

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Reorganization Meeting
January 2, 2024

The Reorganization 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 January 2, 2024. The meeting was called to order at 7:05 p.m. by Mayor Randall who asked the Clerk to read the open a public meeting statement:

The Reorganization 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”, adequate 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.

FLAG SALUTE:

Mayor Randall led those present in the salute to the American Flag.

INVOCATION:

Father Frank Delprete of St Gabriel’s Church offered the Invocation

SWEARING IN CEREMONY:

Attorney, Tim Wiss administered the Oath to re-elected Mayor Thomas Randall

Mayor Randall administered the Oath to re-elected Councilman Shell and Councilman Iannelli

ROLL CALL:

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

Also, in attendance: Tim Wiss Borough Attorney; William Jones, Borough Administrator; Greg McBain, Police Captain, Joan Herve, Borough Clerk.

ELECTION OF COUNCIL PRESIDENT

Mayor Randall opens nomination of Council President.

Councilmember Moran offered the name of Councilmember Troast to be Council President for the year 2024.

Councilmember Iannelli seconds the nomination and moves that the nominations be closed.

Mayor Randall calls for a roll call vote on the close of nominations, all present voting “Ayes”.

Mayor Randall instructs the Clerk to record that one vote be cast electing Councilmember Troast as Council President for the year 2024.

SPECIAL PRESENTATION

Mayor Randall presented Carol Tyler for all her years of service on the Volunteer Ambulance Corp.

OATH OF OFFICE

Mayor Randal administered the Oath of Offices to newly appointed Judge Christoper Botta, Esq., and newly appointed Prosecutor Christopher Martin, Esq.

Mayor: Honorable members of the Council, with your advice and consent, I hereby make the following approval for the newly appointed Officers for the Ambulance Corp:

Gordon Hamm – Captain

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Carol Tyler – President
Gary Tyler – Vice President
Treasurer – Jonathan Ruhl
Secretary – Julie Tyler

Moved: Councilmember Crossley
Seconded: Councilmember Iannelli
On a roll call vote, all present voted – “aye”

Mayor administered the Oath of office to who were present: Carol Tyler, Gary Tyler and Julie Tyler

Mayor: Honorable members of the Council, with your advice and consent, I hereby make the following approval for the newly appointed Officers of the Fire Department

Donald Seltmann – Chief
Chris Raimondi – Assistant Chief
Richard Raschdorf – Captain
Matt Lynch – First Lieutenant
Jared Ramundo – Second Lieutenant
John Lees – President
Michael Medico – Vice President
Kim Raimondi – Secretary
Glenn Mitchell - Treasurer

Moved: Councilmember Shell
Seconded: Councilmember Iannelli
On a roll call vote, all present voted – “aye”
**Mayor administered the Oath of office at the Fire Department Meeting.

2024 APPOINT BOARD LIAISONS

Mayor: Honorable members of the Council, with your advice and consent, I hereby make the following appointments for the below designated terms of office:

Library – PolICASTRO	Zoning Board – Shell
Board of Education – PolICASTRO	Recreation – Iannelli
Ambulance Corps – Crossley	Insurance- Crossley
Board of Health – Moran	Construction- Troast
Chamber of Commerce – Shell	

024 COUNCIL COMMITTEES

Public Safety Committee

Police Commissioner - Troast	Deputy Commissioner - Iannelli
Fire Commissioner- Shell	Deputy Commissioner - Crossley
Ambulance. Commissioner – Crossley	Deputy Commissioner - Iannelli

Public Works & Properties Committee

Road Chairperson - **Moran**
Water Chairperson - **Moran**

Finance Unit Committee

Finance Chairperson - Shell	Deputy Chairperson - Troast
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Community Relations Unit & Volunteer Recognition Committee

Chairperson – Moran	Deputy Chairperson - Shell
Chairperson - Moran	Deputy Chairperson – Shell

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Celebration of Public Events Committee

Chairperson - **Iannelli**

Deputy Chairperson - **Moran**

Deputy Chairperson - **Shell**

Shade Tree/Beautification Committee

Chairperson - **Crossley**

Deputy Chairperson - **Iannelli**

Deputy Chairperson - **PolICASTRO**

10 Orvil Court Improvement Committee

Chairperson - **PolICASTRO**

Deputy Chairperson - **Troast**

Deputy Chairperson - **Crossley**

Moved: Councilmember Crossley

Seconded: Councilmember PolICASTRO

On a roll call vote, all present voted – “aye”

BOARD APPOINTMENTS (VARIOUS TERMS) BY MAYOR RANDALL

Mayor: Honorable members of the Council, with your advice and consent, I hereby make the following appointments for the below designated terms of office:

PLANNING BOARD

<u>NAME</u>	<u>TERM</u>	<u>EXPIRES</u>
William Jones Class II	1/1/2024	12/31/2024
Dane PolICASTRO Class III	1/1/2024	12/31/2024
John Hanlon – Member	1/1/2024	12/31/2027
Cassie Cavallo – Alt 1	1/1/2024	12/31/2025
Ronald Forcellati - Alt 2	1/1/2024	12/31/2025

ZONING BOARD

<u>NAME</u>	<u>TERM</u>	<u>EXPIRES</u>
Stephen Madden	1/1/2024	12/31/2027
Kathleen Rashdorf	1/1/2024	12/31/2027
Maura Deegan	1/1/2024	12/31/2027
Sergio Martinez	1/1/2024	12/31/2027
Vacant – Alt. 1		
Vacant – Alt. 2		

LIBRARY BOARD OF TRUSTEES

<u>NAME</u>	<u>TERM</u>	<u>EXPIRES</u>
Jeff Clutterbuck	1/1/2024	12/31/2028
Duane Perricelli	1/1/2024	12/31/2028

SHADE TREE/BEAUTIFICATION COMMITTEE

General Members

Jeff Pattman	1/1/2024	12/31/2024
Steve Scanapico	1/1/2024	12/31/2024
Megan Fox	1/1/2024	12/31/2024
Missy McCloskey	1/1/2024	12/31/2024
Lourdes Carus	1/1/2024	12/31/2024
Kathleen Raschdorf	1/1/2024	12/31/2024
Ron Forcellati	1/1/2024	12/31/2024
Max Stokes	1/1/2024	12/31/2024
Cassie Cavallo	1/1/2024	12/31/2024
Daniel Chase	1/1/2024	12/31/2024
Lisa Perricelli	1/1/2024	12/31/2024

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10 ORVIL COURT IMPROVEMENTS COMMITTEE

John Mongelli	1/1/2024	12/31/2024
Jeff Clutterbuck	1/1/2024	12/31/2024
Leann Surz	1/1/2024	12/31/2024
Morgan Taylor	1/1/2024	12/31/2024
Max Stokes	1/1/2024	12/31/2024

RECREATION COMMISSION

Recreation Commission Council	1/1/2024	12/31/2024
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Moved: Councilmember Policastro

Seconded: Councilmember Moran

On a roll call vote, all present voted – “aye”

Mayor administered the Oath of office to new Library Board Member, Duane Perricelli

CONSENT AGENDA RESOLUTIONS (24-01 thru 24-32)

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

Resolution #24-01

A Resolution – Professional Services for 2024

WHEREAS, the Borough of Ho-Ho-Kus requires the professional services of engineers, attorneys, a registered municipal accountant, animal control officer, grant writers and laboratory services for the calendar year 2024; and WHEREAS, it is anticipated that the expenditures for each of such professional services will/may exceed the sum of \$ 21,000 in said calendar year; and

WHEREAS, the Chief Financial Officer in accordance with the Local Contracts Law has duly executed Certificates of Availability, indicating that adequate funds have been, and additional funds will be appropriated in the 2024 Budgets for fees reasonably required by each of such professionals under the following line items in said Budget:

FOR ENGINEERING SERVICES:	1. Engineering Service & Costs - Other Expenses
	2. Water Utility - Other Expenses
	3. Capital Ordinances
FOR LEGAL SERVICES:	1. Legal Services & Costs - Other Expenses
	2. Prosecutor – Salary & Wages
	3. Public Defender – Other Expenses
	4. Capital Ordinances
FOR ACCOUNTING SERVICES:	1. Financial Administration - Other Expenses
	2. Capital Ordinances
	3. Water Utility - Other Expenses
	4. Solid Waste Utility - Other Expenses
FOR LABORATORY SERVICES:	1. Water Utility - Other Expenses
FOR ANIMAL CONTROL SERVICES:	1. Board of Health - Other Expenses
	2. Animal License Trust Funds

WHEREAS, a certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as needed basis pursuant to the provisions of N.J.A.C. 5:30-5.4 et seq. and

WHEREAS, the below named professionals, as applicable have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the below named persons and/or entities have not made any reportable contributions to any political or candidate committee including (committee to elect Thomas Randall,

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Steven Shell and Edmund Iannelli) Ho-Ho-Kus Republican organization; Ho-Ho-Kus Democratic organization;) in the previous one (1) year, and that the contract will prohibit the below named professionals/business entities from making reportable contributions through the term of the contract;

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

That the appointment of:

1.

Garbarini & Co.	Borough Auditor
Wiss & Bouregy, P.C.	Borough Attorney/Tax Appeal Attorney/Labor Attorney
Rogut McCarthy, PC	Bond Counsel
Schwanewede/Hals	Borough Engineer
Burgis Associates	Borough Planner
Christopher Martin, Esq.	Borough Prosecutor
Gary J. Cucchiara, LLC	Borough Planning Board & Borough Zoning Board Attorney
Robert Metzdorf Esq	Public Defender
Louis D'Angelis Esq	Alternate Public Defender
Nicolette M. Tuntigian, Esq.	Alternate Municipal Prosecutor
H2M Architects and Engineering	Environmental Engineer
Elizabeth Stewart	Arborist Services
Carol Tyler-Tyco Inc.	Animal Control Officer & Cruelty Investigator
Pascack Data Services	IT Services
Boswell Engineer	Water & Sewer Engineer
SCS Engineers	Environmental Consultant Services
Clarke, Caton Hintz	COAH Planner

be and the same are hereby ratified, confirmed and approved.

2. That the Mayor and Borough Clerk are authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.

3. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which exempts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law.

4. A copy of this resolution be published in the Ridgewood News within ten days after its passage as required by law.

BE IT FURTHER RESOLVED that the contracts for bond counsel; Borough prosecutor; public defenders; environmental engineers; animal control officer and cruelty investigator; water laboratory services, grants and labor attorney and borough planner are being awarded as a non -fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5 whereas the contracts of Borough auditor, Borough attorney and Borough engineer, Borough Planner are being awarded pursuant to a fair and open process pursuant to law;

BE IT FURTHER RESOLVED that the business disclosure entity certification, as applicable, and the determination of value be placed on file with this resolution.

Resolution #24-02

A Resolution – Retain Insurance Advisors for 2024

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WHEREAS, the Borough of Ho-Ho-Kus has for several years sought the advice and counsel of Eastern Insurors, Inc., the Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund (hereinafter called the "Agents") with respect to the various insurance coverages necessary or appropriate to protect the Borough of Ho-Ho-Kus and its properties from the several risks of being a municipality in the State of New Jersey, including fire and extended coverage, liability coverage, Worker's Compensation coverage, and any and all other forms of insurance which are necessary to keep it thoroughly protected; and

WHEREAS, the Agents have served the Borough of Ho-Ho-Kus in a professional manner and obtained appropriate coverages with the several insurance companies authorized to do business in the State of New Jersey; and

WHEREAS, it is anticipated the expenditures for the various insurance coverages will exceed the sum of \$25,000 for the calendar year 2024; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A 11-1 et seq.) requires that, where services are to be performed and are of such a qualitative nature as will not reasonably permit the drawing of specification of the receipt of competitive bids, a resolution of the governing body of the municipality shall be adopted stating the supporting reasons for not submitting said service for competitive bidding; and

WHEREAS, the insurance coverage which is required for the Borough is of such a complex nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids; and

WHEREAS, insurance premiums are subject to control of the Commissioner of Insurance of the State of New Jersey so as to adequately protect the Borough; and

WHEREAS, it is contemplated that the 2024 budget for the Borough of Ho-Ho-Kus will contain the necessary appropriations being reasonably required for the purchase of the aforesaid insurance policies

WHEREAS, a certification of availability of funds has been received from the Chief Financial Officer or that such funds will be encumbered by Purchase Order on an as needed basis pursuant to the provisions of N.J.A.C. 5:30-5.4 et seq, and

WHEREAS, the below named professionals have completed, submitted and filed a Business Entity Certification Disclosure which certifies that the below named persons and/ or entities have not made any reportable contributions to any political or candidate committee including (committee to elect Randall, Shell and Iannelli), Ho-Ho-Kus Republican organization; Ho-Ho-Kus Democratic organization; Bergen County Republican Organization and Bergen County Democratic organization) in the previous one (1) year, and that the contract will prohibit the below named professionals/business entities from making reportable contributions through the term of the contract;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, the Eastern Insurors Inc. (General & Risk Consultant), Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund are hereby retained as the insurance advisors for the Borough of Ho-Ho-Kus for the calendar year 2024, and they are further authorized and directed to provide all insurance coverages which are necessary or appropriate to protect the Borough of Ho-Ho-Kus and its properties from the several risks of being a municipality of the State of New Jersey; and

BE IT FURTHER RESOLVED, that the purchase of the aforesaid insurance coverage for the Borough of Ho-Ho-Kus is being made without competitive bidding under the provisions of N.J.S.A. 40A: 11-1 et seq. in that the purchase of insurance policies is of such a complex nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Ridgewood News within ten (10) days of its passage as required by law.

BE IT FURTHER RESOLVED that this contract is being awarded as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

Resolution #24-03

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A Resolution - By-Laws

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the By-Laws as revised July - 1962 and interpreted for the year 2006 be and they are hereby adopted for the year 2024.

Resolution #24-04

A Resolution – Investment of Fund

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Chief Financial Officer is hereby authorized and directed to invest funds, not reasonably required for the payment of any current obligations of the Borough, in legally authorized investments.

Resolution #24-05

A Resolution – Meeting Nights

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the fourth Tuesday of each month at 7:00 P.M. be and is hereby designated as the official Regular Public meeting night of the Mayor and Council for the year 2024

BE IT FURTHER RESOLVED that the third Tuesday of each month at 7:00 P.M. be and the same is hereby designated as the official Work Session meeting night of the Mayor and Council for the year 2024;; official action may be taken.

BE IT FURTHER RESOLVED that the April through December meetings are hereby designated as the official combined Work/Public meeting nights of the Mayor and Council for the year 2024; with the exception of December which is the 3rd Tuesday of the month; official action may be taken.

BE IT FURTHER RESOLVED that formal action may be taken by the Governing Body at either the Regular Public Meeting, at the Work Session, and at the Combined Work/Public meetings as set forth herein.

All meetings shall be held in the Council Chambers of the Borough Hall, Ho-Ho-Kus, New Jersey, 333 Warren Avenue, Ho-Ho-Kus, NJ.

	<u>Work</u>	<u>Public</u>
January	--	23 (combined)
February	20	27
March	19	26
April	--	23 (combined)
May	--	28 (combined)
June	--	25 (combined)
July	--	23 (combined)
August	--	27 (combined)
September	--	24 (combined)
October	--	22 (combined)
November	--	26 (combined)
*December	17 (combined)	--

Resolution #24-06

A Resolution – Official Depositories of Funds

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following banking institutions be and they are hereby designated as the official depositories for the funds of the Borough of Ho-Ho-Kus for the year 2024.

1) Valley Bank

Resolution #24-07

A Resolution – Official Newspapers

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Ridgewood News of Ridgewood, New Jersey and the Record of Hackensack, New Jersey be and are hereby designated as the official newspapers of Ho-Ho-Kus for the year 2023, for the publication of all legal notices required by any

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law of the State of New Jersey or any Ordinance or Resolution of the Borough of Ho-Ho-Kus.

Resolution #24-08

A Resolution – Delinquent Tax Charge

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that under N.J.S.A. 54:4-67, the rate of interest to be charged by the Collector of Taxes on all delinquent taxes shall be 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and
BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which said payment became payable; and
BE IT FURTHER RESOLVED, a penalty of 6% will be charged on any delinquency in excess of \$ 10,000.00 if not paid by the end of the fiscal year unless stated otherwise on the front of this bill. 2024 Real Estate Taxes will be advertised for sale after November 11, 2024; and
BE IT FURTHER RESOLVED, that there will be a \$25.00 service charge on Returned Checks.

Resolution #24-09

A Resolution – Authorized Signatures on Checks

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that effective January 1, 2024, the authorized signatures of checks of the Borough of Ho-Ho-Kus, with the exception of Coupon, Developers Escrow, Municipal Court, Municipal Court Bail, Payroll, and Recreation Commission Accounts shall be: The Mayor or President of the Council and two of the following: Chief Financial Officer, Assistant Treasurer, Borough Administrator, Borough Clerk, and
BE IT FURTHER RESOLVED that the authorized signatures on Payroll Checks shall be: Borough Clerk, Deputy Borough Clerk or Treasurer, and that the authorized signature on the Developer's Escrow, Recreation Commission Checks shall be the Chief Financial Officer or the Assistant Treasurer, and
BE IT FURTHER RESOLVED that the authorized signatures of the Mayor, Chief Financial Officer, Borough Administrator and Borough Clerk on all checking accounts except the single signature accounts may be impressed by mechanical means, but no more than two (2) facsimile signatures be on any one (1) check.
BE IT FURTHER RESOLVED that the signatures on the Municipal Court and Municipal Court Bail Accounts shall be two of the following: Judge, Court Administrator or Deputy Court Administrator.
BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to make transfers and wires as a single signature; to be summarized on the monthly report.

Resolution #24-10

A Resolution – Establishment of Petty Cash Fund

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that a petty cash fund, in the amount of \$250.00 be and is hereby established for the Borough of Ho-Ho-Kus for the year 2024.

Resolution #24-11

A Resolution – Purchase Agreement Authorization

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Borough of Ho-Ho-Kus is hereby authorized to enter into joint agreements with the County of Bergen and the State of New Jersey for the purchase of any and all goods and supplies deemed feasible and necessary by said during the year 2024.

Resolution #24-12

A Resolution – Transfer of Interest

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Treasurer is hereby authorized and directed to transfer the interest earned on the subsidiary checking accounts of the Borough of Ho-Ho-Kus to the Current Account at least quarterly, and

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BE IT FURTHER RESOLVED that the Treasurer also transfer the interest earned on the Capital Account of the Water Department to the Water Trust Account at least quarterly.

Resolution #24-13

A Resolution – Private Cars

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that those employees who use their own cars for Borough business - properly authorized and substantiated shall be reimbursed at the rate of the current year prevailing IRS rate.

Resolution #24-14

A Resolution – Payroll

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus for the calendar year 2024, have established every 15th and the last day of the month as pay day; and

BE IT RESOLVED that partial payrolls are authorized at the beginning of the year to establish the system and at the end of the year to comply with State statutes; and

BE IT FURTHER RESOLVED that the Treasurer is authorized to release all payroll checks at 4:30 P.M. on the day before.

Resolution #24-15

A Resolution – Waive Water Penalties

WHEREAS, from time to time, for reasons assignable to neither, neither the property neither owner nor the Borough, situations arise when it is apparent that penalties in minor amounts for non-payment of water charges should be waived,

WHEREAS, the Borough Council deems it in the best interest of the Borough to authorize such waivers as may be justified and appropriate in the discretion of the Borough Administrator as to individual property owners of properties not to exceed the sum of Forty Dollars (\$40.00).

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that authorization be and is hereby granted to the Borough Administrator to waive minor penalties in respect to the water charges when, in the exercise of sound discretion, the circumstances so warrant. Such waivers are not to exceed the amount of Forty Dollars (\$40.00) in respect to any individual property owner of property.

Resolution #24-16

A Resolution – Tax Appeals

WHEREAS, the Bergen County Tax Board requires a resolution by the Municipal Governing Body authorizing the Assessor/Tax Collector to file appeals and settlements of stipulations with the Bergen County Tax Board for the purpose of correcting assessments for the year 2024;

NOW, THEREFORE BE IT RESOLVED that the Assessor/Tax Collector be authorized to file such appeals when necessary; and

WHEREAS, the Borough of Ho-Ho-Kus is expected to become involved in tax appeal litigation both at the Bergen County Board of Taxation and the New Jersey Tax Court during the year 2024;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the Tax Assessor and Municipal Attorney be and they are hereby authorized to review all appeals and to file counterclaims to protect the Borough's interest in those cases, which they deem necessary and appropriate.

Resolution #24-17

A Resolution – Tort Claim Notice Format

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity, and

WHEREAS, the Borough of Ho-Ho-Kus is a public entity covered by the provisions of the New Jersey Tort

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Claims Act, and

WHEREAS, the Borough of Ho-Ho-Kus deems it advisable, necessary and in the public interest to adopt a Notice of Tort Claim in the form attached hereto and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, assembled in public session this 3rd day of January, 2023 that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Ho-Ho-Kus, and

BE IT FURTHER RESOLVED, that all persons making claims against the Borough of Ho-Ho-Kus, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:9-1, et seq., be required to complete the form herein adopted as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act

Resolution #24-18

A Resolution – Interlocal Well Baby Clinic

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

Resolution #24-19

A Resolution – Interlocal Traffic & Fire Signals

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that the Borough is hereby authorized to enter into an Interlocal Services Agreement with the Village of Ridgewood to provide maintenance for Traffic and Fire Signals in accord with the terms and conditions of an Interlocal Services Agreement to be entered into and subject to the adoption by the governing body of the Village of Ridgewood of a resolution authorizing the agreement.

Resolution #24-20

A Resolution – Interlocal 911

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that the Borough is hereby authorized to enter into an Interlocal Services Agreement with the Borough of Paramus to provide 911 service in accord with the terms and conditions of an Interlocal Services Agreement to be entered into and subject to the adoption by the governing body of the Borough of Paramus of a resolution authorizing the agreement.

Resolution #24-21

A Resolution – Fire Dept. Mutual Aid

WHEREAS, the Borough of Ho-Ho-Kus is part of Northwest Bergen County; and

WHEREAS, the Ho-Ho-Kus Volunteer Fire Department is a member of the Northwest Bergen Mutual Aid Association;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council hereby authorizes the Ho-Ho-Kus Volunteer Fire Department to respond to calls as part of the Northwest Bergen Mutual Aid Association.

Resolution #23-22

A Resolution – Fire Dept. Mutual Aid with Paramus

WHEREAS, the borough of Ho-Ho-Kus and the Borough of Paramus seek to enter into an inter-local agreement with the Fire Departments for Mutual Aid; and

WHEREAS, the departments may on occasion need to call upon each other to provide service to each other in times of need; and,

WHEREAS, the departments agree to provide each other with mutual aid when called upon to do so; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the borough of Ho-Ho-Kus that it is

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hereby authorized to execute an agreement between the Borough of Paramus and the Borough of Ho-Ho-Kus Volunteer Fire Department.

Resolution #24-23

A Resolution – Insurance Fund Representative

WHEREAS, the by-laws of the Bergen County Municipal Joint Insurance Fund require each municipality to appoint a Commissioner Representative

NOW, THEREFORE, BE IT RESOLVED that Council Member Kevin Crossley be the elected official to represent the Borough of Ho-Ho-Kus for the term expiring December 31, 2024.

BE IT FURTHER RESOLVED that William Jones, Borough Administrator, be appointed the alternate.

Resolution #24-24

A Resolution – Local Emergency Management Council

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that they appoint the following members to the Local Emergency Management Council:

Thomas Randall	Mayor
James T. Ludwig Jr.	Emergency Management Coordinator
Dane Policastro	Deputy Emergency Management Coordinator
Michael La Croix	Police Chief
William Jones	Administrator
Donald Seltsmann	Fire Chief
Jeffrey Pattman	Supervisor/DPW/Roads
Gordon Hamm	EMS Captain
Carol Tyler	A.C.O.
Chris Joy Sr.	Resource Coordinator
Mark Berninger	Construction Code Official
Namitha Reddy	Health Officer
Richard Bierwerf, Reverend	Shelter Co-Coordinator
John Hanlon	Planning Board Chair / Mitigation
Diane Mardy	Superintendent, Lloyd Road School
Alternates:	
Greg McBain	Police Captain/P.D. Liaison
Chris Raimondi	Fire Department Representative

Resolution #24-25

A Resolution – Interlocal Vehicle Repair

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,

BE IT FURTHER RESOLVED that the Interlocal Agreement shall take effect upon the adoption of the appropriate resolutions by both municipalities.

Resolution #24-26

A Resolution – Rapid Deployment Force

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the

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security of lives and property, for the maintenance and preservation of the public peace and order; and, WHEREAS, Law Enforcement officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, etc., manmade causes such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, terrorists incidents and bombings, State and National emergencies; and,

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies which is adopted in accordance with the Provisions of NJSA 40A:15-156, NJSA 40A-156.1, NJSA 40A:15-156.4 AND NJSSSA App. A:9-40.6; and,

WHEREAS, the Plan will provide a uniform procedure for the coordination of requesting, dispatching and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction in the event of an emergency in order to protect life and property; and,

WHEREAS, it is the desire of the Mayor and Council of the Borough of Ho-Ho-Kus to participate in a Mutual Aid Plan and Rapid Deployment Force,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Police Department of the Borough of Ho-Ho-Kus, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen to put into place the Mutual Aid Plan and Rapid Deployment Force; and,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the County Executive, Board of Chosen Freeholders the County Prosecutor and all surrounding municipalities in the County of Bergen.

Resolution #24-27

A Resolution – 2024 Temporary Budget

BE IT RESOLVED that the Temporary Budget for 2024 is 26.25% of the 2023 Budget of Ho-Ho-Kus.

Resolution #24-28

A Resolution – Court Appointments

WHEREAS, the Municipal Court of the Borough of Ho-Ho-Kus finds it necessary to appoint a person as Acting Municipal Court Administrator, as part-time, as needed; and

WHEREAS, the Municipal Court of the Borough of Ho-Ho-Kus finds it necessary to appoint a person as Violations Clerk, as part-time, as needed; and

WHEREAS, Ann Levitzski with the appropriate certification, has been appointed to these positions; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Ann Levitzski, CMCA, from Pascack Joint Municipal Court, is hereby appointed as Acting Municipal Court Administrator, for a compensation of \$2000 annually at \$20 per diem and \$97.56 per court session per diem as needed.

Resolution #24-29

A Resolution – Employee Policy & Procedures Manual

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Employee Policy & Procedures Manual is hereby adopted for the year 2024.

Resolution #24-30

A Resolution – Borough Employee Salaries and Wages

WHEREAS, Ordinance # 2019-31 establishes salary ranges for employees; and

WHEREAS, said Ordinance requires that individual salaries be set by Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that the following pensionable salaries are hereby authorized for the period of January 1, 2024 through December 31, 2024. Those not here listed are unchanged, unless otherwise noted or set by agreement and / or contract under separate Resolution, and are inclusive of stipends* where applicable.

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<u>Position</u>	<u>2024 Salary/Rate</u>
Chief of Police	\$177,886
Captain of Police	\$172,886
Borough Administrator/ Human Resources Director	\$159,135
Borough Clerk/ Registrar of Vital Statistics & Elections, et al.	\$95,680
Chief Financial Officer/Treasurer/QPA	\$42,923
Tax Collector/Deputy Treasurer/Payroll/IT Officer*	\$108,434
Tax Assessor	\$25,879
Finance Clerk	\$65,244
Municipal Court Administrator	\$81,037
Solid Waste/Water Registrar/Deputy Tax Collector	\$57,344
Planning/Zoning Board Secretary/Construction Office T/A,STBC, OEM	\$84,862
Public Works Superintendent*	\$124,764
Water Licensed Operator of Record/Public Works Forman	\$105,290
Administrative Assistant, Police Records Clerk	\$53,295

Resolution #24-31

A RESOLUTION TO AFFIRM THE BOROUGH OF HO-HO-KUS' CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTEERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

WHEREAS, it is the policy of Borough of Ho-Ho-Kus to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act for calendar year 2023, and

WHEREAS, the governing body of Borough of Ho-Ho-Kus has determined that certain procedures need to be established to accomplish this policy NOW, THEREFORE BE IT ADOPTED, by the Mayor and Council of the Borough of Ho-Ho-Kus that: Section 1: No official, employee, appointee or volunteer of the Borough of Ho-Ho-Kus by whatever title known, or any entity that is in any way a part of the Borough of Ho-Ho-Kus shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough of Ho-Ho-Kus' business or using the facilities or property of the Borough of Ho-Ho-Kus.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough of Ho-Ho-Kus to provide services that otherwise could be performed by the Borough of Ho-H-Kus.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

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Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough of Ho-Ho-Kus as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough of Ho-Ho-Kus. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough of Ho-Ho-Kus' web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough of Ho-Ho-Kus in order for the public to be made aware of this policy and the Borough of Ho-Ho-Kus' commitment to the implementation and enforcement of this policy.

Resolution #24-32

A RESOLUTION AUTHORIZING THE BOROUGH OF HO-HO-KUS POLICE DEPARTMENT
TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT
OFFICE, 1033 PROGRAM TO ENABLE THE HO-HO-KUS POLICE DEPARTMENT TO REQUEST
AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approved, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Ho-Ho-Kus that the Ho-Ho-Kus Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1, 2023 to December 31, 2023; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Ho-Ho-Kus Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the need of the Ho-Ho-Kus Police Department without restriction.

BE IT FURTHER RESOLVED, that the Ho-Ho-Kus Police Department is hereby authorized to acquire the following "DEMIL B through Q," property, if it shall become available in the period of time for which this resolution authorizes.

BE IT FURTHER RESOLVED, that the "DEMIL B through Q," controlled 3-page property list in its entirety is hereby approved and hereto attached to this resolution.

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BE IT FURTHER RESOLVED, that the Ho-Ho-Kus Police Department shall develop and implement a full training plan and policy for the maintenance and use of acquired property.

BE IT FURTHER RESOLVED, that the Ho-Ho-Kus Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request.

BE IT FURTHER RESOLVED, that his resolution shall take effect immediately and shall be valid to authorize request to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time which this resolution authorizes; with program participation and all property request authorization terminating on December 31st of the current calendar year from January 1, 2023 to December 31, 2023.

A motion was offered by Council President Troast seconded by Councilman Policastro to approve Resolutions #24-01 through #24-32. Motion carried on a roll call vote – All present voting “Aye”.

NEW BUSINESS:

INTRODUCTION OF ORDINANCE(S)

Ordinance #2024-91

**ORDINANCE OF THE BOROUGH OF HO-HO-KUS TO PREVENT STORED SALT AND OTHER
SOLID DE-ICING MATERIALS FROM BEING EXPOSED TO STORMWATER**

WHEREAS, the Borough of Ho-Ho-Kus has heretofore adopted Chapter 61 of the Code of the Borough of Ho-Ho-Kus; and

WHEREAS, the Borough of Ho-Ho-Kus wishes to amend Chapter 61 so as to prevent stored salt and other solid de-icing materials from being exposed to stormwater;

NOW, BE IT ORDAINED by the Mayor and council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 61 of the code is hereby amended and replaced as follow (deletions in ~~striketrough~~, additions in bold) Chapter 61 - New Title- “Snow, Ice, Grass, Weeds, Stored Salt, and Other Solid De-Icing Materials”

Chapter 61 - New Section- Article III – (Beginning with 61-12) “Stored Salt and Other Solid De-Icing Materials.”

ARTICLE III – Stored Salt, and Other Solid De-Icing Materials

61-12 SECTION I. Purpose:

The purpose of this ordinance is to prevent stored salt and other solid de-icing materials from being exposed to stormwater.

This ordinance establishes requirements for the storage of salt and other solid de-icing materials on properties not owned or operated by the municipality (privately-owned), including residences, in Borough of Ho-Ho-Kus to protect the environment, public health, safety and welfare, and to prescribe penalties for failure to comply.

61-13 SECTION II. Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When consistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word “shall” is always mandatory and not merely directory.

A. “De-icing materials” means any granular or solid material such as melting salt or any other granular solid that assists in the melting of snow.

B. “Impervious surface” means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

C. “Storm drain inlet” means the point of entry into the storm sewer system.

D. “Permanent structure” means a permanent building or permanent structure that is anchored to a permanent foundation with an impermeable floor, and that is completely roofed and walled (new structures require a door or other means of sealing the access way from wind driven rainfall).

A fabric frame structure is a permanent structure if it meets the following specifications:

1. Concrete blocks, jersey barriers or other similar material shall be placed around the interior of the structure to protect the side walls during loading and unloading of de-icing materials;

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2. The design shall prevent stormwater run-on and run through, and the fabric cannot leak;
3. The structure shall be erected on an impermeable slab;
4. The structure cannot be open sided; and
5. The structure shall have a roll up door or other means of sealing the access way from wind driven rainfall.

E. "Person" means any individual, corporation, company, partnership, firm, association, or political subdivision of this State subject to municipal jurisdiction.

F. "Resident" means a person who resides on a residential property where de-icing material is stored.

61-14 SECTION III. Deicing Material Storage Requirements:

A. Temporary outdoor storage of de-icing materials in accordance with the requirements below is allowed between October 15th and April 15th:

1. Loose materials shall be placed on a flat, impervious surface in a manner that prevents stormwater run-through;
2. Loose materials shall be placed at least 50 feet from surface water bodies, storm drain inlets, ditches and/or other stormwater conveyance channels;
3. Loose materials shall be maintained in a cone-shaped storage pile. If loading or unloading activities alter the cone-shape during daily activities, tracked materials shall be swept back into the storage pile, and the storage pile shall be reshaped into a cone after use;
4. Loose materials shall be covered as follows:
 - a. The cover shall be waterproof, impermeable, and flexible;
 - b. The cover shall extend to the base of the pile(s);
 - c. The cover shall be free from holes or tears;
 - d. The cover shall be secured and weighed down around the perimeter to prevent removal by wind; and
 - e. Weight shall be placed on the cover(s) in such a way that minimizes the potential of exposure as materials shift and runoff flows down to the base of the pile.

(1) Sandbags lashed together with rope or cable and placed uniformly over the flexible cover, or poly-cord nets provide a suitable method. Items that can potentially hold water (e.g., old tires) shall not be used;

5. Containers must be sealed when not in use; and

6. The site shall be free of all de-icing materials between April 16th and October 14th.

B. De-icing materials should be stored in a permanent structure if a suitable storage structure is available. For storage of loose de-icing materials in a permanent structure, such storage may be permanent, and thus not restricted to October 15 - April 15.

C. All such temporary and/or permanent structures must also comply with all other local ordinances, including building and zoning regulations.

D. The property owner, or owner of the de-icing materials if different, shall designate a person(s) responsible for operations at the site where these materials are stored outdoors, and who shall document that weekly inspections are conducted to ensure that the conditions of this ordinance are met. Inspection records shall be kept on site and made available to the municipality upon request.

1. Residents who operate businesses from their homes that utilize de-icing materials are required to perform weekly inspections.

61-15 SECTION IV. Exemptions:

Residents may store de-icing materials outside in a solid-walled, closed container that prevents precipitation from entering and exiting the container, and which prevents the deicing materials from leaking or spilling out. Under these circumstances, weekly inspections are not necessary, but repair or replacement of damaged or inadequate containers shall occur within 2 weeks.

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If containerized (in bags or buckets) de-icing materials are stored within a permanent structure, they are not subject to the storage and inspection requirements in Section III above. Piles of de-icing materials are not exempt, even if stored in a permanent structure.

This ordinance does not apply to facilities where the stormwater discharges from de-icing material storage activities are regulated under another NJPDES permit.

61-16 SECTION V. Enforcement:

This ordinance shall be enforced by the Police Department and/or other Borough Construction official or Zoning Official during the course of ordinary enforcement duties.

61-17 SECTION VI. Violations and Penalties:

Any person(s) who is found to be in violation of the provisions of this ordinance shall have 72 hours to complete corrective action. Repeat violations and/or failure to complete corrective action shall result in fines as follows: \$500 for a first offence and \$1,000 for a second and subsequent offence.

61-18 SECTION VII. Severability:

Each section, subsection, sentence, clause, and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this Ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this Ordinance.

61-19 SECTION VIII. Effective Date:

This Ordinance shall be in full force and effect from and after its adoption and any publication as may be required by law.

A motion was offered by Councilman Policastro and seconded by Councilman Crossley to Introduce Ordinance #2024-91. Motion carried on a roll call vote – All present voting “Aye”

Ordinance #2024-92

AN ORDINANCE TO AMEND CHAPTER 47 ENTITLED “PROPERTY MAINTENANCE” OF
THE BOROUGH CODE OF THE BOROUGH OF HO-HO-KUS, STATE OF NEW JERSEY
BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HO-HO-KUS IN THE COUNTY
OF BERGEN AND STATE OF NEW JERSEY, AS FOLLOWS:

WHEREAS, Chapter 47 D (5), of the Code of the Borough of Ho-Ho-Kus sets forth Property Maintenance Fees within the Borough of Ho-Ho-Kus; and,

WHEREAS, pursuant to P.L. 2021, c.182, all municipalities are required to inspect every single- family, two-family and multiple rental dwelling located within the municipality on a recurring basis and at tenant turnover for lead-based paint hazards; and

WHEREAS, it is in the best interest of Borough residents to amend the Borough Code at this time to modify the fee for inspections for lead-based paint in residential rental dwellings;

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, and State of New Jersey that those portions of the aforesaid set forth below are hereby amended as follows and that those portions of the Ordinance not set forth below shall remain unchanged.

Sec. 47-29 Structural soundness of residential buildings.

D. Lead Based Paint Inspections.

- (5) Fees. Notwithstanding any other fees due pursuant to this Chapter the following fees shall be paid:

a. Inspection Fee. A dwelling owner or landlord shall owe a fee in the amount of ~~\$220.00~~ **\$300.00** for each lead-based paint inspection **or follow-up inspection** conducted by the Borough **or the Borough’s lead paint contractor**. Said fee shall be dedicated to meeting the costs of implementing and enforcing this subsection and the required contribution to the New Jersey Lead Hazard Control Assistance Fund (N.J.S.A. 52:27D-437.16(h)) and shall not be used for any other purpose.

In addition to the fees permitted to be charged for inspection of rental housing, an additional fee of \$20 per unit inspected by a certified lead evaluation contractor or permanent local agency for the purposes of the "Lead Hazard Control Assistance Act," P.L. 2003, c. 311(C.52:27D-437.1 et al.) concerning lead hazard control work shall be assessed, unless the owner demonstrates that the Department of Community Affairs has already assessed an additional inspection fee of \$20.00. The fees collected pursuant to this subsection shall be deposited into the Lead Hazard Control Assistance Fund.

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The fee for the filing of a lead-safe certification or lead-free certification shall be \$50.

b., Administrative Fee. Alternatively, a dwelling owner or landlord may directly hire a private lead evaluation contractor who is certified to provide lead paint inspection services by the Department of Community Affairs to satisfy the requirements of Section 47-29D(1) in which case a \$50 administrative fee shall be paid. Said fee shall be dedicated to the costs of monitoring compliance with this subsection.

Severability All provisions of this Ordinance are severable. If for any reason, any provision of this Ordinance is held to be invalid, the validity of the remainder of the Ordinance shall not be affected.

Effective Date. This Ordinance shall become effective upon final approval and publication, pursuant to law, and upon completion of all outstanding cases.

A motion was offered by Councilman Crossley and seconded by Councilwoman Moran to Introduce Ordinance #2024-92. Motion carried on a roll call vote – All present voting “Aye”

PUBLIC DISCUSSION

Mayor opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand and to be recognized, come forward to the microphone and state your name for the record. Seeing none, the Mayor closed the meeting to the public

MAYOR REMARKS

Mayor thanked all the Volunteers and Employees for all their hard work during the year.

BENEDICTION:

Father Frank Delprete of St. Gabriel’s Church offered the Benediction.

ADJOURNMENT

With no further business to come before the Council and on a motion by Councilmember Crossley, seconded by Councilman Iannelli, Mayor Randall adjourned the meeting at 7:40 PM.

Respectfully submitted,

Joan Herve, RMC/CMR
Borough Clerk