

BOROUGH OF HO-HO-KUS

MAYOR AND COUNCIL PUBLIC MEETING

APRIL 15, 2014- 8:00 P.M.

I OPEN MEETING STATEMENT - ROLL CALL

Mayor Randall opened the meeting at 8:00 PM and asked the clerk to read the opening statement.

Roll Call:

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

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

II. PLEDGE OF ALLEGIANCE

Mayor Randall led all in the pledge of allegiance

III. PRESENTATION- BOARD OF EDUCATION

The Board of Education came before Mayor and Council to present their budget.

IV. APPROVAL OF MINUTES

1. October 15, 2013 Work Session
Councilmember Rorty motioned the approval of the minutes, seconded Councilmember Shea.
All Ayes
Absent- Cn. Troast
2. October 22, 2013 Public Meeting
Councilmember Weiss motioned the approval of the minutes, seconded Councilmember Shea.
All Ayes
3. November 12, 2013 Combined Meeting
Councilmember Rorty motioned the approval of the minutes, seconded Councilmember Shea.
Absent: Councilmembers Weiss and Shell
4. November 12, 2013 Closed Session
Councilmember Shea motioned the approval of the minutes, seconded Councilmember Rorty
Absent: Cn Weiss and Shell

V. COMMITTEE REPORTS

A. FINANCE

Finance Officer's Report – March 2014

B. PUBLIC SAFETY

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

- C. PUBLIC WORKS & PROPERTIES**
 - 1. Supt. of Public Works – March 2014
 - 2. Construction Office Report –March 2014
- D. WATER**
 - 1. Water Supt. Report – March 2014
 - 2. Water Registrar's Report- March 2014
- E. FIRE**
 - 1. Fire Dept. Report – March 2014
 - 2. Fire Prevention Bureau – March 2014
- F. COMMUNITY RELATIONS**
 - 1. Library – March 2014
 - 2. Ambulance Report – March 2014

VI. PUBLIC DISCUSSION

Amy Langevin 251 Sheridan Ave asked the governing body if the borough is having a Memorial Day Parade, she heard that there was not going to be one. Ms. Langevin stated that the community always looks forward to the parade, she also commented that she was willing to help with getting it going.

Stanley Kober 919 Washington Avenue discussed the traffic issue on Hollywood Avenue Overpass when Ridgewood starts the construction for their proposed Valley Hospital expansion. Mr. Kober also asked about the COAH resolution that was to be approved.

VII. ADMINISTRATORS REPORT

VIII. A. CORRESPONDENCE

- 1. Ho-Ho-Kus Chamber of Commerce- Permission to hold annual “Taste of Ho-Ho-Kus” Councilmember Troast approved the request, seconded by Councilmember Rorty and carried
- 2. Stanley Kober- Hollywood Avenue Overpass Construction Traffic
- 3. Kevin Pianfetti-Leaf Collection
- 4. Walter Strycharz- Block Party Elmwood Ave Saturday May 31, 2014 Councilmember Rorty approved the request, seconded by Councilmember Shea and carried

B. Ordinances and Resolutions Other Towns:

- 1. Borough of New Milford: Resolution # 2014-93
Support A-2226 Bergen watershed Flood Prevention and Protection Task Force

C. Bergen County:

None

D. League of Municipalities:

- 1. DCA Commissioner Constable Answers Assembly Budget Questions on the Budget.
- 2. Office of Legislative Services and Finance Officer Rosen and State Treasurer Eristoff

Testify on Governor’s Budget Proposal

E. State of New Jersey:

None

IX. INTRODUCTION OF ORDINANCES

- 1. Ord # 1028 – 2014 Salary Ordinance

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus as follows:

Section 1. That the annual compensation to be paid to the following officers and employees of the Borough of Ho-Ho-Kus in 2014 shall be fixed as follows:

<u>OFFICIALS</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Mayor	\$ N/A	\$ N/A
Council Members	\$ N/A	\$ N/A
<u>ADMINISTRATIVE & EXECUTIVE</u>		
Borough Administrator	\$ 75,000	\$120,000
Human Resources/Personnel Director	\$ 6,500	\$ 15,000
Assistant to H.R./Personnel Director	\$ 3,000	\$ 5,000
Executive Assistant	\$ 10,000	\$ 65,000
Borough Clerk	\$ 25,000	\$ 65,000
Deputy Borough Clerk	\$ 8,000	\$ 35,750
Administrative Assistant/Secretary	\$ 10,000	\$ 65,000
Clerical (Part-time – 24 hours weekly)	\$ 15 per hour	\$ 20 per hour
Purchasing Agent	\$ 15,000	\$ 35,000
Deputy Purchasing Agent	\$ 500	\$ 8,000
Qualified Purchasing Agent	\$ 3,000	\$ 5,000
Public Agency Compliance Officer	\$ 1,000	\$ 2,000
Security Information Officer	\$ 2,000	\$ 5,000
<u>FINANCE</u>		
Chief Financial Officer	\$ 35,000	\$ 65,000
Treasurer	\$ 20,000	\$ 30,000
Deputy Treasurer	\$ 3,000	\$ 17,500
Tax Assessor	\$ 8,000	\$ 65,000
Assessment Search Officer	\$ 1,000	\$ 3,000
Tax Collector	\$ 40,000	\$ 70,000
Tax Search Officer	\$ 1,000	\$ 3,000
Payroll Supervisor	\$ 5,000	\$ 20,000
Accounting Asst. (P.T. – 24 hrs. wk.)	\$ 20 per hour	\$ 30 per hour
Accounting Asst. (Full-time)	\$ 20,000	\$ 60,000
<u>LIBRARY</u>		
Head Librarian (Library Director)	\$ 25,000	\$ 60,000
Asst. Librarians (P.T. – 24 hrs. wk.)	\$ 8.50 per hour	\$ 17.50 per hr.
<u>REGISTRARS</u>		
Registrar of Vital Statistics	\$ 8,000	\$ 16,000
Deputy Registrar of Vital Statistics	\$ 2,000	\$ 6,000
Water Registrar	\$ 8,000	\$ 22,000
Deputy Water Registrar	\$ 2,000	\$ 6,000
Solid Waste Registrar	\$ 8,000	\$ 22,000
Deputy Solid Waste Registrar	\$ 2,000	\$ 6,000
Registrar of Elections	\$ 8,000	\$ 16,000
<u>MUNICIPAL COURT</u>		
Municipal Court Judge	\$ 7,500	\$ 12,570
Prosecutor	\$ 6,000	\$ 10,200
Court Administrator	\$10,000	\$ 65,000
Deputy Court Administrator	\$ 500	\$ 3,500
Violations Clerk	\$ 7,500	\$ 23,050
Deputy Violations Clerk	\$ 500	\$ 3,500
<u>EMERGENCY MANAGEMENT</u>		
*Emergency Management Coordinator	\$ 1,500	\$ 4,750
Asst. Emergency Management Crdntr.	\$ 250	\$ 1,375
<u>POLICE DEPARTMENT</u>		
Police Chief	\$120,000	\$160,000
Police Captain	\$110,000	\$150,000
Police Lieutenant	\$ 97,900	\$140,000
**Police Sergeant	\$ 97,872	\$115,000

**Police Patrolman	\$ 33,000	\$ 95,500
Police Dispatcher (Full-time)	\$ 25,000	\$ 40,000

DEPARTMENT OF PUBLIC WORKS

*Superintendent of Public Works	\$ 75,000	\$120,000
Assistant Superintendent of Public Works	\$ 57,500	\$ 90,000
Foreman – Public Works	\$ 50,000	\$ 66,000
Secretary – Public Works	\$ 15,000	\$ 30,000
Licensed Water Agent	\$ 3,000	\$ 4,925
Assistant Licensed Water Agent	\$ 1,000	\$ 3,000
Recycling Coordinator	\$ 2,500	\$ 8,400
Assistant Recycling Coordinator	\$ 1,500	\$ 5,300
**Public Works Maintenance Employees	\$ 26,925	\$ 51,514
Custodian	\$ 10,000	\$ 50,000

RECREATION DEPARTMENT

Recreation Director	\$ 10,000	\$ 23,100
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HEALTH DEPARTMENT

Registered Environmental Health Specialist	\$ 5,000	\$ 18,000
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RECORDING SECRETARIES

to Mayor and Council	\$50 per Mtg.	\$75 per Mtg.
to Municipal Court	\$50 per Mtg.	\$95 per Mtg.
to Planning Board	\$50 per Mtg.	\$75 per Mtg.
to Zoning Board of Adjustment	\$50 per Mtg.	\$75 per Mtg.
to Board of Health	\$50 per Mtg.	\$75 per Mtg.
to Recreation Commission	\$50 per Mtg.	\$75 per Mtg.
to Shade Tree Commission	\$50 per Mtg.	\$75 per Mtg.

BOARD SECRETARIES

Planning Board	\$ 5,000	\$ 18,000
Zoning Board of Adjustment	\$ 5,000	\$ 18,000

BUILDING/CONSTRUCTION DEPT.

Chief Construction Official	\$ 5,000	\$ 60,000
Building Inspector/Sub-code Official	\$ 1,600	\$ 13,725
Assistant Building Inspector	\$ 200	\$ 2,000
Technical Assistant, Building Dept.	\$ 10,000	\$ 40,000
Electrical Inspector/Sub-code Official	\$ 1,500	\$ 11,525
Fire Inspector/Sub-code Official	\$ 1,000	\$ 11,525
Fire Prevention Official	\$ 500	\$ 8,000
Fire Prevention Inspector	\$ 1,875	\$ 4,500
Secretary to Fire Prevention Official	\$ 1,000	\$ 1,900
Plumbing Inspector/Sub-code Official	\$ 1,500	\$ 11,525
Zoning Officer/Zoning Official	\$ 500	\$ 8,000
Property Maintenance Official	\$15 per hour	\$20 per hour

Section 2: The compensation ranges set forth above for the Superintendent, Acting Superintendent, Assistant Superintendent and Foreman of Public Works and Water, and the Emergency Management Coordinator (identified in Section 1 with an asterisk), such employees' longevity pay of one percent (1%) for each five (5) years of service, not to exceed four percent (4%). Longevity credit will be computed from the date of employment. Full time Police Officers and Sergeants, and Public Works Maintenance Employees (identified in Section 1 with a double-asterisk) will receive longevity as stipulated in their labor contracts.

Section 3: School Crossing Guards, when on active duty, shall receive compensation of not less than \$15.00 per hour nor more than \$20.00 per hour. Part-time Police Dispatchers/Assistant Police Dispatchers and Police Matrons, when on active duty, shall receive compensation of not less than \$9.50 per hour nor more than \$17.00 per

hour.

Section 4: There shall be paid to the Borough Attorney an annual retainer of \$10,500.00 and such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 5: There shall be paid to the Attorney for the Zoning Board of Adjustment an annual retainer of \$300.00 maximum and the sum of \$175.00 for each required appearance before the Board. He shall also receive such other compensation as he may be legally entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Zoning Board of Adjustment.

Section 6: There shall be paid to the Attorney for the Planning Board an annual retainer of \$600.00 maximum and the sum of a fee of up to \$175.00 for every required appearance before the Board and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Secretary of the Planning Board.

Section 7: There shall be paid to the Borough Engineer an annual retainer of \$1,000.00 and such other compensation as he may legally be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 8: There shall be paid to the Borough Auditor an annual retainer of \$19,000.00 for municipal services and an annual retainer of \$14,700.00 for services performed for the Water Department and an annual retainer of \$11,400.00 for services performed for the Solid Waste Utility. He also shall receive such other compensation as he legally may be entitled to receive for services rendered during the year in accordance with a contract on file with the Borough Clerk.

Section 9: There shall be paid to designated borough employees, for their being on 24-hour stand-by service and inspecting pump houses of the Borough per weekend, the sum of \$325.00 and on holidays the sum of \$135.00 per unit, and Monday through Friday the sum of \$20.00 per unit in lieu of overtime compensation per contract.

Section 10: There shall be paid to certain borough employees for authorized overtime services an hourly wage equal to one and one-half (1½) times except Sunday, which shall be at two and one-half (2½) times the hourly rate computed from their salaries.

Section 11: All full-time borough employees shall be paid in keeping with a resolution of the Mayor and Council.

Section 12: All full-time borough employees shall be given thirteen (13) paid holidays as described in the personnel code.

Section 13: The salaries, educational credits and longevity payments established herein for the borough employees who are members of the Department of Public Works and the Police Department are subject to and shall be paid in accordance with the labor contracts for current and prior years between the Borough and the respective unions or organizations representing such employees. Such salaries, educational credits and longevity payments shall be specified by Resolution adopted by the Borough Council when appropriate to implement the labor contracts or, if applicable, an arbitration award. The terms and conditions contained in such contracts or an arbitration award are to be incorporated herein and made a part hereof as though set forth at length and copies shall be filed in the office of the Borough Clerk and made available to any member of the public who may wish to examine same.

Section 14: There shall be paid to each qualified emergency medical technician of the *daytime crew* for services performed the sum of sixteen hundred fifty (\$1,650.00) dollars.

Section 15: The provisions of any ordinance or ordinances inconsistent with the provisions hereof are hereby expressly repealed.

Section 16: The Borough Council upon adoption of this Ordinance shall fix the compensation of officers and employees of the Borough of Ho-Ho-Kus which shall be effective as of January 1, 2012.

Section 17: This Ordinance shall take effect upon passage and publication as required by law.

Councilmember Shea moved the Introduction of the Ordinance, seconded Councilmember Weiss.

All Ayes

Absent Cn Lennon

X. FINAL PASSAGE OF ORDINANCES
None

XI. RESOLUTIONS
None

XII. CONSENT RESOLUTION

1. # 14-67 Affordable Housing Development Program (COAH)

WHEREAS, the status of Ho-Ho-Kus Borough's voluntary participation before the Council on Affordable Housing ("COAH") for the First, Second and Third Rounds as well as the state's Third Round affordable housing upheaval has been detailed in the Borough's November 21, 2013 Master Plan (Exhibit A attached). The Borough awaits COAH's new third round regulations as ordered by the NJ Supreme Court in its March 14, 2014 decision. COAH's new Third Round regulations are to be published in the June 2, 2014 New Jersey Register; and **WHEREAS**, in COAH's Second round grant of Substantive Certification to the Borough on October 7, 1999, COAH's certification resolution stated "the Borough of Ho-Ho-Kus shall capture opportunities for affordable housing to address its unmet need through the use of a development fee ordinance and continued participation in the Bergen County Home Improvement Program ("BCHIP"); and

WHEREAS, as a means to address the Borough's unmet need (the difference between the prior round affordable housing obligation and the realistic development potential (RDP)), the Borough previously adopted an Affordable Housing Development Fee ordinance in 1997 and currently has over \$170,000 in its Affordable Housing Trust Account. In addition, the Borough has participated in the BCHIP and will continue its participation as shown by the attached resolution (Exhibit B); and

WHEREAS, in June 2012, the Borough amended its Spending Plan pursuant to N.J.A.C. 5:97-8.11 to add a market-to-affordable housing program to enable the Borough to expend its collected Affordable Housing Development Fees to produce affordable housing towards its fair share obligation. The Borough entered into a contract with Bergen County United Way/Madeline Corp. to produce affordable housing through a market-to-affordable program in the Borough; and

WHEREAS, on June 26, 2012, the Borough adopted Resolution 12-76 which formally approved a spending plan amendment to expend collected trust funds on a market-to-affordable program to provide moderate-income affordable units and committed to amend its Fair Share Plan once COAH approved the Borough's spending plan. In addition, the resolution authorizes the Borough to provide the "equivalent number of housing units for low-income households through other affordable housing compliance mechanisms in a future third round fair share plan that is required to be prepared pursuant to N.J.A.C. 5:97-8.11(c)." In a June 15, 2012 certification prepared by Mary Beth Lonergan, PP, AICP, the Borough's affordable housing planner, and submitted to COAH along with the Borough's amended spending plan, Ms. Lonergan certified that "the affordable housing opportunity for a new market to affordable program in Ho-Ho-Kus Borough addresses COAH's criteria set forth in NJAC 5:97-6 as an eligible affordable housing compliance mechanism." The Borough awaits COAH's approval of its spending plan amendment to enable the Bergen County United Way/Madeline Corp. to produce affordable housing in the Borough through a market-to-affordable program; and **WHEREAS**, on or about January 6, 2014, the Borough Planning Board received an application to subdivide a 3.66-acre lot with two (2) existing single-family dwellings into 9 new single-family dwelling units on 10,000 sq.ft. lots which, if such application is approved by the Planning Board, will provide an affordable housing residential development fee as required by COAH's second round grant of Substantive Certification.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that in light of the recent residential development application to the Borough's Planning Board, the Borough's Affordable Housing Subcommittee ("Subcommittee") is to immediately meet to address additional means for the Borough to address its unmet need. Such additional unmet need mechanisms that shall be explored by the Subcommittee should include the utilization of overlay zoning or the redevelopment process for future affordable housing production. Also, the Subcommittee shall explore the use of accessory apartments for affordable housing and shall explore the provision of affordable housing on Borough-owned property through a municipally-sponsored or 100% affordable housing program; and

BE IT FURTHER RESOLVED, that the Borough's Subcommittee is also charged with reviewing COAH's new third round regulations ordered by the NJ Supreme Court to be published in the NJ Register on June 2, 2014, specifically focused on COAH's proposed rules

governing vacant land adjustment communities and unmet need mechanisms; and **BE IT FURTHER RESOLVED**, that the Subcommittee shall report back to the Governing Body, Planning Board, Borough Planner and the Borough's Affordable Housing Planner with additional mechanisms to address the Borough's unmet need and the statutory requirement for future third round very low income units by August 1, 2014; and **BE IT FURTHER RESOLVED**, that the Planning Board will prepare and consider an amendment to the Borough's 2008 housing element and fair share plan as needed; and **BE IT FURTHER RESOLVED**, that once adopted, this resolution of commitment to provide additional means to address the Borough's unmet need shall be submitted to COAH; the Subcommittee and Borough Planning Board.

2. # 14-68- 188 Franklin Tpke- Block 1016 Lot 6

The Borough of Ho-Ho-Kus has determined that the property located at 188 East Franklin Turnpike, Ho-Ho-Kus, New Jersey, Block 1016, Lot 6 (the "premises") is not needed for public use, and it has been determined and recommended that said premises be leased pursuant to the provisions of N.J.S.A. 40A:12-14;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the Borough Clerk be and is hereby authorized to publically advertise for bids to lease the premises by the submission of sealed bids to be received by the Borough Clerk on May 14, 2104 at 11:00 AM at the Ho-Ho-Kus Borough Hall, 333 Warren Avenue, Ho-Ho-Kus, New Jersey; and

BE IT FURTHER RESOLVED, that the Borough Clerk be and she is hereby authorized and directed to advertise notice of the bidding in a newspaper circulated in the Borough of Ho-Ho-Kus by two (2) insertions, at least once a week during two (2) consecutive weeks;

BE IT FURTHER RESOLVED, the lease publication to be not earlier than seven (7) days prior to the letting of the lease; and

BE IT FURTHER RESOLVED, that the lease shall be let upon the following terms and conditions:

- (1) An initial five (5) year term with two (2) options of five (5) years each.
- (2) Minimum acceptable rental for the rental area of approximately 1,800 square feet shall be an annual rental for the first year of \$36,000 or \$3,000 per month.
- (3) The rent will be fixed for the first year of the initial term. Thereafter, for the initial term, annual adjustments will be made to the rental in the amount of 3% per annum or increase in the consumer price index, whichever is less.
- (4) The lease shall be on a triple net basis with tenant to be responsible for all taxes, utilities, repairs and insurance.
- (5) Tenant may utilize said premises for any use lawfully authorized by the Zoning Code of the Borough of Ho-Ho-Kus.
- (6) Each bid shall be submitted on bid proposal forms together with such information required by the Borough and must be accompanied by a cashier's or certified check payable to the Borough of Ho-Ho-Kus in the sum of THREE THOUSAND, (\$3,000) DOLLARS. Such check will be held by the Borough as a guarantee that in the event that the bid is accepted and a lease awarded to the bidder, the lease will be duly executed and its performance properly secured, and in default thereof, said check in the amount represented thereby will be forfeited to the Borough of Ho-Ho-Kus as liquidated damages.
- (7) The successful bidder will be required to sign the form of lease agreement which will be part of the bid documents. This successful bidder will also be responsible for the cost of public advertising of the bid.

BE IT FURTHER RESOLVED, that the Governing Body does hereby reserve the right to accept the highest bid or reject all of the bids where the highest bid is not accepted; and

BE IT FURTHER RESOLVED, that said lease shall be let based upon additional terms and conditions, as set forth in the form of lease agreement, together with instructions and notice to bidders which may be obtained from the office of the Borough Clerk at the Borough Hall, 333 Warren Avenue, Ho-Ho-Kus, New Jersey between the hours of 9:00 a.m. and 4:30 p.m., Monday through Friday; and

BE IT FURTHER RESOLVED, that acceptance or rejection of the bid or bids shall be made not

later than at the second regular meeting of the Governing Body following the completion of the bidding, and, if the Governing Body shall not so accept such highest bid, or reject all bids, said bids shall be deemed to have been rejected; and
BE IT FURTHER RESOLVED, that any such award to a bidder may be adjourned at the time advertised for not more than one (1) week without readvertising.

3. # 14-69 Inter-local Agreement Midland Park Board of Education

Whereas, the Midland Park Board of Education (the M.P. BOE) wishes to enter into an inter-local shared service agreement with the Borough of Ho-Ho-Kus whereby the M.P. BOE will purchase its gasoline and diesel oil directly from the Borough of Ho-Ho-Kus; and

Whereas, after paying the initial costs covering the reprogramming of the computer that regulates the oil and gasoline pumps, along with the cost of the individual "keys" needed by each M.P. BOE vehicle to obtain access to the pumps, the M.P. BOE will pay to the Borough of Ho-Ho-Kus the most current rate for each gallon of gasoline or diesel oil plus 25 cents, the total to be billed to the M.P. BOE on an approximately monthly basis, for the exact number of gallons used by the M.P. BOE; and

Whereas, this inter-local shared service agreement will begin during the month of April 2014 as soon as feasible and the initial term of the agreement will be for one year, to be renewed if agreed upon by both parties involved.

Now, Therefore be it resolved by the Mayor & Council of the Borough of Ho-Ho-Kus that this inter-local shared service agreement with the Midland Park Board of Education will take effect as soon as feasible during the month of April 2014.

4. # 14-70 Bond Anticipation Notes

WHEREAS, the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey (the "Borough") from time to time issues bonds, notes and other obligations, the interest on which is excluded from gross income for Federal income tax purposes, and desires to take such action as may be necessary or advisable to establish and maintain such exclusion; and

WHEREAS, the Internal Revenue Code of 1986, as amended (the "Code"), contains provisions with respect to the exclusion from gross income for Federal income tax purposes of interest on obligations, including provisions, among others, which require issuers of tax-exempt obligations, such as the Borough to account for and rebate certain arbitrage earnings to the United States Treasury and to take other action to establish and maintain such Federal tax exclusion; and

WHEREAS, the Borough intends to issue \$1,943,850 of notes, consisting of \$1,682,000 General Bond Anticipation Notes and \$261,850 Water Utility Bond Anticipation Notes, both issues dated April 3, 2014 and payable April 2, 2015 (collectively, the "Notes"); and

WHEREAS, the Borough desires to designate the Notes as "qualified tax-exempt obligations" pursuant to Section 265(b)(3) of the Code;

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

SECTION 1. The Borough Council hereby covenants on behalf of the Borough, to the extent permitted by the Constitution and the laws of the State of New Jersey, to do and perform all acts and things permitted by law and necessary to assure that interest paid on bonds, notes or other obligations of the Borough (including the Notes) be and remain excluded from gross income of the owners thereof for Federal income tax purposes pursuant to Section 103 of the Code.

SECTION 2. The Mayor, Borough Clerk, Chief Financial Officer and the other officials of the Borough are hereby authorized and directed to take such action, make such representations and give such assurances as they may deem necessary or advisable to effect compliance with the Code.

SECTION 3. The Notes are hereby designated as "qualified tax-exempt obligations" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Notes are not "private activity bonds" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2014.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Notes) during the calendar year 2014.

SECTION 6. The Borough will, to the best of its ability, attempt to comply with respect to the limitations on issuance of tax-exempt obligations pursuant to Section 265(b)(3) of the Code; however, said Borough does not covenant to do so, and hereby expressly states that a covenant is not made hereby.

SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Notes and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2014 dated as of the date of delivery of the Notes.

SECTION 8. This resolution shall take effect immediately upon its adoption.

The foregoing resolution was adopted by the following roll call vote

5. # 14-71 Payment of Vouchers

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$2,616,882.06
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 **\$2,616,882.06** be approved and ratified respectively
Councilmember Troast approved the consent resolution, seconded by Councilmember Rorty
All Ayes.

XIII. OLD BUSINESS

A. Liaison Reports:

1. Recreation
2. Board of Education
3. Other

- B. Shade Tree
- C. Chamber of Commerce
- D. Website

Councilmember Shea reported the website committee met for an initial meeting. He requested any input from the residents at the meeting on May 17th, 2014 from 9AM-11AM at Borough Hall.

XIV. NEW BUSINESS

None

XV. MAYOR'S REMARKS

None

XVI. CLOSED SESSION

None

XVII. ADJOURNMENT

With no further discussions to come before the Council, and on a motion made by Councilmember Troast, seconded by Councilmember Rorty and carried, Mayor Randall adjourned the meeting at 8:55 PM.

Respectfully Submitted,

Laura Borchers, RMC/CMR
Borough Clerk