

Borough of Ho-Ho-Kus
County of Bergen
Reorganization Meeting
January 7, 2019 7:00 p.m.

The Reorganization Meeting of the Municipal Council of the Borough of Ho-Ho-Kus was held in the Municipal Building at 333 Warren Avenue, Ho-Ho-Kus, NJ on January 7, 2019. The meeting was called to order at 7:10 p.m. by Mayor Randall asked the Municipal Clerk to read the open public meeting statement:

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

FLAG SALUTE:

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

INVOCATION:

Father Frank Delprete of St Gabriel's Church gave to Invocation

OATH OF OFFICE ADMINISTERED TO:

Mayor Randall administered the Oath to Re-Elected Councilmember Douglas Troast and Newly Elected Dane Policastro.

ROLL CALL:

Mayor.....	Thomas W. Randall
Councilman.....	Douglas Troast
Councilman.....	Steven Shell
Councilman.....	Edward Iannelli
Councilman.....	Philip Rorty - (ABSENT)
Councilman.....	Kevin Crossley
Councilman.....	Dane Policastro

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

ELECTION OF COUNCIL PRESIDENT

Mayor Randall opens nomination of Council President.

Councilmember Crossley offered the name of Councilmember Troast to be Council President for the year 2019

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

Mayor Randall calls for a voice vote on the close of nominations, all present voting "Ayes".

Mayor Randall instructs the Clerk to record that one vote be cast electing Councilmember Troast as Council President for the year 2019

2019 COUNCIL COMMITTEES

Public Safety Unit

Police Commissioner-Cn Troast

Deputy Commissioner-Cn. Rorty

Fire Commissioner-Cn. Rorty

Deputy Commissioner-Cn. Shell

Ambulance Commissioner-Cn. Crossley

Deputy Commissioner-Cn. Iannelli

Public Works & Properties Unit

Road Chairperson-Cn. Iannelli
 Water Chairperson-Cn. Policastro
Finance Unit
 Finance Chairperson-Cn. Shell
Community Relations Unit
 Chairperson-Cn. Shell

Deputy Chairperson-Cn. Policastro
 Deputy Chairperson-Cn. Iannelli

 Deputy Chairperson-Cn. Troast

 Deputy Chairperson-Cn. Iannelli

APPOINTMENTS OF BOROUGH EMPLOYEES BY MAYOR RANDALL FOR 2019

Mayor Randall with the advice of Council submitted the following list of appointments of Borough employees for the year 2019, or as otherwise provided by statute."

EMPLOYEE

POSITION

William Jones	Borough Administrator Human Resources Director
Joan Herve	Borough Clerk, RMC Registrar of Vital Statistics Registrar of Elections Liaison/Sec. Board of Health Claims Processor Public Agency Compliance Officer Security Information Officer Municipal Housing Liaison
Lisa Caporale	Sec. Administration Office Sec. Personnel Officer Deputy Registrar of Vital Statistics Secretary Shade Tree/DPW
Jeffrey Kropiewnicki	Tax Collector Payroll Supervisor
Lisa Perricelli	Solid Waste Registrar Water Registrar Deputy Purchasing Agent/Tax Collector
Joseph Citro	CFO, QPA, Treasurer
David Males	Financial Assistant
JoAnn Carroll	Secretary Planning/Zoning Board and Construction Office
Harry Norton	Municipal Court Judge
Rosemarie Novelli-Salyer	Court Administrator, CMCA/Violations Clerk
Susan Maurer	Deputy Violations Clerk
Maria Doerr	DCA/Acting CMCA
Daniel McEldowney	Property Maintenance Officer/Fire Marshall Fire Prevention and Fire Inspector
Edward Gartner	Recreation Director
Tim Schreur	Custodian
Richard Curruthers	Police Dispatcher/Full Time
Chelsea Marafelias	Police Dispatcher/ Full Time
Christopher Vieitez	Police Dispatcher/Full Time
Diane Cebulski	Police Dispatcher/Part Time
Robert Zimmerman	Police Dispatcher/Part Time
Sherri Gusta	Police Dispatcher/Part Time
Kheira Kortenbout	Police Dispatcher/Part Time

Ryan Moore	Police Dispatcher/Part Time
Alana Schauer	Police Dispatcher/Part Time
William Wright	Police Dispatcher/Part Time
Rueben Archills	Crossing Guard
Linda Goodwin	Crossing Guard
Larry Pagella	Crossing Guard
Susie Lee	Crossing Guard
Carol Schutle	Crossing Guard
David Chua	Crossing Guard
Fong Law	Crossing Guard
Dave Biswurm	Substitute Crossing Guard
Thomas Gusta	Substitute Crossing Guard
Allison Minchin	Substitute Crossing Guard
Guo Lin	Substitute Crossing Guard
Kristen Mancuso	Police Secretary
Allison Minchin	Police Matron
Carol Tyler	Police Matron
Gretchen Kaser	Library Director
Jay Ludwig	Coordinator of OEM

Council President Troast moves that the foregoing appointments approved for the year 2019 or as otherwise provided by statute.

Second: Councilmember Iannelli

All ayes

OATH OF OFFICE ADMINISTERED TO:

Mayor Randall administered the Oath to Borough Administrator William Jones

Mayor Randall instructs the Borough Clerk to administer the Oath to all other employees during the normal hours of business

BOARD APPOINTMENTS (VARIOUS TERMS) BY MAYOR RANDALL

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

PLANNING BOARD

<u>NAME</u>	<u>TERM</u>	<u>EXPIRES</u>
William Jones Class II	1/7/2019	12/31/2019
Dane Policastro III	1/7/2019	12/31/2019

ZONING BOARD

Leonard Tarantino	1/7/2019	12/31/2022
Stephen E. Madden (Alt. 1)	1/7/2019	12/31/2020

LIBRARY BOARD OF TRUSTEES

Patricia Crossley	1/7/2019	12/31/2023
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SHADE TREE COMMISSION

Daniel Chase	1/7/2019	12/31/2023
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RECREATION COMMISSION

Recreation Commission Council	1/7/2019	12/31/2019
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BOARD OF HEALTH

Tabled until the next Council Meeting

Moved: Councilmember Crossley
Seconded: Councilmember Iannelli
All ayes

BOARD LIAISONS

Library – Cn PolICASTRO	Zoning Board –Cn Shell
Ambulance Corps –Cn. Crossley	Insurance- Cn - Crossley
Board of Health – Cn Rorty	Construction- Cn Troast
Chamber of Commerce- Cn. Shell	Recreation - Iannelli

Moved: Councilmember Crossley
Seconded: Council President Troast
All ayes

ADOPTION OF ORDINANCES and PUBLIC HEARING – NONE

INTRODUCTION OF ORDINANCES

ORDINANCE #2018-17

AN ORDINANCE TO ESTABLISH CHAPTER 62 OF THE BOROUGH CODE ENTITLED “SOCIAL MEDIA AND PUBLIC OUTREACH POLICY AND PROCEDURE FOR THE BOROUGH OF HO-HO-KUS”

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that its Social Media and Public Outreach Policy and Procedure is hereby adopted as follows:

Section I. Purpose.

This policy sets forth guidelines for the establishment and use by the Borough of Ho-Ho-Kus (“the Borough”) of its Social Media sites and public outreach tools (Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast, Public Access TV, PowerPoint and any future approved media – hereinafter collectively “Social Media”) as a means of conveying Borough-related information to its residents, employees and visitors. The Borough has an overriding interest and expectation in deciding what is “spoken” on behalf of the Borough on its Social Media sites and what information get disseminated through its public outreach tools.

The purpose of this Social Media and Public Outreach policy is to establish enforceable rules for the use of Social Media by Borough officers and employees when engaged in Borough business. Social Media and Public Outreach tools at this time refers to Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast, Public Access TV PowerPoint and any other communication whether or not such communication is open to response or comment. Rules are necessary to assure that communications made on behalf of the Borough are properly authorized and in correct form; that communications to the municipality by means of social media which can be viewed by the public are appropriate and pertinent; that all communications to the municipality is related to the posted municipal information; and that the sender is clearly and fully informed that a message received by means of Social Media is not a substitute for required reporting procedures.

For purposes of this policy, “social media” is understood to be content created by individuals, using accessible, expandable, and upgradable publishing technologies, through and on the Internet. Examples include Facebook, YouTube and Twitter. “Public Outreach Tools” is understood to be content created by individuals and published on the Website, Electronic Sign, E-mail blast and Public Access TV PowerPoint. For purposes of this policy, “comments” include information, articles, pictures, and any other written or communicated words or phrases.

Section II. Scope.

1. This policy shall apply to all Municipal agencies and departments as well as any affiliated government or Ho-Ho-Kus sponsored clubs or organizations, and organizations hosting an event for a non-profit organization in Ho-Ho-Kus or official and/or commission or council permitted by the Borough to post on Borough Social Media sites and Public Outreach Tools.

Section III. General Policy.

The objective of the use of Social Media and public outreach tools by the Borough or its departments is to expand and facilitate the dissemination of information from the Borough to its residents, taxpayers and the general public.

1. No Borough Social Media site shall be established without prior approval of the Borough Council. The following Social Media sites and Public Outreach tools are approved under the direction of the Borough Administrator or his/her designee – Facebook, YouTube, Twitter, Website, Electronic Sign, E-mail Blast and TV Public Access PowerPoint. The Borough Social Media site and public outreach tools shall be administered by the Borough Administrator or his/her designee. The Administrator or his/her designee shall designate a representative from any Borough Department or Organization to administer their own social media sites in accordance with this policy.
2. The Borough Social Media sites and public outreach tools shall clearly set forth that they are maintained by the Borough and that they follow this Social Media and Public Outreach Policy
3. Wherever possible, the Borough Social Media sites should link back to the official Borough website for forms, documents, online services and other information necessary to conduct business with the Borough.
4. The Borough Social Media sites are not to be used for making any official communications to the Borough, for example, reporting crimes or misconduct, reporting dangerous conditions, requesting an inspection, giving notice required by any statute by, ordinance or regulations such as but not limited to notices of claim. Prominent notice of this paragraph shall be displayed on every Borough Social Media site, along with the appropriate contact information for submitting official communications.
5. This Social Media policy shall be placed on the Borough Website and all Borough Social Media sites and public outreach tools.
6. The Borough Administrator or his/her designee shall monitor Borough Social Media sites and public outreach tools to ensure adherence to both this Social Media and Public Outreach Policy and the interest and goals of the Borough. The Borough has the right and will restrict or remove any content that is deemed in violation of this Policy or any applicable law. Any content removed based on these guidelines will be retained by the Borough Administrator and/or his/her designee pursuant to the applicable Borough retention policy, including the time, date and identity of the poster, when available.
7. These guidelines must be displayed to users or made available by hyperlink.

The Borough will approach the use of Social Media tools as consistently as possible, Borough-wide.

8. The Borough website at www.ho-ho-kusboro.com will remain the Borough's primary and predominate internet presence.

The Borough's Social Media sites and this Policy are subject to all applicable federal and NJ laws and regulations, as well as applicable record retention requirements.

Employees and Volunteers representing the Borough's government via its Social Media sites shall conduct themselves at all times as a representative of the Borough and in accordance with the Employee Rules and Regulations manual.

This Social Media and Public Outreach Policy may be revised at any time by approval of the Borough Council.

This policy governs all Social Media and public outreach tools used by or on behalf of the Borough and/or its departments.

The Borough shall have a single municipal presence on Social Media approved for use, a Borough Police Twitter account and a Volunteer Fire Department Facebook Page.

All Borough presence and activity on Social Media are an integral part of the Borough's information networks and must comply with all rules and policies governing the Borough's computers and electronic media.

All Borough use of Social Media is responsible for complying with applicable federal, state, and county laws, regulations, and policies. This includes adherence to established laws and policies regarding copyright, records retention, Freedom of Information Act (FOIA), Open Public Record Act (OPRA), First Amendment, privacy laws, sunshine laws, and information security policies (if applicable) established by the Municipality.

All Municipal policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Municipality.

Section IV. **Comment Policy.**

1. As a public entity the Borough must abide by certain standards to serve all its constituents in a civil and unbiased manner.
2. The intended purpose behind establishing the Borough Social Media sites and public outreach tools is to disseminate information from the Borough about the Borough to its residents, employees and visitors.
3. A comment posted by a member of the public on any Borough Social Media site is the opinion of the commentator or poster only, and publication of a comment does not imply endorsement of, or agreement by, the Borough, nor do such comments necessarily reflect the opinions or policies of the Borough.
4. Any attempt to hack or otherwise compromise the Borough's internet or Social Media sites will be reported to law enforcement and the perpetrator will be denied access to the sites.
5. The Borough reserves the right to deny access to its Social Media sites for any individual who violates the Borough of Ho-Ho-Kus' Social Media and Public Outreach Policy at any time and without prior notice.
6. All comments posted to any Borough sites are bound by any applicable terms and conditions of Facebook's Statement of Rights and Responsibilities, located at <http://www.facebook.com/terms.php>, and the Borough reserves the right to report any violation of Facebook's Statement of Rights and Responsibilities to Facebook with the intent of Facebook taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.
7. All comments posted to any Borough sites are bound by any applicable terms and conditions of Twitter's Terms of Service, located at <http://twitter.com/tos>, and the Borough reserves the right to report any violation of Twitter's Terms of Service to Twitter with the intent of Twitter taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.
8. All comments posted to any Borough sites are bound by any applicable terms and conditions of YouTube's Terms of Service, located at <http://www.youtube.com/t/terms>, and the Borough reserves the right to report any violations of YouTube's Terms of Service to YouTube with the intent of YouTube taking appropriate and reasonable responsible action. All Borough policies are applicable to interactions on Social Media sites when acting in an official capacity and representing the Borough.
9. All comments posted to any future Social Media medium or site shall be bound by such site's applicable terms and conditions regarding such posting or commenting.
10. No Borough employee, Borough elected official, vendor performing work or providing services to the Borough, or volunteer may post or comment on a Borough Social Media site.
11. Persons posting prohibited content are subject to being barred from posting comments on Borough Social Media.

Section V. Prohibited Content.

Comments containing any of the following inappropriate forms of content shall not be permitted on the Borough's Social Media sites or public outreach tools and are subject to removal and/or restriction by the Borough Administrator or Chief of Police or their designees.

- a. Profane, obscene, violent, or pornographic content and/or language, or sexually suggestive or explicit content links to such materials. Any image or link containing minors or suspected minors in sexual and/or provocative situations will be reported to law enforcement;
- b. Content that promotes, fosters or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, or national origin, marital status, status with regard to public assistance, physical or mental disability or sexual orientation;
- c. Reference to any political party or activity of a political party;
- d. Reference to any religious belief;
- e. Reference to any private interests group or activity of a private interests group
- f. Defamatory attacks;

- g. Threats to any person or organization;
- h. Solicitation of commerce, including but not limited to advertising of any business or product for sale;
- i. Conduct in violation of any federal, state or local law;
- j. Encouragement of illegal activity or illegal activity;
- k. Information that may tend to compromise the safety or security of the public or public systems;
- l. Content that violates a legal ownership interest, such as copyright, of any party the Borough does not permit or allow copyright infringing activities and/or infringement of intellectual property rights on its website or Social Media sites and will remove any and all content and submissions if properly notified that such content and/or submission infringes on another's intellectual property rights;
- m. Private contact information such as names, addresses and phone numbers no matter how easily obtained elsewhere, unless given approval by the organization; Personal information of a person other than the poster;
- n. Spamming or repetitive content;
- o. Comments from children under 13 cannot be posted in order to comply with the Children's Online Privacy Protection Act. By posting on a Borough Media site, users acknowledge that they are at least 13 years old. Parents are responsible for any minor child's posting or comments;
- p. Content that incites violation;
- q. Comments unrelated to the particular post being commented upon;
- r. Comments containing vulgar, offensive, threatening or harassing language, personal attacks or accusations; and
- s. Persons posting prohibited content are subject to being blocked and barred from posting comments on Borough Social Media.

Section VI. **Breach of Policy.**

1. The Borough Administrator or Chief of Police or their designee shall be required to remove internet postings on Borough Social Media sites which are deemed to constitute a breach of Policy, as determined by the Borough Administrator or Chief of Police subject to applicable archiving and retention requirements.
2. Any Social Media site created by the Borough remains the property of the Borough, including all the followers and friends generated by the site. If the person who created the site leaves the employment of the Borough, they must immediately relinquish all information related to the site including user names, passwords and/or access codes or information.

Section VII. **Terms of Use of Disclosure.**
(to be posted on all Borough Social Media Sites)

A. Information Disclaimer

By visiting this site, you understand and agree that the Borough of Ho-Ho-Kus site is provided "AS IS". Borough of Ho-Ho-Kus makes every effort to provide accurate and complete information on this website. The information contained herein is not official nor in any way shall it be deemed to constitute legal notice where such legal notice is required by law. The information contained in this site is provided as a service and convenience to people needing information about the Borough of Ho-Ho-Kus. Portions of the information on this site may be incorrect or not current. Borough of Ho-Ho-Kus, its officers, employees or agents shall not be liable for damages or losses of any kind arising out of or in connection with the use or performance of information, including but not limited to, damages or losses caused by reliance upon the accuracy or timeliness of any such information, or damages incurred from the viewing, distributing, or copying of those materials.

B. Linking Policy – Links to External Sites

The Borough of Ho-Ho-Kus site contains links to outside websites. These websites are not owned, operated, controlled or reviewed by the Borough of Ho-Ho-Kus. These links are provided solely as a courtesy and convenience to you, the visitor.

The Borough of Ho-Ho-Kus, its officers or employees, exercise no control over the organizations, views, accuracy, copyright or trademark, compliance or the legality of the material contained in these outside websites. The Borough of

Ho-Ho-Kus, its officers or employees, do not sponsor, endorse, or approve the information, content, proceeds, materials, opinions or services contained on such outside websites. The visitor proceeds to these outside websites at his/her own risk. The Borough of Ho-Ho-Kus specifically disclaims any and all liability from damages, which may result from the accessing of a third-party site, which is linked to the Borough of Ho-Ho-Kus website or from reliance upon only such information.

C. Endorsement Disclaimer

Reference in this website to any specific commercial products, processes, or services, or the use of any trade firm or corporation name is for the information and convenience of the public, and does not constitute endorsement, recommendation, or favoring by the Borough of Ho-Ho-Kus or its officers, employees or agents.

D. Copyright and Trademark Limitations

Borough of Ho-Ho-Kus makes no warranty that materials contained herein are free of copyright or trademark claims or other restrictions or limitations on free use or display. Making a copy of such material may be subject to copyright or trademark laws.

E. Use of material from this site

The Borough of Ho-Ho-Kus has made the content of these pages available to the public and anyone may view, copy or distribute *Borough of Ho-Ho-Kus information* found here without obligations to the Borough of Ho-Ho-Kus for non-commercial, personal use only, unless otherwise stated on particular material or information to which a restriction on free use may apply.

The design of this site, original graphics, and original content are all copyrighted by the Borough of Ho-Ho-Kus and may not be re-engineered, distributed, modified, transmitted, re-used, reposted or duplicated without the express written permission of the Borough of Ho-Ho-Kus in each instance. All requests to use any part of the original design, code, graphics or content of this site should be made via-email to the Borough Administrator.

F. Unauthorized Modifications

Unauthorized attempts to modify or otherwise alter any information or image stored on any Borough of Ho-Ho-Kus website may result in criminal prosecution.

Section VIII. Procedure.

This procedure sets forth the guidelines to having information posted on the Borough of Ho-Ho-Kus' Social Media sites by an organization other than the Borough.

1. Borough of Ho-Ho-Kus information, Borough events and meetings announcements, and emergency notifications take precedent over any other announcements.
2. Requests, including the text of the proposed messages, must be e-mailed to the Borough Administrator and/or his/her designee at least ten (10) days prior to posting the information. The request must contain the following information: full name of organization, time, date and place of the event, contact name, e-mail address and telephone number.
3. Information shall be e-mailed as a Microsoft Word Document in paragraph form (Times New Roman, 12 Font), no PDF or fliers will be accepted.
4. Organization shall include a maximum of two (2) dates of when to post the information.
5. Information will be disseminated for 2 weeks prior to the event.
6. Only Ho-Ho-Kus sponsored clubs or organization, and organizations hosting an event for a non-profit organization in Ho-Ho-Kus shall be permitted to seek approval to post information of Borough of Ho-Ho-Kus' Social Media sites and public outreach tools.
7. Every effort will be made to accommodate all requests. If many requests are received for the same period of time, the posting will be determined on a first come, first serve basis. The dates of postings, their duration, and content are the final decision of the Borough Administrator and/or his/her designee.

Section IX. 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 X. 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 XI. **Effective Date.**

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

A motion was offered by Council President Troast and seconded by Councilman Shell to approve Introduction of Ordinance #2018-17. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-18

**AN ORDINANCE TO AMEND CHAPTER 47 OF THE
HO-HO-KUS BOROUGH CODE ENTITLED “PROPERTY MAINTENANCE”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 47 of the Code is amended and supplemented as follows:

Section I. **Article VII Violations.**

Section 47-17 Violations and Penalties is amended to read:

- (a) Any person or entity who shall violate the terms and provisions of this Chapter shall, upon conviction thereof, be subject to any combination of the following: a fine not exceeding \$1,000.00, imprisonment not to exceed 90 days or a period of community service not exceeding 90 days. Each day upon which a violation continues shall constitute a separate offense.
- (b) In addition to the remedies provided for in this Section, should an owner, operator or occupant of any premises fail to comply with any order and/or directive of the enforcement officer within 10 days after notice of such violation or such extended notice period, the enforcement officer may cause such condition to be remedied. In such case, the enforcement officer may cause such remediation by retaining the services of a contractor, in accordance with applicable laws, and the cost of such remediation shall be paid by the Borough. The expenses incurred by the Borough shall become a charge or lien on such lands and shall be added to and become and form a part of the taxes to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner.

Section II. **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 III. **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 IV. **Effective Date.**

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

A motion was offered by Councilman Crossley and seconded by Councilman Shell to approve Introduction of Ordinance #2018-18. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE #2018-19

**AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 85 OF THE HO-HO-KUS BOROUGH CODE ENTITLED
“ZONING ORDINANCE”**

BE IT ORDAINED, by the Mayor and Council of the Borough of Ho-Ho-Kus, County of Bergen and State of New Jersey that Chapter 85 of the Code is amended and supplemented as follows:

Section I.

Section 85-58 Violations and Penalties is amended to read as follows:

- A. The owner or user of any building or structure, lot or land or part thereof, or anything in violation of this Chapter, shall be placed, used or shall exist and any architect, builder, contractor, agent, person or

corporation employed in connection therewith and who assists in the commission of such violation shall be guilty of a separate and distinct violation.

B. Any person or entity who shall violate the terms and provisions of this Chapter shall, upon conviction thereof, be subject to a combination of the following: a fine not exceeding \$1,000.00, imprisonment not to exceed 90 days or a period of community service not exceeding 90 days. Each day upon which a violation continues shall constitute a separate offense.

C. In addition to the remedies provided for in this section, should an owner, operator or occupant of any premises fail to comply with any order and/or directive of the Zoning Officer within 10 days after notice of such violation, the Zoning Officer may cause such condition to be remedied. In such case, the Zoning Officer may cause such remediation by retaining the services of a contractor, in accordance with applicable laws, and the cost of such remediation shall be paid by the Borough. The expenses incurred by the Borough shall become a charge or lien on such lands and shall be added to and become and form a part of the taxes to be assessed and levied upon such lands and shall bear interest at the same rate as taxes and shall be collected and enforced in the same manner.

Section II. **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 III. **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 IV. **Effective Date.**

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

Borough Attorney advised the Borough Clerk to submit Ordinance #2018-19 to the Planning Board to review before its adoption.

A motion was offered by Councilman Crossley and seconded by Councilman Shell to approve Introduction of Ordinance #2018-19. Motion carried on a roll call vote – All present voting “Aye”.

OFF- CONSENT RESOLUTIONS

Resolution #19-01 - Introduced by Councilman Crossley

A Resolution – Professional Services for 2019

WHEREAS, the Borough of Ho-Ho-Kus requires the professional services of engineers, attorneys, a registered municipal accountant, animal control officer, grant writers and laboratory services for the calendar year 2019; and

WHEREAS, it is anticipated that the expenditures for each of such professional services will/may exceed the sum of \$ 21,000 in said calendar year; and

WHEREAS, the Chief Financial Officer in accordance with the Local Contracts Law has duly executed Certificates of Availability, indicating that adequate funds have been, and additional funds will be appropriated in the 2019 Budgets for fees reasonably required by each of such professionals under the following line items in said Budget:

FOR ENGINEERING SERVICES:

1. Engineering Service & Costs - Other Expenses
2. Water Utility - Other Expenses
3. Capital Ordinances

FOR LEGAL SERVICES:

1. Legal Services & Costs - Other Expenses
2. Prosecutor – Salary & Wages
3. Public Defender – Other Expenses

- FOR ACCOUNTING SERVICES:
4. Capital Ordinances
 1. Financial Administration - Other Expenses
 2. Capital Ordinances
 3. Water Utility - Other Expenses
 4. Solid Waste Utility - Other Expenses
- FOR LABORATORY SERVICES:
1. Water Utility - Other Expenses
- FOR ANIMAL CONTROL SERVICES:
1. Board of Health - Other Expenses
 2. Animal License Trust Funds

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

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

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

That the appointment of:

1.

Garbarini & Co.	Borough Auditor
David B. Bole	Borough Attorney
Rogut McCarthy, PC	Bond Counsel
Schwanewede/Hals	Borough Engineer
John S. Guerin	Borough Prosecutor
Robert Metzdorf	Public Defender
Matthew Miller	Alternate Public Defender
Richard Rosa Esq	Alternate Municipal Prosecutor
WSP USA	Environmental Engineer
Carol Tyler-Tyco Inc.	Animal Control Officer & Cruelty Investigator
Aqua Pro-tech Laboratories	Water Laboratory Services
Computer Services Solutions	Technology Services
Raymond Wiss	Labor Attorney
Joseph Burgis	Borough Planner
Clarke, Caton Hintz	COAH Planner, for the calendar year 2019

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

2. That the Mayor and Borough Clerk are authorized and directed to execute contracts with each of said professionals and to take all other steps necessary to carry this resolution into effect.
3. Said appointments are made without competitive bidding under the provisions of the Local Public Contracts Law which exempts from competitive bidding "Professional Services" rendered by persons authorized by law to practice a recognized profession and whose practice is regulated by law.
4. A copy of this resolution be published in the Ridgewood News within ten days after its passage as required by law.

BE IT FURTHER RESOLVED that the contracts for bond counsel; Borough prosecutor; public defenders;

environmental engineers; animal control officer and cruelty investigator; water laboratory services, grants and labor attorney and borough planner are being awarded as a non -fair and open contract, pursuant to the provisions of NJSA 19:44A-20.5 whereas the contracts of Borough auditor, Borough attorney and Borough engineer, Borough Planner are being awarded pursuant to a fair and open process pursuant to law; BE IT FURTHER RESOLVED that the business disclosure entity certification, as applicable, and the determination of value be placed on file with this resolution.

A motion was offered by Councilman Crossley and seconded by Council President Troast to approve Resolution #19-01. Motion carried on a roll call vote – All present voting “Aye”.

Resolution #19-02 - Introduced by Council President Troast

A Resolution - Retain Insurance Advisors for 2019

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

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

WHEREAS, it is anticipated the expenditures for the various insurance coverages will exceed the sum of \$25,000 for the calendar year 2019; and

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

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

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

WHEREAS, it is contemplated that the 2019 budget for the Borough of Ho-Ho-Kus will contain the necessary appropriations being reasonably required for the purchase of the aforesaid insurance policies

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, the Eastern Insurors Inc. (General & Risk Consultant), Bergen County Municipal Joint Insurance Fund and the Municipal Excess Liability Joint Insurance Fund are hereby retained as the insurance advisors for the Borough of Ho-Ho-Kus for the calendar year 2019, and they are further authorized and directed to provide all insurance coverages which are necessary or appropriate to protect the Borough of Ho-Ho-Kus and its properties from the

several risks of being a municipality of the State of New Jersey; and
 BE IT FURTHER RESOLVED, that the purchase of the aforesaid insurance coverage for the Borough of Ho-Ho-Kus is being made without competitive bidding under the provisions of N.J.S.A. 40A: 11-1 et seq. in that the purchase of insurance policies is of such a complex nature as will not reasonably permit the drawing of specifications or the receipt of competitive bids; and
 BE IT FURTHER RESOLVED, that a copy of this resolution shall be published in the Ridgewood News within ten (10) days of its passage as required by law.
 BE IT FURTHER RESOLVED that this contract is being awarded as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.5
 BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the determination of value be placed on file with this Resolution.

A motion was offered by Council President Troast and seconded by Councilman Shell to approve Resolution #19-02. Motion carried on a roll call vote – All present voting “Aye”.

CONSENT AGENDA RESOLUTIONS (19-03 thru 19-31)

Resolution #19-03 - Introduced by Council President Troast

A Resolution – By-Laws

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the By-Laws as revised July - 1962 and interpreted for the year 2006 be and they are hereby adopted for the year 2019.

Resolution #19-04 - Introduced by Council President Troast

A Resolution – Investment of Funds

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

Resolution #19-05 - Introduced by Council President Troast

A Resolution – Meeting Nights

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the fourth Tuesday of each month at 7:30 P.M. be and is hereby designated as the official Regular Public meeting night of the Mayor and Council for the year 2019.

BE IT FURTHER RESOLVED that the third Tuesday of each month at 7:30 P.M. be and the same is hereby designated as the official Work Session meeting night of the Mayor and Council for the year 2019; official action may be taken.

BE IT FURTHER RESOLVED that the February, April, May, July, August, November, December meetings are hereby designated as the official combined Work/Public meeting nights of the Mayor and Council for the year 2019; official action may be taken.

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

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

	<u>Work</u>	<u>Public</u>
January	--	22
February	--	26
March	19	26
April	--	23
May	21	--
June	18	25
July	16	--

August	20	--
September	17	24
October	15	22
November	--	26
December	17	--

Resolution #19-06 - Introduced by Council President Troast

A Resolution – Official Depositories of Funds

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following banking institutions be and they are hereby designated as the official depositories for the funds of the Borough of Ho-Ho-Kus for the year 2019.

- 1) Oritani Bank

Resolution #19-07 - Introduced by Council President Troast

A Resolution – Official Newspapers

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Ridgewood Newspapers of Ridgewood, New Jersey and the Record of Hackensack, New Jersey be and are hereby designated as the official newspapers of Ho-Ho-Kus for the year 2019, for the publication of all legal notices required by any law of the State of New Jersey or any Ordinance or Resolution of the Borough of Ho-Ho-Kus.

Resolution #19-08 - Introduced by Council President Troast

A Resolution – Delinquent Tax Charge

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that under N.J.S.A. 54:4-67, the rate of interest to be charged by the Collector of Taxes on all delinquent taxes shall be 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and
 BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which said payment became payable; and
 BE IT FURTHER RESOLVED, a penalty of 6% will be charged on any delinquency in excess of \$ 10,000.00 if not paid by the end of the fiscal year unless stated otherwise on the front of this bill. 2019 Real Estate Taxes will be advertised for sale after November 11, 2019; and
 BE IT FURTHER RESOLVED, that there will be a \$25.00 service charge on Returned Checks.

Resolution #19-09 - Introduced by Council President Troast

A Resolution – Authorized Signatures on Checks

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that under N.J.S.A. 54:4-67, the rate of interest to be charged by the Collector of Taxes on all delinquent taxes shall be 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00; and
 BE IT FURTHER RESOLVED, that no interest shall be charged if payment of any installment is made within the tenth calendar day following the date upon which said payment became payable; and
 BE IT FURTHER RESOLVED, a penalty of 6% will be charged on any delinquency in excess of \$ 10,000.00 if not paid by the end of the fiscal year unless stated otherwise on the front of this bill. 2019 Real Estate Taxes will be advertised for sale after November 11, 2019; and
 BE IT FURTHER RESOLVED, that there will be a \$25.00 service charge on Returned Checks.

Resolution #19-10 - Introduced by Council President Troast

A Resolution – Establishment of Petty Cash Fund

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that a petty cash fund, in the amount of \$250.00 be and is hereby established for the Borough of Ho-Ho-Kus for the year 2019.

Resolution #19-11 - Introduced by Council President Troast

A Resolution – Purchase Agreements Authorization

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Borough of Ho-Ho-Kus is hereby authorized to enter into joint agreements with the County of Bergen and the State of New Jersey for the purchase of any and all goods and supplies deemed feasible and necessary by said during the year 2019.

Resolution #19-12 - Introduced by Council President Troast

A Resolution – Transfer of Interest

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

Resolution #19-13 - Introduced by Council President Troast

A Resolution – Private Cars

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that those employees who use their own cars for Borough business - properly authorized and substantiated shall be reimbursed at the rate of .58¢ per mile or current year prevailing IRS rate.

Resolution #19-14 - Introduced by Council President Troast

A Resolution – Payroll

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus for the calendar year 2019, have established every 15th and the last day of the month as pay day; and
BE IT RESOLVED that partial payrolls are authorized at the beginning of the year to establish the system and at the end of the year to comply with State statutes; and
BE IT FURTHER RESOLVED that the Treasurer is authorized to release all payroll checks at 4:30 P.M. on the day before.

Resolution #19-15 - Introduced by Council President Troast

A Resolution – Waive Water Penalties

WHEREAS, from time to time, for reasons assignable to neither, the property owner nor the Borough, situations arise when it is apparent that penalties in minor amounts for non-payment of water charges should be waived,
WHEREAS, the Borough Council deems it in the best interest of the Borough to authorize such waivers as may be justified and appropriate in the discretion of the Borough Administrator as to individual property owners of properties not to exceed the sum of Forty Dollars (\$40.00).
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council that authorization be and is hereby granted to the Borough Administrator to waive minor penalties in respect to the water charges when, in the exercise of sound discretion, the circumstances so warrant. Such waivers are not to exceed the amount of Forty Dollars (\$40.00) in respect to any individual property owner of property.

Resolution #19-16 - Introduced by Council President Troast

A Resolution – Tax Appeals

WHEREAS, the Bergen County Tax Board requires a resolution by the Municipal Governing Body authorizing the Assessor/Tax Collector to file appeals and settlements of stipulations with the Bergen County Tax Board for the purpose of correcting assessments for the year 2019;
NOW, THEREFORE BE IT RESOLVED that the Assessor/Tax Collector be authorized to file such appeals when necessary; and
WHEREAS, the Borough of Ho-Ho-Kus is expected to become involved in tax appeal litigation both at the

Bergen County Board of Taxation and the New Jersey Tax Court during the year 2019;
NOW, THEREFORE, BE IT RESOLVED, by the Governing Body that the Tax Assessor and Municipal Attorney be and they are hereby authorized to review all appeals and to file counterclaims to protect the Borough's interest in those cases, which they deem necessary and appropriate

Resolution #19-17 - Introduced by Council President Troast

A Resolution – Tort Claim Notice Format

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity, and
WHEREAS, the Borough of Ho-Ho-Kus is a public entity covered by the provisions of the New Jersey Tort Claims Act, and
WHEREAS, the Borough of Ho-Ho-Kus deems it advisable, necessary and in the public interest to adopt a Notice of Tort Claim in the form attached hereto and made a part hereof, and
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus, assembled in public session this 7th day of January, 2019 that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Ho-Ho-Kus, and
BE IT FURTHER RESOLVED, that all persons making claims against the Borough of Ho-Ho-Kus, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:9-1, et seq., be required to complete the form herein adopted as a condition of compliance with the notice requirements of the New Jersey Tort Claims Act

Resolution #19-18 - Introduced by Council President Troast

A Resolution – Interlocal Well Baby Clinic

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

Resolution #19-19 - Introduced by Council President Troast

A Resolution – Interlocal Traffic & Fire Signals

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

Resolution #19-20 - Introduced by Council President Troast

A Resolution – Interlocal 911

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

Resolution #19-21 - Introduced by Council President Troast

A Resolution – Fire Dept. Mutual Aid

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

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

Resolution #19-22 - Introduced by Council President Troast

A Resolution – Insurance Fund Representative

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

NOW, THEREFORE, BE IT RESOLVED that Council Member Philip Rorty be the elected official to represent the Borough of Ho-Ho-Kus for the term expiring December 31, 2019.

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

Resolution #19-23 - Introduced by Council President Troast

A Resolution – Local Emergency Management Council

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

Thomas Randall	Mayor
James T. Ludwig Jr.	Emergency Management Coordinator
Christopher Minchin	Police Chief/ Asst. EMC.
William Jones	Administrator
Keith Rosazza	Fire Chief
Jeffrey Pattman	Supervisor/DPW/Roads
Gordon Hamm	EMS Captain
Carol Tyler	A.C.O.
Chris Joy Sr.	Resource Coordinator
Mark Berninger	Construction Code Official
Angela Musella	Health Officer
Richard Bierwas, Reverend	Shelter Co-Coordinator
John Hanlon	Planning Board Chair / Mitigation
Diane Mardy	Superintendent, Lloyd Road School
Alternates:	
Anthony Grego	Police Captain/P.D. Liaison
Keith Rosazza	Fire Department Representative

Resolution #19-24 - Introduced by Council President Troast

A Resolution – Interlocal Vehicle Repair

WHEREAS, the Borough of Ho-Ho-Kus is continually seeking ways to reduce costs while improving efficiency and services to the community; and

WHEREAS, it has been found that the costs involved with the repair and maintenance of Ho-Ho-Kus Borough Vehicles can be greatly reduced through an inter-local agreement with the neighboring Borough of Paramus; and

WHEREAS, such an agreement for repairs and maintenance would include: parts, tires, motor oil, hydraulic oil, transmission fluid, anti-freeze, coolant, gear oil, Freon, scheduled repairs and maintenance, and unscheduled repairs,

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

Resolution #19-25 - Introduced by Council President Troast

A Resolution – Rapid Deployment Force

WHEREAS, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and,

WHEREAS, Law Enforcement officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, etc., manmade causes such as riots, strikes, jail or prison

riots, train wrecks, aircraft crashes, major fires, ethnic disorders, terrorists incidents and bombings, State and National emergencies; and,

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

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

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

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

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

Resolution #19-26 - Introduced by Council President Troast

A Resolution – 2018 Temporary Budget

BE IT RESOLVED that the Temporary Budget for 2019 is 26.25% of the 2018 Budget of Ho-Ho-Kus.

Resolution #19-27 - Introduced by Council President Troast

A Resolution – Court Appointment

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

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

WHEREAS, Maria Doerr and Susan Maurer each with the appropriate certification, have been appointed to these positions; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Maria Doerr, CMCA, is hereby appointed as Acting Municipal Court Administrator/Deputy Municipal Court Administrator from Ridgewood Municipal Court, for a compensation of \$2000 annually at \$20 per diem and Susan Maurer, is hereby appointed Violations Clerk, for a compensation of \$1170 annually at \$97.56 per court session.

Resolution #19-28 - Introduced by Council President Troast

A Resolution – Appointment of Ho-Ho-Kus Municipal Court Judge

BE IT RESOLVED, by the Governing Body that Harry Norton is hereby reappointed as Judge of the Ho-Ho-Kus Municipal Court for a term of three years (3) years commencing January 07, 2019 thru December 31, 2021 pursuant to N.J.S.A. 2B:12-4.

Resolution #19-29 - Introduced by Council President Troast

A Resolution – Combining Several Authorizations of Bonds into a Single Issue and Prescribing the Details and Bond Form Thereof for \$5,700.000 General Improvement Bonds Dated February 15, 2019

WHEREAS, the bond ordinances hereinafter described have been duly adopted and it is necessary to provide for the issuance of the bonds authorized by such bond ordinances;

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

Section 1. There shall be issued at this time \$295,000 of the bonds authorized pursuant to Bond Ordinance No. 1029 adopted by the Borough Council of said Borough on June 17, 2014. The bonds are issued to finance the undertaking of the 2014 Road Resurfacing Program, the resurfacing of Blauvelt Avenue (from Franklin Turnpike to Sheridan Avenue), including drainage improvements and reconstruction of curbs, where necessary, the acquisition of an SUV for the use of the Police Department, and the acquisition of an SUV and portable radios for the use of the Fire Department, all in, by and for the Borough. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 8.22 years computed from the date of such bonds.

Section 2. There shall be issued at this time \$1,316,000 of the bonds authorized pursuant to Bond Ordinance No. 1021 adopted by the Borough Council of said Borough on August 26, 2014. The bonds are issued to finance the undertaking of the 2013 Road Resurfacing Program, the acquisition of a street sweeper for the use of the Department of Public Works ("DPW"), replacement of gas pumps at the DPW Yard and replacement of parking machines at the Train Station, the acquisition of portable radios, electronic ticketing machines for police cars and an SUV for the use of the Police Department, the installation of generators at sanitary sewer stations and replacement of the East Gate Sanitary Sewer Lift Station, and the undertaking of various improvements to the Fire House, including the installation of lights and the replacement of the generator and boiler, all in, by and for the Borough. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 13.73 years computed from the date of such bonds.

Section 3. There shall be issued at this time \$838,000 of the bonds authorized pursuant to Bond Ordinance No. 1037 adopted by the Borough Council of said Borough on June 23, 2015. The bonds are issued to finance the undertaking of the 2015 Road Resurfacing Program, the acquisition of a dump truck for the use of the DPW, the acquisition of replacement garage doors for the DPW Garage, a pole-mounted pipeline and manhole camera, a chipper safety shield and a vehicle lift for the use of the DPW, the acquisition of a license plate reader and an SUV for the use of the Police Department, the acquisition of an ambulance for the use of the Ambulance Corps, and the acquisition of thermal imaging cameras, self-contained breathing apparatus equipment and a respirator fit tester (Borough portion to be shared with the Borough of Midland Park) for the use of the Fire Department, all in, by and for the Borough. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 7.39 years computed from the date of such bonds.

Section 4. There shall be issued at this time \$2,443,000 of the bonds authorized pursuant to Bond Ordinance No. 2016-09 adopted by the Borough Council of said Borough on June 28, 2016. The bonds are issued to finance the undertaking of the 2016 Road Resurfacing Program, the undertaking of drainage improvements at Brandywine Road and Valley Forge Way, the undertaking of the North Franklin Turnpike Park Improvements Project, the acquisition of an evidence management system and an SUV for the use of the Police Department, the acquisition of in-vehicle camera system equipment and an alcolist machine for the use of the Police Department, the installation of a fiber optic cable communications system for the use of various Borough departments, offices and agencies, and the acquisition of a new ladder fire truck, all in, by and for the Borough. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 10.88 years computed from the date of such bonds.

Section 5. There shall be issued at this time \$808,000 of the bonds authorized pursuant to Bond Ordinance No. 2017-06 adopted by the Borough Council of said Borough on June 27, 2017. The bonds are issued to finance the undertaking of the 2017 Road Resurfacing Program, the acquisition of a truck chassis for a salter, a bucket truck and a roll-off truck for the use of the DPW, and the acquisition of a front end loader for the use of the DPW, all in, by and for the Borough. The average period of usefulness of the several purposes to be financed by such bond ordinance is a period of 9.06 years computed from the date of such bonds.

Section 6. The bonds authorized by said five bond ordinances described in Sections 1 to 5, inclusive, of this resolution shall be issued as a single issue of bonds, aggregating \$5,700,000 consisting of an issue of bonds of the denomination of \$5,000 each or any integral multiple thereof, numbered in the order of

their maturity. In the event that the purchaser of the bonds elects to take bonds in the last maturity which are not in multiples of \$5,000, or, if there are any such bonds herein, such bonds shall be in the denomination of \$1,000 or any integral multiple thereof, numbered upwards from the last numbered \$5,000 bond. The average period of usefulness within which the bonds authorized by said five bond ordinances mature, according to the respective reasonable lives of the purposes to be financed, as determined in said ordinances taking into consideration the respective amounts of bonds authorized for the purposes to be financed as set forth in each of the bond ordinances hereinbefore set forth, is a period of 10.62 years computed from the date of such bonds. Said issue shall be payable in annual installments on February 15 in each year as follows:

\$350,000 in each of the years 2020 and 2021,
\$500,000 in each of the years 2022 to 2024, inclusive, and
\$700,000 in each of the years 2025 to 2029, inclusive.

Said bonds shall be designated "General Improvement Bonds". A portion of the indebtedness evidenced by each such bond shall be deemed to have been incurred for the purpose described in each bond ordinance authorizing bonds of the same maturity, and such portion of such indebtedness shall be in the same proportion to the principal amount of such bonds as the total amount of bonds of like maturity to be issued pursuant to such bond ordinance bears to the aggregate amount of bonds of like maturity to be issued pursuant to such five bond ordinances.

Section 7. All of said bonds shall be dated February 15, 2019, and shall bear interest from their date until their respective maturities at the rates per annum named in the proposal accepted. Such rates of interest shall be determined at the time said bonds are sold. Such interest shall be payable on each February 15 and August 15, commencing August 15, 2019 (each, an "Interest Payment Date"), in each year until maturity. The bonds shall not be subject to redemption prior to their stated maturities.

Section 8. The bonds will be issued in fully registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC"), and immobilized in its custody. The book-entry system will evidence ownership of the bonds in principal amounts of \$5,000 or integral multiples thereof, with transfers of beneficial ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC. Interest on the bonds will be payable at the times stated in Section 7 of this resolution, and principal of the bonds will be paid annually on February 15, as set forth in the maturity schedule hereinbefore stated, in immediately available funds to DTC or its nominee as registered owner of the bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of such participants and other nominees of beneficial owners. Interest will be payable to owners of bonds shown on the records of DTC as of the last business day of the month preceding the month in which such interest payment date occurs. The Borough will not be responsible or liable for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event that (a) DTC determines not to continue to act as securities depository for the bonds, or (b) the Borough determines that continuation of the book-entry system of evidence and transfer of ownership of the bonds would adversely affect the interests of the beneficial owners of the bonds, the Borough will discontinue the book-entry system with DTC. If the Borough fails to identify another qualified securities depository to replace DTC, the Borough will authenticate and deliver replacement bonds in the form of fully registered certificates.

The principal of and the interest on the bonds shall be payable in any coin or currency of the United States of America which is legal tender for the payment of public and private debts on the respective dates of payment thereof.

Section 9. The Chief Financial Officer, pursuant to N.J.S.A. 40A:2-34, is hereby authorized to sell and award the bonds in accordance with the terms of the notice of sale, such terms to be determined by a resolution of the Borough Council to be hereafter adopted. The Chief Financial Officer shall report in writing to the Borough Council at the next meeting after the sale of the bonds as to the principal amount, interest rates and maturities of the bonds sold, the price obtained and the name of the purchaser.

Section 10. All of said bonds shall be signed by the Mayor by manual or facsimile signature and by the Chief Financial Officer by manual or facsimile signature and the corporate seal of said Borough shall be imprinted, affixed or reproduced thereon and such seal shall be attested by the Borough Clerk or Deputy Borough Clerk by manual or facsimile signature. The bonds will be authenticated by the manual signature of the Bond Registrar/Paying Agent.

Section 11. Each of said bonds shall be issued in substantially the following form:

[Form of Bond]

Unless this certificate is presented by an authorized representative of The Depository Trust Company, a New York corporation ("DTC"), to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of DTC (and any payment is made to Cede & Co. or to such other entity as is requested by an authorized representative of DTC), ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL inasmuch as the registered owner hereof, Cede & Co., has an interest herein.

No. R-___ \$_____

UNITED STATES OF AMERICA
 STATE OF NEW JERSEY
 COUNTY OF BERGEN
 BOROUGH OF HO-HO-KUS
 GENERAL IMPROVEMENT BOND

INTEREST			
RATE PER			
<u>ANNUM</u>	<u>MATURITY DATE</u>	<u>DATED DATE</u>	<u>CUSIP</u>
%	FEBRUARY 15, 20__	FEBRUARY 15, 2019	433686__

REGISTERED OWNER: CEDE & CO.

PRINCIPAL SUM: -----DOLLARS

The Borough of Ho-Ho-Kus, a municipal corporation of the State of New Jersey, located in the County of Bergen (hereinafter referred to as the "Borough"), for value received hereby acknowledges itself indebted and promises to pay to the REGISTERED OWNER named above, on the MATURITY DATE specified above, upon surrender hereof, the PRINCIPAL SUM stated above and to pay to the REGISTERED OWNER hereof interest thereon from the DATED DATE of this Bond until it shall mature at the INTEREST RATE PER ANNUM specified above, payable on each February 15 and August 15, commencing August 15, 2019 (each, an "Interest Payment Date"), of each year until maturity. This Bond is not subject to redemption prior to maturity. The principal hereof is payable at the office of the Chief Financial Officer, Borough Hall, 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423 (the "Bond Registrar/Paying Agent"). The interest so payable on any such Interest Payment Date will be paid to the person in whose name this Bond is registered on the record date for such interest, which shall be the last business day of the month preceding the month in which such Interest Payment Date occurs. Both the principal of and the interest on this Bond shall be paid in any coin or currency of the United States of America that is legal tender for the payment of public and private debts on the respective dates of payment thereof.

This Bond is one of an issue of Bonds of like date and tenor, except as to number, denomination, interest rate and maturity, issued pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes, as amended) and pursuant to five bond ordinances adopted by the Borough Council of the Borough on June 17, 2014 (Ord. No. 1029), August 26, 2014 (Ord. No. 1021), June 23, 2015 (Ord. No. 1037), June 28, 2016 (Ord. No. 2016-09) and June 27, 2017 (Ord. No. 2017-06) and resolutions adopted by the Borough Council of the Borough on January 7, 2019.

The Bond Registrar/Paying Agent shall keep at its office the books of the Borough for the registration of transfer of Bonds. The transfer of this Bond may be registered only upon such books and as otherwise provided in the resolution upon the surrender hereof to the Bond Registrar/Paying Agent together with an assignment duly executed by the registered owner hereof or his attorney or legal representative in such form as shall be satisfactory to the Bond Registrar/Paying Agent. Upon any such registration of transfer, the Bond Registrar/Paying Agent shall deliver in exchange for this Bond a new bond or bonds, registered in the name of the transferee, of authorized denomination, in an aggregate principal amount equal to the unredeemed principal amount of this Bond, of the same maturity and bearing interest at the same rate. It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey, to exist, be performed or happen precedent to or in the issuance of this Bond exist, have been performed and have happened, and that this Bond together with all other indebtedness of the Borough, is within every debt and other limit prescribed by the Constitution or statutes of said State.

The full faith and credit of the Borough are hereby pledged irrevocably to the punctual payment of the principal of and interest on this Bond in accordance with its terms.

This Bond shall not be valid or become obligatory for any purpose until the Certification of Authentication hereon shall have been signed by the Bond Registrar/Paying Agent.

IN WITNESS WHEREOF, the Borough has caused this Bond to be signed by its Mayor by manual or facsimile signature and by its Chief Financial Officer by manual or facsimile signature, and its seal to be impressed, affixed or reproduced hereon, and said seal to be attested by its Borough Clerk by manual or facsimile signature and this Bond to be dated February 15, 2019.

Resolution #19-30 - Introduced by Council President Troast

A Resolution – Authorizing The Publication, Printing And Distribution Of A Notice Of Sale And The Publication Of A Summary Notice Of Sale And Prescribing The Forms Thereof For \$5,700,000 General Improvement Bonds, Dated February 15, 2019, Approving The Preparation, Distribution And Execution Of A Preliminary And A Final Official Statement For Such Bonds, Undertaking To Provide Continuing Disclosure Of Financial Information, Covenanting To Comply With The Internal Revenue Code Of 1986, As Amended, Designating Such Bonds As "Qualified Tax-Exempt Obligations" For Purposes Of The Internal Revenue Code Of 1986, As Amended, And Authorizing Various Matters In Connection With Electronic Bidding For The Bonds

WHEREAS, the Borough Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey (the "Borough"), desires to make further provision for the issuance of \$5,700,000 General Improvement Bonds (the "Bonds"), which are to be issued pursuant to bond ordinances heretofore adopted by the Borough Council; NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Ho-Ho-Kus, in the County of Bergen, as follows:

Section 1. A Notice of Sale (the "Full Notice of Sale") shall be published and printed and inserted in the Preliminary Official Statement (as hereinafter defined) for distribution in substantially the following form:

NOTICE OF SALE
BOROUGH OF HO-HO-KUS,
IN THE COUNTY OF BERGEN, NEW JERSEY
\$5,700,000 GENERAL IMPROVEMENT BONDS
(Book-Entry Only) (Bank-Qualified)

(Non-Callable) (Parity Bid)
dated

February 15, 2019

The Borough of Ho-Ho-Kus, in the County of Bergen, a municipal corporation of the State of New Jersey (the "Borough"), hereby invites ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS for the purchase of its \$5,700,000 General Improvement Bonds, dated February 15, 2019 (the "Bonds").

ELECTRONIC BIDS VIA PARITY AND SEALED PROPOSALS will be received and publicly opened and announced by the Chief Financial Officer at Borough Hall, 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423, on February 5, 2019 at 11:00 o'clock A.M. (local time).

The Bonds comprise an issue of bonds payable on February 15 in each year (without the right of prior redemption) as follows:

\$350,000 in each of the years 2020 and 2021,

\$500,000 in each of the years 2022 to 2024, inclusive, and

\$700,000 in each of the years 2025 to 2029, inclusive.

To the extent any instructions or directions set forth in PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential bidders may contact Ipreo at 1359 Broadway, 2nd Floor, New York, NY 10018, telephone (212) 849-5021.

The Bonds shall be issued in registered form by means of a book-entry system with no physical distribution of bond certificates made to the public. One bond certificate for each maturity will be issued to The Depository Trust Company, New York, New York ("DTC") and immobilized in its custody. The book-entry system will evidence ownership of the Bonds in the principal amount of \$5,000 or any integral multiple thereof, with transfers of ownership effected on the records of DTC and its participants pursuant to rules and procedures established by DTC and its participants. The successful bidder, as a condition to delivery of the Bonds, shall be required to deposit the bond certificates with DTC, registered in the name of Cede & Co., its nominee. Interest on the Bonds will be payable on each February 15 and August 15, commencing August 15, 2019 (each, an "Interest Payment Date"), in each year until maturity, and principal of the Bonds will be payable, at maturity, by payment of immediately available funds by the Bond Registrar/Paying Agent to DTC or its nominee as registered owner of the Bonds. Transfer of principal and interest to participants of DTC will be the responsibility of DTC. Transfer of principal and interest to beneficial owners will be the responsibility of the DTC participants and other nominees of the beneficial owners. The Borough will not be responsible or liable for such transfers of payments or for maintaining, supervising or reviewing the records maintained by DTC, its participants or persons acting through such participants.

In the event (a) DTC determines not to continue to act as securities depository for the Bonds or (b) the Borough determines that continuation of the book-entry system of evidence and transfer of ownership of the Bonds would adversely affect the interests of the beneficial owners of the Bonds, the Borough will discontinue the book-entry system with DTC. If the Borough fails to identify another qualified securities depository to replace DTC, the Borough will deliver replacement bonds in the form of fully registered certificates.

The Bonds are general obligations of the Borough and are secured by a pledge of the full faith and credit of the Borough for the payment of the principal thereof and the interest thereon. The Bonds are payable, if not paid from other sources, from ad valorem taxes to be levied upon all the real property taxable within the Borough without limitation as to rate or amount.

Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds bid for, and the rate or rates named must be a multiple of 1/8th or 1/20th of one percentum (1%). The interest payable with respect to each Bond on any one date will be evidenced by a single rate of interest. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. If more than one rate of interest is named, no interest rate named for any maturity may be less than the interest rate named for any prior maturity. Each proposal submitted must be for all of the Bonds offered and the purchase price specified must not be less than \$5,700,000 nor more than \$5,757,000. The Bonds will be awarded to the bidder on whose bid the total loan may be made at the lowest net interest cost,

such net interest cost shall be computed, as to each bid, by adding to the total principal amount of Bonds bid for (which shall be all of the Bonds offered) the total interest cost to maturity in accordance with such bid and by deducting therefrom the amount of premium, if any, bid, which premium shall not exceed \$57,000 (1% of par). No proposal shall be considered which offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at an interest cost higher than the lowest net interest cost to the Borough under any legally acceptable proposal. The Borough reserves its right to reject all bids, and any bid not complying with the material terms of this notice will be rejected. The Borough reserves the right to waive defects it deems non-material, in its sole discretion.

The successful bidder must pay accrued interest from the date of the Bonds to the date of delivery. No interest will be paid upon the deposit made by the successful bidder. The Bonds will be authenticated by the Chief Financial Officer, acting as Bond Registrar/Paying Agent for the Bonds.

Sealed proposals should be addressed to the undersigned Chief Financial Officer, and enclosed in a sealed envelope marked on the outside "Proposal for Bonds". A good faith deposit (the "Deposit") in the form of a cash wire or a certified, treasurer's or cashier's check drawn upon a bank or trust company in the amount of \$114,000, payable to the order of the BOROUGH OF HO-HO-KUS, is required for each bid to be considered.

If a cash wire is used, the wire must be received by the Borough no later than 11:00 A.M. on February 5, 2019. If a cash wire is utilized, each bidder must notify the Borough of its intent to use such cash wire prior to 11:00 A.M. on February 5, 2019, and must provide proof of electronic transfer of such cash wire prior to 11:00 A.M. on February 5, 2019 (with return wiring instructions). Wire instructions for the Borough can be obtained by contacting the Chief Financial Officer (Joseph Citro (201) 652-4400, Ext. 229) or the Borough's Bond Counsel (Steven Rogut or Thomas Bace (908) 931-1150). If a check is used, it must accompany the bid or be received by the undersigned Chief Financial Officer prior to the opening of bids. Each bidder accepts responsibility for delivering such cash wire or check on time and the Borough is not responsible for any cash wire or check that is not received on time. Checks or wires of unsuccessful bidders will be returned upon the award of the Bonds. No interest on the Deposit will accrue to the successful bidder. The Deposit will be applied in part payment for the Bonds or to partially secure the Borough from any loss resulting from the failure of the successful bidder to comply with the terms of its bid.

Award of the Bonds to the successful bidder or rejection of all bids is expected to be made within two hours after opening of the bids, but such successful bidder may not withdraw its proposal until after 3:00 p.m. (local time) of the day of such bid-opening and then only if such award has not been made prior to the withdrawal.

It is anticipated that CUSIP identification numbers will be printed on the Bonds, but neither the failure to print such number on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds. All expenses in relation to the printing of CUSIP numbers on the Bonds shall be paid for by the Borough; provided, however, that the CUSIP Service Bureau charge for the assignment of said numbers shall be the responsibility of and shall be paid for by the successful bidder.

The Bonds shall be delivered on or about February 15, 2019 at the office of Rogut McCarthy LLC, Cranford, New Jersey ("Bond Counsel"), or at such other place as may be determined by the successful bidder and the Borough. **PAYMENT FOR THE BONDS AT THE TIME OF ORIGINAL ISSUANCE AND DELIVERY SHALL BE IN IMMEDIATELY AVAILABLE FUNDS.**

A preliminary Official Statement has been prepared and is available at www.i-DealProspectus.com or may be obtained from the undersigned, Chief Financial Officer, Borough Hall, 333 Warren Avenue, Ho-Ho-Kus, New Jersey 07423, Telephone No. (201) 652-4400, Ext. 229. The preliminary Official Statement is deemed to be a "final official statement", as of its date, within the meaning of Rule 15c2-12 of the Securities and Exchange Commission ("Rule 15c2-12"), but is subject to (a) completion with certain pricing and other information to be made available by the successful bidder for the Bonds and (b) amendment. The preliminary Official Statement, as so revised, will constitute the "final official statement". By the submission of a bid for

the Bonds, the successful bidder contracts for the receipt of a reasonable number of copies of the final Official Statement within seven business days of the award of the Bonds. In order to complete the final Official Statement, the successful bidder must furnish on behalf of the underwriters of the Bonds the following information to Bond Counsel and the Borough by facsimile transmission or overnight delivery received by Bond Counsel and the Borough within 24 hours after the award of the Bonds: (a) initial offering prices or yields (expressed as percentages), (b) selling compensation (aggregate total anticipated compensation to the underwriters expressed in dollars), (c) the identity of the underwriters if the successful bidder is part of a group or syndicate and (d) any other material information necessary for the final Official Statement, but not known to the Borough (such as the bidder's purchase of credit enhancement). It shall also be the obligation of the successful bidder to furnish to DTC an underwriter's questionnaire and the denominations of the Bonds not less than seventy-two (72) hours prior to the delivery of the Bonds.

Concurrently with the delivery of the Bonds, the officials of the Borough who will have executed the final Official Statement will deliver to the purchaser of the Bonds a certificate stating that, to the best of their knowledge, the preliminary Official Statement did not as of its date and as of the sale date, and the final Official Statement did not as of its date and does not as of the date of delivery of the Bonds, contain an untrue statement of a material fact or omit to state a material fact required to be included therein for the purpose for which the preliminary Official Statement or the final Official Statement is to be used or necessary to make the statements therein, in light of the circumstances under which they were made, not misleading, provided such certificate shall not include consideration of information supplied by, or which should have been supplied by, the successful bidder for the Bonds.

The Borough has agreed in its bond resolution adopted on January 7, 2019 to provide or cause to be provided, in accordance with the requirements of Rule 15c2-12, (i) not later than seven months after the end of the Borough's fiscal year (presently December 31) certain annual financial information and operating data, including audited financial statements for the preceding fiscal year (commencing with the fiscal year ending December 31, 2018), (ii) timely notice of the occurrence of certain material events with respect to the Bonds and (iii) timely notice of a failure by the Borough to provide the required annual financial information on or before the date specified in (i) above.

The successful bidder's obligation to purchase the Bonds shall be conditioned upon its receiving, at or prior to the delivery of the Bonds, in form and substance reasonably satisfactory to the successful bidder, evidence that the Borough has made the continuing disclosure undertaking set forth above in a written agreement or contract for the benefit of the Bondholders and the beneficial owners of the Bonds.

The approving legal opinion of Bond Counsel will be furnished without cost to the purchaser. The preliminary Official Statement contains a discussion of the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), with respect to the exclusion from gross income for Federal income tax purposes of the interest on the Bonds and a description of the opinion of Bond Counsel with respect thereto. The Borough has covenanted, to the extent permitted by the Constitution and laws of the State of New Jersey, to comply with the provisions of the Code required to preserve the exclusion from gross income of interest on the Bonds for Federal income tax purposes. There will also be furnished the usual closing papers.

The Borough has designated the Bonds "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code and will represent that it reasonably expects that neither it nor its subordinate entities will issue more than \$10,000,000 of new money tax-exempt obligations in the current calendar year.

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of a bidder, any purchase of such insurance or commitment therefor shall be at the sole option and expense of the bidder and any increased costs of issuance of the Bonds resulting by reason of such insurance, unless otherwise paid, shall also be paid by such bidder. Any failure of the Bonds to be so insured or of any such policy of insurance to be issued, shall not in any way relieve the purchaser of its contractual obligations arising from the acceptance of its proposal for the purchase of the Bonds.

ISSUE PRICE DETERMINATION UNDER INTERNAL REVENUE CODE

If the "competitive sale requirements" are not satisfied, the winning bidder shall have the option to designate whether the "10% test" or the "hold-the-offering-price rule" shall apply to all the Bonds.

The following paragraphs contain the terms for the determination of issue price.

(a) The winning bidder shall assist the Borough in establishing the issue price of the Bonds and shall execute and deliver to the Borough at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications. A form of issue price certificate is available upon request to Steven L. Rogut, Bond Counsel, (908) 931-1150 or slr@rogutmccarthy.com.

(b) The Borough intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

- (1) the Borough shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
- (2) all bidders shall have an equal opportunity to bid;
- (3) the Borough may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
- (4) the Borough anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest interest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid. Bids will not be subject to cancellation in the event that the competitive sale requirements are not satisfied. Unless the bidder intends to hold the Bonds for its own account with no intention to offer the Bonds to the public, the bidder, by submitting a bid, represents to the Borough that the bidder has an established industry reputation for underwriting new issuances of municipal bonds.

(c) In the event that the competitive sale requirements are not satisfied, the Borough shall so advise the winning bidder. In that case, the winning bidder shall have the option to designate (by 5:00 P.M. Prevailing Time on the sale date) whether the issue price will be calculated upon either (a) the first price at which 10% of each maturity of the Bonds (the "10% test") is sold to the public as the issue price of that maturity, applied on a maturity-by-maturity basis, or (b) a commitment to neither offer nor sell any of the Bonds of any maturity to any person at a price that is higher than the initial offering price to the public as of the sale date (the "initial offering price") during the holding period (as defined herein).

(d) If the 10% test is selected, the winning bidder shall advise the Borough if any maturity of the Bonds satisfies the 10% test as of the date and time of the award of the Bonds, and bidders should prepare their bids on the assumption that all of the maturities of the Bonds will be subject to the 10% test in order to establish the issue price of the Bonds. If the competitive sale requirements are not satisfied and the 10% test is selected, then until the 10% test has been satisfied as to each maturity of the Bonds, the winning bidder agrees to promptly report to the Borough the prices at which the unsold Bonds of that maturity have been sold to the public. That reporting obligation shall continue, whether or not the Closing Date has occurred, until either (i) all Bonds of that maturity have been sold or (ii) the 10% test has been satisfied as to the Bonds of that maturity, provided that, the winning bidder's reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the Borough or Bond Counsel.

(e) In the event the "hold-the-offering-price" method is selected, for each maturity of the Bonds the winning bidder shall (a) neither offer nor sell any of the Bonds of such maturity to any person at a price that is higher than the initial offering price for such maturity during the holding period for such maturity (the "hold-the-offering-price rule"), and (b) verify that any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any third-party distribution agreement shall contain the agreement of each broker-dealer who is a party to the third-party distribution agreement, to comply with the hold-the-offering-price rule. Pursuant to such agreement, no underwriter (as defined below) shall offer or sell any maturity of the Bonds at a price that is higher than the respective initial offering price for that maturity of the Bonds during the holding period.

(f) By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, to (A) either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder, (B) to promptly notify the winning bidder of any sales of Bonds that, to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public, and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such third-party distribution agreement to either comply with the hold-the-offering-price limitations stated herein or to report the prices at which it sells to the public the unsold Bonds of each maturity allocated to it, whether or not the Closing Date has occurred, until either all Bonds of that maturity allocated to it have been sold or it is notified by the winning bidder or such underwriter that the 10% test has been satisfied as to the Bonds of that maturity, provided that, the reporting obligation after the Closing Date may be at reasonable periodic intervals or otherwise upon request of the winning bidder or such underwriter, depending upon whether the hold-the-offering-price method or the 10% test is selected by the winning bidder.

(g) Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

- (i) "public" means any person other than an underwriter or a related party,
- (ii) "underwriter" means (A) any person that agrees pursuant to a written contract or otherwise with the Borough (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public),

- (iii) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other),
- (iv) "sale date" means the date that the Bonds are awarded by the Borough to the winning bidder,
- (v) "holding period" means, for each maturity of the Bonds, the period starting on the sale date and ending on the earlier of (i) the close of the fifth business day after the sale date, or (ii) the date on which the Underwriter has sold at least 10% of each maturity to the Public at prices that are no higher than the Initial Offering Price for such maturity, and
- (vi) "maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

By order of the Borough Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey.

Dated: January 18, 2019

/s/ Joseph Citro
 Chief Financial Officer
 Borough of Ho-Ho-Kus
 County of Bergen, New Jersey

Resolution #19-03 - Introduced by Council President Troast

A Resolution – Employee Policy and Procedure Manual

BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the Employee Policy & Procedures Manual is hereby adopted for the year 2019.

A motion was offered by Council President Troast and seconded by Councilman Shell to approve Resolutions 19-03 through 19-31. Motion carried on a roll call vote – All present voting “Aye”.

NEW BUSINESS - None

PUBLIC COMMENTS

Mayor opened the meeting to the public. He stated if anyone desired to be heard, please raise your hand and to be recognized, come forward to the microphone and state your name and address for the record.

Seeing none, the Mayor closed the meeting to the public

COUNCIL COMMENTS AND MAYOR'S REMARKS

Councilman Policastro thanked the Council for their support and he is excited to work alongside the Mayor Councilmembers.

Mayor Randall welcomed Councilman Policastro to the Council. Mayor read a letter he received from a very young person complaining the “Welcome to Ho-Ho-Kus” signs are boring and drew a picture of what it should look like.

BENEDICTION:

Pastor Richard Bierwas from Ho-Ho-Kus Community Church offered the Benediction.

ADJOURNMENT

With no further business to come before the Council and on a motion by Councilmember Crossley, seconded by Councilmember Troast, Mayor Randall adjourned the meeting at 7:45 PM.

Respectfully submitted,

Joan Herve, RMC/CMR
Borough Clerk.

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Reorganization Meeting
January 7, 2019 7:00 p.m.

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Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Reorganization Meeting
January 7, 2019 7:00 p.m.