

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

AUGUST 26, 2014- 8:00 P.M.

I OPEN MEETING STATEMENT

Mayor Randall called the meeting to order at 8:00 PM and asked the clerk to read the opening statement.
Roll Call.

Mayor Randall	Present
Councilmember Troast	Present
Councilmember Lennon	Present
Councilmember Shea	Present
Councilmember Rorty	Absent
Councilmember Weiss	Present
Councilmember Shell	Present

Also present were Borough administrator Donald G. Cirulli and borough attorney David Bole

II. PLEDGE OF ALLEGIANCE

Mayor Randall led all in the pledge of Allegiance

III. APPROVAL OF MINUTES

1. July 22, 2014 Public Meeting
2. July 22, 2014 Closed Session Part I
3. July 22, 2014 Closed Session Part II

Councilmember Troast moved the approval of the Minutes Seconded Councilmember Lennon

All Ayes:

Absent: Councilmembers Shea and Shell

IV. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – July 2014

B. PUBLIC SAFETY

1. Police Report – July 2014
2. Court Report – July 2014

C. PUBLIC WORKS & PROPERTIES

1. Supt. of Public Works – July 2014
2. Construction Office Report – July 2014

D. WATER

1. Water Supt. Report – July 2014

2. Water Registrar's Report- July 2014

E. FIRE

1. Fire Dept. Report – July 2014
2. Fire Prevention Bureau – July 2014

F. COMMUNITY RELATIONS

1. Library – July 2014
2. Ambulance Report – July 2014

V. ADMINISTRATOR'S REPORT

1. Donald Cirulli stated that in light of all the Ice Bucket Challenge craze on Social Media, the New Jersey League of Municipalities sent out a bulletin from the New Jersey Division of Fire and Safety/Office of State Fire Marshall about a Fire Challenge, young people are dousing themselves with a flammable liquid, and igniting themselves and posting it on Social Media.

2. The Borough website is completed and will go "Live" September 1, 2014.

3. PSEG will install LED lights to the poles that have not been done yet, they will install light fixtures on Elmwood Avenue. If a light goes out at the train station, Police department needs to be notified, who in turn will contact PSEG.

4. 9/11 Memorial Services will be held on September 11th at Borough Hall at 8:50 AM.

VI. PUBLIC DISCUSSION

1. Mr. and Mrs. Eric Butzel 25 Sargent Road discussed an ongoing issue with the Development fee for work that was done to their home.

2. Carol Tyler Ho-Ho-Kus Volunteer Ambulance Corps thanked the Governing Body for the adoption of Ordinance 1030, increase in stipend amount for the Volunteer Incentive Program.

3. Mianyu Wang 11 Blanchfield Court discussed a flooding issue in front of his driveway. He spoke with DPW superintendent Jeffrey Pattman who said that he would speak to the David Hals Borough Engineer about the issue, and that he would contact Mr. Wang as soon as he heard from him.

VII. A. CORRESPONDENCE

1. Thank you card from JoAnn Carroll re: Well wishes on her Mother's Passing.

2. Gold Star Luminary Initiative re: Gold Stars Mothers' Day Event and Proclamation

3. Lauren Hollender- Block party on Elmwood Avenue- Saturday September 13, 2014
Councilmember Shea approved the request, seconded by Councilmember Lennon
All Ayes

4. Peter Mastandrea- Permission to use East Park for annual Cub Scout Campfire Kickoff
Councilmember Shea approved the request, seconded by Councilmember Weiss
All Ayes

5. Kevin Pianetti- Block Party on Spruce Sunday August 31, 2014
Councilmember Weiss approved the request, seconded by Councilmember Lennon
All Ayes

B. Ordinances and Resolutions Other Towns.

None

C. Bergen County.

None

D. League of Municipalities.

1. Weekly Summer Update Amendment the NJ Spill Act
2. August is National Immunization Awareness Month
3. Grant Seminar Series help Municipal Officials find Funding to meet their needs
4. NJ Division of Fire Safety Issues Safety Warning on current Social Media Stunt.
4. Mayors Challenge to End Vets Homelessness

E. State of New Jersey.

None

VIII. INTRODUCTION OF ORDINANCES

1. Ordinance # 1031- Amend Chapter 77- Uniform Construction Code

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

SECTION I

Article III, Fee Schedule, Section 77-7 to 77-10.1 is hereby repealed.

SECTION II

Chapter 77 of the Code is hereby reestablished by inclusion of a new Article III, Fee Schedule, as follows:

SECTION 77.7

Fees for a Construction Permit

The fees and charges required under the Code of the Borough of Ho-Ho-Kus entitled Construction Codes, Uniform, shall be as follows:

A. The fee for a construction permit shall be the sum of the subcode fees listed in paragraphs A. 1. through 10. hereof, and shall be paid before the permit is issued.

1. New construction and additions are based on the volume of structure.

(a) Volume of building in cu. Ft. X \$.05.

2. Reconstruction, alterations, renovations, repairs are based on the cost of the work.

(a) Based on cost of work: \$22.00 per \$1,000.00.

3. Demolition or removal permit.

- (a) For all principal buildings: the fee is \$150.00
- (b) For all residential accessory structures: the fee is \$50.00
- (c) For all nonresidential accessory structures: the fee is \$80.00
- (d) For all fuel tank removals: the fee is \$75.00
- (e) For removal of sheds over 100sq. ft. the fee is \$40.00
- (f) For removal of sheds 100 sq. ft. or less: the fee is \$40.00

4. Fence Permits.

- (a) Fences 6 ft. or less: the fee is \$25.00
- (b) Fences for pool barriers and over 6 ft. in height: the fee is \$50.00

5. Signs. the fee is \$1.00 per sq. ft.

(Note: fee to be based on one side of double sided signs)

6. Certificate of occupancy fees.

- (a) Fee for certificate of occupancy is \$60.00
- (b) Fee for certificate of occupancy based on change of use is \$150.00 for

nonresidential.

7. Pools.

- (a) Above ground pools are a flat fee of \$50.00
- (b) In ground pools are a flat fee of \$150.00
- 8. **Asbestos removal** permit is \$50.00
- 9. **Minimum fee for building permit.** is \$50.00
- 10. **Miscellaneous permit fees.**
 - (a) Commercial roof: the fee is \$150.00
 - (b) Residential roof or siding: the fee is \$50.00
 - (c) Detached (residential) building- roof or siding: the fee is \$25.00
 - (d) Fireplaces and stoves: the fee is \$50.00
 - (e) HVAC duct work: the fee is \$50.00
 - (f) Fuel storage tank installation: the fee is \$100.00
 - (g) Plan review credit 20%

77-8 Plumbing Subcode Fees

- A. The plumbing Subcode Fees shall be:
 - (1) For new construction, additions, renovations and alterations:
 - (a) Each fixture and device \$20.00
 - (b) Floor Drain \$20.00
 - (c) Dishwasher residential \$20.00
 - (d) Dishwasher commercial \$20.00
 - (e) Disposal unit. \$20.00
 - (f) Drinking fountain \$20.00
 - (g) Washing machine. \$20.00
 - (h) Hose bib \$20.00
 - (i) Gas piping. \$20.00
 - (j) Fuel oil piping. \$20.00
 - (k) Water heater \$50.00
 - (l) Steam or hot water boiler \$50.00
 - (m) Interceptor/separator \$50.00
 - (n) Back flow preventor \$20.00
 - (o) Grease trap \$50.00
 - (p) Air conditioning units and Refrigeration \$50.00
 - (q) Sewer connections \$50.00
 - (r) Water service connection \$50.00
 - (s) Gas service connection \$50.00
 - (t) Water softener \$50.00
 - (u) Lawn sprinkler. \$50.00
 - (v) Fire sprinkler \$50.00
 - (w) Sewer ejector. \$50.00
 - (x) Vent stack \$20.00
 - (2) Notwithstanding anything to the contrary, the minimum fee for any plumbing subcode permit shall be \$50.00
 - (a) Plan review credit. 20%

77-9 Electrical Subcode Fees.

The Electrical Subcode Fees shall be as follows:

- (a) Fixtures and devices to be counted for these items include outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures and motors and devices of one (1) horsepower or (1) kilowatt or less.

- (1) Fee for first 25 \$75.00
- (2) Fee for increments of 5 \$10.00
- (3) Fee for pool with U/lights \$125.00
- (4) Fee for storage pool/spa \$75.00
- (5) Fee for above-ground pool \$75.00

(b) For the purpose of calculating the following electrical fees, all motors except those in plug-in appliances shall be counted, including control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current:

- (1) Motors/electrical devices to 1-5 horsepower . . . \$20.00
- (2) Motors/electrical devices to 6-9 horsepower. . . \$30.00
- (3) Motors/electrical devices to 10-15 horsepower. . \$50.00
- (4) Motors/electrical devices above 26 horsepower. . \$100.00
- (5) Transformer/generator to 10 kilowatt. \$50.00
- (6) Transformer/generator to 45 kilowatt. \$100.00
- (7) Transformer/generator to 112.5 kilowatt. \$150.00
- (8) Transformer/generator above 112.5 kilowatt. . . \$200.00
- (9) Service/panels/subpanels to 100 ampere \$50.00
- (10) Service/panels/subpanels to 200 ampere \$90.00
- (11) Service/panels/subpanels to 300 ampere \$150.00
- (12) Service/panels/subpanels to 400 ampere \$200.00
- (13) Service/panels/subpanels to 800 ampere \$250.00
- (14) Service/panels/subpanels to 1000 ampere \$400.00
- (15) HVAC and Central AC- per unit \$50.00
- (c) Minimum fee \$50.00
- (d) Plan review credit 20%

77-10 Fire Subcode Fees.

The Fire Subcode Fees shall be as follows.

- (a) Fireplace \$60.00
- (b) Woodburning stove \$60.00
- (c) Residential mechanical equipment \$50.00
- (d) Residential smoke or heat detectors
Five (\$5.00) dollars each, minimum \$50.00
- (e) Restaurant extinguishing systems \$75.00
- (f) Automatic fire sprinkler
 - (a) Three (\$3.00) dollars per head,
Minimum \$50.00
- (g) Industrial/commercial fire alarm system \$50.00
- (h). Flammable/combustible liquid tank installation,
except commercial shall be \$100.00 per
1,000 gallons \$100.00
- (i) Flammable/combustible liquid tank removal/
abandonment. Includes above or underground
storage tanks. \$75.00
- (j) Chimney liner \$50.00
- (k) Egress emergency and exit lighting systems. \$50.00
- (l) Industrial/commercial mechanical systems \$50.00

(m)	L.P.G. or L.N.G. tanks	\$50.00
(n)	Standpipes.	\$50.00
(o)	Pool heaters (excluding above ground pools).	\$60.00
(p)	Plan review credit.	20%

77-10.1 Elevator Devices.

The fees for Elevator Devices shall be as follows:

- (1) New and altered elevator devices not of group R-2, 3, 4, & 5, shall be as follows:
- (a) Traction and winding drum elevators.
 - (i) One (1) to ten (10) floors: \$306.00
 - (ii) Over ten (10) floors: \$510.00
 - (b) Hydraulic elevators: \$272.00
 - (c) Roped hydraulic elevators: \$306.00
 - (d) Escalators, moving walks: \$272.00
 - (e) Dumbwaiters: \$68.00
 - (f) Stairway chairlifts, inclined and vertical wheelchair lifts and man lifts: \$68.00

Additional charges for devices equipped with the following features shall be as follows:

- (g) Oil buffers (charge per oil buffer) \$54.00
- (h) Counterweight governor and safeties \$136.00
- (i) Auxiliary power generator \$102.00

- (2) New and altered elevator devices of group R-3, R-4 or R-5, or otherwise exempt devices in structures of group R-2, shall be as follows: \$204.00

- (3) The fee for routine and periodic tests and inspections for elevator devices in structures not of group R-3, R-4 or R-5, or otherwise exempt devices in structures of group R-2, shall be as follows:

- (a) The fee for the six month routine inspections:
 - (1) Traction and winding drum elevators:
 - (i) One (1) to ten (10) floors: \$190.00
 - (ii) Over ten (10) floors: \$244.00
 - (2) Hydraulic elevators: \$136.00
 - (3) Roped hydraulic elevators: \$190.00
 - (4) Escalators, moving walks: \$190.00
- (b) The fee for the one-year periodic inspection and witnessing of tests of elevator devices:
 - (1) Traction and winding drum elevators:
 - (i) one (1) to ten (10) floors: \$272.00
 - (ii) Over ten (10) floors: \$326.00
 - (2) Hydraulic elevators: \$175.00
 - (3) Roped hydraulic elevators: \$240.00
 - (4) Escalators, moving walks: \$375.00
 - (5) Dumbwaiters: \$102.00
 - (6) Stairway chairlifts, inclined and vertical wheelchair lifts and man lifts: \$150.00

Additional yearly periodic inspection charges for elevator devices equipped with the following features shall be as follows:

- (7) Oil buffers (charge per oil buffer) \$54.00

- (8) Counterweight governor and safeties: \$108.00
 - (9) Auxiliary power generator: \$68.00
 - (4) Plan review credit20%
- Surcharge fees as per State Uniform Construction Code.

SECTION III

Section 77-11, 77-12 and 77-12.1: No Change.

SECTION IV. SEVERABILITY

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

SECTION V. 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 VI. EFFECTIVE DATE

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

Councilmember Lennon moved the introduction of the Ordinance on first reading, seconded by Council member Weiss
 All Ayes:
 Absent: Cn. Rorty

2. Ordinance # 1032- Amend Chapter 42- Personnel Rules and Regulations

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

Section 42-13- Medical Insurance is hereby amended as follows.

- (a) No Change.
- (b) No Change.
- (c) Subject to and consistent with N.J.S.A. 40A:10-23, when an employee retires on a regular retirement or disability retirement under the New Jersey Public Employees Retirement System, such eligible employee shall be entitled to a maximum of \$1,500 per annum from the Borough of Ho-Ho-Kus to pay for their own medical insurance program. In the event that the employee who is retired is employed by another employer where medical insurance is supplied, then during such employment the retiree is not eligible to receive this benefit. The retiree shall provide the Borough of Ho-Ho-Kus annually with a Certification indicating such lack of coverage and also a Certification of Purchase of the aforementioned medical insurance on their own. This benefit shall terminate ten (10) years after the member's retirement. This benefit will commence upon retirement and end ten (10) years after retirement, whether used or not. This Subsection is only applicable to employees of the Borough hired before the effective date hereof. It is not applicable to employees hired after the effective date of this subsection.

Section 42-14. Severability

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

Section 42-15. 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 42-16. Effective Date

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

Councilmember Shea moved the introduction of the Ordinance on first reading, seconded by Councilmember Lennon
 All Ayes:

Absent: Cn. Rorty

IX. FINAL PASSAGE OF ORDINANCES

1. Ordinance # 1021 Bond Ordinance

BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT, NEW INFORMATION TECHNOLOGY EQUIPMENT AND A NEW AUTOMOTIVE VEHICLE, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,770,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to make various public improvements and to acquire new additional or replacement equipment and machinery, new communication and signal systems equipment, new information technology equipment and a new automotive vehicle, including original apparatus and equipment, in, by and for said Borough, as more particularly described in Section 4 hereof. The cost of the improvements includes all work, materials and appurtenances necessary and suitable therefor.

Section 2. There is hereby appropriated to the payment of the cost of making the improvements described in Sections 1 and 4 hereof (hereinafter referred to as "purposes"), the respective amounts of money hereinafter stated as the appropriation for said respective purposes. Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 3. It is hereby determined and stated that the making of such improvements is not a current expense of said Borough.

Section 4. The several purposes hereby authorized for the financing of which said obligations are to be issued are set forth in the following "Schedule of Improvements, Purposes and Amounts" which schedule also shows (1) the amount of the appropriation and the estimated cost of each such purpose, and (2) the amount of each sum which is to be provided by the down payment hereinafter appropriated to finance such purposes, and (3) the estimated maximum amount of bonds and notes to be issued for each such purpose, and (4) the period of usefulness of each such purpose, according to its reasonable life, computed from the date of said bonds.

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking the resurfacing of various roads in the Borough (and the reconstruction of curbs, where necessary) as the 2013 Road Resurfacing Program, as set forth on a list on file or to be placed on file with the Borough Clerk, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Borough Council, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 275,000
Down Payment Appropriated	\$ 13,100
Bonds and Notes Authorized	\$ 261,900
Period of Usefulness	10 years

B. (i) Acquisition of new additional or replacement equipment and machinery for the use of the Department of Public Works ("DPW") consisting of a street sweeper, (ii) replacement of gas pumps at the DPW Yard and (iii) replacement of parking machines at the Train Station.

Appropriation and Estimated Cost	\$ 230,000
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Down Payment Appropriated	\$ 11,000
Bonds and Notes Authorized	\$ 219,000
Period of Usefulness	15 years

C. Acquisition of new communication and signal systems equipment, new information technology equipment and a new automotive vehicle, including original apparatus and equipment, for the use of the Police Department, consisting of (i) portable radios, (ii) electronic ticketing machines for police cars and (iii) an SUV.

Appropriation and Estimated Cost	\$ 90,000
Down Payment Appropriated	\$ 7,900
Bonds and Notes Authorized	\$ 82,100
Period of Usefulness	5 years

D. (i) Installation of generators at sanitary sewer stations and (ii) replacement of the East Gate Sanitary Sewer Lift Station.

Appropriation and Estimated Cost	\$1,100,000
Down Payment Appropriated	\$ 52,400
Bonds and Notes Authorized	\$1,047,600
Period of Usefulness	15 years

E. Undertaking of various improvements to the Fire House, including the installation of lights and the replacement of the generator and boiler. It is hereby determined and stated that such public building being improved is of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law.

Appropriation and Estimated Cost	\$ 75,000
Down Payment Appropriated	\$ 3,600
Bonds and Notes Authorized	\$ 71,400
Period of Usefulness	15 years
Aggregate Appropriation and Estimated Cost	\$1,770,000
Aggregate Down Payment Appropriated	\$ 88,000
Aggregate Amount of Bonds and Notes Authorized	\$1,682,000

Section 5. The cost of such purposes, as hereinbefore stated, includes the aggregate amount of \$125,000 which is estimated to be necessary to finance the cost of such purposes, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 6. It is hereby determined and stated that moneys exceeding \$88,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purposes. The sum of \$88,000 is hereby appropriated from such moneys to the payment of the cost of said purposes.

Section 7. To finance said purposes, bonds of said Borough of an aggregate principal amount not exceeding \$1,682,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 8. To finance said purposes, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$1,682,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 9. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of

its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 10. It is hereby determined and declared that the average period of usefulness of said purposes, according to their reasonable lives, taking into consideration the respective amounts of bonds or notes authorized for said purposes, is a period of 13.73 years computed from the date of said bonds.

Section 11. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$1,682,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 12. Any private contributions, any funds received from the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purposes, shall be applied to the payment of the cost of such purposes, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purposes shall be reduced accordingly.

Section 13. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Sections 1 and 4 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 14. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 15. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 16. This ordinance shall supersede Ordinance No. 1021 adopted on June 25, 2013 (the "Prior Ordinance"), and all contracts, expenditures, encumbrances and charges made pursuant to the Prior Ordinance are hereby ratified and approved and shall hereafter be deemed to have been made pursuant to this ordinance. All bond anticipation notes issued pursuant to the Prior Ordinance are hereby ratified and approved and shall be deemed to have been issued pursuant to this ordinance.

Section 17. This ordinance shall take effect twenty days after the first publication thereof after final passage. Councilmember Shea moved the introduction of the Ordinance on first reading, seconded by Councilmember Lennon
All Ayes:

Absent: Cn. Rorty

2. Ordinance # 1022 Bond Ordinance

BOND ORDINANCE TO AUTHORIZE THE UNDERTAKING OF VARIOUS WATER SYSTEM IMPROVEMENTS IN, BY AND FOR THE WATER UTILITY OF THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$275,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

BE IT ORDAINED by the Borough Council of the Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey, as follows:

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the following water system improvements in, by and for the Water Utility of the Borough: (A) replacement of water meters at various locations; (B) installation of a calcium hypochlorite system at Well Nos. 1 and 4; (C) replacement of valves and fire hydrants at various locations; and (D) various improvements to well houses. Said improvements shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$275,000 is hereby appropriated to the payment of the cost of making the improvements described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvements shall be made as general improvements and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$275,000, and (4) \$13,150 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes hereinafter authorized necessary to be issued for said purpose is \$261,850, and (6) the cost of such purpose includes the aggregate amount of \$10,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$13,150, appropriated for down payments on capital improvements or for the capital improvement fund in Water Utility budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$13,150 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$261,850 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$261,850 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of fifteen years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that

the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$261,850 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvements described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 14. This ordinance shall supersede Ordinance No. 1022 adopted on June 25, 2013 (the "Prior Ordinance"), and all contracts, expenditures, encumbrances and charges made pursuant to the Prior Ordinance are hereby ratified and approved and shall hereafter be deemed to have been made pursuant to this ordinance. All bond anticipation notes issued pursuant to the Prior Ordinance are hereby ratified and approved and shall be deemed to have been issued pursuant to this ordinance.

Section 15. This ordinance shall take effect twenty days after the first publication thereof after final passage. Councilmember Shea moved the introduction of the Ordinance on first reading, seconded by Councilmember Lennon
All Ayes:

Absent: Cn. Rorty

3. Ordinance # 1030 Amend Chapter 80-Volunteer Incentive Program

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

SECTION 80-3 is amended as follows: **80-3 Annual stipend**

The annual stipend for each eligible member shall be up to \$1,650 per year. **SECTION 80-4** is amended as follows.

80-4 Estimated cost.

The estimated annual cost of the program has been calculated as follows: not to exceed \$1,650 per year for eligible members of the Volunteer Fire Department and Volunteer Ambulance Corps., Inc.

SEVERABILITY

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

REPEALER

All other ordinances of the Borough, or parts thereof, which are in conflict with this ordinance are hereby

repealed to the extent of such conflict.

EFFECTIVE DATE

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

Councilmember Lennon moved the introduction of the Ordinance on first reading, seconded by Councilmember Weiss
All Ayes:

Absent: Cn. Rorty

X. RESOLUTIONS

None

XI. CONSENT RESOLUTION

1. # 14-107 Award D&L Paving- Blauvelt Avenue

WHEREAS, a total of five bids were received and opened on July 29, 2014, for the resurfacing of Blauvelt Avenue from Franklin Turnpike to Sheridan Avenue; and

WHEREAS, D & L Paving Contractors, Inc., 681 Franklin Avenue, Nutley, NJ 07110 is the lowest responsible bidder at the cost of \$114,651.10

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the contract for resurfacing a section of Blauvelt Avenue as noted above is hereby awarded to D & L Paving Contractors, Inc

2. # 14-108 Approval to hold a Public Auction

WHEREAS, pursuant to the provisions of N.J.S.A. 40A:11-36 the Borough of Ho-Ho-Kus may sell any personal property; and

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus have determined that said property is not needed for public purpose and wishes to sell them; and

WHEREAS, this sale will be in an "as is" condition without express or implied warranties

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, that the Surplus property be sold as identified in Schedule A. on September 30th 2014 at the Department of Public Works, 23 Hollywood Ave, Ho-Ho-Kus NJ 07423

Year	Model	Vin number	Mileage	Min. Bid	F/A Tag
1999	F350 Ford Pickup	1FTSF31F6XEC67118	89,911	3000	1154
2005	Ford Crown Vic Cruiser	2FAFP71W25X160705		B/O	1773
1998	Ford Crown Vic Cruiser	2FAFP71WXWX134323	94,198	B/O	1128
2001	Dodge Durango	1B4HS28Z11F538875	66,397	1000	1248
2004	Dodge Durango	1D4HB48N24F237616	120,430	1500	1609
2003	Dodge Durango	1D4HS38N23F595159	84,008	500	1477
1995	Mason Dump	1FDLF47F5SEA53176	71,106	3000	1056
1970	Onan Trailer Generator	569111971		100	
1970	Onan Trailer Generator	2701666555		100	
2005	Neopost Folding Mach.			100	

3. # 14-109 Community Development Program

A RESOLUTION AUTHORIZING

THE BOROUGH OF HO-HO-KUS

TO EXECUTE AN AGREEMENT WITH THE COUNTY OF BERGEN

TO SUPERSEDE THE COOPERATIVE AGREEMENT DATED JULY 1, 2000,

**AND AMENDMENTS THERETO ESTABLISHING THE
COMMUNITY DEVELOPMENT PROGRAM.**

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title 1 of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act of 1990, as amended; and Emergency Solutions Grant Act of 2012; and

WHEREAS, it is necessary to supersede an existing interlocal services cooperative agreement for the County and its people to benefit from this program; and

WHEREAS, an agreement has been proposed under which the Borough of Ho-Ho-Kus and the County of Bergen in cooperation with other municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et. seq.; and

WHEREAS, it is in the best interest of the Borough of Ho-Ho-Kus to enter into such an agreement.

NOW, THEREFORE BE IT RESOLVED by the Borough of Ho-Ho-Kus that the agreement entitled "Three Year Cooperative Agreement": An Agreement Superseding the Cooperative Agreement dated July 1, 2000—June 30, 2003, to clarify the planning and implementation procedures, and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Program, the HOME Investment Partnership Act Program and the Emergency Solutions Grant program for the Program Years: 2015, 2016, 2017 (July 1, 2015—June 30, 2018) to be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately in accordance with law.

4. # 14-110 Appt. Full Time Dispatcher- Michael Freeman

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that they accept the recommendation of the Police Chief and Borough Administrator and appoint Michael Freeman, 57 Hopkins Place Hillsdale, New Jersey 07642, as Police Dispatcher effective, July 1, 2014

BE IT FURTHER RESOLVED that said position shall be as permanent full-time employee;

BE IT FURTHER RESOLVED that Michael Freeman shall be paid in accordance with the 2014 Salary Ordinance.

BE IT FURTHER RESOLVED that said appointment and employment shall be subject to a six-month probationary period;

That the duties for the aforesaid position shall be as set forth in the job description and functions of the Borough of Ho-Ho-Kus;

That said appointment shall be subject to revised Chapter 42 of the Borough Code: Personnel Policies, Practices and Regulations, as well as applicable State agencies having jurisdiction.

5. # 14-111 MCDC Initiative

**RESOLUTION OF THE BOROUGH OF HO-HO-KUS DIRECTING THE UNDERTAKING OF A
CONTINUING DISCLOSURE REVIEW AND AUTHORIZING PARTICIPATION IN THE
MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE OF THE DIVISION
OF ENFORCEMENT OF THE U.S. SECURITIES AND EXCHANGE COMMISSION**

WHEREAS, the Borough of Ho-Ho-Kus (the "Governmental Entity") has entered into continuing disclosure agreement(s) in connection with certain of its prior bond and/or note issuance(s) (the "Prior Issuances"), agreeing to file certain financial information and operating data and/or certain enumerated event notices with the former nationally recognized municipal securities information repositories or the Municipal Securities Rulemaking Board (the "MSRB") pursuant to the provisions of Rule 15c2-12 of the Securities Exchange Act of 1934, as amended (the "Rule"); and

WHEREAS, the Governmental Entity has made certain representations regarding its continuing disclosures in bond and/or note offering documents in connection with its Prior Issuances; and

WHEREAS, in response to widespread concerns that many municipal issuers have not been complying with their obligations to file continuing disclosure documents under the Rule, and furthermore have made false representations concerning compliance in bond and note offering documents, the Division of Enforcement (the "Division") of the U.S.

Securities and Exchange Commission (the "Commission") has set forth its Municipalities Continuing Disclosure Cooperation Initiative (the "MCDC Initiative"), attached hereto as Exhibit A, whereby the Commission will recommend favorable settlement terms to municipal issuers involved in the offer or sale of municipal securities, as well as underwriters of such offerings, if they self-report to the Division, by 12:00 a.m. on September 10, 2014, possible violations involving materially inaccurate statements in bond and note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule; and

WHEREAS, pursuant to Local Finance Notice 2014-9, attached hereto as Exhibit B, the Director of the Local Finance Board, Division of Local Government Services of the Department of Community Affairs of the State of New Jersey, has recommended the undertaking of a Review (as hereinafter defined) by all municipal issuers and participation in the MCDC Initiative, where appropriate, as determined by the facts of each Review (the "LFB Recommendation");

NOW, THEREFORE, IN CONNECTION WITH THE LFB RECOMMENDATION, BE IT RESOLVED BY THE GOVERNMENTAL ENTITY, as follows:

Section 1. The Governmental Entity, through its Chief Financial Officer or a third-party disclosure-dissemination agent, is hereby directed to conduct a continuing disclosure review of its prior continuing disclosure undertakings (the "Review"), and the Governmental Entity hereby ratifies any such previously conducted Review. Such Review shall include, but is not limited to, a historical review of the Governmental Entity's continuing disclosure obligations and filings in connection with its Prior Issuances that are presently outstanding and which are no longer outstanding but, as of the date five years prior to the date of submission of the Questionnaire (as hereinafter defined), were outstanding; and the undertaking, at any time, of any applicable remedial filings with the MSRB deemed necessary for compliance with its continuing disclosure obligations.

Section 2. The Governmental Entity, through its Chief Financial Officer, is hereby authorized to participate in the MCDC Initiative, if in the discretion of the Chief Financial Officer after consultation with Governmental Entity officials, it is determined that the Governmental Entity may have made materially inaccurate statements in its bond and/or note offering documents relating to prior compliance with continuing disclosure obligations pursuant to the Rule in connection with its Prior Issuances issued during the period beginning five years prior to the date of submission of the Questionnaire.

Section 3. The Chief Financial Officer of the Governmental Entity is hereby authorized to execute and deliver any and all documents and instruments, including the Municipalities Continuing Disclosure Cooperation Initiative Questionnaire for Self-Reporting Entities contained in the MCDC Initiative (the "Questionnaire"), and to do and cause to be done any and all acts and things necessary or proper for participating in the MCDC Initiative and all related transactions, including the Review, contemplated by this resolution.

Section 4. All resolutions or proceedings, or parts thereof, in conflict with the provisions of this resolution are to the extent of such conflict hereby repealed.

Section 5. This resolution shall become effective in accordance with applicable law

6. # 14-112 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,943,175.69

WHEREAS, such claims have been listed according to Department and account number with corresponding vouchers to be reviewed and approved by the Mayor and Council; and,

WHEREAS, the CFO has determined that the funds have been properly appropriated for such purposes and are available, in the Borough of Ho-Ho-Kus and that the claims specified on the schedule attached hereto, following examination and approval by the Mayor and Council, be paid and checks issued accordingly; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that the claims totaling **\$2,943,175.69** be approved and ratified respectively

	Moved	Second	Ayes	Nays	Absent	Abstain
Mayor Randall						

Councilmember Troast	X		X			
Councilmember Lennon		X	X			
Councilmember Shea			X			
Councilmember Rorty					X	
Councilmember Weiss			X			
Councilmember Shell			X			

Councilmember Troast moved the adoption of the consent resolution, seconded by Councilmember Lennon

All Ayes:

Absent: Cn. Rorty

XII. OLD BUSINESS

A. Liaison Reports:

1. Recreation

Councilmember Shea stated that Movie night is September 5, 2014. Movie of choice "Despicable Me"

2. Board of Education

Councilmember Lennon said that the BOE has a meeting scheduled for September 10, 2014.

3. Other

B. Shade Tree

None

C. Chamber of Commerce

Councilmember Shell stated that the Chamber of Commerce would like to tie Teal Ribbons around borough trees for Ovarian Cancer Awareness.

XIII NEW BUSINESS

DPW Superintendent Jeffrey Pattman commented that the water consumption is good. Water restrictions will be lifted the weekend of August 30th.

XIV. MAYOR'S REMARKS

None

XV. CLOSED SESSION

WHEREAS, under the "Open Public Meetings Law", all sessions must be open to the public, and

WHEREAS, under the Public Meetings Act Law, exceptions exist for a public body to hold a Closed Session.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus hereby recess under the Exception for 1. Contract negotiations: Sale/Lease 188 Franklin Turnpike

2. Litigation: Sargent Road COAH Issue

3. Attorney/Client Privilege: Development Fee Ordinance Revision

BE IT FURTHER RESOLVED, that the results of the Closed Session will be available to the public in the minutes regarding the same at the conclusion of the matter.

XVI. ADJOURNMENT

With no further discussions to come before the Council and on a motion made by Council member Troast,

seconded Councilmember Lennon and carried, Mayor Randall adjourned the meeting at 8:55 PM.

Respectfully Submitted,

Laura Borchers, RMC/CMR
Borough Clerk.