

Borough of Ho-Ho-Kus
County of Bergen
Mayor and Council Combined Work/Public Meeting Minutes
June 22, 2021 7:30 p.m.

The Combined 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 June 22, 2021. The meeting was called to order at 7:30 p.m. by Mayor Randall who asked the JoAnn Carroll to read the open a public meeting statement:

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

ROLL CALL:

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

Also, in attendance Timothy Wiss , Borough Attorney; William Jones, Borough Administrator; and JoAnn Carroll, Secretary.

FLAG SALUTE:

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

A motion was offered by Council President Troast and seconded by Councilman Crossley to change the order of the agenda and move the Consent Resolution to first order of business. Motion carried on a roll call vote – all present voting “ayes.

CONSENT AGENDA RESOLUTIONS (21-68 thru 21-82)

Resolution #21-68- Introduced by Council President Troast

A Resolution – Payment of Bills – June 2021

WHEREAS, claims have been submitted to the Borough of Ho-Ho-Kus in the amount of \$3,252,465.06; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that the claims totaling \$3,252,465.06; be approved and ratified respectively

Bill List:

20-01757	12/15/20	02567	EAST COAST EMERGENCY LIGHTING	INSTALL LIGHTING/PARTS-POL VEH	Open	16,386.34	0.00
20-01836	12/28/20	03298	PASCACK DATA SERVICES, INC	LAPTOP PC/SOFTWARE/INSTALL-DPW	Open	1,581.87	0.00
21-00460	03/24/21	03205	NORTH JERSEY PUMP & CONTROLS	DUPLEX CONTROLPANEL-BOGERT PUM	Open	14,960.00	0.00
21-00538	04/07/21	02567	EAST COAST EMERGENCY LIGHTING	TELESCOP POLE/DOCKING STA.-FD	Open	1,227.48	0.00

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21-00617	04/27/21	00001	HOME HARDWARE	MAY 2021 PURCHASES	Open	266.04	0.00
21-00618	04/27/21	00056	TYCO ANIMAL CONTROL SERVICES	ANIMAL CONTROL SVC MAY 2021	Open	500.00	0.00
21-00619	04/27/21	01840	OPTIMUM	POLICE/CAD CABLE 5/16-6/15	Open	131.48	0.00
21-00621	04/27/21	02686	ONE CALL CONCEPTS	ONE CALL MESSAGES - MAY 2021	Open	127.27	0.00
21-00622	04/27/21	02590	AMERICAN WEAR, INC.	MAY 2021 UNIFORMS - ROADS 2/3	Open	256.56	0.00
21-00623	04/27/21	02590	AMERICAN WEAR, INC.	MAY 2021 UNIFORMS - WATER 1/3	Open	128.28	0.00
21-00667	05/03/21	03298	PASCACK DATA SERVICES, INC	ADOBE LIGHTROOM	Open	407.88	0.00
21-00670	05/03/21	03294	CARUCCI, LAURA A.	TRANSCRIBE ZOOM ZBA MTG 4/1	Open	1,371.00	0.00
21-00698	05/07/21	02564	PENGUIN MANAGEMENT INC.	VOICE NOTIFICATION SYST-FIRE D	Open	864.00	0.00
21-00712	05/11/21	00103	BORO OF H-H-K WATER TRUST ACCT	REIMB POSTAGE FOR REC BROCHURE	Open	237.80	0.00
21-00749	05/17/21	02899	OFFICE CONCEPTS GROUP	INK CARTRIDGES - COURT	Open	229.96	0.00
21-00751	05/18/21	03288	GLOBAL INTERACTIVE SOLUTIONS	ZOOM PRO CONTRACT TO 5/14/2022	Open	299.76	0.00
21-00754	05/19/21	01840	OPTIMUM	POLICE/CAD CABLE 6/16-7/15	Open	131.48	0.00
21-00755	05/19/21	00030	HO-HO-KUS BOARD OF EDUCATION	SCHOOL TAX - MONTH OF JUNE	Open	1,205,540.10	0.00
21-00757	05/19/21	00018	BERGEN COUNTY MUNICIPAL JIF	3RD INSTALLMENT 2021 JIF	Open	69,987.00	0.00
21-00758	05/19/21	01571	BOROUGH OF MIDLAND PARK	QTR 2-CONSTRUCTION INTERLOCAL	Open	20,000.00	0.00
21-00759	05/19/21	02855	POWERDMS, INC.	ANNUAL SERVICE CONTRACT-POL DP	Open	3,694.58	0.00
21-00760	05/19/21	02617	POSTMASTER - USPS	FOREVER STAMPS-CERT MAIL-COURT	Open	55.00	0.00
21-00761	05/19/21	03166	SJS LAWN CARE SERVICES, LLC	CUT LAWN/WEEDCARE-325 WEARIMUS	Open	550.00	0.00
21-00763	05/19/21	00046	RUTHERFORD, DAVID L.,ESQ.	REVIEW APPLICATION-404 ARDMORE	Open	500.00	0.00
21-00764	05/19/21	02232	STICKEL, KOENING & SULLIVAN	REV RESOLUTION/SVCS-111 1ST ST	Open	3,625.00	0.00
21-00765	05/19/21	00886	SCHWANWEDE/HALS ENGINEERING	FINAL INSPECTION-275 WEARIMUS	Open	125.00	0.00
21-00766	05/19/21	00024	POSTMASTER - US POSTAL SERVICE	BULK MAIL POSTAGE DEPOSIT	Open	3,500.00	0.00
21-00767	05/19/21	80281	LEONARD, JEROME	RET. BOND ESCROW-244 ACKERMAN	Open	1,000.00	0.00
21-00768	05/19/21	80282	TERRY, MICHAEL	RETURN OF ZBA ESCROW-19 SPRUCE	Open	803.15	0.00
21-00769	05/19/21	80283	FOSTER-MOORE, MARISA	RETURN ENG/RD BOND ESCROWS	Open	3,875.00	0.00
21-00770	05/20/21	00201	GARBARINI & CO PC	FIELDWORK 1ST QTR 2021-CURRENT	Open	4,200.00	0.00
21-00771	05/20/21	00201	GARBARINI & CO PC	FIELDWORK 1ST QTR 2021 WATER D	Open	3,800.00	0.00
21-00772	05/20/21	00201	GARBARINI & CO PC	FIELDWORK 1ST QTR 2021 S WASTE	Open	3,800.00	0.00
21-00773	05/20/21	03266	PMG SM HOLDINGS LLC	1 PALLET AQUAPHALT - ROADS	Open	1,506.16	0.00
21-00774	05/20/21	00012	PROSTOCK MIDLAND	OIL/FUEL/OIL FILTERS - DPW	Open	415.85	0.00
21-00775	05/20/21	03048	QUALITY FORD	REPAIRS-POL DPT 2020 EXPLORER	Open	1,529.00	0.00
21-00776	05/20/21	02484	RACHLES/MICHELE'S OIL CO.	682 GALS GAS DELIVERED 5/3	Open	1,411.12	0.00
21-00777	05/21/21	03168	RE-TRON TECHNOLOGIES	4 VEHICLE BATTERIES -DPW	Open	404.97	0.00
21-00778	05/21/21	03265	CHEMICAL EQUIPMENT LABS OF DE.	68 TONS OF ROAD SALT - DPW	Open	3,680.29	0.00
21-00779	05/21/21	03256	THE ALAIMO GROUP, INC.	ADMIN/SITE PL/SUBDIV 802/10.05	Open	238.75	0.00
21-00780	05/21/21	03256	THE ALAIMO GROUP, INC.	SITE PL SUB DIV REV 802/10.07	Open	190.00	0.00
21-00781	05/21/21	03256	THE ALAIMO GROUP, INC.	PROJ ADMIN - 802/10.07	Open	97.50	0.00
21-00782	05/21/21	03256	THE ALAIMO GROUP, INC.	ADMIN/SITE PL REV 802/10.06	Open	433.75	0.00
21-00783	05/24/21	02843	AMANO MCGANN, INC.	CDMA/WEBHOST/TRAIN PKG 3/1-5/3	Open	300.00	0.00
21-00784	05/24/21	02380	I.D.M. MEDICAL GAS CO	REFILL OXYGEN D CYLINDER-AMBU	Open	100.28	0.00
21-00785	05/24/21	02712	OPTIMUM **	OPTONLINE SVC DPW - 5/16-6/15	Open	116.47	0.00
21-00786	05/24/21	03272	H.A. FERNOT CO., INC.	REPLACE NOZZLE FOR GAS PUMP	Open	672.19	0.00
21-00787	05/24/21	02297	THE SHARP SHOP	GASKET/STANDARD BLADES	Open	70.66	0.00
21-00788	05/24/21	02965	CORE & MAIN LP	VALVE BOXE/RISERS - WATER DEPT	Open	147.63	0.00
21-00789	05/24/21	03239	AT&T MOBILITY	IPAD/CELL PHONE SVC 4/12-5/11	Open	1,172.04	0.00
21-00790	05/24/21	01446	ROGUT MC CARTHY	REVISIONS REDEVELOPMENT PLAN	Open	750.00	0.00
21-00791	05/24/21	03338	MOMAR, INC.	SEWER CLEANING SUPPLIES - DPW	Open	663.17	0.00
21-00792	05/24/21	03334	HARWOOD LLOYD , LLC	LEGAL SVCS-TAX APPEALS-APRIL	Open	4,940.00	0.00
21-00793	05/24/21	02484	RACHLES/MICHELE'S OIL CO.	1000 GALS DIESEL DEL 5/7	Open	2,058.91	0.00
21-00796	06/01/21	02781	VFIS	ACCIDENT/SICKNESS POLICY - FD	Open	5,672.00	0.00

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21-00798	06/08/21	02711	OPTIMUM *	OPTIMUN SVC BORO HL 6/1-6/30	Open	29.95	0.00
21-00799	06/08/21	02899	OFFICE CONCEPTS GROUP	2 CARTONS-SOAP/HANDWASH - DPW	Open	131.98	0.00
21-00800	06/08/21	03187	PRIME LUBE, INC. *	2 55 GAL DRUMS SYNTHETIC OIL	Open	1,236.70	0.00
21-00801	06/08/21	01457	A-VAN ELECTRICAL SUPPLY INC	STRUTS/SEALS/STRIPS-DPW	Open	186.07	0.00
21-00802	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	DCRP MAY 2021	Open	369.16	0.00
21-00803	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	CURRENT SOCIAL SECURITY - MAY	Open	13,504.95	0.00
21-00804	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	WATER DPT SOCIAL SECURITY-MAY	Open	1,150.11	0.00
21-00805	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	SOL WASTE SOCIAL SECURITY-MAY	Open	770.79	0.00
21-00806	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MONTH 5/28	Open	178,979.58	0.00
21-00807	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 5/28	Open	7,231.79	0.00
21-00808	06/08/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MNTH 5/28	Open	5,553.36	0.00
21-00809	06/08/21	00737	KUIKEN BROS. CO. INC.	BRASS MAIL SLOT - BORO HALL	Open	66.67	0.00
21-00810	06/08/21	03204	MONTAGUE TOOL & SUPPLY	WET FILTERS/BACKPACK STRAPS	Open	106.30	0.00
21-00811	06/08/21	02297	THE SHARP SHOP	TIRES/OIL FILTERS- MOWERS	Open	241.90	0.00
21-00812	06/08/21	03150	ELECTRO BATTERY SYSTEMS	VEHICLE BATTERY - DPW	Open	273.00	0.00
21-00813	06/08/21	02545	MAPLE AVENUE AUTOMOTIVE/SUNOCO	RECHARGE A/C SYSTEM-POL VEHICL	Open	209.04	0.00
21-00814	06/08/21	00097	ACTION RUBBER & INDUSTRIAL SUP	HYDRANT TESTING/HOSE REPAIR	Open	514.06	0.00
21-00815	06/08/21	02271	H2M ASSOCIATES INC	HYDROLOGICAL WATER SVCS 4/30	Open	1,860.50	0.00
21-00816	06/08/21	00140	VILLAGE OF RIDGEWOOD	HHK SHARE OF SEWER CAMERA	Open	3,827.00	0.00
21-00817	06/08/21	03224	ALS GROUP USA CORP.	COLIFORM TESTS 5/6 & 5/20	Open	88.00	0.00
21-00818	06/08/21	00936	PATTMAN, JEFFREY	REIMB-3 WALL DROP BOXES	Open	349.73	0.00
21-00819	06/09/21	00012	PROSTOCK MIDLAND	AIR/FUEL/OIL FILTERS - DPW	Open	807.53	0.00
21-00820	06/09/21	03328	CIVICPLUS	WEB CONTENT DEVELOPMENT	Open	800.00	0.00
21-00821	06/09/21	00016	PETTY CASH - JOAN HERVE	REIMBURSE PETTY CASH-MISC EXP.	Open	182.71	0.00
21-00823	06/09/21	00886	SCHWANEWEDE/HALS ENGINEERING	ENG.ROAD OPENING-14 POWDERHORN	Open	250.00	0.00
21-00824	06/09/21	01919	ULINE	4 CARTONS-JUMBO BATH TISSUE	Open	211.74	0.00
21-00825	06/09/21	02331	WISS & BOUREGY P.C.	BORO ATTORNEY LEGAL SVCS - MAY	Open	1,887.50	0.00
21-00826	06/09/21	03298	PASCACK DATA SERVICES, INC	AWS OFF SITE BACKUP 7/1-9/30	Open	1,674.00	0.00
21-00828	06/09/21	03261	KONICA MINOLTA BUS. SOLUTIONS	POLICE COPIER-COPIES 5/4-6/3	Open	46.89	0.00
21-00829	06/09/21	00821	AT&T	MAY 2021 FAX/LONG DISTANCE	Open	99.43	0.00
21-00830	06/09/21	00144	BORO OF H-H-K PAYROLL ACCT	MEDICAL/PRESCRIPT/DENTAL- JUNE	Open	71,137.68	0.00
21-00831	06/09/21	03098	KONICA MINOLTA ***	SCANNER SYST-CONSTRUCTION DEPT	Open	4,500.00	0.00
21-00832	06/09/21	02671	SUBURBAN DISPOSAL INC.	SOLID WASTE/RECYCLING MAY 2021	Open	72,371.02	0.00
21-00833	06/09/21	03208	MONMOUTH TELECOM	TELECOM SERVICE JUNE	Open	864.70	0.00
21-00834	06/09/21	03280	CLEANING WORLD, INC.	CLEANING SVC-APR(PARTIAL)/MAY	Open	2,730.00	0.00
21-00835	06/09/21	80203	CAPORALE, ELISA B.	REIMB.- NOTARY VIRTUAL CONF.	Open	59.00	0.00
21-00836	06/10/21	00610	NJ DEPT OF HEALTH	JAN-MAR DOG LICENSES #1 TO 365	Open	147.20	0.00
21-00837	06/10/21	03048	QUALITY FORD	TUBE FOR VEHICLE - DPW	Open	68.88	0.00
21-00838	06/10/21	03339	BUSINESS INFORMATION SYSTEMS	MAINT CONTRACT-RECORDING SYST.	Open	965.00	0.00
21-00839	06/10/21	02858	THE RODGERS GROUP, LLC.	1 YR SVC/MAINT FOR POL ACCRED.	Open	8,383.00	0.00
21-00840	06/10/21	02783	A.P. CERTIFIED TESTING, LLC.	MULTI-FREQ PIPE LOCATOR-WATER	Open	3,800.00	0.00
21-00841	06/10/21	00008	AIRGAS USA, LLC.	ARGON CYLINDER RENTAL - DPW	Open	49.44	0.00
21-00842	06/10/21	02288	CEDAR HILL NURSERY INC	PLANTS FOR SYCAMORE ISLAND	Open	262.50	0.00
21-00843	06/10/21	00371	LORCO PETROLEUM SERVICE	OILFILTER REMOVAL/WASHER FLUID	Open	286.25	0.00
21-00844	06/10/21	00936	PATTMAN, JEFFREY	POSTCARDS-WATER CCR MAILING	Open	1,200.40	0.00
21-00845	06/10/21	02300	FAST SIGNS	INVISIBLE FENCE SIGNS	Open	948.68	0.00
21-00846	06/10/21	03004	WYCKOFF WASH	CAR WASHES - POL VEHICLES MAY	Open	11.00	0.00
21-00847	06/10/21	00258	THOMSON REUTERS - WEST	2021 COURT LEGAL SUBSCRIPTIONS	Open	1,350.00	0.00
21-00848	06/10/21	02723	CLARKE CATON HINTZ	REVIEW BORO CORRESPONDENCE-APR	Open	16.00	0.00
21-00849	06/10/21	00046	VOID	APPLICATION REVIEW-404 ARDMORE	Open	VOID	0.00
21-00850	06/10/21	00046	RUTHERFORD, DAVID L.,ESQ.	APPLICATION REVIEW-66 LAKEWOOD	Open	500.00	0.00

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21-00851	06/10/21	02339	ZUIDEMA PORTABLE TOILETS	1 MO PORT TOILET N. FIELD 5/24	Open	130.00	0.00
21-00852	06/10/21	00012	PROSTOCK MIDLAND	COOLANT RECOVERY KIT-DPW	Open	19.91	0.00
21-00853	06/10/21	00317	BORO OF H-H-K CAPITAL ACCOUNT	TRSFER CAP FUNDS TO CAPITAL A/C	Open	390,654.00	0.00
21-00854	06/10/21	02892	TRUGREEN	LAWN SVC/VEGETATION/GRUB CONTR	Open	1,270.15	0.00
21-00855	06/10/21	02731	ROBERT'S & SON, INC.	A/C RECYCLE/RECOVER MACH.-DPW	Open	4,627.83	0.00
21-00856	06/10/21	01051	V.E. RALPH & SON	DIAGNOSTIX CUFF/SEAL-AMBULANCE	Open	55.32	0.00
21-00857	06/11/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL CURRENT 1/2 MONTH 6/15	Open	174,719.34	0.00
21-00858	06/11/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-WATER 1/2 MONTH 6/15	Open	7,683.41	0.00
21-00859	06/11/21	00144	BORO OF H-H-K PAYROLL ACCT	PAYROLL-S WASTE 1/2 MONTH 6/15	Open	4,149.29	0.00
21-00860	06/11/21	01662	AAA EMERGENCY SUPPLY	SCOTT REPAIRS - FIRE DEPT	Open	2,205.96	0.00
21-00861	06/11/21	01662	AAA EMERGENCY SUPPLY	AIR COMPRESSOR SERVICE-FIRE DP	Open	892.50	0.00
21-00862	06/11/21	03166	SJS LAWN CARE SERVICES, LLC	LAWN MAINTENANCE-325 WEARIMUS	Open	1,200.00	0.00
21-00863	06/11/21	01607	BURGIS ASSOCIATES, INC.	REV/EVAL RESOLUTION 111 1ST ST	Open	337.50	0.00
21-00864	06/11/21	01607	BURGIS ASSOCIATES, INC.	REVISED SITE PLAN-CROSSINGS	Open	1,650.00	0.00
21-00865	06/11/21	01607	BURGIS ASSOCIATES, INC.	REV.-AMEND CABANA ORDINANCE	Open	150.00	0.00
21-00866	06/11/21	00232	SITEONE LANDSCAPE SUPPLY	AUGER PLANTING - DPW	Open	42.60	0.00
21-00867	06/11/21	00886	SCHWANWEDE/HALS ENGINEERING	MEASUREMENTS-RD RESURFACING	Open	1,270.00	0.00
21-00868	06/11/21	02690	VERIZON WIRELESS*	WIRELESS CHARGES 5/4-6/3	Open	181.99	0.00
21-00869	06/11/21	02901	ROGO FASTENER CO.	DRAIN PLUG SEAL/DEGREASER-DPW	Open	166.05	0.00
21-00870	06/11/21	00105	P S E & G	MAY GAS/ELECT. - WATER	Open	6,389.12	0.00
21-00871	06/11/21	00105	P S E & G	MAY GAS/ELECT. - CURRENT	Open	6,655.99	0.00
21-00872	06/11/21	99900	ROTHMAN REALTY I, LLC.	PREMIUM-CERT #43 (BOVINO)	Open	117,800.00	0.00
21-00873	06/11/21	99900	ROTHMAN REALTY I, LLC.	PREMIUM-CERT #43 (BOVINO)	Open	220,251.65	0.00
21-00874	06/14/21	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS MAY - ADMIN	Open	183.48	0.00
21-00875	06/14/21	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-BOND ORDINANCES-MAY	Open	255.88	0.00
21-00876	06/14/21	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-ZBA & PAN BDS-MAY	Open	373.23	0.00
21-00877	06/14/21	00255	NORTH JERSEY MEDIA GROUP	LEGAL ADS-NOT. ZBA DECISIONS	Open	249.43	0.00
21-00878	06/14/21	03158	WM RECYCLE AMERICA	RECYCLING PICKUPS APR - DPW	Open	77.45	0.00
21-00879	06/14/21	02843	AMANO MCGANN, INC.	CDMA/WEBHOST/TRAIN PK 6/1-8/31	Open	300.00	0.00
21-00880	06/14/21	03159	BOSWELL ENGINEERING. INC.	GENERAL ENGINEERING	Open	424.00	0.00
21-00881	06/14/21	02738	COYNE CHEMICAL	ACCUTAB SI TABLETS-WATER DEPT.	Open	3,491.00	0.00
21-00882	06/14/21	02568	NEAL SYSTEMS, INC.	NEW PUMP CONTROL PANEL-SEWER	Open	747.31	0.00
21-00883	06/14/21	02965	CORE & MAIN LP	HYMAX GRIP FITTING-WATER DEPT	Open	823.60	0.00
21-00884	06/14/21	00095	TRAFFIC SAFETY & EQUIPMENT	HANDHELD PLOW CONTROL - DPW	Open	98.60	0.00
21-00885	06/14/21	01609	JESCO, INC.	MOISTURE SENSOR - DPW	Open	108.73	0.00
21-00886	06/14/21	00147	BC PUBLIC WORKS ASSOCIATION	2021 MEMBERSHIP DUES	Open	75.00	0.00
21-00887	06/14/21	02232	STICKEL, KOENING & SULLIVAN	MAY SVCS RE: APPLIC-111 1ST ST	Open	787.50	0.00
21-00888	06/14/21	02863	LAW OFFICES OF GARY CUCCHIARA	PLAN BD GEN. MATTERS-APR & MAY	Open	2,220.00	0.00
21-00889	06/14/21	03340	CORNERSTONE ENVIRONMENTAL GRP.	FUEL MONITORING OVERSITE-DPW	Open	489.96	0.00
21-00890	06/14/21	02863	LAW OFFICES OF GARY CUCCHIARA	REV COAH CORRESPONDENCE-APRIL	Open	180.00	0.00
21-00892	06/15/21	00001	HOME HARDWARE	DEHUMIDIFIER - DPW	Open	224.99	0.00
21-00893	06/15/21	02435	RIO SUPPLY, INC.	SOFTWARE MAINT AGREEMENT 2021	Open	3,550.00	0.00
21-00894	06/15/21	80203	CAPORALE, ELISA B.	PLANTING SUPPLIES - BORO HALL	Open	72.45	0.00
21-00895	06/15/21	02484	RACHLES/MICHELE'S OIL CO.	2481 GALS GAS DELIVERED 5/26	Open	5,162.58	0.00
21-00896	06/15/21	00038	VERIZON	WATER DEPT FAX/ALARM APR-MAY	Open	86.61	0.00
21-00897	06/15/21	00038	VERIZON	MAY-JUNE PHONE/FAXES - DEPTS.	Open	369.16	0.00
21-00898	06/16/21	03303	B.C.U.W./MADELINE	REQUISITION #11-AFFORD HOUSING	Open	206,705.75	0.00
21-00899	06/16/21	02574	N J MOTOR VEHICLE COMMISSION	DUPLICATE TITLE FEE-AMBULANCE	Open	60.00	0.00
21-00900	06/16/21	03334	HARWOOD LLOYD , LLC	LEGAL SVCS-TAX APPEALS-MAY	Open	2,070.00	0.00
21-00901	06/16/21	01819	D & L PAVING CONTRACTORS	2021 ROAD RESURFACING PROGRAM	Open	188,071.41	0.00
21-00902	06/16/21	01819	D & L PAVING CONTRACTORS	RESURFACE OLD MILL RD SECTION 2	Open	107,206.28	0.00

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21-00903	06/16/21	80202	JONES, WILLIAM J.	EMPLOYEE LUNCH	Open	100.00	.00
21-00904	06/17/21	01028	WILLIAM J. MARTIN, ARCHITECT	ARCHITECT SVCS - ADA BATHROOMS	Open	2,300.00	0.00
21-00906	06/18/21	00555	P S E & G	*ELECT. SVC-EASTGATE THRU 6/9	Open	74.09	0.00

Resolution #21-69- Introduced by Council President Troast

A Resolution – Cancellation of Stale Dated Checks

WHEREAS, that the following list of 2016, 2017, 2018 and 2019 Checks are Stale-dated and need to be written off and funds to be credited to the appropriate accounts; and

WHEREAS, the various checks have been investigated and have been determined to have been lost, destroyed and /or re-issued;

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Council of the Borough of Ho-Ho-Kus that the following checks be cancelled and credited to their appropriate accounts.

Current Account:	ck#104807	05/24/16	\$400.00
	ck#105066	08/16/16	\$247.92
	ck#105555	01/24/17	\$150.00
	ck#108188	08/20/19	\$817.01
	ck#108565	12/17/19	\$2103.00
Grant Account	ck#100060	05/21/19	\$500.00
Recreation	ck#100092	04/25/17	\$2195.00
Trust Account	ck#100329	09/01/16	\$1812.91
	ck#100558	05/21/19	\$797.08

Resolution #21-70- Introduced by Council President Troast

A Resolution – Liquor License Renewals

WHEREAS, applications have been made by certain persons and corporations for the renewal of Plenary Retail Consumption, and Plenary Retail Distribution licenses for the year commencing July 1, 2021 and terminating June 30, 2022; and

WHEREAS, no complaints or objections have been filed with the Borough Clerk against said persons or corporations; and

WHEREAS, the Police Department of the Borough of Ho-Ho-Kus has not received any complaints of violations of Alcoholic Beverage Control regulations by any of the applicants hereinafter named; and

WHEREAS, said applicants have filed their applications with the Alcohol Beverage Control of the State of New Jersey, paid the State fee, received their Tax Clearance Certificate from the NJ Division of Taxation and paid the municipal fees of \$2,000.00 for the Plenary Retail Consumption license and \$825.00 for each of the three Plenary Retail Distribution licenses.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that the following Plenary Retail Consumption and Plenary Retail Distribution licenses be issued:

Ho-Ho-Kus Inn & Tavern LLC	(0228-33-002-010)	Retail Consumption ABC Pocket License
Red Cellar Inc.	(0228-44-003-007)	Retail Distribution DBA: Uncorked Wines
HoHoKus High Spirits, Inc.	(0228-44-004-006)	Retail Distribution DBA: Wine & Spirit World
Garbo's Italian Deli Inc.	(0228-44-001-005)	Retail Distribution DBA: Garbo's Italian Deli & Liquors

Resolution #21-71- Introduced by Council President Troast

A Resolution – \$3,000,000 Bond Anticipation Note

RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, NEW JERSEY, COVENANTING TO COMPLY WITH THE PROVISIONS OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, APPLICABLE TO THE EXCLUSION FROM GROSS INCOME FOR FEDERAL INCOME TAX PURPOSES OF INTEREST ON OBLIGATIONS ISSUED BY THE BOROUGH OF HO-HO-KUS AND AUTHORIZING THE MAYOR, BOROUGH CLERK, CHIEF FINANCIAL OFFICER AND OTHER BOROUGH OFFICIALS TO TAKE SUCH ACTION AS THEY MAY DEEM NECESSARY OR ADVISABLE TO EFFECT SUCH COMPLIANCE AND DESIGNATING A \$3,000,000 BOND ANTICIPATION NOTE, DATED MAY 6, 2021 AND PAYABLE MAY 6, 2022 AS A "QUALIFIED TAX-EXEMPT OBLIGATION" PURSUANT TO SECTION 265(b)(3) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED.

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

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

WHEREAS, the Borough intends to issue a \$3,000,000 bond anticipation note, dated May 6, 2021 and payable May 6, 2022 (the "Note"); and

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

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

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

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

SECTION 3. The Note is hereby designated as a "qualified tax-exempt obligation" for the purpose of Section 265(b)(3) of the Code.

SECTION 4. It is hereby determined and stated that (1) the Note is not a "private activity bond" as defined in the Code and (2) the Borough and its subordinate entities, if any, do not reasonably anticipate issuing in excess of \$10 million of new money tax-exempt obligations (other than private activity bonds) during the calendar year 2021.

SECTION 5. It is further determined and stated that the Borough has not, as of the date hereof, issued any tax-exempt obligations (other than the Note) during the calendar year 2021.

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

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SECTION 7. The issuing officers of the Borough are hereby authorized to deliver a certified copy of this resolution to the original purchaser of the Note and to further provide such original purchaser with a certificate of obligations issued during the calendar year 2021 dated as of the date of delivery of the Note.

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

Resolution #21-72- Introduced by Council President Troast

A Resolution – Appointment of Alternate Public Defender-Louis G. DeAngelis

WHEREAS, the Borough of Ho-Ho-Kus requires the professional services of Court Officials for the calendar year 2021; and

WHEREAS, the Governing Body of the Borough of Ho-Ho-Kus appointed Matthew Miller, Esq, as Alternate Public Defender for a one-year term commencing January 1, 2021 through December 31, 2021 via Resolution 21-01 on January 5, 2021; and

WHEREAS, a vacancy now exists due to the resignation of Matthew Miller; and

WHEREAS, Louis G. DeAngelis, Esq. has the requisite qualifications to serve as Alternate Public Defender.

NOW THEREFORE BE IT RESOLVED, by the Governing Body of the Borough of Ho-Ho-Kus that it hereby appoints Louis G. DeAngelis, Esq. as Alternate Public Defender to serve the unexpired term of Matthew Miller, Esq. through December 31, 2021; and

BE IT FURTHER RESOLVED, that the Mayor and Municipal Clerk are authorized to take all of the steps necessary to carry this resolution into effect, including the execution of an agreement; and

BE IT FURTHER RESOLVED, that it is anticipated that the expenditure for such professional service will not exceed the sum of \$17,500 in said calendar year and therefore, the “Pay to Play” Statute and Regulations do not apply to this appointment; and,

BE IT FURTHER RESOLVED, that the foregoing appointment is 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.

Resolution #21-73- Introduced by Council President Troast

A Resolution – Chapter 159 Clean Communities

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any County or Municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough received \$9,396.32 from the Clean Communities Program and wishes to amend its 2021 Budget to the entire portion of this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2021 in the sum of \$9,396.32 which is now available as a revenue from the Clean Communities Program:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

Public and Private Revenues Offset with Appropriations (continued)

Clean Communities Program, and;

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BE IT FURTHER RESOLVED that a like sum of \$9,396.32 be and the same is hereby appropriated under the caption of:

General Appropriations
(a) Operations Excluded from Caps
Public and Private Programs Offset by Revenues: Clean Communities Program:
Other Expenses

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this resolution to the Director of Local Government Services.

Resolution #21-74- Introduced by Council President Troast

A Resolution – Tax Appeal – Jin C. & Daniel A. Rubenstein vs. Borough of HHK

WHEREAS, Jin C. and Daniel A. Rubenstein are owners of real estate at Block 1302, Lot 10, known as 540 Eastgate Road, Ho-Ho-Kus, New Jersey; and

WHEREAS, the owners have filed a tax appeal challenging the 2020 and 2021 tax assessment; and

WHEREAS, Block 1302, Lot 10 was assessed for the tax years 2020 and 2021 in the total amount of \$1,163,100; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the Borough's Tax Assessor and has conducted exhaustive negotiations with counsel for the taxpayers; and

WHEREAS, the parties have been able to arrive upon a proposed settlement agreement as follows: (a) revised assessment of \$1,100,000.00 for 2020 and for 2021 and the total assessment for 2022 shall be \$1,050,000;

WHEREAS, the parties have agreed that the pre-judgment interest shall be waived as a condition of the settlement if the refund is paid within sixty (60) days of the Judgment date; and

WHEREAS, the parties have agreed that the provisions of N.J.S.A. 54: 51A-8 (Freeze Act) shall not apply: and

WHEREAS, the Borough's Tax Assessor is in agreement with the terms of the settlement and believes that it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Tax Appeal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Rubenstein v. Ho-Ho-Kus tax appeal, pending in the Tax Court of New Jersey, under Docket Nos. 004173-2020 and 00668-2021; and

BE IT FURTHER RESOLVED, upon receipt of the Tax Court Judgment, the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid to the taxpayers without statutory interest for the 2020 and 2021 appeals within sixty (60) days from the date of the Tax Court Judgment; and

BE IT FURTHER RESOLVED that this Settlement is subject to agreement and acceptance thereof by the taxpayers; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be provided to the Municipal Clerk, Borough Tax Assessor, Borough Tax Collector and the Municipal Attorney.

Resolution #21-75- Introduced by Council President Troast

A Resolution – Authorizing the Tax Collector to issue estimated tax bills for 3rd Qtr. Taxes

WHEREAS, the Governing Body has determined that there will be insufficient case flow to support operation in late July 2021 unless third quarter revenue is received on time, and,

WHEREAS, The Tax collector and the Chief Financial Officer have reviewed and computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3,

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Ho-Ho-Kus, County of Bergen, State of New Jersey, hereby authorizes that:

The Tax Collector is directed to prepare and issue estimated tax bills using a rate of 2.245 for the

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Municipality of Ho-Ho-Kus for the third quarter 2021, in accordance with the provisions of N.J.S.A. 54:4-66.2 et seq.

The Tax Collector may take any additional steps necessary to immediately implement this resolution.

Resolution #21-76- Introduced by Council President Troast

A Resolution – Redeem a Tax Sale Certificate – 34 Clearwater Drive

WHEREAS, First Bank and Mrs. Linda E. Bovino have made the necessary arrangements to redeem the following Tax Sale certificate numbered 00043 issued to Block 1207 - Lot 12, otherwise known as 34 Clearwater Drive, located in the Borough of Ho-Ho-Kus, NJ,

WHEREAS, payment for the redemption of Tax Sale certificate numbered 00043 was paid in the amount of \$220,251.65 by certified funds.

WHEREAS, Rothman Realty I, LLC. holder of the tax sale certificate 00043 paid a premium of \$117,800.00 to hold the referenced certificate;

WHEREAS, all necessary arrangements have been made with all parties to satisfy this Lien and;

THEREFORE, BE IT RESOLVED, by the governing Body of the Borough of Ho-Ho- Kus to hereby authorize the Treasurer to issue payment on June 22, 2021 in the amount \$220,251.65 representing the Total Redemption amount to satisfy tax sale certificate # 00043, along with said paid premium of \$117,800.00; to Rothman Realty I, LLC., 411 Grand Ave, Englewood, NJ 07631. Checks payable to “Rothman Realty I, LLC”.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be provided by the Municipal Clerk to the Tax Collector and Chief Financial Officer.

Resolution #21-77- Introduced by Council President Troast

A Resolution – Tax Appeal – Lori Cobb-Lamb vs. Borough of HHK

WHEREAS, Lori Cobb-Lamb is the owner of real estate at Block 903, Lot 8.01, known as 191 Wearimus Road, Ho-Ho-Kus, New Jersey; and

WHEREAS, the owner has filed a tax appeal challenging the 2020 and 2021 tax assessment; and

WHEREAS, Block 903, Lot 8.01 was assessed for the tax years 2020 and 2021 in the total amount of \$2,509,000.00; and

WHEREAS, the Borough has completed full discovery with respect to this matter, has consulted with the Borough’s Tax Assessor and has conducted exhaustive negotiations with counsel for the taxpayers; and

WHEREAS, the parties have been able to arrive upon a proposed settlement agreement as follows: (a) revised assessment of \$2,350,000.00 for 2020; and \$2,300,000.00 for 2021 and \$2,100,000.00 for 2022; and

WHEREAS, the parties have agreed that the pre-judgment interest shall be waived as a condition of the settlement if the refund is paid within sixty (60) days of the Judgment date; and

WHEREAS, the Borough’s Tax Assessor is in agreement with the terms of the settlement and believes that it would be in the best interest of the Borough to settle this particular case in accordance with the terms set forth above; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Ho-Ho-Kus agrees to authorize the Municipal Tax Appeal Attorney to execute a Stipulation of Settlement on behalf of the Borough of Ho-Ho-Kus with respect to the Cobb-Lamb v. Ho-Ho-Kus tax appeal, pending in the Tax Court of New Jersey, under Docket Nos. 003579-2020 and 002170-2021; and

BE IT FURTHER RESOLVED, upon receipt of the Tax Court Judgment, the Tax Collector is authorized to calculate the amount of the refund and cause same to be paid to the taxpayer without statutory interest for the 2020 and 2021 appeals within sixty (60) days from the date of the Tax Court Judgment; and

BE IT FURTHER RESOLVED that this Settlement is subject to agreement and acceptance thereof by the taxpayer; and

BE IT FURTHER RESOLVED that copies of this Resolution are to be provided to the Municipal Clerk,

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Borough Tax Assessor, Borough Tax Collector and the Municipal Attorney.

Resolution #21-78- Introduced by Council President Troast

A Resolution – Appointing Christopher Demetriou as a full-time Dispatcher

BE IT RESOLVED, by the Mayor and Council of the Borough of Ho-Ho-Kus that they accept the recommendation of the Mayor, the Police Commissioner and Acting Police Chief to appoint Police Dispatcher, Christopher Demetriou.

BE IT FURTHER RECEIVED that said position shall be as permanent full-time employee as of July 3, 2021;

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

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

Resolution #21-79- Introduced by Council President Troast

A Resolution – Notice of Intent to enter into a Contract for Water Supply Maintenance Services

WHEREAS, the Borough of Ho-Ho-Kus (“Borough”) intends to enter into a contract for management and full service maintenance program for water storage vessels in accordance with the New Jersey Water Supply Public Private Contracting Act. N.J.S.A. 58:26-19 et. seq. and;

WHEREAS, a public hearing will be held on August 24, 2021 in order to consider proposals and to enter into a contract with a private firm for the provision of the management and full service maintenance program for water storage vessels and;

WHEREAS, the type of services to be provided are management and full service maintenance program for water storage vessels as follows:

Tank 1 - 250,000 gallon Welded Steel elevated storage tank for a period of 20 years.

Tank 2 - 500,000 gallon Welded Steel elevated storage tank for a period of 20 years.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus authorized to enter into a Contract for Water Supply Maintenance Services ; And

BE IT FURTHER RESOLVED that the Mayor, the Borough Administrator, and the Borough Clerk are authorized to execute a contract following legal review; and

Resolution #21-80- Introduced by Council President Troast

A Resolution – Appt. Fireman-Michael F. Medico

WHEREAS, the Fire Department of the Borough of Ho-Ho-Kus, through its Chief, has recommended to the Mayor and Council the appointment of member as follows; and

WHEREAS, Michael F. Medico passed his physical as required by the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Ho-Ho-Kus that Michael F. Medico is recommended to the New Jersey State Fireman's Association for membership.

Resolution #21-81- Introduced by Council President Troast

A Resolution – Settlement of Intervilla, Inc.

WHEREAS, Intervilla Inc. and Ho-Ho-Kus entered into a Lease Agreement (the “Lease”) effective February 1, 1998 for the property commonly known as 1 East Franklin Turnpike in the Borough of Ho-Ho-Kus; and

WHEREAS, such agreement is still in full force and effect as between the parties; and

WHEREAS, the Borough has asserted that Intervilla, Inc. has breached its obligations to pay applicable monthly rent under the terms of the Lease; and

WHEREAS, due to the unprecedented events of COVID-19 and the declared State of Emergency in the State of New Jersey, Intervilla, Inc. has asserted as defenses force majeure and impossibility of

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performance and

WHEREAS, the parties wish to resolve their differences without the need for litigation;
NOW THEREFORE BE IT RESOLVED by the Governing Body, that it does hereby approve a settlement agreement with Intervilla, Inc, the terms of which are incorporated by reference herein;
BE IT FURTHER RESOLVED that the Mayor, Administrator and Borough Attorney are authorized to take all steps necessary to effectuate the terms of this Resolution.

Resolution #21-82- Introduced by Council President Troast

A Resolution – Appointment of Police Chief, Michael LaCroix

WHEREAS, there currently exists a need to appoint a new Chief of Police of the Ho-Ho-Kus Police Department due to the retirement of the current Chief of Police;
WHEREAS, Pursuant to Code Section 46-3, 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 pursuant to the process set forth therein;
WHEREAS, Sergeant Michael LaCroix was the most qualified candidate for the position of Chief of Police and obtained the highest score during the promotional process;
WHEREAS, as a result of the above, the Governing Body desires to appoint Sergeant Michael LaCroix to the position of Chief of Police;
NOW THEREFORE BE IT RESOLVED by the Governing Body, that it does hereby appoint Sergeant Michael LaCroix as Chief of Police for the Ho-Ho-Kus Police Department, effective July 1, 2021;
BE IT FURTHER RESOLVED that the compensation for said position shall be established by a Contract between the parties and the Ordinances of the Borough of Ho-Ho-Kus;

A motion was offered by Council President Troast and seconded by Councilman Crossley to approve Resolutions 21-68 through 21-82. Motion carried on a roll call vote – All present voting “Aye”.

OATH OF OFFICE ADMINISTERED TO:

Mayor Randall administered the Oath to newly appointed Police Chief Michael LaCroix.

DEPARTMENT REPORTS

Reports on file in the Clerk’s Office

Police Report – May 2021

Court Report – May 2021

Library Report - June 2021

APPROVAL OF MINUTES

A motion was offered by Councilman Shell and seconded by Councilwoman Moran to approve the minutes May 18, 2021 Combined Work/Public Meeting of the Mayor and Council. Motion carried on a roll call vote – all present voting “Ayes.”

PUBLIC COMMENTS

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

Kathleen Raschdorf

Ms. Raschdorf updated the Mayor and Council on the Shade Tree Commission activities; Arbor day celebration in conjunction with the Girl Scout Troops did some plantings and environmental efforts at the North Field. Also, with conjunction with the Chamber of Commerce, DPW we did the borough wide clean

up with great success. We would like to make this an annual event. With the liter clean-up, the contemporary club solicited private donations of \$1500 which they would like to reinvested in the community. In discussion with Administrator Jones, the Shade Tree Commission would like to start working on the beautification of downtown project. Energy is high and we are looking for some direction from the Mayor and Council how to make this happened. Ms. Raschdorf stated she is a certified landscape architect and arborist and would like to work with a council liaison moving forward. Administrator Jones stated he sent an email out regarding putting together a beautification committee which would consists of (2) members of the Shade Tree Chamber of Commerce and the Garden Club, which at this time he has not received any names. Ms. Raschdorf stated herself and Danny Chase would like to be on this committee. Mr. Jones stated once we have the names they can be appointed; we can start having meetings and there can be an advisory to the Mayor and Council. In short term we are coordinating with the Chamber for reopening of the town through taste of HHK in September. We did order 32 planters which will hung. Longer term planning the \$1500 could go towards the downtown beautification fund. Ms. Raschdorf offered to reach out and get some volunteers. She also stated we need to have some sort of goal in mind to use these funds, we don't want to spend this money on disposable items. Mr. Jones asked give him until September to get the committee formed, then let's get a plan in place.

Mayor closed the meeting to the public.

ADMINISTRATOR REPORT

Unfinished Business

DOT Train Station Project – This project is still on-going, started about a month ago.

Paving - Brandywine/Valley Forge / Resurfacing of Mill Road, Section 2 – Project has been completed, including all the drainage improvements.

BC United Way/Madeline Partnership Affordable Housing Project – This project is still on-going. Target date originally set for August and September has been delayed due to shortage of supplies. New target date is sometime in November.

HHK Crossing Project – The final rendering of the redevelopment plan was received today. The Crossing Group has come on board in ways to incorporate what the Mayor and Council proposed. Administrator asked for the Mayor to make a motion to refer the redevelopment plans to the Planning Board for further review and comments, then we can start the adoption process. Motion by Councilman Shell, seconded by Councilwoman Moran. Motion Carried by voice vote, all presented voted “ayes.”

Bank of America (10 Orvil Court) - Introduction of Bond Ordinance #2021-55 on the agenda is for the purchase of this building.

Water Tank Project – The Resolution #21-79 on for tonight is a Request for Pricing(RFP) - to enter into a Contract for Water Supply Maintenance Services for our water tanks. This is approximately a (6) month process to get this vendor selected.

New Business - no new business

CORRESPONDENCE

- a) Planning Board Member Cathy Ioannidis resignation letter
- b) Planning Board Member Michael Reade resignation letter
- c) NJDOT request for applications for the 2022 Safe Routes to School program.
- d) Full-Time Dispatcher Chelsea Marafelias resignation letter

Administrator Jones thanked Cathryn Ioannidis and Mike Reade for their service on the Planning Board, both of them have been a valuable members and he wished them the very best.

Mayor Randall added they have been great contributors to the Planning Board. Mike has historical knowledge; leaving a legacy with his photographs and other information he has been able to find. Mayor stated he has a couple of prospects in mind to fill those positions on the Planned Board Members, however he welcomes any suggestions.

ADOPTION OF ORDINANCES and PUBLIC HEARING - none

INTRODUCTION OF ORDINANCE

ORDINANCE 2021-52

COUNCILMEMBER SHELL: moved the introduction of the Ordinance on first reading by title only

COUNCILMEMBER IANNELLI: Seconded.

ROLL CALL VOTE: All present voting "Aye"

AN ORDINANCE BY BOROUGH OF HO-HO-KUS ("HO-HO-KUS") IN BERGEN COUNTY, NEW JERSEY PROHIBITING THE OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS GEOGRAPHICAL BOUNDARIES AND AMENDING SECTIONS 85-45 OF THE HO-HO-KUS MUNICIPAL CODE

WHEREAS, in 2020 New Jersey voters approved Public Question No. 1, which amended the New Jersey Constitution to allow for the legalization of a controlled form of marijuana called "cannabis" for adults at least 21 years of age; and

WHEREAS, on February 22, 2021, Governor Murphy signed into law P.L. 2021, c. 16, known as the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" (the "Act"), which legalizes the recreational use of marijuana by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, the Act establishes six marketplace classes of licensed businesses, including:

- Class 1 Cannabis Cultivator license, for facilities involved in growing and cultivating cannabis;
- Class 2 Cannabis Manufacturer license, for facilities involved in the manufacturing, preparation, and packaging of cannabis items;
- Class 3 Cannabis Wholesaler license, for facilities involved in obtaining and selling cannabis items for later resale by other licensees;
- Class 4 Cannabis Distributer license, for businesses involved in transporting cannabis plants in bulk from on licensed cultivator to another licensed cultivator, or cannabis items in bulk from any type of licensed cannabis business to another;
- Class 5 Cannabis Retailer license for locations at which cannabis items and related supplies are sold to consumers; and
- Class 6 Cannabis Delivery license, for businesses providing courier services for consumer purchases that are fulfilled by a licensed cannabis retailer in order to make deliveries of the purchases items to a consumer, and which service would include the ability of a consumer to make a purchase directly through the cannabis delivery service which would be presented by the delivery service for fulfillment by a retailer and then delivered to a consumer.

WHEREAS, section 31a of the Act authorizes municipalities by ordinance to adopt regulations governing the number of cannabis establishments (defined in section 3 of the Act as "a cannabis cultivator, a cannabis manufacturer, a cannabis wholesaler, or a cannabis retailer"), cannabis distributors or cannabis delivery services allowed to operate within their boundaries, as well as the location manner and times operation of such establishments, distributors or delivery services, and establishing civil penalties for the violation of any such regulations; and

WHEREAS, section 31b of the Act authorizes municipalities by ordinance to prohibit the operation of any one or more classes of cannabis establishments, distributors, or delivery services anywhere in the municipality; and

WHEREAS, section 31b of the Act also stipulates, however, that any municipal regulation or prohibition must be adopted within 180 days of the effective date of the Act (*i.e.*, by August 22, 2021); and

WHEREAS, pursuant to section 31b of the Act, the failure to do so shall mean that for a period of five years thereafter, the growing, cultivating, manufacturing, selling and reselling of cannabis and cannabis items shall be permitted uses in all industrial zones, and the retail selling of cannabis items to consumers shall be a conditional use

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in all commercial and retail zones; and

WHEREAS, at the conclusion of the initial and any subsequent five-year period following a failure to enact local regulations or prohibitions, the municipality shall again have 180 days to adopt an ordinance regulating or prohibiting cannabis businesses, but any such ordinance would be prospective only and would not apply to any cannabis business already operating within the municipality; and

WHEREAS, the Mayor and Council of the Borough of Ho-Ho-Kus has determined that, due to present uncertainties regarding the potential future impacts that allowing one or more classes of cannabis business might have on New Jersey municipalities in general, and on Ho-Ho-Kus in particular, it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of Ho-Ho-Kus's residents and members of the public who visit, travel, or conduct business in Ho-Ho-Kus, to amend Ho-Ho-Kus' zoning regulations to prohibit all manner of marijuana-related land use and development within the geographic boundaries of Ho-Ho-Kus; and

WHEREAS, officials from two prominent non-profit organizations that have been established for the purpose of advising New Jersey municipalities on legal matters such as have been presented by the Act (those organizations being the New Jersey State League of Municipalities and the New Jersey Institute of Local Government Attorneys) have strongly urged that, due to the complexity and novelty of the Act; the many areas of municipal law that are or may be implicated in decisions as to whether or to what extent cannabis or medical cannabis should be permitted for land use purposes or otherwise regulated in any particular municipality; and the relatively short duration in which the Act would allow such decisions to be made before imposing an automatic authorization of such uses in specified zoning districts subject to unspecified conditions, the most prudent course of action for all municipalities, whether or not generally in favor of cannabis or medical cannabis land development and uses, would be to prohibit all such uses within the Act's 180-day period in order to ensure sufficient time to carefully review all aspects of the Act and its impacts;

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

1. Pursuant to section 31b of the New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act (P.L. 2021, c. 16), all cannabis establishments, cannabis distributors or cannabis delivery services are hereby prohibited from operating anywhere in Ho-Ho-Kus, except for the delivery of cannabis items and related supplies by a delivery service., notwithstanding any State law to the contrary.

2. Section 85-45.0 (G)(1) of the Ho-Ho-Kus Municipal Code is hereby repealed and replaced with the following: "All classes of cannabis establishments or cannabis distributors or cannabis delivery services as said terms are defined in section 3 of P.L. 2021, c. 16, but not the delivery of cannabis items and related supplies by a delivery service, are hereby prohibited from operating anywhere in the Borough."

3. Any article, section, paragraph, subsection, clause, or other provision of the Ho-Ho-Kus Municipal Code inconsistent with the provisions of this ordinance is hereby repealed to the extent of such inconsistency.

4. If any section, paragraph, subsection, clause, or provision of this ordinance shall be adjudged by a court of competent jurisdiction to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause, or provision so adjudged, and the remainder of this ordinance shall be deemed valid and effective.

5. After introduction, the Clerk is hereby directed to submit a copy of this Ordinance to the Land Use Board of the Borough of Ho-Ho-Kus for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Board is directed to make and transmit to the Council, within thirty-five (35) days after referral, a report including identification of any provisions in this proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matters as the Board may deem appropriate

6. This ordinance shall take effect upon its passage and publication and filing with the Bergen County Planning Board, and as otherwise provided for by law.

A motion was offered by Council President Troast and seconded by Councilman Shell to introduce Ordinance #2021-52. Motion carried on a roll call vote – All present voting "Aye".

ORDINANCE 2021-53

COUNCILMEMBER SHELL: moved the introduction of the Ordinance on first reading by title only

COUNCILMEMBER POLICASTRO: Seconded.

ROLL CALL VOTE: All present voting "Aye"

**AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 85, ZONING OF THE BOROUGH OF
HO-HO-KUS SO AS TO CLARIFY REQUIREMENTS FOR ORNAMENTAL LANDSCAPE
STRUCTURES**

WHEREAS, the Borough's policy is to maintain the established residential character and scale of the residential districts and to promote development that is in character and scale with the established neighborhoods and supported by the Borough's Master Plan; and

WHEREAS, the borough seeks to limit the overbuilding of residential principal and accessory structures that are out of scale with their neighborhoods by appropriate development regulations; and

WHEREAS, to further the goal of promoting the appropriate character and scale of structures in residential zones, including accessory structures, some amendments to the zoning ordinance are reasonable and appropriate.

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen and State of New Jersey, that Section §85-24 entitled "Lighting and Sound Systems" is hereby repealed, amended and supplemented as follows:

Section 1. Section §85-24 is repealed and replaced as follows:

New Title: "Lighting, Ornamental Landscape Structures, and Sound Systems"

- A.** Purpose The provisions of this section shall apply to all principal and accessory uses or activities permitted within a residential district or within 200 feet of a residential district boundary line. Any outdoor lighting shall be adequately shielded and directed away from the adjoining properties and shall not create an unsafe condition. Any public address system or loudspeaker device which can be heard beyond the property line is specifically prohibited. Ornamental landscape structures shall be permitted as set forth in Section (b) below.
- B.** Ornamental Landscape Structures shall mean an accessory structure placed year round in a fixed location in a yard or open space to provide a decorative or ornamental element to the grounds and gardens of the principal use. Ornamental landscape structures shall include entry posts or stanchions and other such structures, whether or not they provide lighting.
- C.** Requirements and limitations. Ornamental landscape structures are permitted in any residential zone as an accessory structure, subject to the following requirements:
- (a)** Ornamental landscape structures must be located in the front yard within 6 foot of the front property line or setback as defined in Section (e) below.
- (b)** A maximum of two (2) Ornamental landscape structures are permitted per driveway entrance and must be located entirely on the subject property.
- (c)** Ornamental landscape structures shall not exceed 5ft. high and shall not exceed 4 ft. in width in any direction. A lighting fixture, lamppost, or luminary is permissible, but the top of the fixture may not exceed 7 ft. from the base of the Ornamental landscape structure.
- (d)** The maximum height of the Ornamental landscape structure shall be measured from the lowest point at ground level.
- (e)** Ornamental Landscape Structure Setback Requirements. Ornamental Landscape Structures are not allowed in the public right-of-way and must be wholly within the lot line boundaries. Minimum required front setback from the edge of the street pavement for all Ornamental Landscape Structure for lots with or without a sidewalk shall be the greater of six feet or the distance between the edge of pavement and the right-of-line. All Ornamental Landscape Structure must be installed behind the sidewalk, if a sidewalk exists. In the event that a sidewalk is installed subsequent to the installation of Ornamental Landscape Structure it is responsibility of the property owner to comply to the setback rules for properties with sidewalks at the expense of the property owner.
- (f)** The entrance space created by or between any Ornamental landscape structure shall provide for a minimum of 15 ft of clear and unobstructed space around it at all times and shall further provide enough space to allow emergency service vehicles clear access to the property.
- (g)** Fencing as per the existing zoning ordinance may be attached to the stanchions.
- (h)** Zoning and construction permits shall be required before installation of any ornamental landscape structure.
- Section 2. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.
- Section 3. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 4. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 5. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

A motion was offered by Councilman Crossley and seconded by Councilwoman Moran to introduce Ordinance #2021-53. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE 2021-54

COUNCILMEMBER CROSSLEY: moved the introduction of the Ordinance on first reading by title only

COUNCILMEMBER SHELL: Seconded.

ROLL CALL VOTE: All present voting “Aye”

AN ORDINANCE TO AMEND AND SUPPLEMENT ARTICLE V, CHAPTER 85, ZONING OF THE BOROUGH OF HO-HO-KUS SO AS TO CLARIFY REQUIREMENTS FOR CERTAIN POOL CABANA ACCESSORY STRUCTURES

WHEREAS, the Borough’s policy is to maintain the established residential character and scale of the R-1, R-2, and R-3 districts and to promote development that is in character and scale with the established neighborhoods and supported by the Borough’s Master Plan; and

WHEREAS, the borough seeks to limit the overbuilding of residential principal and accessory structures that are out of scale with their neighborhoods by appropriate development regulations; and

WHEREAS, to further the goal of promoting the appropriate character and scale of structures in residential zones, including accessory structures, some amendments to the zoning ordinance are reasonable and appropriate.

BE IT ORDAINED by the Mayor and Council of the Borough of Ho-Ho-Kus, in the County of Bergen and State of New Jersey, that Article V section §85-15.1 entitled “Accessory buildings and structures” hereby amending and supplemented the existing code in the following particulars only: (deleted sections are noted by ~~strikethroughs~~, new sections are underlined)

Section 1. Amend section §85-15.1, by amending to add the following:

F. Accessory pool cabana. Pool cabana structures shall be subject to the following:

- (1) An accessory pool cabana is permitted to be a one-story, ground level, detached accessory structure enclosed with a roof, serving a lawfully existing and approved ~~inground~~ swimming pool on a residential property.
- (2) Only one accessory pool cabana is permitted per residential property.
- (3) Such a structure shall be used only for recreational or storage purposes associated with the principal residential use of the property.
- (4) The pool cabana structure shall not contain a bedroom and/or similar living quarters, and shall not contain such accommodations to be defined as having a full service kitchen. A toilet, sink and exterior (only) shower are permitted. HVAC installation, air conditioners, and heating or cooling systems or equipment are prohibited.
- (5) In addition, a cabana shall comply with the following maximum dimensions:

Lot Size (square feet)	Maximum Cabana Size (square feet)
6,500 to 22,000	150
22,001 to 43,000	200
43,001 and greater	300

- (6) A deed restriction containing the following language is to be filed with the Bergen County Clerk's Office for the property containing the accessory pool cabana stating minimally the following:
The grantor and grantee specifically represent and warrant that this deed contains a Deed Restriction whereby the cabana use will not contain, bedrooms and/or living quarters, full service kitchen or used for sleeping. This deed restriction is intended to prohibit conversion to a habitable space.

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(7) Pool cabanas shall conform to the accessory structure setback and coverage requirements as set for the in the zone and in Section 85-15.1 herein.

Section 2. Amend section §85-7 B. by amending to add the following definition:

FULL SERVICE KITCHEN

A full-service kitchen includes an indoor area for food preparation containing a stove or range.

Section 3. If any section, subsection, paragraph, sentence or any other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

Section 4. All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

Section 5. The Borough Clerk is hereby directed to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the Bergen County Planning Board, and to all others entitled thereto pursuant to the provisions of N.J.S.A. 40:55D-15. Upon adoption of this ordinance, after public hearing thereon, the Borough clerk is further directed to publish notice of the passage thereof and to file copy of this ordinance as finally adopted with the Bergen County Planning Board as required by N.J.S.A. 40:55D-16 and with the Borough Tax Assessor.

Section 6. This ordinance shall take effect twenty (20) days after final passage and publication as prescribed by law.

A motion was offered by Councilman Crossley and seconded by Councilman Iannelli to introduce Ordinance #2021-54. Motion carried on a roll call vote – All present voting “Aye”.

BOND ORDINANCE 2021-55

COUNCILMEMBER POLICASTRO: moved the introduction of the Bond Ordinance on first reading by title only

COUNCILMEMBER SHELL: Seconded.

ROLL CALL VOTE: All present voting “Aye”

BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY (BY PURCHASE OR CONDEMNATION) FOR PUBLIC PURPOSES IN, BY AND FOR THE BOROUGH OF HO-HO-KUS, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$990,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS .

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

Section 1. The Borough of Ho-Ho-Kus, in the County of Bergen, State of New Jersey (the "Borough"), is hereby authorized to acquire real property (by purchase or condemnation), including an existing structure, for public purposes in, by and for the Borough. Said improvement shall include real estate transaction expenses, environmental investigation and all work, materials and appurtenances necessary and suitable therefor. The property to be acquired (the Bank of America Building) has a street address of 10 Orvil Court and is designated as Block 1008, Lot 4 on the Tax Assessment Map of the Borough.

Section 2. The sum of \$990,000 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 the Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of the Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$990,000, and (4) \$48,000 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 \$942,000, and (6) the cost of such purpose, as hereinbefore stated, includes the aggregate amount of \$65,000, 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.

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Section 4. It is hereby determined and stated that moneys exceeding \$48,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for the Borough, are now available to finance said purpose. The sum of \$48,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of the Borough of an aggregate principal amount not exceeding \$942,000 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 the Borough of an aggregate principal amount not exceeding \$942,000 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, 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 the limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of the 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 forty 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 the Borough, and that such statement so filed shows that the gross debt of the Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$942,000 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 such 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 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.

A motion was offered by Councilman Shell and seconded by Councilman Crossley to introduce Bond Ordinance #2021-55. Motion carried on a roll call vote – All present voting “Aye”.

ORDINANCE 2021-56

COUNCILMEMBER CROSSLEY: moved the introduction of the Ordinance on first reading by title only

COUNCILMEMBER SHELL: Seconded.

ROLL CALL VOTE: All present voting “Aye”

**AN ORDINANCE TO AMEND, AND SUPPLEMENT CHAPTER 46 OF THE CODE OF
THE BOROUGH OF HO-HO-KUS SO AS TO MODIFY THE PROMOTIONAL
PROCESS FOR POLICE OFFICERS**

WHEREAS, the Borough of Ho-Ho-Kus has heretofore adopted Chapter 46 of the Code of the Borough of Ho-Ho-Kus, so as to establish the Ho-Ho-Kus Police Department, the organization thereof, and matters pertaining thereto; and

WHEREAS, the Borough of Ho-Ho-Kus wishes to amend said Chapter, and particularly to amend §46-9 of said Chapter, so as to modify the promotional process for police officers;

NOW THEREFORE BE IT ORDAINED by the Mayor and Borough Committee of the Borough of Ho-Ho-Kus, that Chapter 46-9 of the Code of the Borough of Ho-Ho-Kus be amended and replaced in the following particulars only: (deleted sections are noted by ~~strikethroughs~~, new sections are underlined)

I. General

- A. So as to provide all eligible candidates for promotion with fair notice and equal access to the promotional process, and to identify the most qualified members of the department for promotion to leadership positions within the department, the following promotional process shall be employed for promotions to all superior positions (Sergeant, Lieutenant, and Captain), other than the Chief of Police.
- B. The promotional process shall be governed by state law and in compliance with N.J.S.A. 40A:14-129, which provides that a promotion of any member or officer of the police department to a superior position shall be made from the membership of the department and due consideration shall be given to the length and merit of his/her service and preference shall be given according to seniority in service. The Chief of Police shall be responsible for the administration of the promotional process.

II. Promotion to the Rank of Sergeant

- A. Eligibility
 - 1. No person shall be eligible for promotion to the rank of Sergeant unless the candidate has served as a police officer with the Ho-Ho-Kus Police Department for at least five (5) years, and possess a minimum of an Associate’s Degree (A.A.) or its equivalent, i.e. a minimum of 60 college credits, preferably in a social science, although not required.
- B. The testing process for the above position will consist of the following:
 - 1. Written examination or oral examination administered by the New Jersey State Association of Chiefs of Police (“Chief’s Association”) or such other written or oral examination approved by the Governing Body and administered by the Chief of Police.
 - a. The written or oral examination shall account for fifty (50%) percent of a candidate’s total promotional score, up to a maximum of 50 total points.
Each candidate’s total point score for the written or oral examination shall be computed by taking a candidate’s score on the written exam (which exam shall have 100 points as its maximum score) and multiplying same by 50%. By way of example, a candidate receiving a score of 80 points on his/her ~~written~~ examination shall receive 40 total points for the ~~written~~ examination element of the promotional process (80 x 50% = 40 total points).
To be eligible to proceed to the oral examinations by the Interview Panel

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and the Appropriate Authority, a candidate must achieve a minimum score of 70 points out of said maximum of 100 points on the written or oral examination (i.e. at least 35 total points).

If the number of vacancies in the rank is equivalent to the number of applicants to the position, a written or oral examination is still required. Promotion to the rank of Sergeant will be subject to passing the exam with a score of at least 35 total points.

2. Oral examination administered by an Interview Panel (the "Interview Panel") comprised of one or more of the following persons, or their designees: the Chief of Police, the Borough Administrator, one member of the Public Safety Committee and one (1) command staff member designated by the Chief of Police.
 - a. Only those candidates who have achieved a score of 70 points or greater (out of the maximum of 100 points) on the written examination shall be permitted to sit for an oral examination by the Interview Panel (i.e. at least 35 total points). Oral examinations by the Interview Panel shall take place after the receipt of the written examination scores.
 - b. The Interview Panel's oral examination and assessment (which examination and assessment shall have 100 points as its maximum score) shall account for twenty-five (25%) percent of the candidate's total promotional score, with 25 total points being the highest possible score for such oral examination and assessment. By way of example, a candidate receiving a score of 80 points on his/her oral examination by the Interview Panel shall receive 20 total points for the Interview Panel's oral examination element of the promotional process ($80 \times 25\% = 20$ total points).

The oral examination and assessment by the Interview Panel shall include an evaluation of the following criteria: commendations, employee reviews, disciplines and early intervention summaries, annual performance evaluations, merit, overall performance, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, leadership ability, initiative, productivity, attitude toward peers, supervising officers recommendations, motivation and morale, previous job performance, loyalty to the department and community, experience and career development training. The Interview Panel shall utilize the same criteria for each of the candidates who are interviewed for the open position(s).
 - c. Candidates will be interviewed by the Appropriate Authority, or its designee, after the completion of the oral examination by the Interview Panel and after the Appropriate Authority's receipt of the results of the Interview Panel's oral examination. The Chief of Police shall be available to the Appropriate Authority during such process, and may sit in on such process, for advice and counsel. However, the scoring of this portion shall be computed by the Appropriate Authority only. This evaluation shall have 100 points as its maximum score) shall account for twenty-five (25%) percent of the candidate's total promotional score, with 25 total points being the highest possible score. By way of example, a candidate receiving a score of 80 points shall receive 20 total points ($80 \times 25\% = 20$ total points).
 - d. Due consideration shall be given to the eligible candidate for promotion based upon length of service and merit of service and preference shall

be given according to seniority pursuant to N.J.S.A. 40A:14-129.

III. Promotion to the Rank of Lieutenant and Captain

- A. Eligibility
No person shall be eligible for promotion to the rank of Lieutenant or Captain unless the candidate has served as a Sergeant for the Ho-Ho-Kus Police Department for three (3) years.
- B. The selection process will consist of the following:
1. Oral examination administered by an Interview Panel (the "Interview Panel") comprised of one or more of the following persons or their designees: the Chief of Police, the Borough Administrator, one member of the Public Safety Committee and one (1) command staff member designated by the Chief of Police.
 - a. The oral examination and assessment by the Interview Panel (which examination and assessment shall have 100 points as its maximum score) shall account for sixty (60%) percent of the candidate's total promotional score, with 60 total points being the highest possible total score for the Interview Panel's oral examination and assessment. By way of example, a candidate receiving a score of 80 points on his/her oral review and assessment by the Interview Panel shall receive 48 total points for the Interview Panel oral review and assessment element of the promotional process ($80 \times 60\% = 48$ total points).
 - b. The oral examination and assessment by the Interview Panel shall include and evaluation of the following criteria: commendations, employee reviews, disciplines and early intervention summaries, annual performance evaluations, merit, overall performance, demonstrated ability and accomplishments, efforts supporting department goals and objectives, in-service education and specialized schools, specialized job assignments, responsibilities, subsequent performance, attitude and demeanor, education, military experience, leadership ability, initiative, productivity, attitude toward peers, supervising officers recommendations, motivation and morale, previous job performance, loyalty to the department and community, experience and career development training. The Interview Panel shall utilize the same criteria for each of the candidates who are interviewed for the open position(s).
 - c. Candidates will be interviewed by the Appropriate Authority, or its designee, after the completion of the oral examination by the Interview Panel and after the Appropriate Authority's receipt of the results of the Interview Panel's oral examination. The Chief of Police shall be available to the Mayor and Council during such process, and may sit in on such process, for advice and counsel. However, the scoring of this portion shall be computed by the Appropriate Authority only. This evaluation shall have 100 points as its maximum score) shall account for forty (40%) percent of the candidate's total promotional score, with 40 total points being the highest possible score. By way of example, a candidate receiving a score of 80 points shall receive 32 total points ($80 \times 40\% = 32$ total points).
 - d. Due consideration shall be given to the eligible candidate for promotion based upon length of service and merit of service and preference shall be given according to seniority pursuant to N.J.S.A. 40A:14-129.

IV. Procedure for Conduct of Promotional Process

- A. The Chief of Police shall obtain permission from the Governing Body to hold a promotional examination process. After having received such approval, the Chief of

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Police, or such other person as designated by the Governing Body, shall provide a written announcement of the promotional process to all eligible personnel.

- B. The announcement shall include the eligibility requirements for the position and shall include a description of the promotional process and should indicate to the candidates the format, length, and duration of any examinations, together with a description of any other portions of the promotional process, and the date by which they must submit a written request to participate in the promotional process.
- C. Candidates for promotion, in order to participate in the promotional process, shall be required to submit a written request to participate in such process and a current resume to the Chief of Police, or his designee, prior to the closing date set forth in the announcement.
- E. No person shall be eligible to participate in the promotional process unless (s)he has submitted a written request to participate in such process and current resume prior to the deadline set forth by the Chief of Police.

V. Eligibility List

- A. After the expiration of the time for filing an appeal as set forth below, and after the disposition of any such appeal, the Chief of Police shall submit an eligibility list to the Appropriate Authority following the promotional process for final determination.
- B. The Appropriate Authority will authorize the Chief of Police to maintain this eligibility list for a period of two years (24 months), in the event that vacancies fall within that time. The period will start upon the passing of the resolution promoting the officer(s) to the new rank.

VI. Approval of Appropriate Authority

- A. The Appropriate Authority shall have the final decision on all promotions after consultation with the Chief of Police.

VII. Appeal of Process

Within ten (10) days of the notification to each candidate of his/her ranking, a candidate may file a written appeal directed to the Chief of Police. Said written appeal must contain the reason(s) or justification for the appeal. As part of any appeal, any candidate may review his or her evaluation or any other internal document pertaining to the candidate that was utilized in the promotional process.

The Chief of Police will assess the request for appeal and make a determination as to how the request will be addressed, on a case by case basis. Scores on the written examination shall be final and not subject to appeal. If the Chief determines the appeal should move forward, any appeals of the oral examinations or other section of this procedure shall be decided by the Governing Body, within 10 days from the filing of the appeal. The Governing Body shall make a written decision on the appeal together with a brief statement of the reasons therefore. All decisions by the Governing Body on appeal shall be final.

Except as modified herein, all other provisions of Chapter 46 shall remain in full force and effect as previously adopted.

A motion was offered by Councilman Shell and seconded by Councilman Crossley to introduce Ordinance #2021-56. Motion carried on a roll call vote – All present voting “Aye”.

LIAISON REPORTS

Recreation – Councilman Iannelli reported all recreational and travel sports are underway. The 8th grade dance was held, it was the first one since the pandemic, the parents did an amazing job with a much lighter budget. Councilman Iannelli is happy to announce the conceptual stage of producing the first annual HHK Day Event is scheduled for September 11, 2021 the day after movie night. More information to follow.

Library – Councilman Policastro introduced the new Library Director, Morgan Taylor. The Board has hired a use services librarian who is starting July 6th. The Library Board of Trustees will be taking a recess for the summer, their next meeting will be in September.

Board of Education – Councilman Policastro stated on June 2nd, Mayor Randall, Councilman Iannelli, Councilman Shell and himself attend the HHK 8th grade awards ceremony. Dr. Eckers last day was June

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17th where the school held a surprise parade celebration and named the plaza in front of the school in her honor. The last day of school was June 17th and the 8th grade graduation was held June 18th. Mayor Randall added the award ceremony never ceases to be amazing. He thanked Councilman Policastro who photographed this event. He also attended the graduation.

Ambulance Corp. – No report, next meeting will be in July.

JIF Insurance – Councilman Crossley reported he attends a meeting every month as the commission of the joint insurance fund and what he found interesting is we get a dividend every year. However, this year they announced the dividend will be very little if at all due to very high COVID claims. They did state they still have good reserve.

Fire Department – Councilman Shell reported the Fire Department continues to meet regularly. Their meetings are now back in-person and they continue to serve the community. We continue to recruit new members, which we had one on the agenda tonight.

Chamber of Commerce - Councilman Shell reported the Chamber is still considering a mid-summer restaurant week followed by a sidewalk sale. More information to follow.

MAYOR'S REMARKS

Mayor stated he attended the Eagle Scouts ceremony; it was very impressive. Ho-Ho-Kus is up to 141 Eagle Scouts.

CLOSED SESSION - On a motion by Councilman Iannelli, seconded by Councilman Shell, 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:

8-Matters involving Employment

Police

Now therefore, be it resolved by the Borough Council of the Borough of Ho-Ho-Kus assembled in public session on June 22, 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 8:21 p.m. and ended at 8:38 p.m.

ADJOURNMENT

On a motion by Councilman Iannelli, seconded by Councilman Crossley, the meeting was adjourned at 8:38 p.m. Motion Carried by voice vote – all present voting “Aye”.

Respectfully submitted,
Joan Herve, RMC/CMR
Borough Clerk