

Minutes of the Council Meeting of the Borough of Hillsdale held at 7:30 P.M. on Tuesday, April 12, 2016, in the Council chambers, Borough of Hillsdale, New Jersey.

**OPEN PUBLIC MEETING STATEMENT:**

This is a meeting of the Hillsdale Borough Council on this 12th day of April, 2016. Notice of the time and place of this meeting has been provided to The Ridgewood News, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please notify the Acting Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your left. Please silence all cell phones and pagers.

**ROLL CALL:**

Council Members DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella  
(Mayor Frank, Borough Attorney Madaio, Acting Borough Clerk Kohan)

**CORRESPONDENCE:**

1. Letter received April 5, 2016 from Hillsdale Volunteer Fire Department requesting approval of membership for John Costello, III to the Hillsdale Fire Department.

Motion to receive, approve and file by Councilmember Looes, Second by Councilmember Karcich, and unanimously carried.

2. Email dated March 28, 2016 from Ken Barber resigning his seat from the Environmental Commission as an appointed member and transition to an advisory position.

Motion to receive, approve and file by Council President Pizzella, Second by Councilmember Looes.

Roll Call Vote:

Ayes: Council Members DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella

Nays: None

3. Letter received April 12, 2015, from Jennifer Schoonover asking permission to place purple ribbons on trees or poles for promoting Paint the Town Purple on April 16, 2016, in honor of the Relay for Life.

Motion to receive to receive, approve and file was made by Councilmember Looes, seconded by Councilmember DeRosa, and unanimously carried.

**OATH OF OFFICE/APPOINTMENTS**

John Costello, III  
Department

Hillsdale Fire

Deputy Borough Clerk Kohan administered the Oath of Office to John Costello, III.

**PRESENTATIONS:**

**INITIAL PUBLIC COMMENT** (Time limited, new topics only, one speaker per topic):

Mayor Frank said this is time limited for new topics only and one speaker per topic. He opened the meeting to the public. Seeing no one, he closed the meeting to the public.

### **APPROVAL OF MINUTES:**

### **COMMITTEE REPORTS:**

Councilman - Anthony DeRosa

Councilman - Scott Karcich

Councilwoman - Chris Looes

Councilwoman - Abby Lundy

Council President - Frank Pizzella

Councilman - John Ruocco

Councilman DeRosa said Pascack Valley High School was in the news yesterday and this morning. The Board of Education voted on a Transgender Policy; similar policies have been adopted by East Rutherford, North Wellington, Westwood and a couple of Bergen County towns. About 75 to 100 people were in the audience and about two dozen people spoke, a true section of the community. Transgender students, cisgender, people who identify with their birth sex, parents, senior citizens, representatives of a Christian group, people who were citing statistics and Scripture. It got emotional at times, there was a man who related a story about a friend of his who he went to high school with and met him at a Pascack Valley High School reunion 40 years later and his friend changed sex and was a woman and told a touching story how that person was still the same person there and said we have a responsibility to nurture our children for the world they are entering, not the world we grew up in. On the opposite side there were parents who expressed concern for the policy that does not allow for the parents to be advised should their child claim transgender and that would be treated on a case by case basis. Others expressed that they felt the burden is now shifting to cisgender or straight students because they may be placed in an uncomfortable situation. The Board voted to adopt the policy six to one.

Councilmember Karcich said there is nothing on the fire; we just swore in a new officer. Under DPW, he is still working on the E-Waste Policy and should have something in May.

Councilmember Looes had nothing at this time.

Councilmember Lundy reported on Stonybrook. The competition pool is open, the heater is on and the solar cover is on. The Aquatic Team will start practicing there April 16. Registration has been open since March 14, there will be an Open House held on May 28 and 29 for all new members; a discount of 10% will be given to all new members. Registration has been slow primarily slow due to the colder weather we think; hopefully when the weather warms up people will start registering. So far there are 222 memberships and the total revenue is \$127,724. She believed the budgeted revenue was \$653,000. Patty has received emails and phone calls and is in the process of opening all of the pools; all other pools besides the competition pools will be open May 9. Patty is attending a dinner tonight for pool managers and will be receiving information from other local pools to see how we compare with them.

There are a lot of upcoming programs at the Library. This Thursday there is a Meet the Author presentation, the author of the book The Sinatra Legend at 100 will be there and autographed copies available for purchase. Another very important program Monday, April 18, is a Skin Cancer Awareness Program at 7PM. On Sunday, May 15, Wisdom of Abraham Lincoln; there is a lot going on at the Library.

Council President Pizzella reminded everyone that April 23 is Town Cleanup Day and if anyone wants to participate they may email the Environmental Commission; it is [HEC@HillsdaleNJ.org](mailto:HEC@HillsdaleNJ.org); and also April 24 is Earth Day and an Earth Fair will be held downtown at Veterans Park. The Fishing Contest is April 16.

Councilmember Ruocco said with respect to seniors, there is a monthly luncheon April 20 at 11:30 at St. John the Baptist. We have also scheduled a meeting the last week in April for the Financial Committee; this is a regular meeting we will have henceforth monthly. Office of Emergency Management; the staff advised that the emergency generator should be starting the end of this month. There was a delay because of how we would finance it but we have gotten over that. On the OEM agenda, the flood sensors, now that the budget has been adopted, the OEM staff will be moving ahead with discussions to finalize that contract. The terms are done; it is just a question of making sure the

budget was approved. The staff is also working on FEMA reimbursement for the January blizzard. We should be able to recover a significant amount of money we spent during that storm. We are waiting for Suez Water to give the OEM staff and Police Department a proposal for a camera system for the dam and to monitor trespassers on the dam's property.

With respect to the Demarest Farm situation, mediation sessions continue. There was a session a few weeks ago; dialogue was achieved as far as weekly coordinated efforts to try to improve the situation. The Borough Attorney and I will continue to participate in all future sessions. If these fail to resolve complaints and objections and the processing of the complaints will resume under the process of the state and county agricultural authorities.

**DISCUSSION:**

1. Recreation Sports Agreements- Council Member DeRosa

Councilmember DeRosa there is no update, they are still working on them.

2. Electronic Recycling

Councilmember Karcich has already reported on this.

**NEW BUSINESS:**

**PUBLIC COMMENT:**

Mayor Frank opened the meeting to the public, anyone wishing to address the Council was invited to come to the podium and identify with name and address.

Seeing no one, the public portion of the meeting was closed.to the public.

**ORDINANCES:** *(Introductions)*

**16-09 (Introduction):**

Capital Ordinance of the Borough of Hillsdale, In the County of Bergen, New Jersey Authorizing Various Public Improvements and Acquisitions in, by and for the Borough, Appropriating therefor the sum of \$305,500 and Providing that such sum so appropriated shall be raised from a New Jersey Department of Transportation Grant and from the Borough's Capital Improvement Fund.

BE IT ORDAINED by the Borough Council of the Borough of Hillsdale, in the County of Bergen, New Jersey, as follows:

Section 1. The Borough of Hillsdale, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to undertake the following public improvements and acquisitions in, by and for the Borough: (A) Department of Public Works – acquisition of a security camera system and a vehicle lift; (B) Administration – upgrades to audio-visual system in Council Chambers; (C) Police Department – acquisition of mobile video recording system and radios; (D) Public Library – boiler replacement; (E) Fire Department – acquisition of self-contained breathing apparatus equipment and turnout gear; and (F) Road Improvements – improvement of Hillsdale Avenue (Section 3). Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$305,500 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as the "improvements"). Said appropriation shall be raised from a New Jersey Department of

Transportation ("NJDOT") grant and from the Borough's Capital Improvement Fund, as hereinafter provided. The sum of \$155,500 received or to be received from the NJDOT is hereby appropriated to the payment of the cost of the improvement of Hillsdale Avenue (Section 3). The sum of \$150,000 is hereby appropriated from the Borough's Capital Improvement Fund to the payment of the cost of the improvements.

Section 3. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital 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 5. This ordinance shall take effect at the time and in the manner provided by law.

BE IT RESOLVED, that Ordinance No. 16-09 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on May 3, 2016 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Motion by Councilmember Ruocco, Second by Councilmember Looes.

Roll Call Vote:

Ayes: Council Members DeRosa, Karcich, Looes, Lundy, Ruocco, Council President Pizzella

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Nays: None

**RESOLUTIONS:(Consent Agenda): R16106 through R16112:**

R16106 Tax Certification

WHEREAS, the Recycling Enhancement Act, P.L. 2007, Chapter 311, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, there is levied upon the owner or operator of every solid waste facility a recycling tax of \$3.00 per ton on all solid waste accepted for disposal or transfer at the solid waste facility; and

WHEREAS, whenever a municipality operates a municipal service system for solid waste collection, or provides for regular solid waste collection service under a contract awarded pursuant to the "Local Public Contracts Law", the amount of grant monies received by the municipality shall not be less than

the annual amount of recycling tax paid by the municipality except that all grant moneys received by the municipality shall be expended only for its recycling program; and

NOW, THEREFORE, BE IT RESOLVED, the Borough of Hillsdale hereby certifies a submission of expenditure for taxes paid pursuant to P.L. 2007, Chapter 311, in 2015 in the amount of \$9,945.48. Documentation supporting this submission is available at 380 Hillsdale Avenue, Hillsdale, NJ and shall be maintained for no less than five years from this date.

R16107        Payment of Bills

BE IT RESOLVED, by the Borough Council of the Borough of Hillsdale that the following bills in the sum of \$4,826,366.52 as authorized by the Department Head and approved by a Council member liaison, be paid; and that the Mayor, Clerk and Chief Financial Officer be and they are hereby authorized and directed to issue warrants in payment of same.

R16108        Resolution Decreasing Contract Price for the 2015 Road Program Improvements,  
Change Order #1

WHEREAS, the Borough of Hillsdale ("Borough"), by Resolution number 15-234 dated November 10, 2015 awarded to D & L Paving Contractors, Inc. ("D&L"), 681 Franklin Avenue, Nutley, New Jersey 07110 a contract in the amount of three hundred seven thousand eight hundred two dollars and sixty nine cents (\$307,802.69) (the "Contract Price") for a project known as 2015 Road Program Improvements; and

WHEREAS, the Special Projects Engineer has proposed a Change Order for a decrease in the amount of two thousand seven hundred ninety seven dollars and fifty-four cents (\$2,797.54) per a recommendation of the Special Projects Engineer due to decrease in scope of work required to complete the improvements detailed below; and

1.        Decrease of scope; and

WHEREAS, the Special Projects Engineer and the CMFO-Borough Administrator are recommending the approval by the Governing Body of revised Change Order No. 1; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council do hereby authorize the execution by the Mayor of revised Change Order No. 1 pursuant to which the Contract Price will be decreased by \$2,797.54, from \$307,802.69 to \$305,005.15 (the "Amended Contract Price").

R16109        Resolution Retaining Neglia Engineering Associates as Special Projects Engineer to the Borough of Hillsdale and Authorizing the Mayor and the Acting Borough Clerk to Execute A Professional Services Agreement with Neglia Engineering Associates for Same.

WHEREAS, the Borough wishes to retain the services of Neglia Engineering Associates to serve as Special Projects Engineer to the Borough for 2016; and,

WHEREAS, Neglia Engineering Associates is desirous of serving as Special Projects Engineer to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Neglia Engineering Associates, 34 Park Avenue, P.O. Box 426, Lyndhurst, New Jersey 07071, is hereby appointed as Special Projects Engineer to the Borough of Hillsdale for all work handled and all other assignments as may be made by the Mayor and Council or its designee for 2016. Neglia Engineering Associates will be paid at the rates that were submitted on their Statement of Qualifications that was submitted on November 23, 2015. Neglia Engineering Associates comply with the Borough's "Pay-to-Play" ordinance.

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately.

R16110        Resolution to Authorize and Direct the Hillsdale Planning Board and Benecke Economics to Undertake a Preliminary Investigation of the Properties in the Industrial Zone for Rehabilitation

WHEREAS, the Borough of Hillsdale is in the process of re-examining the Borough's Master Plan and is seeking to implement projects that will reduce the property tax burden for Hillsdale taxpayers and programs that will sustain or better sustain our community.

WHEREAS, the administration of the Borough of Hillsdale has started the Hillsdale Redevelopment Project Area 1 to achieve certain objectives, including: 1-enhance our residential neighborhoods; 2-improve property values; 3-remove deteriorating conditions; and, 4-increase the borough's tax base, and

WHEREAS, Article VIII, Section III of the Constitution of the State of New Jersey establishes that the clearance, planning, development or redevelopment of certain areas of the State of New Jersey is a viable public purpose, and

WHEREAS, the Legislature of the State of New Jersey has adopted a comprehensive set of laws, the centerpiece of which is the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.), allowing for the substantial improvement to, and turnaround of, underutilized, unused, and deteriorated properties through the careful design, writing, and implementation of local rehabilitation and redevelopment plans, and

WHEREAS, in furtherance of the aforesaid objectives, the Borough Mayor and Council of the Borough of Hillsdale desires to begin the Hillsdale Redevelopment Project Area 1 by authorizing the application for state and federal grants and requesting that the Hillsdale Planning Board study and investigate certain, limited areas of the Borough for rehabilitation and redevelopment potential so as to achieve the aforesaid objectives, and

WHEREAS, it appears that within the general area of what is commonly referred to as the "industrial zone" and identified in the list attached hereto as Attachment 1, there exists property (land), buildings or other improvements which, by reason of faulty arrangement of design, deleterious land use, obsolescence or obsolete layout or other factors, have remained vacant, stagnant, unproductive, under-utilized and undervalued and may be detrimental to the safety, health, morals or welfare of the Borough of Hillsdale as specifically to be studied by the Planning Board,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, Bergen County, New Jersey, pursuant to N.J.S.A. 40A:12A-1 et seq., that the Hillsdale Planning Board is hereby authorized and directed to undertake a preliminary investigation to determine whether properties in the “industrial zone”, and as further defined in Attachment 1 and as depicted on the official tax map of the Borough of Hillsdale Sheet --- attached hereto as Attachment 2, is a redevelopment area in accordance with the criteria set forth in N.J.S.A. 40A-12A-5, and

BE IT FURTHER RESOLVED that Benecke Economics has been retained to and is hereby authorized to study said area and to guide the Mayor and Council and the Planning Board in the redevelopment process, deliberations, and public hearing(s).

BE IT FURTHER RESOLVED that the Hillsdale Planning Board shall conduct a public hearing at the appropriate time respecting the proposed redevelopment area and after public notice is given in accordance with N.J.S.A. 40A:12A-6 and,

BE IT FURTHER RESOLVED that after completing its public hearing(s) and deliberation, the Hillsdale Planning Board shall submit a recommendation to the Mayor and Council as to whether the delineated area, or any part thereof, be or not be determined to be a redevelopment area or an area in need of rehabilitation.

R16111            Resolution Authorizing the Mayor and Acting Borough Clerk to Enter into an Agreement with Bergen County Cooperative to Provide Third Party Electric Service

WHEREAS, there is a need for a third party electric service providers; and

WHEREAS, The Bergen County Cooperative obtained pricing through a Bid process. The period for the service will begin with the May 2016 meter reads and end with the April 2018 meter reads for third party Electricity provider; and

WHEREAS, this contract will be in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

WHEREAS, this contract was awarded by Bergen County Cooperative Bid #16-28 “Energy Aggregation” contract period from the May 2016 meter reads until the April 2018 meter reads is in conformance with the requirements promulgated pursuant to Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and which satisfies the best interests of the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey as follows:

1. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract. (copy attached hereto as EXHIBIT A)

R16112 Resolution to Approve the Tonnage Grant Report and Application for Year 2015.

WHEREAS, the Mandatory Source Separation and Recycling Act, P.L.1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and

WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing the municipality to apply for such Recycling Tonnage Grant for calendar year 2015 will memorialize the commitment of the municipality to recycling and to indicate the assent of the Hillsdale Mayor and Council to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and

WHEREAS, such resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED by the Hillsdale Mayor and Council does hereby endorses the submission of the Recycling Tonnage Grant application to the New Jersey Department of Environmental Protection and designates Daniel O'Rourke, Recycling Coordinator, to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

Mayor Frank asked if anyone would want to pull a Resolution for discussion and voting on separately.

Motion by Councilmember Lundy, Second by Councilmember Loes.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Loes, Lundy, Ruocco, Council President Pizzella  
Nays: None

**OFF-CONSENT:**

**COUNCIL COMMENTARIES:**

Councilmember Lundy covered everything in her Committee report. However, she pointed out that HSBA opening day is also Saturday, April 16, Memorial Field, 10AM.

Councilmember Ruocco expressed his thanks to John Costello, III for being a fireman. Our volunteers put in personal time, put their lives at risk, and there is no other way to thank them in a tangible form as to say thank you. Pascack Valley High School will have their senior day Thursday, April 14, from

8AM to 2PM. It is a great event and it is not too late to sign up. Students go out of their way to extend their welcome, their facility, the administration; they give you lunch, you may sit in on courses, you have exchange with the students and teachers.

**ADJOURNMENT:**

Motion to adjourn Councilmember Looes, Second by Councilmember DeRosa, and unanimously carried.

Absent: Council President Pizzella

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE  
**TUESDAY, May 3, 2016 ~BEGINNING AT 7:30 P.M.**

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Denise Kohan, Acting Municipal Clerk  
APPROVED AS PRESENTED

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Denise Kohan, Acting Municipal Clerk