

Borough of Ho-Ho-Kus  
County of Bergen  
Mayor and Council Public Meeting Minutes  
October 27, 2020 7:30 p.m.

The 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 on October 27, 2020 in the Council Chambers and via teleconference to the Public. The meeting was called to order at 7:35 p.m. by Mayor Randall who asked the Municipal Clerk to read the open public meeting statement:

The 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”, 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.

**ROLL CALL:**

Mayor.....	Thomas W. Randall
Council President.....	Douglas Troast - <b>absent</b>
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli - <b>remotely</b>
Councilman.....	Kevin Crossley
Councilman.....	Dane Policastro
Councilwoman.....	Kathleen Moran

Also, in attendance David Bole, Borough Attorney; William Jones, Borough Administrator and Joan Herve, Borough Clerk.

**FLAG SALUTE**

**APPROVAL OF MINUTES**

A motion was offered by Councilman Crossley and seconded by Councilman Shell to approve the minutes of the September 22, 2020 Public Meeting of the Mayor and Council. Motion carried on a roll call vote – all present voting “Ayes.

**PUBLIC COMMENTS**

Mayor opened the meeting to the public. He stated if anyone desired to be heard, state your name and address for the record.

Hearing none, Mayor closed the meeting to the public.

**ADMINISTRATOR REPORT**

**Old Business**

Library – Nothing new to report.

DOT Train Station Project – Nothing new to report.

BC United Way/Madeline Partnership Affordable Housing Project – Project is moving forward.

HHK Crossing Project – Will updated in executive session.

Budget – Moving forward with the 2021 budget process.

**New Business**

Halloween Guidelines – Administrator reported after careful consideration, review of the current data, consultation with a team of experts and stake holders the Ho-Ho-Kus Mayor & Council offers the following guidelines for the safe participation in Halloween; Only trick or treat at homes who have their Porch/Outdoor light ON, Trick or Treat with your household members, Stay in your

neighborhood, Maintain 6 feet for social distancing, wear protective face covering, stay home if no feeling well or have been in contact with someone who has tested positive for COVID in the last 14 days and lastly if you are in a high-risk category consider staying home this year. Mayor added he has been working very closely with Superintendent Dr. Mardy with these guidelines' as safety is their priority.

### **CORRESPONDENCE**

- a) Affidavit of Bill Mailing for the 4<sup>th</sup> qtr. of 2020 and 1<sup>st</sup> & 2<sup>nd</sup> qtr. of 2021
- b) Certification of Mailing of Added & Omitted Tax Bills for the 4<sup>th</sup> qtr. of 2020 and 1<sup>st</sup> & 2<sup>nd</sup> qtr. of 2021
- c) Chief Christopher Minchin retirement letter
- d) Captain Anthony Grego retirement letter

### **ADOPTION OF ORDINANCES and PUBLIC HEARING**

#### **ORDINANCE 2020-38**

#### **AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 57A OF THE BOROUGH OF HO-HO-KUS ENTITLED "SHORT TERM RENTAL PROPERTY PROHIBITION"**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Ordinance #2016-12 which adopted Chapter 57A is hereby amended as follows:

#### **Section I.**

That the Seventh **WHEREAS** paragraph of said Ordinance is amended to read:

**"WHEREAS**, problems also frequently associated with such Short-Term Rental(s) include overcrowding, excessive noise, unruly behavior, illegal parking, sanitation issues in violation of trash collection ordinances";

#### **Section II.**

Section 57A-2 **Short Term Rental Property Prohibited Uses** is amended to read under paragraph A:

"... for a period of 175 days or less" in the last line thereof.

#### **Section III.**

Section 57A-3 **Residential Occupancy** is amended to read:

"The use of a dwelling unit by an occupant".

#### **Section IV.**

Section 57A-6 **Enforcement; Violations and Penalties** is amended by inserting the word "or" instead of "6R" in the third line thereof.

#### **Section V.**

All other provisions of Chapter 57A not amended herein remain in full force and effect.

#### **Section VI. Repealer.**

All other Ordinances or parts of Ordinances of the Borough which are inconsistent with this Ordinance, are hereby repealed, but only to the extent of such inconsistencies.

#### **Section VII. Severability.**

If any portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder of this Ordinance but shall be confined in its effect to the provision directly involved in the controversy in which such judgment shall have been rendered.

#### **Section VIII. Effective Date.**

This Ordinance shall take effect upon passage and publication as provided by law.

### **PUBLIC HEARING**

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2020-38 and all persons who wishes to be heard, please state your name and address before making your statement.

Hearing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Shell and seconded by Councilman Crossley to adopt Ordinance #2020-38. Motion carried on a roll call vote – All present voting “Aye”.

**ORDINANCE 2020-39**

**AN ORDINANCE TO REPEAL CHAPTER 66 STORMWATER MANAGEMENT AND CHAPTER 66A STORMWATER CONTROL AND TO ESTABLISH A NEW CHAPTER 66A OF THE BOROUGH OF HO-HO-KUS CODE ENTITLED “STORMWATER CONROL”**

§ 66A-1 **Policy; Purpose; Applicability; Effect on Other Requirements.**

**A. Policy statement.**

Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low-impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature, and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

**B. Purpose.**

It is the purpose of this article to establish minimum stormwater management requirements and controls for “major development,” as defined in § 66A-2 and any increase in “regulated impervious surface” greater than 200 square feet.

**C. Applicability.**

(1) This article shall be applicable to the following major developments:

(a) Nonresidential major developments; and

(b) Aspects of residential major developments that are not preempted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(2) This article shall also be applicable to all major developments undertaken by the Borough of Ho-Ho-Kus.

(3) This article shall also be applicable to an increase in “regulated impervious surface” greater than 200 square feet to any single-family residential property or any development.

**D. Compatibility with other permit and ordinance requirements:**

(1) Development approvals issued pursuant to this article are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this article shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare.

(2) This article is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§ 66A-2 **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 not inconsistent 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. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

“**CAFRA CENTERS, CORES OR NODES**” means those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

“**CAFRA PLANNING MAP**” means the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department’s Geographic Information System (GIS).

“**COMMUNITY BASIN**” means an infiltration system, sand filter designed to infiltrate, standard

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constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

**“COMPACTION”** means the increase in soil bulk density.

**“CONTRIBUTORY DRAINAGE AREA”** means the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

**“CORE”** means a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

**“COUNTY REVIEW AGENCY”** means an agency designated by the County Board of Chosen Freeholders to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be:

1. A county planning agency or
2. A county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

**“DEPARTMENT”** means the Department of Environmental Protection.

**“DESIGNATED CENTER”** means a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

**“DESIGN ENGINEER”** means a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

**“DEVELOPMENT”** means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.*

In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act , N.J.S.A 4:1C-1 *et seq.*

**“DISTURBANCE”** means the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

**“DRAINAGE AREA”** means a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

**“ENVIRONMENTALLY CONSTRAINED AREA”** means the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

**“EMPOWERMENT NEIGHBORHOODS”** means neighborhoods designated by the Urban Coordinating Council “in consultation and conjunction with” the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

**“EROSION”** means the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

**“GREEN INFRASTRUCTURE”** means a stormwater management measure that manages stormwater close to its source by:

1. Treating stormwater runoff through infiltration into subsoil;

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2. Treating stormwater runoff through filtration by vegetation or soil; or
3. Storing stormwater runoff for reuse.

**"HUC 14"** or **"HYDROLOGIC UNIT CODE 14"** means an area within which water drains to a particular receiving surface water body, also known as a sub watershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

**"IMPERVIOUS SURFACE"** means a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

**"INFILTRATION"** is the process by which water seeps into the soil from precipitation.

**"LEAD PLANNING AGENCY"** means one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

**"MAJOR DEVELOPMENT"** means an individual "development," as well as multiple developments that individually or collectively result in:

1. The disturbance of one or more acres of land since February 2, 2004;
2. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
3. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 *{or the effective date of this ordinance, whichever is earlier}*; or
4. A combination of 2 and 3 above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs 1, 2, 3, or 4 above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

**"MOTOR VEHICLE"** means land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

"Motor vehicle surface" means any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

**"MUNICIPALITY"** means any city, borough, town, township, or village.

**"NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL"** or **"BMP MANUAL"** means the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with § 66A-4.F of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

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**“NODE”** means an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

**“NUTRIENT”** means a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

**“PERSON”** means any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

**“POLLUTANT”** means any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. “Pollutant” includes both hazardous and nonhazardous pollutants.

**“RECHARGE”** means the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

**“REGULATED IMPERVIOUS SURFACE”** means any of the following, alone or in combination:

1. A net increase of impervious surface;
2. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a “new stormwater conveyance system” is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
3. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or
4. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

**“REGULATED MOTOR VEHICLE SURFACE”** means any of the following, alone or in combination:

1. The total area of motor vehicle surface that is currently receiving water;
2. A net increase in motor vehicle surface; and/or  
quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

**“SEDIMENT”** means solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

**“SITE”** means the lot or lots upon which a major development is to occur or has occurred.

**“SOIL”** means all unconsolidated mineral and organic material of any origin.

**“STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1)”** means an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State’s future redevelopment and revitalization efforts.

**“STATE PLAN POLICY MAP”** is defined as the geographic application of the State Development and Redevelopment Plan’s goals and statewide policies, and the official map of these goals and policies.

**“STORMWATER”** means water resulting from precipitation (including rain and snow) that runs off the land’s surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities, or conveyed by snow removal equipment.

**“STORMWATER MANAGEMENT BMP”** means an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

**“STORMWATER MANAGEMENT MEASURE”** means any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

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**“STORMWATER RUNOFF”** means water flow on the surface of the ground or in storm sewers, resulting from precipitation.

**“STORMWATER MANAGEMENT PLANNING AGENCY”** means a public body authorized by legislation to prepare stormwater management plans.

**“STORMWATER MANAGEMENT PLANNING AREA”** means the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

**“TIDAL FLOOD HAZARD AREA”** means a flood hazard area in which the flood elevation resulting from the two-, 10-, or 100-year storm, as applicable, is governed by tidal flooding from the Atlantic Ocean. Flooding in a tidal flood hazard area may be contributed to, or influenced by, stormwater runoff from inland areas, but the depth of flooding generated by the tidal rise and fall of the Atlantic Ocean is greater than flooding from any fluvial sources. In some situations, depending upon the extent of the storm surge from a particular storm event, a flood hazard area may be tidal in the 100-year storm, but fluvial in more frequent storm events.

**“URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD”** means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

**“URBAN ENTERPRISE ZONES”** means a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

**“URBAN REDEVELOPMENT AREA”** is defined as previously developed portions of areas:

1. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
2. Designated as CAFRA Centers, Cores or Nodes;
3. Designated as Urban Enterprise Zones; and
4. Designated as Urban Coordinating Council Empowerment Neighborhoods.

**“WATER CONTROL STRUCTURE”** means a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

**“WATERS OF THE STATE”** means the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

**“WETLANDS”** or **“WETLAND”** means an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

**§ 66A-3 Design and Performance Standards for Stormwater Management Measures.**

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:
  1. The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
  2. The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

- B. Stormwater management measures for any increase in “regulated impervious surface” greater than 200 square feet, but not classified as a major development, shall be designed to control the increase in the stormwater runoff volume and shall be designed for a 10-year storm with at least 60 minute duration and calculated in accordance with § 66A-5.A and reviewed by the Borough Engineer.

**§ 66A-4 Stormwater Management Requirements for Major Development**

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- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with § 66A-10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department’s Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlnebergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 66A-4.P, Q and R:
  - 1. The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
  - 2. The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and
  - 3. The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of § 66A-4.P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
  - 1. The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
  - 2. The applicant demonstrates through an alternative’s analysis, that through the use of stormwater management measures, the option selected complies with the requirements of § 66A-4.O, P, Q and R to the maximum extent practicable;
  - 3. The applicant demonstrates that, in order to meet the requirements of § 66A-4.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and
  - 4. The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under § 66A-4.D.3 above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of § 66A-4.O, P, Q and R that were not achievable onsite.
- E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in § 66A-4.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department’s website at:  
[https://njstormwater.org/bmp\\_manual2.htm](https://njstormwater.org/bmp_manual2.htm)
- F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

<p><b>Table 1</b> <b>Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity</b></p>
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Best Management Practice	Stormwater Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High-Water Table (feet)
Cistern	0	Yes	No	--
Dry Well <sup>(a)</sup>	0	No	Yes	2
Grass Swale	50 or less	No	No	2 <sup>(e)</sup> 1 <sup>(f)</sup>
Green Roof	0	Yes	No	--
Manufactured Treatment Device <sup>(a)(g)</sup>	50 or 80	No	No	Dependent upon the device
Pervious Paving System <sup>(a)</sup>	80	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Bioretention Basin <sup>(a)</sup>	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Small-Scale Infiltration Basin <sup>(a)</sup>	80	Yes	Yes	2
Small-Scale Sand Filter	80	Yes	Yes	2
Vegetative Filter Strip	60-80	No	No	--

**Table 2: Green Infrastructure BMPs for Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)**

Best Management Practice	Stormwater Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High-Water Table (feet)
Bioretention System	80 or 90	Yes	Yes <sup>(b)</sup> No <sup>(c)</sup>	2 <sup>(b)</sup> 1 <sup>(c)</sup>
Infiltration Basin	80	Yes	Yes	2
Sand Filter	80	Yes	Yes	2

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**Table 2: Green Infrastructure BMPs for Runoff Quantity (or for Groundwater Recharge and/or Stormwater Runoff Quality with a Waiver or Variance from N.J.A.C. 7:8-5.3)**

Best Practice	Management	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High-Water Table (feet)
Standard Wetland	Constructed	90	Yes	No	N/A
Wet Pond		50-90	Yes	No	N/A

**Table 3: BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or Stormwater Runoff Quantity only with a Waiver or Variance from N.J.A.C. 7:8-5.3**

Best Practice	Management	Stormwater Runoff Quality TSS Removal Rate (percent)	Stormwater Runoff Quantity	Groundwater Recharge	Minimum Separation from Seasonal High-Water Table (feet)
Blue Roof		0	Yes	No	N/A
Extended Detention Basin		40-60	Yes	No	1
Manufactured Device <sup>(h)</sup>	Treatment	50 or 80	No	No	Dependent upon the device
Sand Filter <sup>(c)</sup>		80	Yes	No	1
Subsurface Gravel Wetland		90	No	No	1
Wet Pond		50-90	Yes	No	N/A

Footnotes to Tables 1, 2, and 3:

- (a) Subject to the applicable contributory drainage area limitation specified at § 66A-4.O.2.
- (b) Designed to infiltrate into the subsoil;
- (c) Designed with underdrains;
- (d) Designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) Designed with a slope of less than two percent;
- (f) Designed with a slope of equal to or greater than two percent;
- (g) Manufactured treatment devices that meet the definition of green infrastructure in § 66A-2.
- (h) Manufactured treatment devices that do not meet the definition of green infrastructure in § 66A-2.

- G.** An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with § 66A-6.B. Alternative stormwater management measures may be used to satisfy the requirements at § 66A-4.O only if the measures meet the definition of green infrastructure at § 66A-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at § 66A-4.O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at § 66A-4.O.2 are subject to the contributory drainage area limitation specified at § 66A-4.O.2 for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at § 66A-4.O.2 shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 66A-4.D is granted from § 66A-4.O.
- H.** Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I.** Design standards for stormwater management measures are as follows:
1. Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
  2. Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with requirements of § 66A-8.C;
  3. Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
  4. Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at § 66A-8; and
  5. The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J.** Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at § 66A-2 may be used only under the circumstances described at § 66A-4.O.4.
- K.** Any application for a new agricultural development that meets the definition of major development at § 66A-2 shall be submitted to the Soil Conservation District for Review and approval in accordance with the requirements at § 66A-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, “agricultural development” means land uses normally associated

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with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.

- L.** If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 66A-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M.** Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Bergen County Clerk’s Office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 66A-4.O, P and Q and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to § 66A-10.B.5 Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.
- N.** A stormwater management measure approved under the stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to § 66A-4 of this article and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Bergen County Clerk’s Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.
- O. Green Infrastructure Standards**
  - 1. This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
  - 2. To satisfy the groundwater recharge and stormwater runoff quality standards at § 66A-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at § 66A-4.F and/or an alternative stormwater management measure approved in accordance with § 66A-4.G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<b>Best Management Practice</b>	<b>Maximum Contributory Drainage Area</b>
Dry Well	1 acre
Manufactured Treatment Device	2.5 acres
Pervious Pavement Systems	Area of additional inflow cannot exceed three times the area occupied by the BMP
Small-scale Bioretention Systems	2.5 acres

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<b>Best Management Practice</b>	<b>Maximum Contributory Drainage Area</b>
Small-scale Infiltration Basin	2.5 acres
Small-scale Sand Filter	2.5 acres

3. To satisfy the stormwater runoff quantity standards at § 66A-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with § 66A-4.G
4. If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with § 66A-4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with § 66A-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at § 66A-4.P, Q and R.
5. For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at § 66A-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with § 66A-4.D.

**P. Groundwater Recharge Standards**

1. This subsection contains the minimum design and performance standards for groundwater recharge as follows:
2. The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at § 66A-5, either:
  - a. Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
  - b. Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
3. This groundwater recharge requirement does not apply to projects within the “urban redevelopment area,” or to projects subject to 4 below.
4. The following types of stormwater shall not be recharged:
  - a. Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than “reportable quantities” as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
  - b. Industrial stormwater exposed to “source material”

**Q. Stormwater Runoff Quality Standards**

1. This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
2. Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
  - a. Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.

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- b. If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
3. The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with 2 above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
4. The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

**Table 4: Water Quality Design Storm Distribution**

<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>	<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>	<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800

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**Table 4: Water Quality Design Storm Distribution**

<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>	<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>	<b>Time (minutes)</b>	<b>Cumulative Rainfall (inches)</b>
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

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5. If more than one BMP in a series is necessary to achieve the required eighty-percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B)/100$$

Where:

- R = Total TSS percent load removal from application of both BMPs.
- A = The TSS percent removal rate applicable to the first BMP.
- B = The TSS percent removal rate applicable to the second BMP.
6. Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include nonstructural strategies and structural measures that optimize nutrient removal while still achieving the performance standards in § 66-4.P, Q and R.
7. In accordance with the definition of "FW1" at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
8. The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
9. Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
10. The stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable materials(s) such as gravel, dirt, and/or shells.

**R. Stormwater Runoff Quantity Standards**

1. This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
2. In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at § 66A-5 complete one of the following:
- a. Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;
  - b. Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;
  - c. Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed; or
  - d. In tidal flood hazard areas, stormwater runoff quantity analysis in accordance with (2)(a), (b) and (c) above is required unless the design engineer demonstrates through hydrologic and hydraulic analysis that he increased volume, change in timing or increased rate of stormwater runoff, or any combination of the three will not result in additional flood damage below the point of discharge of the major development. No analysis is required if the stormwater is discharged



directly into any ocean, bay, inlet, or the reach of any watercourse between its confluence with an ocean, bay, or inlet and downstream of the first water control structure.

3. The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§ 66A-5 **Calculation of Stormwater Runoff and Groundwater Recharge.**

**A. Stormwater runoff shall be calculated in accordance with the following:**

1. The design engineer shall calculate runoff using one of the following methods:
  - a. The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in Technical Release 55 – Urban Hydrology for Small Watersheds (TR-55) dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

[https://www.nrcs.usda.gov/Internet/FSE\\_DOCUMENTS/stelprdb1044171.pdf](https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf)

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

- b. The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>

2. For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the preconstruction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology at § 66A-5.A.1.a and the Rational and Modified Rational Methods at § 66A-5.A.1.b. A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
3. In computing preconstruction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts that may reduce preconstruction stormwater runoff rates and volumes.
4. In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the NRCS Technical Release 55 (or superseding document), Urban Hydrology for Small Watersheds, and other methods may be employed.
5. If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures. Notwithstanding the preceding, where tailwater will affect the hydraulic performance of a stormwater management measure, the design engineer shall include such effects in the measure's design.

**B. Groundwater recharge may be calculated in accordance with the following:**

1. The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Ground-Water Recharge Areas in New Jersey, incorporated herein by reference, as amended and supplemented. Information

regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/greport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

**§ 66A-6 Sources for Technical Guidance.**

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

[http://www.nj.gov/dep/stormwater/bmp\\_manual2.htm](http://www.nj.gov/dep/stormwater/bmp_manual2.htm).

1. Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented. Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.
2. Additional maintenance guidance is available on the Department's website at:

[https://www.njstormwater.org/maintenance\\_guidance.htm](https://www.njstormwater.org/maintenance_guidance.htm).

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection, Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

**§ 66A-7 Solids and Floatable Materials Control Standards**

A. Site design features identified under § 66A-4.F above, or alternative designs in accordance with § 66A-4.G, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see § 66A-7.A.2 below.

1. Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- a. The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- b. A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bats in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.
- c. For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

2. The standard in A.1. above does not apply:

- a. Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- b. Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;
- c. Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed at a minimum, to prevent delivery of all solid and floatable material that could not pass through one of the following:

[1] A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or

[2] A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- d. Where flows are conveyed through a trash rack that has parallel bars with one-inch (1-inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or

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- e. Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

**§ 66A-8 Safety Standards for Stormwater Management Basins.**

**A.** This section sets forth requirements to protect public safety through the proper design and operation of stormwater management basins. This section applies to any new stormwater management basin.

**B.** The provisions of this section do not preempt more stringent municipal or county safety requirements for new or existing stormwater management basins. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management basins to be retrofitted to meet one or more of the safety standards in § 66A-8.B.1, 2 and 3 for trash racks, overflow grates, and escape provisions at outlet structures.

**C.** Requirements for trash racks, overflow grates and escape provisions.

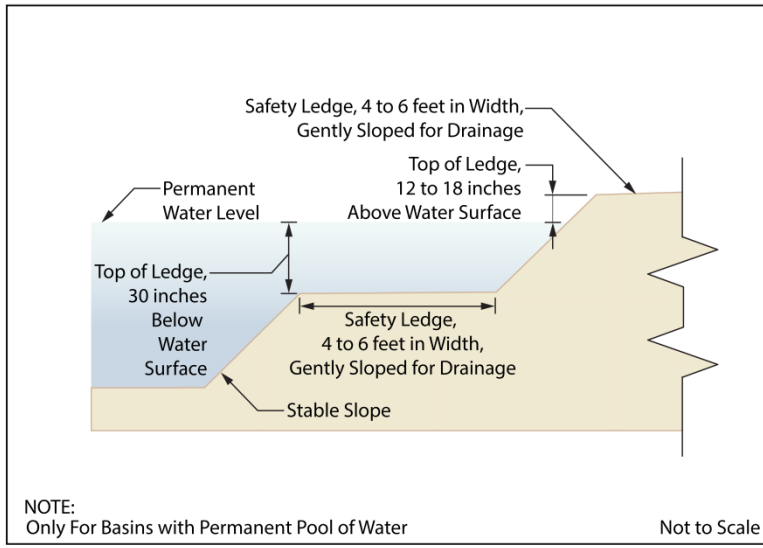
1. A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the stormwater management basin to ensure proper functioning of the basin outlets in accordance with the following:
  - a. The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars.
  - b. The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure.
  - c. The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack.
  - d. The trash rack shall be constructed and installed to be rigid, durable, and corrosion resistant and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
2. An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
  - a. The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
  - b. The overflow grate spacing shall be no less than two inches across the smallest dimension.
  - c. The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
3. Stormwater management BMPs shall include escape provisions as follows:
  - a. If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to § 66A-8.C, a free-standing outlet structure may be exempted from this requirement;
  - b. Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See § 66A-8.E for an illustration of safety ledges in a stormwater management BMP; and
  - c. In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontals to one vertical.

**D.** Variance or exemption from safety standards.

A variance or exemption from the safety standards for stormwater management basins may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

**E.** Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



**§ 66A-9 Requirements for Site Development Stormwater Plans.**

**A. Submission of site development stormwater plan.**

1. Whenever an applicant seeks municipal approval of a development subject to this ordinance, the applicant shall submit all of the required components of the checklist for the Site Development Stormwater Plan at § 66A-9.C below as part of the submission of the application for approval.
2. The applicant shall demonstrate that the project meets the standards set forth in this ordinance.
3. The applicant shall submit 4 copies of the materials listed in the checklist for site development stormwater plans in accordance with § 66A-9.C of this ordinance.

**B. Site Development Stormwater Plan Approval.**

The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

**C. Submission of Site Development Stormwater Plan.**

The following information shall be required:

1. Topographic base map.  
The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of one-inch equals 200 feet or greater, showing two-foot contour intervals. The map, as appropriate, may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and floodplains, along with their appropriate buffer strips, marshlands and other wetlands, pervious or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and man-made features not otherwise shown.
2. Environmental site analysis:  
A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
3. Project description and site plan(s):  
A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings, roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification of proposed changes in natural conditions may also be provided.
4. Land use planning and source control plan.  
This plan shall provide a demonstration of how the goals and standards of §§ 66A-3 through § 66A-5 are being

met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.

5. Stormwater management facilities map.

The following information, illustrated on a map of the same scale as the topographic base map, shall be included:

- a. Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
- b. Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.

6. Calculations:

- a. Comprehensive hydrologic and hydraulic design calculations for the predevelopment and post-development conditions for the design storms specified in § 66A-4 of this article.
- b. When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high-water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.

7. Maintenance and repair plan.

The design and planning of the stormwater management facility shall meet the maintenance requirements of § 66A-10.

8. Waiver from submission requirements.

The municipal official or board reviewing an application under this article may, in consultation with the Municipal Engineer, waive submission of any of the requirements in § 66A-9.C.1 through 6 of this article when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

9. Any other items as may be required by the appropriate Borough of Ho-Ho-Kus ordinance(s) checklist(s), if applicable.

**§ 66A-10 Maintenance and Repair**

**A. Applicability.**

Projects subject to review as in § 66A-1.C of this article shall comply with the requirements of § 66A-10.B and C.

**B. General maintenance.**

1. The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
2. The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
3. If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
4. Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.

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5. If the party responsible for maintenance identified under § 66A-10.B.3 above is not a public agency, the maintenance plan and any future revisions based on § 66A-10.B.7 below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
  6. Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.
  7. The party responsible for maintenance identified under § 66A-10.B.3 above shall perform all of the following requirements:
    - a. Maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
    - b. Evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
    - c. Retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by Section X.B.6 and B.7 above.
  8. The requirements of § 66A-10.B.3 and B.4 do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
  9. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
- C. Nothing in this section shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

§ 66A-11 **Violations and Penalties**

Any person who erects, constructs, alters, repairs, converts, maintains, or uses any building, structure or land in violation of this article shall be subject to the following penalties:

- A. Any person who refuses to correct or abate any violation or violations within five days after written notice has been served upon such person, by either mail or personal service, shall, for each and every violation, be subject to a fine not exceeding \$1,000, a term of imprisonment not exceeding 90 days, or a period of community service not exceeding 90 days, or any combination thereof. The Judge before whom any person is convicted of violating any of the provisions of this article shall have the power to impose any fine or term of imprisonment not exceeding the maximum fixed herein.
- B. Each and every day that such violation continues after such notice shall be considered a separate and specific violation of this article.

§ 66A-12 **Severability.**

If the provisions of any section, subsection, paragraph, subdivision, or clause of this article shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

§ 66A-13 **Repealer.**

All other ordinances of the Borough, or parts thereof, including Chapter 66, Stormwater Management, to the extent inconsistent or in conflict with this article, are hereby repealed to the extent of such conflict.

§ 66A-14 **When effective.**

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

**PUBLIC HEARING**

Mayor opened the meeting to the public. He stated this is the time and place for the public hearing on Ordinance #2020-39 and all persons who wishes to be heard, please state your name and address before making

your statement.

Hearing none, the Mayor closed the meeting to the public.

A motion was offered by Councilman Shell and seconded by Councilwoman Moran to adopt Ordinance #2020-39. Motion carried on a roll call vote – All present voting “Aye”.

**INTRODUCTION OF ORDINANCES**

**ORDINANCE 2020-40**

**AN ORDINANCE TO AMEND CHAPTER 81 OF THE CODE ENTITLED “WATER AND WATER RATES**

**BE IT ORDAINED** by the Mayor and Council of the Borough of Ho-Ho-Kus that Chapter 81 of the code is hereby amended as follows:

**81-21 Rates and Charges** is amended as follows:

- (a) Effective January 1, 2021 all water taken or consumed shall be charged to consumers at the following rates:
  - (1) Seven dollars (\$7.00) per one thousand (1,000) gallons, with a minimum charge of Fifty-Six Dollars (\$56) per quarter, or any part thereof.
  - (2) For Water usage over the minimum the following chart will apply:

	Gallons	Rate per 1,000 Gallons	Amount
Minimum	8,000	\$7.00	\$56.00
Next	12,000	\$7.50	
Next	20,000	\$8.00	
Next	40,000	\$9.00	
Over	80,000	\$11.00	

**SECTION III: Repealer.**

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance, are hereby repealed to the extent of such conflict.

**SECTION IV: Effective Date.**

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

A motion was offered by Councilman Shell and seconded by Councilman Crossley to approved the Introduction of Ordinance #2020-40. Motion carried on a roll call vote – All present voting “Aye”.

**CONSENT AGENDA RESOLUTIONS** (20-105 thru 20-113)

**Resolution #20-105- Introduced by Councilman Crossley**

**A Resolution – Payment of Bills for October**

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,504,055.50; 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 \$3,504,055.50; be approved and ratified respectively

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**Bill List:**

19-01756	11/19/19	03212	ESS, INC.	LABOR-REPROGRAM FIRE DPT RADIO	Open	1,750.00	0.00
19-01953	12/30/19	01662	AAA EMERGENCY SUPPLY	10 GLOBE TURNOUT BOOTS-FIRE D	Open	3,890.00	0.00
20-00384	03/09/20	03159	BOSWELL ENGINEERING. INC.	DESIGN OF WATER TREATMENT SYST	Open	11,669.75	0.00
20-01147	08/14/20	02899	OFFICE CONCEPTS GROUP	OFFICE SUPPLIES - POL DEPT	Open	175.05	0.00
20-01155	08/18/20	00001	HOME HARDWARE	SEPT 2020 PURCHASES	Open	275.52	0.00
20-01156	08/18/20	00056	TYCO ANIMAL CONTROL SERVICES	ANIMAL CONTROL SVC SEPT	Open	535.00	0.00
20-01159	08/18/20	02686	ONE CALL CONCEPTS	ONE CALL MESSAGES - SEPT 2020	Open	78.65	0.00
20-01160	08/18/20	02590	AMERICAN WEAR, INC.	SEPT 2020 UNIFORMS - ROADS 2/3	Open	289.41	0.00
20-01161	08/18/20	02590	AMERICAN WEAR, INC.	SEPT 2020 UNIFORMS - WATER 1/3	Open	144.71	0.00
20-01176	08/24/20	01662	AAA EMERGENCY SUPPLY	4 SETS OF FIRE BOOTS	Open	1,556.00	0.00
20-01249	09/10/20	02899	OFFICE CONCEPTS GROUP	OFFICE SUPPLIES - POL DPT	Open	51.68	0.00
20-01251	09/10/20	03294	CARUCCI, LAURA A.	TRANSCRIBE 9-3-20 ZONE BD MTG	Open	1,150.00	0.00
20-01293	09/16/20	00106	M G L PRINTING SOLUTIONS	TRAIN STATION PARKING PERMITS	Open	338.00	0.00
20-01309	09/18/20	02899	OFFICE CONCEPTS GROUP	OFFICE SUPPLIES - TAX DEPT	Open	880.56	0.00
20-01310	09/18/20	02899	OFFICE CONCEPTS GROUP	COVID 19 CLEANING SUPPLIES	Open	403.85	0.00
20-01311	09/18/20	02899	OFFICE CONCEPTS GROUP	10 CASES - COPIER PAPER	Open	399.90	0.00
20-01312	09/22/20	02380	I.D.M. MEDICAL GAS CO	HYDRO TEST/REFILL OXYGEN CYLDR	Open	55.72	0.00
20-01313	09/22/20	00022	STONE INDUSTRIES, INC.	3/4" CRUSHED STONE - DPW	Open	214.95	0.00
20-01314	09/22/20	01051	V.E. RALPH & SON	20 BOXES NITIDERM GLOVES-AMBUL	Open	323.05	0.00
20-01315	09/22/20	00012	PROSTOCK MIDLAND	FUEL FILTERS & PLUGS - DPW	Open	183.56	0.00
20-01316	09/22/20	00363	ROCKET BUILDING SUPPLY CO	CATCH BASIN BLKS/MASON MIX-DPW	Open	108.80	0.00
20-01317	09/22/20	02902	COVANTA	STREET SWEEPINGS-RECYCLING	Open	617.76	0.00
20-01318	09/22/20	03224	ALS GROUP USA CORP.	NJ VOC'S EPA WATER TESTS 9/3	Open	222.00	0.00
20-01319	09/22/20	03048	QUALITY FORD	CABLE & FILTER- POL VEHICLE	Open	110.51	0.00
20-01320	09/22/20	03204	MONTAGUE TOOL & SUPPLY	SHARPEN & BALANCE 3 BLADES-DPW	Open	20.97	0.00
20-01321	09/22/20	02712	OPTIMUM **	OPTONLINE SVC DPW - 9/16-10/15	Open	119.80	0.00
20-01322	09/23/20	03239	AT&T MOBILITY	IPAD/CELL PHONE SVC 8/12-9/11	Open	97.20	0.00
20-01325	09/23/20	01840	OPTIMUM	POLICE/CAD CABLE 10/16-11/15	Open	131.48	0.00
20-01326	09/23/20	00030	HO-HO-KUS BOARD OF EDUCATION	SCHOOL TAX - MONTH OF OCT.	Open	1,529,399.20	0.00
20-01328	09/23/20	00034	NORTHWEST B C UTIL AUTHORITY	4th QTR SERVICE CHARGE 2020	Open	173,813.00	0.00
20-01331	09/23/20	80194	SWEETMAN, GARRET	2020 CLOTH. ALLOW. 2ND PAYMENT	Open	575.00	0.00
20-01332	09/23/20	03304	FRANK A. CARLET ESQ.	TAX APPEAL REFUND 2020 -1206/1	Open	885.67	0.00
20-01333	09/24/20	00359	EDMUNDS GOVTECH	REGULAR 2-PART TAX BILLS	Open	414.18	0.00
20-01334	09/24/20	02342	MCBAIN, GREG	2020 CLOTH. ALLOW. 2ND PAYMENT	Open	575.00	0.00
20-01335	09/25/20	02339	ZUIDEMA PORTABLE TOILETS	1 MO PORT TOILET N. FIELD 9/10	Open	120.00	0.00
20-01336	09/25/20	03303	B.C.U.W./MADELINE CORP.	REQUISITION #2-AFFORD. HOUSING	Open	147,854.91	0.00
20-01337	09/25/20	02975	POSTMASTER	RENEW BULK MAIL PERMIT #107	Open	240.00	0.00
20-01338	09/25/20	00103	BORO OF H-H-K WATER TRUST ACCT	REIMB POSTAGE FOR REC BROCHURE	Open	326.03	0.00
20-01339	09/25/20	00024	POSTMASTER - US POSTAL SERVICE	BULK MAIL POSTAGE DEPOSIT	Open	3,000.00	0.00
20-01340	09/25/20	00105	P S E & G	AUG-SEP 20 GAS/ELECT.- CURRENT	Open	6,569.11	0.00
20-01341	09/25/20	00105	P S E & G	AUG-SEPT 20 GAS/ELECT.- WATER	Open	7,669.79	0.00
20-01342	09/28/20	02723	CLARKE CATON HINTZ	AFFORDABLE HOUSING PLAN SVCS	Open	149.75	0.00
20-01343	09/28/20	03240	USA SECURITY SERVICES, INC.	SERVICE CALL 9/17	Open	150.00	0.00
20-01344	09/28/20	01151	OAKLAND-MARINE & EQUIPMENT	LANDSCAPE EQUIPMENT PARTS-DPW	Open	24.95	0.00
20-01345	09/28/20	00012	PROSTOCK MIDLAND	HYDRAULIC FILTER - DPW	Open	9.99	0.00
20-01346	09/28/20	02147	PISANO, RONALD	REIMB. FOR PESTICIDE LICENSE	Open	80.00	0.00
20-01347	09/28/20	03204	MONTAGUE TOOL & SUPPLY	BOLTS & WASHERS-LAWNMOWER	Open	25.26	0.00
20-01348	09/28/20	00405	SUPERIOR DISTRIBUTORS	H/D BELT/HEX BOLT-FIRE DPT VEH	Open	59.46	0.00
20-01349	09/28/20	03277	ETD DISCOUNT TIRE CENTERS	I 9265/60R17 TIRE - POLICE VEH	Open	129.00	0.00
20-01350	09/28/20	03118	REDICARE LLC	FIRST AID SUPPLIES - DPW	Open	33.79	0.00
20-01351	09/28/20	03305	AMERICA THE BEAUTIFUL FLAGS	5 US FLAGS/2 POW-MIA FLAGS	Open	257.00	0.00



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20-01352	09/28/20	02899	OFFICE CONCEPTS GROUP	PRINT STAMPS FOR BORO CLERK	Open	112.99	0.00
20-01353	09/28/20	00029	BERGEN COUNTY DEPT OF ADM/FIN	4TH QTR 2020 COUNTY TAXES	Open	812,093.39	0.00
20-01354	09/28/20	01485	COUNTY OPEN SPACE TRUST FUND	4TH QTR 2020 COUNTY OPEN SPACE	Open	32,134.20	0.00
20-01355	09/28/20	03103	HO-HO-KUS HAND CAR WASH	POL/DPW CAR WASHES - 5/4-8/1	Open	260.00	0.00
20-01356	09/28/20	03256	THE ALAIMO GROUP, INC.	PROJ MGT/FIELD VISIT 802/10.08	Open	222.93	0.00
20-01357	09/28/20	03256	THE ALAIMO GROUP, INC.	SITE PLAN/SUB DIV REV 802/4.01	Open	800.00	0.00
20-01358	09/29/20	00886	SCHWANENEDE/HALS ENGINEERING	ENG REVIEW RD.OPENING-76 ARBOR	Open	400.00	0.00
20-01359	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	POL DETAIL-EMERGENCY TREE WORK	Open	640.20	0.00
20-01360	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	DCRP SEPTEMBER 2020	Open	344.69	0.00
20-01361	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	CURRENT SOCIAL SECURITY - SEPT	Open	14,075.40	0.00
20-01362	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	WATER DPT SOCIAL SECURITY-SEPT	Open	1,145.41	0.00
20-01363	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	SOL WASTE SOCIAL SECURITY-SEPT	Open	776.72	0.00
20-01364	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MNTH 9/30	Open	186,756.30	0.00
20-01365	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 9/30	Open	7,044.75	0.00
20-01366	09/29/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MNTH 9/30	Open	4,377.27	0.00
20-01367	09/30/20	00097	ACTION RUBBER & INDUSTRIAL SUP	HOSE REPAIR/ GASKET - DPW	Open	52.00	0.00
20-01368	09/30/20	02831	GARDEN STATE BOBCAT	FLIPPER & HINGE - DPW VEHICLE	Open	345.81	0.00
20-01369	09/30/20	00130	WATER WORKS SUPPLY CO INC	ADAPTER/GRIP COUPLING-WATER D.	Open	1,788.10	0.00
20-01370	09/30/20	00372	REGIONAL COMMUNICATIONS INC	MOVE PAGING BUTTONS PD CONSOLE	Open	150.25	0.00
20-01371	09/30/20	00742	LACROIX, MICHAEL C	2020 CLOTH. ALLOW. 2ND PAYMENT	Open	575.00	0.00
20-01372	09/30/20	00456	KAY PRINTING	2020 REC BROCHURE/FULFILLMENT	Open	1,840.79	0.00
20-01373	09/30/20	02863	LAW OFFICES OF GARY CUCCHIARA	PLAN BD. ATTORNEY SVCS - 905/5	Open	3,572.50	0.00
20-01374	09/30/20	01662	AAA EMERGENCY SUPPLY	REPAIR FIBERGLASS HANDLE-FIRE	Open	47.50	0.00
20-01375	10/01/20	01201	PROGRESSIVE BRICK	CATCH BASIN W/GRATE - DPW	Open	144.90	0.00
20-01376	10/01/20	02863	LAW OFFICES OF GARY CUCCHIARA	PLANNING BOARD ATTORNEY SVCS	Open	21,848.50	0.00
20-01377	10/01/20	03159	BOSWELL ENGINEERING. INC.	DESIGN WATER TREATMENT SYS-	Open	36,017.75	0.00
20-01378	10/01/20	03208	MONMOUTH TELECOM	TELECOM SERVICE SEPT-OCT	Open	874.12	0.00
20-01379	10/02/20	02892	TRUGREEN	FALL AERATION/SEEDING-N FIELD	Open	1,750.00	0.00
20-01380	10/02/20	01565	MINUTEMAN PRESS	2 POSTERS RE: ELECTION BALLOTS	Open	92.00	0.00
20-01381	10/02/20	01694	FRA TECHNOLOGIES, INC.	RENEW ANIMAL LICENSE SOFTWARE	Open	650.00	0.00
20-01382	10/05/20	80089	DENCH, BRIAN	REIMBURSE FOR EYEWEAR-POL DPT	Open	200.00	0.00
20-01383	10/05/20	01607	BURGIS ASSOCIATES, INC.	PLAN BOARD REVIEW-CROSSINGS	Open	187.50	0.00
20-01384	10/05/20	03256	THE ALAIMO GROUP, INC.	CONSTRUCT SUPERVISION-AFFORD H	Open	330.00	0.00
20-01385	10/05/20	00359	EDMUNDS GOVTECH	EXTRA TAX BILLS	Open	34.00	0.00
20-01386	10/05/20	01565	MINUTEMAN PRESS	MICRO FIBER FIRE DP LOGO MASKS	Open	1,141.20	0.00
20-01387	10/05/20	02331	WISS & BOUREGY P.C.	LABOR ATTORNEY SVCS - SEPT.	Open	389.50	0.00
20-01388	10/05/20	02711	OPTIMUM *	OPTIMUM SVC BORO HL 9/1-9/30	Open	29.95	0.00
20-01389	10/05/20	00097	ACTION RUBBER & INDUSTRIAL SUP	SUCTION HOSE & REPAIR-WATER DP	Open	150.00	0.00
20-01390	10/05/20	00082	CHIEF FIRE EQUIPMENT & SERVICE	FIRE EXTINGUISHER REFILLS-POL	Open	84.67	0.00
20-01391	10/05/20	03223	EAGLE EQUIPMENT, INC.	SUCTION PIPE/FLG REDUCER-DPW	Open	503.86	0.00
20-01392	10/06/20	00144	BORO OF H-H-K PAYROLL ACCT	MEDICAL/PRESCRIPT/DENTAL -OCT	Open	77,341.38	0.00
20-01393	10/06/20	01607	BURGIS ASSOCIATES, INC.	EDITS TO MASTER PLAN	Open	1,762.50	0.00
20-01394	10/06/20	00886	SCHWANENEDE/HALS ENGINEERING	ENG. ROAD OPENING - 790 WSRR	Open	250.00	0.00
20-01395	10/06/20	00886	SCHWANENEDE/HALS ENGINEERING	ENG. ROAD OPENING-58 JACQUELIN	Open	250.00	0.00
20-01396	10/06/20	00130	WATER WORKS SUPPLY CO INC	VALVE BOXES/CURB STOPS-WATER D	Open	494.20	0.00
20-01397	10/06/20	03158	WM RECYCLE AMERICA	RECYCLING PICKUPS AUG -DPW	Open	167.50	0.00
20-01398	10/06/20	02899	OFFICE CONCEPTS GROUP	PURELL DISPENSERS/REFILLS-DPW	Open	376.50	0.00
20-01399	10/06/20	00012	PROSTOCK MIDLAND	POL. VEH. LITES & AIR FILTERS	Open	115.90	0.00
20-01400	10/06/20	00936	PATTMAN, JEFFREY	REIMB-VEH PARTS V-BELT/PUMP-FD	Open	109.79	0.00
20-01401	10/06/20	02271	H2M ASSOCIATES INC	HYDROLOGICAL WATER SVCS 7/31	Open	1,224.50	0.00
20-01402	10/06/20	03048	QUALITY FORD	REPAIR TO DPW VEH #751	Open	1,038.26	0.00
20-01403	10/06/20	00405	SUPERIOR DISTRIBUTORS	H/D BELTS - FIRE DEPT	Open	47.81	0.00

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20-01404	10/06/20	03224	ALS GROUP USA CORP.	WATER TESTING-AUG-SEPT	Open	2,324.00	0.00
20-01405	10/06/20	03307	AIR CENTER, INC	MAINT. SVC FOR AIR COMPRESSOR	Open	1,675.47	0.00
20-01406	10/06/20	02941	HOME HARDWARE*	SANITIZER - FIRE DEPT	Open	35.82	0.00
20-01407	10/06/20	00886	SCHWANENEDE/HALS ENGINEERING	ENG.INSPECT-SEEPAGE PIT 405/6	Open	142.50	0.00
20-01408	10/06/20	00886	SCHWANENEDE/HALS ENGINEERING	ENG. PLAN REVIEW - 501/4	Open	400.00	0.00
20-01409	10/07/20	00229	BORO OF H-H-K WATER DEPARTMENT	3RD QTR WATER BILLING TO DEPTS	Open	2,020.71	0.00
20-01410	10/07/20	03166	SJS LAWN CARE SERVICES, LLC	CUT LAWN - SEPT - 325 WEARIMUS	Open	300.00	0.00
20-01411	10/07/20	02899	OFFICE CONCEPTS GROUP	OFFICE SUPPLIES - BORO HALL	Open	396.64	0.00
20-01412	10/07/20	02484	RACHLES/MICHELE'S OIL CO.	2001.5 GALS GAS DELIVERED 9/4	Open	2,683.61	0.00
20-01413	10/07/20	02484	RACHLES/MICHELE'S OIL CO.	1287 GALS DIESEL DEL 9/23/20	Open	1,495.24	0.00
20-01414	10/07/20	02484	RACHLES/MICHELE'S OIL CO.	954.2 GALS GAS DELIVERED 9/17	Open	1,236.35	0.00
20-01415	10/07/20	02937	COMMUNITY SURGICAL SUPPLY	10 REFILLS - NARCAN - POL DPT	Open	422.50	0.00
20-01416	10/07/20	80068	MALES, CHRIS	FOLD/INSERT/SEAL WATER BILLS	Open	272.50	0.00
20-01417	10/07/20	03256	THE ALAIMO GROUP, INC.	SITE PL/SUB DIV REV-802/10.01	Open	265.00	0.00
20-01418	10/08/20	03119	KONICA MINOLTA ****	COPIER PLN/ZON/CONS 7/4-10/3	Open	59.28	0.00
20-01419	10/08/20	03261	KONICA MINOLTA BUS. SOLUTIONS	POLICE COPIER- COPIES 9/4-10/3	Open	36.85	0.00
20-01420	10/08/20	80203	CAPORALE, ELISA B.	REIMB. - BUILDING SUPPLIES	Open	104.01	0.00
20-01421	10/08/20	00436	TREASURER STATE OF NJ	3RD QTR REMIT DCA PERMIT FEES	Open	4,679.00	0.00
20-01422	10/08/20	02671	SUBURBAN DISPOSAL INC.	SOLID WASTE/RECYCLING SEP 2020	Open	73,740.25	0.00
20-01423	10/09/20	99912	KROPIEWNICKI, JEFF	REIMB. - EYEWEAR 2020	Open	278.97	0.00
20-01424	10/09/20	00436	TREASURER STATE OF NJ	2ND QTR REMIT DCA PERMIT FEES	Open	3,258.00	0.00
20-01425	10/09/20	02339	ZUIDEMA PORTABLE TOILETS	1 MO PORT TOILET N. FIELD 10/8	Open	120.00	0.00
20-01426	10/09/20	03186	CONFIDENTIAL SHREDDING	4 HOUR SHREDDING - 10/3	Open	700.00	0.00
20-01427	10/09/20	03300	ABMA'S FARM	WOODCHIPS DUMPING FEE- 2 LOADS	Open	360.00	0.00
20-01428	10/09/20	00157	TREASURER - STATE OF NJ	UNDERGROUND STORAGE TANKS PROG	Open	50.00	0.00
20-01429	10/13/20	00821	AT&T	SEPT 2020 FAX/LONG DISTANCE	Open	102.77	0.00
20-01430	10/13/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MNTH 10/15	Open	174,502.98	0.00
20-01431	10/13/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 10/15	Open	5,998.69	0.00
20-01432	10/13/20	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MNTH 10/15	Open	4,406.16	0.00
20-01433	10/13/20	00012	PROSTOCK MIDLAND	BRAKES/BATTERIES/ANTIFREEZE	Open	1,140.51	0.00
20-01434	10/13/20	02147	PISANO, RONALD	REIMB- WORK BOOTS -DPW	Open	300.00	0.00
20-01435	10/13/20	00152	A T EMBLEM CO	50 HOHOKUS TOWN COUNCIL PINS	Open	349.00	0.00
20-01436	10/13/20	02988	NASSAU CAPITAL ADVISORS, LLC	FINANCIAL WORK-PILOT CROSSINGS	Open	1,842.50	0.00
20-01437	10/13/20	03224	ALS GROUP USA CORP.	DS/EPA 524.2/552.2 WATER TESTS	Open	286.00	0.00
20-01438	10/13/20	03204	MONTAGUE TOOL & SUPPLY	3 HONDA GENERATORS -WATER DEPT	Open	2,841.63	0.00
20-01439	10/13/20	00347	HAWTHORNE CHEVROLET	24 LUG NUTS - POL VEH	Open	165.36	0.00
20-01440	10/13/20	01580	MCMASER-CARR	HES SCREW/NUT KIT FOR PIPE-DPW	Open	43.75	0.00
20-01441	10/13/20	02690	VERIZON WIRELESS*	WIRELESS CHARGES 9/4-10/3	Open	613.56	0.00
20-01442	10/13/20	00555	P S E & G *	ELECT. SVC-EASTGATE THRU 10/7	Open	62.35	0.00
20-01443	10/13/20	02964	WAHID, CLAUDETTE	RETIREE MED INSUR REIMB.- YR3	Open	1,500.00	0.00
20-01444	10/14/20	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-SHADE TREE ZOOM MTGS	Open	115.94	0.00
20-01445	10/14/20	00255	NORTH JERSEY MEDIA GROUP	LEGAL AD-ZBA DEC NOT-755 WSRR	Open	13.33	0.00
20-01446	10/14/20	00255	NORTH JERSEY MEDIA GROUP	LEGAL AD-BIDS NOT.-BRANDYWINE	Open	78.20	0.00
20-01447	10/14/20	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-M&C MTG/TOWING NOT.	Open	64.88	0.00
20-01448	10/14/20	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-ZBA NOT OF ZOOM MTG	Open	136.88	0.00
20-01450	10/14/20	02846	GTBM	E-TICKET BILLING JUL-SEPT-POL	Open	4.75	0.00
20-01451	10/14/20	00258	THOMSON REUTERS - WEST	2021 RULES OF COURT - COURT	Open	338.00	0.00
20-01453	10/14/20	03298	PASCACK DATA SERVICES, INC	COMPUTER SUPPORT 9/15-12/14	Open	6,750.00	0.00
20-01454	10/14/20	02484	RACHLES/MICHELE'S OIL CO.	100.2 GALS GAS DELIVERED 9/28	Open	1,394.47	0.00
20-01455	10/15/20	00032	NJ LEAGUE OF MUNICIPALITIES	NJLM CONFERENCE REGISTRATION	Open	660.00	0.00
20-01456	10/15/20	00294	STATE OF NEW JERSEY-PWT	3RD QTR PENNY TAX -WATER USAGE	Open	742.79	0.00
20-01457	10/15/20	01457	A-VAN ELECTRICAL SUPPLY INC	THIN WIRE - WATER DPT	Open	25.01	0.00

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20-01458	10/15/20	02435	RIO SUPPLY, INC.	271 WATER METERS-5/8" & 1/2"	Open	79,940.00	0.00
20-01459	10/15/20	01779	OUTSTANDING SERVICE	CHECK WATER TANKS/BIOCIDES TRTM	Open	182.90	0.00
20-01460	10/15/20	02429	GRAINGER	SYNTHETIC WHITE GREASE-WATER D	Open	82.80	0.00
20-01461	10/15/20	00166	BOLE, DAVID B., ESQ.	BORO ATTORNEY SVCS - SEPT	Open	1,810.00	0.00
20-01462	10/15/20	00166	BOLE, DAVID B., ESQ.	BORO ATTORNEY SVCS -TAX APPEAL	Open	583.00	0.00
20-01464	10/16/20	00886	SCHWANWEDE/HALS ENGINEERING	ENG PLAN REVIEW 1111/11	Open	400.00	0.00
20-01465	10/16/20	00038	VERIZON	WATER DEPT PHONES OCT-NOV	Open	82.91	0.00
20-01466	10/16/20	00038	VERIZON	SEPT-OCT PHONE - DEPTS.	Open	410.76	0.00
20-01467	10/19/20	01051	V.E. RALPH & SON	ALCOHOL HAND WIPES- AMBUL.	Open	37.68	0.00
20-01468	10/19/20	02380	I.D.M. MEDICAL GAS CO	REFILL 2 OXYGEN CYLINDERS-AMBU	Open	48.94	0.00
20-01469	10/19/20	03224	ALS GROUP USA CORP.	COLIFORM TESTS - WATER DPT	Open	44.00	0.00
20-01470	10/19/20	80108	ADAMS, NORA	SPANISH INTERPRETER COURT-10/7	Open	150.00	0.00
20-01471	10/19/20	02723	CLARKE CATON HINTZ	SVCS.-AFFORDABLE HOUSING SEPT.	Open	205.75	0.00
20-01472	10/19/20	00610	NJ DEPT OF HEALTH	SEP-OCT DOG LICENSES LAST #474	Open	27.00	0.00
20-01473	10/20/20	03192	PIAZZA & ASSOCIATES, INC.	COAH COMPLIANCE SVCS MAR-AUG	Open	600.00	0.00
20-01476	10/20/20	00022	STONE INDUSTRIES, INC.	9 TONS-ASPHALT/TACK COAT-ROADS	Open	619.59	0.00
20-01477	10/20/20	02004	HOFFMAN EQUIPMENT	OIL/FUEL FILTERS/ELEMENTS- DPW	Open	504.46	0.00
20-01478	10/20/20	03306	SARJO INDUSTRIES, INC.	SCREWS/FUSES/WASHERS-VEHICLES	Open	226.16	0.00
20-01480	10/21/20	02855	POWERDMS, INC.	POWER DMS STDS. FOR NJSACOP	Open	805.00	0.00
20-01481	10/21/20	00012	PROSTOCK MIDLAND	GREASE GUN FITTING/SHOCKS-DPW	Open	266.04	0.00
20-01482	10/21/20	02712	OPTIMUM **	OPTONLINE SVC DPW - 1/16-11/15	Open	119.80	0.00
20-01483	10/21/20	03223	EAGLE EQUIPMENT, INC.	STEEL PIPE-PIPE NIPP - DPW	Open	55.04	0.00

**Resolution #20-106- Introduced by Councilman Crossley**

**A Resolution – Solid Waste Annual Service Increase**

WHEREAS, in accordance with Chapter 64-9E – The solid waste service charge shall be fixed annually, by resolution of the Mayor and Council as may be required to meet budgetary requirements. Said charge may, from time to time, be revised by resolution of the Mayor and Council to provide for the financial requirements of the SWU.

THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Ho-Ho-Kus that the following new per annum fees are established: District 1- \$804, and District 2 - \$908 and will take effect January 2021.

**Resolution #20-107- Introduced by Councilman Crossley**

**A Resolution – Authorize Participation in the Employee Prescription Drug Program**

BE IT RESOLVED:

1. The Borough of Ho-Ho-Kus 093200, a participating employer in the SHBP/SEHBP, hereby elects to participate in the Employee Prescription Drug Program provided by the New Jersey State Health Benefits Act (N.J.S.A. 52:14-17.25 et seq.) and to authorize coverage for all the employees and their dependents thereunder in accordance with the statute and regulations adopted by the State Health Benefits Commission/School Employees' Health Benefits Commission (SHBC/SEHBC).
2. As a participating employer, we will remit to the State Treasury all charges due on account of employee and depend coverage and periodic charges in accordance with the requirements of the statute and the rules and regulations duly promulgated thereunder.
3. We hereby appoint Joe Citro, CFO to act as Certifying Officer in the administration of this program.
4. This resolution shall take effect immediately and coverage shall be effective as of 01 / 01 / 2021, or as soon thereafter as it may be effectuated pursuant to the statutes and regulations.

I hereby certify that the foregoing is a true and correct copy of a resolution duly adopted by the;

Borough of Ho-Ho-Kus

10 / 27 / 2020

333 Warren Avenue Ho-Ho-Kus NJ 07506

(201) 652-4400

37 22-6001995 Bollinger Insurance Company  
*Number of Employees Employer's State Employer Identification Number (EIN) Present Prescription Drug Carrier*

**Resolution #20-108- Introduced by Councilman Crossley**

**A Resolution – Tax Appeal – Yomtobian vs. HHK**

WHEREAS, Amir and Dalia Yomtobian are owners of real estate known as Lot 2 in Block 1303 better known as 599 East Gate Road, Ho-Ho-Kus, New Jersey; and

WHEREAS, the owner has filed a 2017, 2018, 2019 and 2020 tax appeal challenging the tax assessment; and  
WHEREAS, Lot 2 in Block 1303 was assessed for the 2017-2020 tax years in the total amount of \$2,350,000; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the Borough's Tax Assessor and has conducted exhaustive negotiations with counsel for the taxpayer; and  
WHEREAS, the parties have been able to arrive upon a proposed settlement agreement as follows: 2017: withdrawn; 2018: \$2,250,000; 2019: \$2,200,000; 2020: \$2,100,000 and 2021: \$1,800,000; and  
WHEREAS, the parties have agreed that pre-judgment interest shall be waived as a condition of the settlement; and  
WHEREAS, the Borough's Tax Assessor Edmund Brown is in agreement with the terms of the settlement and believes that it would be in the best interests of the Borough to settle this particular case in accordance with the terms set forth above;

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Amir and Dalia Yomtobian v. Ho-Ho-Kus tax appeals pending in the Tax Court of New Jersey under Docket Nos. 006425-2017; 003349-2018; 002674-2019; 003673-2020 at the new assessments set forth above; and

BE IT FURTHER RESOLVED, that upon receipt of the Tax Court Judgment, the Tax Collector is hereby authorized to calculate the amount of the refund and cause same to be paid to the taxpayer, without statutory interest, within 60 days from the date of the Tax Court Judgment; and

BE IT FURTHER RESOLVED, that this resolution is subject to approval thereof by the taxpayer and his attorney; and

BE IT FURTHER RESOLVED, that upon adoption of the within Resolution, a certified copy of same shall be served by the Municipal Clerk upon the Tax Assessor, the Tax Collector, the Chief Financial Officer and the Municipal Attorney.

**Resolution #20-109- Introduced by Councilman Crossley**

**A Resolution – Award Contract to Marini Brothers Construction Co., for the Brandywine/Valley Forge Drainage Improvement – Phase 3.**

WHEREAS, on September 24, 2020 bids were received for the Brandywine/Valley Forge Drainage Improvements – Phase 3; and

WHEREAS, eight (8) contractors submitted bids; and

WHEREAS, it has been determined that the bid of Marini Brothers Construction Co., Inc. (“Marini Brothers”) is the lowest responsible, responsive bidder; and

WHEREAS, the Chief Financial Officer has attached hereto a certification that adequate appropriated, uncommitted funds are available to pay for the Contract;

NOW, THEREFORE, BE IT RESOLVED by the Governing Body that a Contract for the above-referenced project is hereby awarded to Marini Brothers of 9 Lafayette Street, Hackensack, New Jersey in the amount of \$188,751.90;

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk and hereby authorized to execute a

contract following legal review; and

BE IT FURTHER RESOLVED, that the bid of the next lowest bidder Mike Fitzpatrick Contractors Inc. be held pending execution of the Contract with Marini Brothers.

**Resolution #20-110- Introduced by Councilman Crossley**

**A Resolution – Authorizing the Borough of HHK Police Department to Participate in the 1033 Program which enables them to request and acquire excess to 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, 2021 to December 31, 2021; 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.

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 31<sup>st</sup> of the current calendar year from January 1, 2021 to December 31, 2021.

**Resolution #20-111- Introduced by Councilman Crossley**

**A Resolution – A Resolution recommending the closure of the PSE&G Bergen Generating Station in**

Ridgefield, NJ

WHEREAS, it was reported in an August 3, 2020, article entitled “PSEG make it Official: Fossil-Fuel Power Plants Are on the Way Out” in the online publication NJSPOTLIGHT.com (<https://www.njspotlight.com/2020/08/psegmake-itofficial-fossil-fuel-powere-plants-are-on-the-way-out/>)

That PSEG is looking to sell its fleet of fossil-fuel plants, which includes the natural gas infrastructure facility known as the PSEG Bergen Generating Station, Victoria Terrace, Ridgefield, New Jersey 07657 (“OSEG Bergen Generating Station”)’ and

WHEREAS, the municipality and Borough Council of the Borough of Ridgefield (“Ridgefield”) have taken a strong stance against gas fired and fossil-fuel facilities through previous resolutions opposing other gas fired and fossil-fuel facilities in the area, even though said facilities were designed to run cleaner with new technology; and

WHEREAS, on June 20, 2018, Ridgefield, through Resolution No. 197-2018, identified multiple statistics and studies regarding the hazards of fossil-fuel power plants and which specifically “Strongly opposed(d) construction of the North Bergen Liberty Generating Power Plant”; and

WHEREAS, Ridgefield in Resolution No. 197-2018 previously identified the PSEG Bergen Generating Station as “one of the larges (sic) sources of air pollution in New Jersey and which already produces over 2 million metric tons of C)2 annually” and

WHEREAS, the sale of the PSEG Bergen Generating Station to a different operator/entity will permit the continued operation of that natural gas infrastructure facility despite Ridgefield’s strong stance against gas fired and fossil-fuel facilities; and

WHEREAS, Ridgefield has a principal responsibility to protect the health and safety of its residents, businesses, and institutions; and

WHEREAS, the contemplated sale of the PSEG Bergen Generating Station presents the opportunity for the Mayor and Council of Ridgefield to pursue the closure of the PSEG Bergen Generating Station to benefit its residents and citizens in the surrounding area, including North Bergen residents; and

NOW THEREFORE BE IT RESOLVED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HO-HO-KUS, THAT:

- 1.The aforesaid recitals are incorporated herein as though fully set forth at length.
- 2.The Borough of Ho-Ho-Kus strongly encourages Mayor Anthony Suarez and the Council of Ridgefield to pursue the closure of the PSEG Bergen Generating Station and transition the property to a cleaner, more environmentally friendly use that would better serve its residents and citizens in the surrounding area.
- 3.A certified copy of this Resolution be forward to Mayor Anthony Suarez, environmental protection organizations, and interested communities.

**Resolution #20-112- Introduced by Councilman Crossley**

**A Resolution – Remote Meeting Public Comment Policy**

BE IT RESOLVED that the Mayor and Council, in accordance with Local Finance Notice 2020-21 and N.J.A.C. 5:39-1 et seq., hereby adopts the following procedure governing the public comment process during a remote meeting, which process shall supplement the Mayor and Council By-Laws:

1. The Mayor and Council of the Borough of Ho-Ho-Kus shall hold work sessions and public meetings in person and via a telephonic-only attendance option. Meeting access information shall be advertised on the Borough website public meeting calendar, viewable from the Borough home page at website [www.ho-ho-kusboro.com](http://www.ho-ho-kusboro.com).

2. The public shall be muted during the meeting, except as outlined below during the Public Comment portion(s) of the meeting, in order to limit disruptions and background noise.

3. Public comments may be submitted by 4:00 p.m. on the date of the meeting either through written letter or email to Borough Administrator William Jones ([JonesW@ho-ho-kusboro.com](mailto:JonesW@ho-ho-kusboro.com)). All written comments shall be read during the Public Comment portion of the meeting and shall be subject to the same time limitations for public speaking in the reasonable discretion of the Mayor. Duplicative comments shall be noted for the record and summarized.

4. Public comments may be made during the Public Comment portion(s) of the meeting as follows:
- (a) Once the Mayor and Council have opened the floor to the public, the Borough Administrator or Borough Clerk, as meeting host, shall advise the public attending by telephone to identify themselves ;
  - (b) The host will announce that he/she is unmuting everyone attending telephonically. Anyone wishing to speak must unmute him/herself and vocally indicate the desire to speak by clearly announcing his/her name. The meeting host shall identify by name which person has the floor. At that point that person should restate his/her name and address for the record, then proceed with any comments.
  - (c) If a member of the public becomes disruptive during the Public Comment portion of the meeting, the meeting host shall mute the disruptive person and warn that continued disruption may result in their being prevented from speaking or removed from the telephonic meeting. Disruptive conduct includes sustained inappropriate behaviors such as, but not necessarily limited to, shouting, interruption, and use of profanity.
  - (d) A member of the public who continues to act in a disruptive manner after receiving an initial warning may be muted while other members of the public are allowed to proceed with their public comment. If time permits, the disruptive individual shall be allowed to speak after all other members of the public have been given the opportunity to speak. Should that person remain disruptive, the individual may be muted from the telephonic public meeting.

#### **Resolution #20-113- Introduced by Councilman Crossley**

##### **A Resolution – Inter-Local Court - Allendale**

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, that it hereby authorizes the Mayor and Council and the Municipal Clerk to sign the Inter-local Court Agreement of 65%/35%.

BE IT FURTHER RESOLVED that the Borough of Ho-Ho-Kus contributes 65% of all cost and the Borough of Allendale contributes 35% of all cost.

A motion was offered by Councilman Crossley and seconded by Councilman Shell to approve Resolutions #20-105 through #20-113. Motion carried on a roll call vote – All present voting “Aye”.

#### **LIAISON REPORTS**

**Recreation** – Councilman Iannelli reported soccer, football and fall baseball is coming to an end. There as been no reports of any outbreak of COVID19, that is due to the extreme care of the teams and the guidelines given by the league.

**Library** - Councilman Policastro reported the facility remains open to the public at a limited capacity of 15 people, with an optional curbside pick-up program. Employees continue to work staggered shifts. More information can be found on Facebook and as well their website [www.ho-ho-kuslibrary.com](http://www.ho-ho-kuslibrary.com).

**Board of Education** – Councilman Policastro reported himself, Mayor Randall and Administrator Jones have been in constructive dialog with Ho-Ho-Kus School Superintendent Dr. Mardy on a number of issues regarding COVID19 and established guidelines for Halloween.

**Ambulance Corp.** – No Report

**Fire Department** – Councilman Shell reported the Fire Department continues to have their monthly meeting via in-person and Zoom meetings and is well attended.

**Chamber of Commerce** – Councilman Shell reported nothing new on the Chamber, however he would like to do something in memory of Domenic Parisi of Domenic & Pietro’s Barber Shop for being in business in Ho-Ho-Kus for 50 years. Board agreed. More information to follow.

#### **MAYOR REMARKS**

#### **PRESENTATION OF THE MASTER PLAN**

Mr. Hanlon, Chairman of the Planning Board gave a presentation of the updated Ho-Ho-Kus Master Plan. He stated the major plan change in this document is the “Table of Contents” . The reason being he found over the

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years, when residents went on-line to look at the plans it would say one particular page and it would not match in the information they were looking for. Mr. Hanlon thanked everyone involved as this was a huge undertaking.

**CLOSED SESSION** - On a motion by Councilman Shell, seconded by Councilwoman Moran, the Mayor and Council approved entering into Executive Session closed to the public. Motion Carried by voice vote – all present voting “Aye”.

A Resolution - providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act. NJSA 10:4-12

Whereas, the Borough Council of the Borough of Ho-Ho-Kus is subject to certain requirements of the Open Public Meetings Act, NJSA 10:4-6; and

Whereas, the Open Public Meetings Act, NJSA 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by resolution; and

Whereas, it is necessary for the Borough Council of the Borough of Ho-Ho-Kus to discuss in a session not open to the public certain matters relating to the item or items authorized by NJSA 10:4-12 (b) as follows:

- 4-Matters relating to collective bargaining agreements  
Pilot Program/Library

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on October 27, 2020 that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above.

Closed Session began at 8:30 p.m. and ended at 9:35 p.m.

**ADJOURNMENT**

On a motion by Councilman Crossley, seconded by Councilwoman Moran, the meeting was adjourned at 9:35 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,

Joan Herve, RMC/CMR  
Borough Clerk