV	Open	1,650.05	0.00
22-01824	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	SOL WASTE SOCIAL SECURITY-NOV	Open	1,169.77	0.00
22-01825	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MNTH 11/30	Open	189,322.08	0.00
22-01826	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 11/30	Open	11,803.11	0.00
22-01827	11/28/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MNTH 11/30	Open	10,806.43	0.00
22-01828	11/28/22	02863	LAW OFFICES OF GARY CUCCHIARA	PL BD/ZBA LEGAL SVCS- AUG-OCT	Open	5,430.00	0.00
22-01829	11/28/22	02484	RACHLES/MICHELE'S OIL CO.	1502 GALS DIESEL DEL 10/31	Open	7,117.55	0.00
22-01831	11/29/22	03513	VASSOWASTE SYSTEMS	TARP SUPER TOUGH MESH - DPW	Open	568.55	0.00
22-01832	11/29/22	00958	STATE OF NJ DEPT OF LABOR	3RD QTR 2020 UNEMPLOYMENT	Open	4,474.40	0.00
22-01833	11/29/22	03483	HOME DEPOT CREDIT SERVICES	GARAGE OOR LIFT HANDLE/TIE-DPW	Open	154.22	0.00
22-01834	11/29/22	03466	SCS ENGINEERS	MONITOR WELL/COMPILE DATA-DPW	Open	5,007.50	0.00
22-01835	11/29/22	02584	INTER CITY TIRE	FLAT TIRE REPAIR/PARTS - DPW	Open	133.95	0.00
22-01836	11/29/22	02147	PISANO, RONALD	REIMB- WORK BOOTS 2022 DPW	Open	300.00	0.00
22-01837	11/29/22	02009	SEIBEL, JASON	REIMB FOR BOOTS - DPW 2022	Open	300.00	0.00
22-01838	11/29/22	02069	PATTMAN PLUMBING	FD BOILER-AIR ELIMINATORS/VENT	Open	1,725.00	0.00
22-01839	11/29/22	03294	LAURA A. CARUCCI, LLC	TRANSCRIBE ARBITRATION - 11/18	Open	877.50	0.00
22-01840	11/29/22	02712	OPTIMUM **	OPTONLINE SVC DPW -11/16-12/15	Open	116.49	0.00
22-01841	11/29/22	02777	BOSS SECURITY SYSTEMS, INC.	FIRE ALARM SYST-23 HOLLYWOOD	Open	1,106.00	0.00
22-01842	11/29/22	03048	QUALITY AUTOMALL	FILTERS/ELEMENTS - VEH. PARTS	Open	511.30	0.00
22-01843	11/29/22	03239	AT&T MOBILITY	IPAD/CELL PHONE SV 10/12-11/11	Open	1,305.11	0.00
22-01844	11/30/22	02590	AMERICANWEAR, INC.	NOV 2023 UNIFORMS - ROADS 2/3	Open	189.68	0.00
22-01845	11/30/22	02590	AMERICANWEAR, INC.	NOV 2022 UNIFORMS - WATER 1/3	Open	94.84	0.00
22-01846	12/01/22	03280	CLEANING WORLD, INC.	CLEANING SVC -NOV	Open	1,775.00	0.00
22-01847	12/01/22	03294	LAURA A. CARUCCI, LLC	ATTEND ZBA MTG 9/1	Open	300.00	0.00
22-01848	12/01/22	03294	LAURA A. CARUCCI, LLC	TRANSCRIBE ARBITRATION - 9/22	Open	697.50	0.00
22-01849	12/01/22	03183	HERVE, JOAN	REIMB. NJLM CONF EXPENSES	Open	244.48	0.00
22-01850	12/01/22	80202	JONES, WILLIAM J.	REIMB NJLM CONFERENCE EXPENSES	Open	196.50	0.00
22-01851	12/01/22	00886	SCHWANEWEDE/HALS ENGINEERING	SIDEWALK INSPECTIONS/ADA RAMPS	Open	210.00	0.00
22-01852	12/01/22	00886	SCHWANEWEDE/HALS ENGINEERING	PRE-CONSTRUCTION MTG. -1016/3	Open	242.50	0.00
22-01853	12/01/22	03319	AGRA ENVIRONMENTAL & LAB SVCS	WATER SAMPLES-COLIFORM - DPW	Open	729.00	0.00
22-01854	12/01/22	00329	RG GROUP	PARKER SWIVEL ASSEMBLY - DPW	Open	129.17	0.00
22-01855	12/01/22	00886	SCHWANEWEDE/HALS ENGINEERING	INSPECT BROOKSIDE RESURFACING	Open	1,510.00	0.00
22-01856	12/02/22	80202	JONES, WILLIAM J.	REIMB-BORO ADMINISTRATORS' MTG	Open	338.73	0.00
22-01857	12/02/22	03208	MONMOUTH TELECOM	TELECOM SERVICE - NOV/DEC	Open	802.22	0.00
22-01858	12/02/22	00001	HOME HARDWARE	PAINT AND BRUSH - DTB	Open	34.18	0.00
22-01859	12/02/22	02584	INTER CITY TIRE	4 225/70R19.5 TIRES - DPW	Open	636.00	0.00
22-01860	12/02/22	00157	TREASURER - STATE OF NJ	SITE REMEDIATION-PERMIT FEE	Open	420.00	0.00
22-01861	12/02/22	03118	REDICARE LLC	FIRST AID SUPPLIES - DPW	Open	87.59	0.00
22-01862	12/02/22	01157	IRRIGATION BY RALPH RUGGIERO	WINTER SHUTDOWN - SPRINKLERS	Open	630.00	0.00
22-01863	12/02/22	00347	HAWTHORNE CHEVROLET	BRAKE PADS - POL VEH	Open	311.84	0.00

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22-01864	12/02/22	00012	PROSTOCK MIDLAND	PART FOR DPW VEHICLE	Open	58.00	0.00
22-01865	12/02/22	00936	PATTMAN, JEFFREY	REIMB.-BRAKE ROTOR DPW VEHICLE	Open	75.00	0.00
22-01866	12/02/22	03267	ELIZABETH STEWART, LLC	ARBORIST NOV/DEC SHADE TREE	Open	2,655.00	0.00
22-01868	12/05/22	02711	OPTIMUM *	OPTIMUM SVC BORO HL 12/1-12/31	Open	29.95	0.00
22-01869	12/05/22	00374	NJ DIV OF ALCOHOL BEV CONTROL	LIQUOR LICENSE RENEWAL 2022-23	Open	12.00	0.00
22-01870	12/05/22	02488	VCI EMERGENCY VEHICLE SPEC.	CO ALARM & LIGHT- AMBULANCE	Open	383.74	0.00
22-01871	12/05/22	02863	LAW OFFICES OF GARY CUCCHIARA	REVIEW APPLIC SEPT	Open	135.00	0.00
22-01873	12/05/22	02863	LAW OFFICES OF GARY CUCCHIARA	APPLICATION REVIEW 802/10.04	Open	1,020.00	0.00
22-01874	12/05/22	03455	WIN-911 SOFTWARE	ANNUAL SOFTWARE LICENSE-WATER	Open	2,160.00	0.00
22-01875	12/05/22	03168	RE-TRON TECHNOLOGIES	BLUE SKY DEF-DIESEL FLUID- DPW	Open	386.67	0.00
22-01876	12/05/22	03110	PERRICELLI, LISA	EYE WEAR/VISION REIMBURSEMENT	Open	300.00	0.00
22-01878	12/06/22	00105	P S E & G	OCT/NOV GAS/ELECT. - CURRENT	Open	6,154.41	0.00
22-01879	12/06/22	00105	P S E & G	OCT/NOV GAS/ELECT. -WATER DEPT	Open	6,740.02	0.00
22-01880	12/06/22	03515	SHADE TREES NURSERY	30 TREES FOR PLANTING-SH. TREE	Open	5,550.00	0.00
22-01882	12/06/22	00139	PRESTIGE LOCK & HOME	KEYS FOR FIRE DPT BUILDING	Open	194.00	0.00
22-01883	12/06/22	00179	SNAP-ON TOOLS - JASON SZAPKA	DIGITAL TIRE INFLATOR-FIRE DPT	Open	213.00	0.00
22-01884	12/07/22	00728	KEY TECH	CONCRETE CORE SAMPLING-BRKSIDE	Open	1,820.00	0.00
22-01885	12/07/22	00097	ACTION RUBBER & INDUSTRIAL SUP	NEOPRENE SHEET RUBBER - DPW	Open	377.75	0.00
22-01886	12/07/22	03319	AGRA ENVIRONMENTAL & LAB SVCS	PFAS WATER SAMPLING - 11/15	Open	2,430.00	0.00
22-01887	12/07/22	02004	HOFFMAN EQUIPMENT	GAS STRUT - DPW	Open	417.00	0.00
22-01888	12/08/22	03516	TOWNSHIP OF WYCKOFF	TRAFFIC CONTROL-BRKSIDE PAVING	Open	1,680.00	0.00
22-01889	12/08/22	00886	SCHWANEWEDE/HALS ENGINEERING	2022 ANNUAL RETAINER	Open	1,000.00	0.00
22-01890	12/08/22	03451	SOUTH JERSEY WEB DESIGN	WEB HOSTING - POLICE WEB SITE	Open	600.00	0.00
22-01891	12/08/22	80089	DENCH, BRIAN	2022 CLOTH. ALLOW. 2ND PAYMENT	Open	575.00	0.00
22-01892	12/09/22	01919	ULINE	GARBAGE BAGS - DPW	Open	156.58	0.00
22-01893	12/09/22	01607	BURGIS ASSOCIATES, INC.	REV STREETSCAPE STDS-CROSSINGS	Open	193.75	0.00
22-01894	12/09/22	02331	WISS & BOUREGY P.C.	LEGAL SVCS RE:TAX APPEALS-NOV	Open	587.50	0.00
22-01895	12/09/22	02331	WISS & BOUREGY P.C.	BORO ATTORNEY LEGAL SVCS- NOV	Open	9,962.50	0.00
22-01896	12/09/22	00669	NORTH JERSEY WATER CONFERENCE	ANNUAL MEMBERSHIPS-WATER DEPT	Open	600.00	0.00
22-01897	12/09/22	03472	AMAZON CAPITAL SERVICES	OSHA 1ST AID KIT/EXT. CORD-DPW	Open	138.00	0.00
22-01898	12/09/22	02285	HAWTHORNE HITCH & TRAILER	TRAILER HITCH - DPW	Open	276.05	0.00
22-01899	12/09/22	80284	KIM, SAMUEL	REIMB-LINK TO PD FACEBOOK PAGE	Open	39.20	0.00
22-01900	12/09/22	99938	LEONARD, PATRICK	2022 CLOTH. ALLOW. 2ND PAYMENT	Open	575.00	0.00
22-01901	12/09/22	03004	WYCKOFF WASH	CAR WASHES-POL VEHICLES - NOV	Open	11.00	0.00
22-01902	12/09/22	02671	SUBURBAN DISPOSAL INC.	SOLID WASTE/RECYCLING OCT 2022	Open	69,563.16	0.00
22-01904	12/09/22	02845	CARINO, TATIANA	RUSSIAN INTERPRETER-12/7 COURT	Open	130.00	0.00
22-01906	12/12/22	03119	KONICA MINOLTA ****	COPIER PLN/ZON/CONS 7/4-10/3	Open	76.04	0.00
22-01907	12/12/22	03261	KONICA MINOLTA BUS. SOLUTIONS	POLICE COPIER-COPIES 11/4-12/3	Open	48.59	0.00
22-01908	12/12/22	02899	OFFICE CONCEPTS GROUP	OFFICE SUPPLIES - DPW	Open	269.01	0.00
22-01909	12/12/22	03280	CLEANING WORLD, INC.	CLEANING SVC - DEC	Open	1,775.00	0.00
22-01910	12/12/22	00038	VERIZON	WATER DEPT PHONES DEC	Open	84.29	0.00
22-01911	12/12/22	00038	VERIZON	BORO DEPTS. PHONES - NOV/DEC	Open	352.48	0.00
22-01912	12/12/22	01658	TROPHY KING OF RAMSEY	RETIREMENT PLAQUES	Open	520.00	0.00
22-01913	12/12/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG ROAD OPENING - 111 1ST ST.	Open	250.00	0.00
22-01914	12/12/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG. SOIL MOVING - 903/20	Open	500.00	0.00
22-01915	12/12/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG. PLAN REVIEW 219/19	Open	400.00	0.00
22-01916	12/12/22	03290	AJM CONTRACTORS, INC.	RESURFACE VARIOUS STS	Open	138,505.45	0.00
22-01917	12/12/22	00144	BORO OF H-H-K PAYROLL ACCT	MEDICAL/PRESCRIPT/DENTAL- DEC	Open	63,330.88	0.00
22-01918	12/12/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG ROAD OPENING - 23 PITCAIRN	Open	250.00	0.00
22-01919	12/13/22	00016	PETTY CASH - JOAN HERVE	REIMBURSE PETTY CASH - NOV/DEC	Open	220.43	0.00
22-01920	12/13/22	00659	BORO OF H-H-K GRANT FUND	TRSFR PD VEST FUND TO GRANT F.	Open	1,081.00	0.00

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22-01921	12/13/22	00255	NORTH JERSEY MEDIA GROUP	BORO LEGAL ADS - NOV	Open	440.78	0.00
22-01922	12/13/22	00255	NORTH JERSEY MEDIA GROUP	LEGAL AD - CANCEL PL BD MTGS	Open	17.53	0.00
22-01924	12/13/22	03452	GETTY IMAGES (US), INC.	LIC AGREEMENT-WEBSITE PICTURES	Open	348.00	0.00
22-01925	12/13/22	02564	PENGUIN MANAGEMENT INC.	VOICE NOTIFICATION SYST-FIRE D	Open	870.00	0.00
22-01926	12/13/22	02567	EAST COAST EMERGENCY LIGHTING	INSTALL VEH. SAFETY GATEWAYS	Open	600.00	0.00
22-01927	12/13/22	03497	TREETOP PRODUCTS, INC.	12 METAL BENCHES W/ARCHED BACK	Open	8,842.55	0.00
22-01928	12/13/22	03464	Y-PERS INC.	SAFETY VESTS LIME - DPW	Open	126.75	0.00
22-01929	12/13/22	80284	KIM, SAMUEL	REIMB. EYE EXAM - 2022	Open	100.00	0.00
22-01930	12/13/22	01779	OUTSTANDING SERVICE	CHECK TANKS/BIOCIDES TREATMENT	Open	182.90	0.00
22-01931	12/13/22	01919	ULINE	TOWELS/BATH TISSUE/TRASH BAGS	Open	711.60	0.00
22-01932	12/13/22	03472	AMAZON CAPITAL SERVICES	PANASONIC TOUGHBOOK-WATER DPT	Open	679.99	0.00
22-01933	12/13/22	03499	HACKENSACK MERIDIAN WORKS	CROSSING GUARD MEDICAL EXAM	Open	300.00	0.00
22-01934	12/13/22	00233	ROHSLERS ALLENDALE NURSERY	VERMONT CEDAR MULCH	Open	11.66	0.00
22-01936	12/13/22	02777	BOSS SECURITY SYSTEMS, INC.	BURGLAR ALARM SYS-23 HOLLYWOOD	Open	480.00	0.00
22-01939	12/13/22	03267	ELIZABETH STEWART, LLC	TREE SITE EVAL. REPORT-58 JACQ	Open	225.00	0.00
22-01940	12/13/22	02863	LAW OFFICES OF GARY CUCCHIARA	APPLICATION REVIEW- 58 JACQUEL	Open	2,460.00	0.00
22-01941	12/13/22	00886	SCHWANEWEDE/HALS ENGINEERING	ENG ZBA MEETING 58 JACQUELIN	Open	232.50	0.00
22-01944	12/15/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MNTH 12/15	Open	174,088.70	0.00
22-01945	12/15/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 12/15	Open	8,788.81	0.00
22-01946	12/15/22	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MNTH 12/15	Open	4,634.70	0.00
22-01947	12/15/22	00493	ENVIRONMENTAL RENEWAL LLC	2022 LEAF DISPOSAL	Open	20,000.00	0.00
22-01948	12/15/22	00022	STONE INDUSTRIES, INC.	FABC TOP ASPHALT - ROADS	Open	74.39	0.00
22-01950	12/15/22	03334	HARWOOD LLOYD, LLC	SUMMATIONS/ARGUMENTS-HEARING	Open	2,467.50	0.00
22-01952	12/15/22	80284	KIM, SAMUEL	REIMB. EYE GLASSES - 2022	Open	200.00	0.00
22-01953	12/15/22	03298	PASCACK DATA SERVICES, INC	SSL CERTIFICATE RENEWAL-SYSTEM	Open	189.98	0.00
22-01954	12/15/22	03472	AMAZON CAPITAL SERVICES	PANASONIC TOUGHBOOK-WATER DPT	Open	661.44	0.00
22-01955	12/15/22	02484	RACHLES/MICHELE'S OIL CO.	1588 GALS GAS DELIVERED 11/11	Open	4,709.14	0.00
22-01956	12/15/22	02484	RACHLES/MICHELE'S OIL CO.	2523 GALS DIESEL DEL 11/30	Open	8,846.35	0.00
22-01957	12/15/22	02484	RACHLES/MICHELE'S OIL CO.	1219 GALS GAS DELIVERED 11/22	Open	3,419.92	0.00
22-01958	12/16/22	80142	CHASE, DANIEL	REIMB PLANTINGS/CONTAINERS-DTB	Open	671.96	0.00
22-01960	12/16/22	03342	SPECTROTEL	INTERNET ACCESS OVER FIBER-DEC	Open	386.35	0.00
22-01961	12/16/22	03250	CLIFFHANGER PRODUCTIONS, INC.	TABLES/CHAIRS FOR HHK DAY	Open	679.50	0.00
22-01962	12/16/22	03202	BROWN, ED	REIMB. NJLM CONF EXPENSES	Open	196.50	0.00
22-01964	12/16/22	01051	V.E. RALPH & SON	2 LITHIUM BATTERIES -AMBULANCE	Open	280.00	0.00
22-01966	12/19/22	00821	AT&T	NOV 2022 FAX/LONG DISTANCE	Open	95.80	0.00
22-01967	12/19/22	00555	P S E & G *	ELECT. SVC-EASTGATE THRU 12/8	Open	67.94	0.00
22-01968	12/19/22	02843	AMANO MCGANN, INC.	CDMA/WEBHST/TRAIN PARKING	Open	300.00	0.00

**Resolution #22-130**

**A Resolution – Setting up the Reorganizational Meeting date for January 3, 2023**

WHEREAS, the “Open Public Meeting Act,” Chapter 231, P.L. 1975, requires adequate notice of meeting of public bodies as defined therein.

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

1. The Reorganization Meeting of the Mayor and Council for the year 2022 will be held on 7:00 p.m. on Tuesday, January 3, 2023 at 7:00pm in the Ho-Ho-Kus Council Chambers, 333 Warren Avenue, Ho-Ho-Kus, NJ.

**Resolution #22-131**

**A Resolution – Alcohol & Drug Testing Services**

WHEREAS, This AGREEMENT is made between Valley Medical Group (VMG) (“PROVIDER”), a professional Company having its principal place of business at 15 Essex Road, Suite 506, Paramus, New Jersey 07652, and Ho-Ho-Kus, Borough of (“MUNICIPALITY”), a MUNICIPALITY having its address at 333 Warren Ave., Ho-Ho-Kus, NJ 07423 on this date of January 1, 2023, which shall hereinafter be referred to as the execution date of this Agreement; and

WHEREAS, PROVIDER provided alcohol and drug testing services to companies to support workplace alcohol and drug testing programs and policies; the MUNICIPALITY has a policy for alcohol and drug abuse testing of applicants and/or employees and requires alcohol and drug testing services from PROVIDER.

THEREFORE, BE IT RESOLVED, by the Mayor and Council of the borough of Ho-Ho-Kus that it is hereby authorized to enter into this agreement the terms and conditions of which shall apply from the execution date of this Agreement.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution following legal review.

**Resolution #22-132**

**A Resolution – Appointment of Municipal Prosecutor**

WHEREAS, P.L. 1999, CHAPTER 349, requires each municipal court in this State to have at least one municipal prosecutor, who shall be an attorney-at-law of this State in good standing, be appointed by the governing body of the municipality, for a term of one year from the date of his or her appointment, in accordance with applicable laws, ordinances and resolutions; and,

WHEREAS, the Borough of Ho-Ho-Kus has a need for professional legal services to be provided to the Borough of Ho-Ho-Kus for the calendar year 2023 pursuant to the provisions of N.J.S.A. 19:44A-20.5; and WHEREAS, Christopher Botta, Esq. is an attorney-at-law licensed by the State of New Jersey and who is experienced with municipal law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

1. Christopher Botta, Esq. is hereby appointed Municipal Prosecutor of the Borough of Ho-Ho-Kus for the one (1) year term to expire December 31, 2023.
2. This appointment is made without competitive bidding as a "Professional Service" in accordance with the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a) because it is for services performed by persons authorized by law to practice a recognized profession.
3. A copy of this Resolution shall be placed on file with the Clerk of the Borough of Ho-Ho-Kus.

BE IT FURTHER RESOLVED that the Borough Clerk is hereby directed to publish notice of this award as required by law.

**Resolution #22-133**

**A Resolution – Authorizing the Purchase of a DPW Vehicle**

WHEREAS, the Borough of Ho-Ho-Kus requires vehicles for use by its DPW Department; and WHEREAS, the Borough has identified the availability of 2022 Ford F350 Pick-up with plow for a total price of \$57,345.00; and

WHEREAS, the purchase was the lowest of three quotes including state contract Price; and

WHEREAS, the Chief Financial Officer has certified availability of funds through the Municipal Budget, , so as to allow for an award of a purchase order in the amount of \$57,345.00;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Ho-Ho-Kus does approve the issuance of one (1) purchase order in the sum of \$57,345.00 to:



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County of Bergen  
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All American Ford  
375 Route 17 South  
Paramus, NJ 07652

**CERTIFICATION OF AVAILABILITY OF FUNDS**

As required by NJSA 40A:4-57, NJAC 5:30-14.5 and any other applicable requirement of law, I Joseph Citro, Chief Financial Officer of the Borough of Ho-Ho-Kus, have determined that there are available, sufficient funds, not committed to any other purpose, through the Municipal Budget, 126-215, so as to allow for an award of a purchase order and payment in total certified amount of \$57,345.00.

Joseph Citro, Chief Financial Officer

**Resolution #22-134**

**A Resolution – Transfer of funds**

	<b>FROM:</b>	<b>TO:</b>
Road (S&W)	\$57,000.00	
Ambulance (O.E.)		\$ 2,000.00
Road (O.E.)		\$ 55,000.00
Total	<u>\$57,000.00</u>	<u>\$ 57,000.00</u>

**Resolution #22-135**

**A Resolution – Approving the Memorandum of Understanding between the Borough of HHK & HHK DPW Employees Association**

WHEREAS, the Collective Bargaining Agreement (“CBA”) between the Borough of Ho-Ho-Kus (“Ho-Ho-Kus”) and the Ho-Ho-Kus Public Works Employees Association (“DPW”) expired on December 31, 2021; and WHEREAS, Ho-Ho-Kus and the DPW engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA, which negotiations resulted in the execution of a Memorandum of Understanding (“MOU”); and

WHEREAS, Ho-Ho-Kus and the DPW wish to memorialize their approval of the terms and conditions of the agreed upon MOU.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Memorandum of Understanding as between the Borough of Ho-Ho-Kus and the Ho-Ho-Kus Public Works Employees Association for the term January 1, 2021 through December 31, 2026, be and hereby is APPROVED; and

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator, the Chief Financial Officer, the Borough Attorney, and the Borough Labor Attorney are authorized to take all appropriate actions so as to implement this Resolution

**Resolution #22-136**

**A Resolution – Approving the Memorandum of Understanding between the Borough of HHK and the PBA Local 353**

WHEREAS, the Collective Bargaining Agreement (“CBA”) between the Borough of Ho-Ho-Kus (“Ho-Ho-Kus”) and PBA Local 353 (“PBA”) expired on December 31, 2021; and

WHEREAS, Ho-Ho-Kus and the PBA engaged in ongoing negotiations to discuss and agree upon the terms and conditions of a successor CBA, which negotiations resulted in the execution of a Memorandum of Understanding (“MOU”); and

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WHEREAS, Ho-Ho-Kus and the PBA wish to memorialize their approval of the terms and conditions of the agreed upon MOU;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Memorandum of Understanding as between the Borough of Ho-Ho-Kus and the PBA Local 353 for the term January 1, 2022 through December 31, 2026, be and hereby is APPROVED; and

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator, the Chief Financial Officer, the Borough Attorney, and the Borough Labor Attorney are authorized to take all appropriate actions so as to implement this Resolution.

A motion was offered by Council President Troast and seconded by Councilman Policastro to approve Resolutions 22-129 through 22-136. Motion carried on a roll call vote – All present voting “Aye”.

### **LIAISON REPORTS**

Recreation - Councilman Iannelli reported all winter sports are underway. The Northern Highlands football team won the league Championship game and headed to the State Championship Game which was held at Rutgers Stadium, although they lost most of the boys were brought up in our recreation program. Congrats to them.

Library - Councilman Policastro reported Circulation in the month of November totaled 2,991 which reflects 5% decrease in circulation from October and a 0.5% decrease over 2021. Public Information session was held on November 28, 2022 regarding the library’s potential relocation to 10 Orville Court, the former Bank of American building. The Library Director Morgan talked about the history in town, the barriers presented by our current locations, and the opportunities the new location would provide. Approximately 25 members of the public was in attendance and the comments were positive. No formal action was taken at this meeting.

Board of Education – Councilman Policastro reported the first ever “Special Persons Day” from K-2 grade was very successful. Dr. Mardy said seeing the students interact with their special people was beautiful & touching and truly highlights which makes the HHK so unique. She announced “Special Persons Day” will become a new tradition. The BOE issued a press release yesterday announcing a receipt of 10 Million Dollars from Dave & Cheryl Duffield for the construction of Duffield Hall at the HHK Public School. The project will involve the demolition of the current gymnasium area and construct a new state of the art gymnasium & wellness center that will include flexible classroom space. The project was designed by Lan Associates & will be build by Donnelly Construction. It scheduled plan is to be complete in the Spring of 2024. David Duffield a tech software billionaire who is a 1954 Graduate of the HHK Public School and his Mother Mary Duffield was a 4<sup>th</sup> grade teacher at the HHK School for decades.

Ambulance Corp. – Councilman Crossley reported they have (5) new candidates attending a class who are interested in becoming a volunteer driver and EMT’s for both the evening and during the day shifts. The team was there at the tree lighting.

Beautification Committee - Councilman Crossley stated the beautification speaks for itself as you look around town. The committee did an outstanding job. He thanked them as well as the DPW staff because with out them nothing could have been done. He looks forward to 2023 to start phase 2. Mayor added at the time since we did the beautification downtown & the holiday decorations, he has gotten more compliments from people from out of town.

Fire Department - Councilman Shell thanked the Volunteers for their service to the community . Fire Department participated in the tree lighting event as well and delivered Santa to the event. The past Sunday was a very special event “Santa Sunday: where they went to every street delivering Santa Clause to every kid in town and he thanked them for all their efforts.

Chamber of Commerce – Councilman Shell reported they have quite a bit of activity with new business in town that are becoming members.

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Police – Chief LaCroix reported it has been a quiet month. He wished everyone a Happy Holiday Season.  
DPW – Superintendent Jeff Pattman reported leave pick-up is complete.

**MAYOR REMARKS**

Mayor wished everyone a Happy & Healthy Holiday Season.

**ADJOURNMENT**

On a motion by Councilman Crossley, seconded by Councilman Iannelli, the meeting was adjourned at 7:45 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve, RMC/CMR  
Borough Clerk