

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Work Session Meeting Minutes
March 16, 2021 7:30 p.m.

The Work Session Meeting of the Municipal Council of the Borough of Ho-Ho-Kus was held Via ZOOM Meeting on March 16, 2021. The meeting was called to order at 7:30 p.m. by Mayor Randall asked the Municipal Clerk to read the open public meeting statement:

The Work Session 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". Notice of this meeting has been posted in the front lobby entrance to the Borough Hall and Council Chambers, a copy has been filed with the Borough Clerk, and copies of the Annual Notice of Meetings, of which this is a part, have been heretofore sent to the Record and the Ridgewood News.

ROLL CALL:

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

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

CONSIDERATION OF MINUTES

February 16, 2021 – Work Session Meeting of the Mayor and Council
February 23, 2021 – Public Meeting of the Mayor and Council

DEPARTMENT REPORTS - Reports are on file in the Municipal Clerk's office:

Police Report – February 2021
Court Report – February 2021
Library Report – March 2021
Tyco Animal Control – 2020 Annual Report

PUBLIC DISCUSSION

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

Seeing and hearing none, Mayor closed the meeting to the public

ADMINISTRATOR'S REPORT

Unfinished Business

DOT Train Station Project – Nothing new to report

BC United Way/Madeline Partnership Affordable Housing Project – will be discussed in closed session, however tonight we are adoption the Bond Ordinance to fund this project.

HHK Crossing Project – to be discussed in closed session

Resurfacing of Mill Road, Section 2 – Project ready to commence in approximately 2 weeks, weather permitting

Brandywine/Valley Forge Drainage Phase 3 Improvements – this project has started this week

Bank of America Building (10 Orville Court) – to be discussed in closed session

New Business

Covid-19 Vaccinations – The Borough was able to register Senior Citizens to obtain an appointment to get vaccinated.

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Custodian Position – Timothy Schreur resigned from his position as the Boroughs Custodian; Administrator Jones is in the process to fill this position. Timothy was also the volunteer on-call person during the day for any for ambulance calls that come in, Mr. Jones he has spoken with the Ambulance Corp personnel and they are in the process of determining what they are planning to do moving forward for day calls.

BUDGET DISCUSSION

Introduction of HHK COLA Ord. Certified **(to be placed on March 23, 2021 agenda)**

Budget Introduction Resolution **(to be placed on March 23, 2021 agenda)**

Self-Examination of Budget **(to be placed on March 23, 2021 agenda)**

Administrator, William Jones discussed the Budget which will be introduced on March 23, 2023 at the Public Meeting of the Mayor & Council.



2021 Municipal Budget Presentation



2021 Budget Overview

Municipal Budget – Proposed budget expenditures of \$10.3 million will increase 1% over the 2020 level. This primarily reflects increases in police salaries, pension costs, tax appeals and higher social security expenses.

Municipal Tax Rate – The proposed tax rate reflects a two point increase from 2020. This will result in a \$199.00 increase in taxes on an average home valued at \$748,933.

Current Debt Level – The current debt level is \$6.08 million with an interest rate of 2.3% and is scheduled to be paid back in annual installments ending in 2029.

Proposed New Debt – \$3.0 million of new debt to be secured shortly will be used to fund the remaining construction of the affordable housing project. Up until now, previously collected COAH fees of \$736,000 have been used to pay for construction costs as well as architectural and engineering fees.

Surplus – There was a municipal budget surplus of \$2.9 million at the end of 2020, of which \$700,000 is being used to partially offset the tax rate increase.

Budget Discussion Points

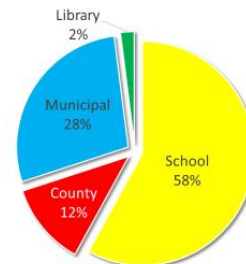
Capital Investment – The 2021 budget includes \$530,654 of capital investments including Brookside parking improvements, road resurfacing and drainage, the North Field footbridge, police department body cameras and fire department portable radios.

Pension Costs – State-mandated pension payments for the PFRS Plan (police officers) total \$627,000, an increase of \$96,000, or 18% over 2020. Payments for the PERS Plan (all other employees including DPW) total \$244,000, an increase of \$60,000, or 33% over 2020.

Debt – The budget includes \$883,000 of debt service, which is a decrease of \$9,000 from last year. This is the result of slightly higher principal payments partially offset by lower interest payments. The proposed new note will not require any principal or interest payments in 2021.

Revenues – The budget reflects a \$303,000 decline in anticipated local revenues primarily due to the pandemic. The largest shortfalls in 2020 were experienced in lower parking collections (\$116,000), lower rental collections (\$71,000), lower court fines (\$28,000) and lower interest on investments (\$23,000). The 2021 budget cannot anticipate higher revenues in 2021 than were collected in 2020.

Breakdown of Property Bill Tax



Borough property taxes have four components with the Municipal Services portion comprising 30% of the total property tax bill.

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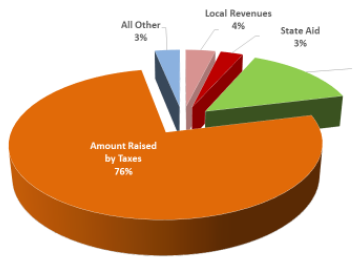
Budget History

2017 - 2021 Budget History					
	2017	2018	2019	2020	2021
Budget	\$8,450,532	\$9,138,419	\$9,849,743	\$10,215,601	\$10,338,437
\$ Increase vs. PY	(\$86,445)	\$687,887	\$711,324	\$365,858	\$122,836
% Increase vs. PY	-1.0%	8.1%	7.8%	3.7%	1.2%
Tax Rate	0.602	0.620	0.620	0.640	0.660
Levy	\$6,981,357	\$7,199,518	\$7,240,398	\$7,485,940	\$7,824,596
\$ Increase vs. PY	(\$2,229)	\$218,161	\$40,880	\$245,542	\$338,656
% Increase vs. PY	0.0%	3.0%	0.5%	3.4%	4.5%

History of Surplus Balance

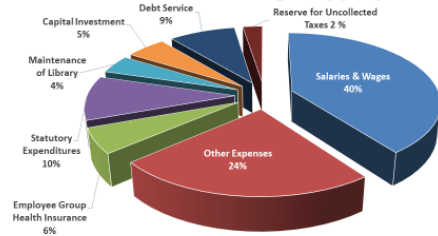
Year	Surplus Balance at December 31	To Offset Taxes Used in Succeeding Years	Excess From Prior Year Operations
2020	\$2,927,739	\$700,000	2021 \$449,893
2019	3,477,846	1,000,000	2020 638,543
2018	3,539,302	700,000	2019 838,377
2017	3,373,646	665,000	2018 764,160
2016	2,774,485	165,000	2017 918,000
2015	1,855,000	300,000	2016 403,062
2014	1,752,694	300,000	2015 570,438
2013	1,407,256	225,000	2014 475,120
2012	1,119,635	187,000	2013 484,152
2011	817,745	187,000	2012 433,398
2010	514,346	130,000	2011 59,245
2009	937,752	466,100	2010 442,386
2008	1,281,865	786,500	2009 478,798
2007	1,589,066	786,000	2008 608,709

Breakdown of 2021 Budget Revenues



Municipal Budget - Revenues	2020	2021	Change
Local Revenues	\$ 692,277	\$ 388,875	\$ (303,402)
State Aid	295,884	295,884	-
Surplus Utilization	1,400,000	1,000,000	100,000
Amount Raised by Taxes	7,485,941	7,824,596	338,655
All Other	467,424	329,082	(138,342)
Total Revenues	\$ 10,341,526	\$ 10,338,437	\$ (3,089)

Breakdown of 2021 Budget Appropriations



Municipal Budget - Appropriations	2020	2021	Change
Salary & Wages	\$ 3,882,200	\$ 4,116,900	\$ 234,700
Other Expenses	2,618,924	2,472,482	(146,442)
Employee Group Health Insurance	589,000	590,784	1,784
Statutory Expenditures	874,000	1,046,035	172,035
Maintenance of Library	433,959	418,707	(15,252)
Capital Investment	791,443	510,654	(280,789)
Debt Service	892,000	882,875	(9,125)
Reserve for Uncollected Taxes	260,000	260,000	-
Total Appropriations	\$ 10,341,526	\$ 10,338,437	\$ (3,089)

Capital Projects

2021 Capital Budget			
	Total	Capital Improvement Fund	Grants and Other
Brookside Avenue	\$ 175,000	\$ 30,654	\$ 144,346
North Field Footbridge (Open Space Grant) (Bergen County)	120,000	60,000	60,000
Streets & Roads (Drainage and Resurfacing)	300,000	300,000	-
	\$ 595,000	\$ 390,654	\$ 204,346
COAH - Affordable Housing	3,150,000	-	150,000
Total - Capital Improvement Fund	\$ 3,745,000	\$ 390,654	\$ 354,346
2021 Capital Outlay			
	Total		
Portable Radios - Fire Department	\$ 65,000		
Body Cameras - Police Department	75,000		
Total Capital Outlay	\$ 140,000		
Total 2021 Capital Investment	\$ 3,885,000		

CORRESPONDENCE

- Resolution from the Borough of Leonia & Harrington Park – Declaring Solidarity with the Asian and Asian-American Community.
- Resignation letter from Timothy Schreur, custodian

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- c) Planning Board report regarding Bond Ordinance 2021-42
- d) Letter from Chief Minchin and Captain Anthony Grego acknowledging Tim Schreur service to the borough.

ADOPTION OF ORDINANCES and PUBLIC HEARING

ORDINANCE 2021-42

COUNCILMEMBER TROAST: moved the Ordinance on second reading by title only

COUNCILMEMBER CROSSLEY: Seconded.

ROLL CALL VOTE: All present voting "Aye"

BOND ORDINANCE TO AUTHORIZE THE MAKING OF A GRANT FOR THE DEVELOPMENT AND CONSTRUCTION OF AFFORDABLE HOUSING IN, BY AND FOR THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$3,150,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

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

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey (the "Borough") is hereby authorized, pursuant to N.J.S.A. 52:27D-311, to make a grant to BCUW/Madeline Housing Partners, LLC for the development and construction of affordable housing units at 100 Brookside Avenue (Block 1014, Lot 2.01 on the Tax Assessment Map of the Borough) in, by and for the Borough. Said improvement shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$3,150,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the total estimated cost of said purpose is \$3,150,000, and (4) \$150,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes necessary to be issued for said purpose is \$3,000,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$100,000 which is estimated to be necessary to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that the sum of \$150,000 in the Borough of Ho-Ho-Kus COAH Development Fees Trust Account is now available to serve as the down payment on said purpose. The sum of \$150,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$3,000,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$3,000,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer

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and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

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

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$3,000,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

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

Section 11. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 12. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 13. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

PUBLIC HEARING

Mayor Randall opened the meeting to the public. He stated if anyone desired to be heard regarding Bond Ordinance #2021-42, please raise your hand to be recognized, and state your name and address for the record.

Seeing and hearing none, Mayor closed the meeting to the public

A motion was offered by Councilman Shell and seconded by Councilwoman Moran to adopt Bond Ordinance #2021-42. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE 2021-43

COUNCILMEMBER SHELL: moved the Ordinance on second reading by title only

COUNCILMEMBER CROSSLEY: Seconded.

ROLL CALL VOTE: All present voting “Aye”

AN ORDINANCE AMENDING AND SUPPLEMENTING ARTICLE 2, CHAPTER 46-3 OF THE CODE OF THE BOROUGH OF HO-HO-KUS ENTITLED “CHIEF OF POLICE; POWERS AND DUTIES; APPOINTMENT PROCESS

46-3 Chief of Police; Powers and Duties; Appointment Process.

A. Powers and Duties

The Borough shall appoint a Chief of Police who shall have all of the powers set forth in N.J.S.A. 40A:14-118 and who shall be directly responsible to the "appropriate authority" for the efficiency and routine day-to-day operations of the Police Department.

B. Appointment

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- i. Goals. The Borough of Ho-Ho-Kus desires to promote the most qualified candidates to the rank of Chief of Police. This section establishes the eligibility requirements and the process for promotion to such rank. The promotion process shall be on the basis of merit, experience/seniority, education, military service, demonstrated ability, and oral examinations as noted herein. In accordance with N.J.S.A. 40A:14-129, promotion of any officer shall be made from the membership of the Ho-Ho-Kus Police Department. In accordance with N.J.S.A. 40A:14-118, promotion to the position of the Chief of Police shall be made by the Mayor with the consent and approval of the Governing Body utilizing the process set forth below.
 - ii. Eligibility requirements. For promotion to Chief of Police, no person shall be eligible for such promotion unless he or she:
 - (a) Shall have served, in the aggregate, for at least three years as a full-time Captain, Lieutenant, and/or Sergeant for the Ho-Ho-Kus Police Department as of the announced date of intended appointment; and
 - (b) Shall have met or exceeded all Ho-Ho-Kus Police Department performance standards in his or her three most recent annual performance evaluations conducted by his or her superiors.
- C. Process.
- i. In creating a list of eligible candidates for promotion to Chief of Police, the Governing Body shall score/rank as each such candidate as follows:
 - a) Oral Examination. At least twenty (20) calendar days before the examination, the Governing Body, or their designee, shall announce the date, time and location of the oral examination. The Borough may enter into a contract with the New Jersey State Association of Chiefs of Police (NJSACOP), or other organization which provides oral testing services at the Borough's sole discretion, to develop, conduct and grade the oral examination. The Governing Body may alternatively approve the use of an oral examination which is prepared, but not graded, by NJSACOP or such other organization. The questions may be based upon police practices, police and investigative procedures, supervisory and administrative principles, New Jersey criminal law, report writing, search and seizure issues, New Jersey Attorney General Guidelines and Directives, legal aspects and requirements for police work, and such other criteria as determined by the NJSACOP, or as determined by the Governing Body. Eligible candidates who are scheduled to work during the examination will be excused from duty to take the examination. The oral test shall constitute 40% of the overall total score for each eligible candidate, based on a test that contains a maximum value of 100 points. For example, a candidate who receives 70 points out of the total of 100 possible total points for the written test shall receive 28 points towards the overall total score (70 points x 40% = 28 points). In advance of such oral test, the minimum threshold/score required to be eligible for promotion shall be established by the Governing Body, or its designee, and such minimum threshold/score shall be communicated, in writing, to all eligible candidates for promotion prior to their taking said test. Only those candidates who achieve such minimum score shall be eligible to continue forward in the promotion process for promotion to Chief of Police.
 - b) Each eligible candidate shall thereafter be interviewed by an Interview Panel comprised of the Borough's Public Safety Committee, or its designees, and the Borough Administrative Officer ("Interview Panel"). All candidates so interviewed by said Interview Panel shall be asked the same questions, and the score accorded to each candidate shall be arrived at by calculating the average of the scores of all said Interview Panel members. Alternatively, the Borough may use NJSACOP or other similar organization to conduct the oral interviews. The results of such oral interview by said Interview Panel, and its consideration of the candidate's past performance based upon evaluations conducted during the preceding three years, shall constitute 40% of the overall total score for each eligible candidate based on the average score of all said Interview Panel members of such oral interview. The total possible points for this oral interview shall be 100 points. For example, a candidate who receives a total of 90 points for this oral interview shall receive 36 points towards his/her overall total score (90 points x 40% = 36 points).
 - c) Each eligible candidate shall then be evaluated by the Governing Body. The results of such evaluation by the Governing Body shall constitute 20% of the overall total score for each eligible candidate based at the average score of the Governing Body members. The total possible score for this evaluation shall be 100 points. For example, a candidate who receives a total of 80 points for this evaluation shall receive 16 points toward his/her overall total score (80 points x 20% = 16 points).
- D. Appeal
- i. Any appeal of the promotional process other than for the reasons set forth in Subsections (a) and (b) herein below must be filed within 10 days of the posting of ranking of candidates, and failing same, such right of appeal shall be deemed waived. Said appeal must contain the reason(s) or justification(s) for an appeal and must be submitted to the

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Mayor and the Appropriate Authority.

- (a) Review and retabulation of the scored elements of the selection process.
- (b) Review of any evaluation or internal document that was used in the selection process related to the applicant.

ii. Any appeal, for reasons other than those specified in Subsection (a) and (b) above, must be filed, in writing, by a candidate with the Mayor and the Appropriate Authority, within 15 days of the posting of the ranking of candidates, and failing same, such right of appeal shall be deemed waived. Any such appeal may, in its sole discretion of the Mayor and Governing Body, allow the candidate to be reevaluated, or take other action it deems appropriate.

E. Eligible List Duration

- i. A ranked list of eligible candidates for promotion to Chief of Police shall be valid for one (1) year.

BE IT FURTHER ORDAINED that, except as modified herein, all other provisions of Chapter 46 shall remain in full force and effect as previously adopted.

PUBLIC HEARING

Mayor Randall opened the meeting to the public. He stated if anyone desired to be heard regarding Ordinance #2021-43, please raise your hand to be recognized, and state your name and address for the record.

Seeing and hearing none, Mayor closed the meeting to the public

A motion was offered by Councilman Shell and seconded by Councilwoman Moran to adopted Ordinance #2021-43. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE 2021-44

COUNCILMEMBER CROSSLEY: moved the Ordinance on second reading by title only

COUNCILMEMBER SHELL: Seconded.

ROLL CALL VOTE: All present voting “Aye”

**AN ORDINANCE TO AMEND, AND SUPPLEMENT CHAPTER 79-4, SCHEDULE V OF THE CODE OF
THE BOROUGH OF HO-HO-KUS SO AS TO DESIGNATE BROOKSIDE AVENUE AS A ONE-WAY
STREET**

WHEREAS, the Borough of Ho-Ho-Kus has heretofore adopted Chapter 79-4 of the Code of the Borough of Ho-Ho-Kus, so as to establish one-way streets in the Borough of Ho-Ho-Kus; and

WHEREAS, the Borough of Ho-Ho-Kus wishes to amend Schedule V of said Chapter 79-4 so as to designate Brookside Avenue as a one-way street in a certain location;

NOW THEREFORE BE IT ORDAINED by the Mayor and Borough Council of the Borough of Ho-Ho-Kus, that Chapter 79-4, Schedule V of the Code of the Borough of Ho-Ho-Kus be amended and replaced in its entirety with the following:

SCHEDULE V

In accordance with the provisions of § **79-4**, the following described streets or parts of streets are hereby designated as one-way streets in the direction indicated:

Name of Street	Direction
Brookside Avenue	Westbound from Maple Avenue to First Street Eastbound from the Ridgewood Border to Warren Avenue
First Street	Southbound from Brookside Avenue to Cliff Street
Gilbert Road	Northbound from Sheridan Avenue to Glendon Road
Lloyd Road	Southbound from Hollywood Avenue to Warren Avenue

BE IT FURTHER ORDAINED that except as modified herein, all other provisions of Chapter 79 shall remain in full force and

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effect as previously adopted. This Ordinance will take effect on May 1, 2021.

PUBLIC HEARING

Mayor Randall opened the meeting to the public. He stated if anyone desired to be heard regarding Ordinance #2021-44, please raise your hand to be recognized, and state your name and address for the record.

Seeing and hearing none, Mayor closed the meeting to the public

A motion was offered by Councilman Shell and seconded by Councilwoman Moran adopt Ordinance #2021-44. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE 2021-45

COUNCILMEMBER POLICASTRO: moved the Ordinance on second reading by title only

COUNCILMEMBER SHELL: Seconded.

ROLL CALL VOTE: All present voting “Aye”

**AN ORDINANCE TO AMEND, AND SUPPLEMENT CHAPTER 46-7 OF THE CODE OF THE
BOROUGH OF HO-HO-KUS SO AS TO CLARIFY THE PHYSICAL TESTING
REQUIREMENTS**

WHEREAS, the Borough of Ho-Ho-Kus has heretofore adopted Chapter 46-7 of the Code of the Borough of Ho-Ho-Kus, so as to establish physical testing requirements for the appointment of police officers; and

WHEREAS, the Borough of Ho-Ho-Kus wishes to clarify said ordinance with respect to certain officers who may have recently completed physical testing requirements; are currently employed by another Department; or have been PTC certified
NOW THEREFORE BE IT ORDAINED by the Mayor and Borough Council of the Borough of Ho-Ho-Kus, that Chapter 46-7 of the Code of the Borough of Ho-Ho-Kus be amended and replaced in its entirety with the following:

§ 46-7 Physical examination.

Applicants for appointment to the Police Department shall be required to take and pass a physical examination. This requirement may be waived by the Chief of Police for applicants who have met or exceeded within the past one (1) year the current physical testing requirements established by the Ho-Ho-Kus Police Department; are currently employed by and working as a police officer in another police department; or have been police training commission (PTC) certified. Except as modified herein, all other provisions of Chapter 46 shall remain in full force and effect as previously adopted.

PUBLIC HEARING

Mayor Randall opened the meeting to the public. He stated if anyone desired to be heard regarding Ordinance #2021-45, please raise your hand to be recognized, and state your name and address for the record.

Seeing and hearing none, Mayor closed the meeting to the public

A motion was offered by Councilman Shell and seconded by Councilman Crossley to adopt Ordinance #2021-45. Motion carried on a roll call vote – All present voting “Aye”.

INTRODUCTION OF ORDINANCE

RESOLUTIONS REVIEW to be placed on March 23, 2021 agenda

- Payment of Bills – March 2021
- A Resolution Urging the Legislature to Amend Senate Bill 3454 (Also Known as Assembly Bill 5342) to permit Law Enforcement Officers to Perform Their Duties without Substantial Risk of civil and Criminal Liability.
- A Resolution Demanding that the NJ State Legislature Accept its Responsibility to Administer the Provisions of the Affordable Housing Act and Stay Further Action Until Such Times as It has

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Promulgated Rules Governing its Implementation

- Declaring Solidarity with the Asian and Asian-American Community

LIAISON REPORTS (Reports will be deferred to March 23, 2021 Meeting)

MAYOR'S REMARKS

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

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

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

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

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

4-Matters relating to collective bargaining agreements

HHK Crossing/United Way

5-Matters involving the purchase, lease, or acquisition of real property with public funds

Bank of America/HHK Inn

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on March 16, 2021 that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above.

Closed Session began at 8:00 p.m. and ended at 9:00 p.m.

ADJOURNMENT

On a motion by Councilman Crossley, seconded by Councilman Shell, the meeting was adjourned at 9:00 p.m. Motion Carried by voice vote – all present voting “Aye”.

Joan Herve RMC/CMR
Borough Clerk