

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 p.m. on Tuesday, October 8, 2013, in the Council Chamber, Borough of Hillsdale, Hillsdale, New Jersey.

The meeting was called to order by Mayor Arnowitz who also led the Salute to the Flag.

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 6th day of November 2013. 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 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.

Present: Council Members DeGise, Frank, Kelley, Looes, Meyerson, and Pizzella. Also in attendance were Mayor Arnowitz, Borough Administrator/CFO DeJoseph, Borough Attorney Bernstein, Borough Clerk Witkowski.

Mayor Arnowitz announced that one of our employees passed away, Gerry Hennessy, who was employed in the Building Department for a number of years.

APPOINTMENTS:

OATH OF OFFICE:

PROCLAMATIONS:

PRESENTATIONS/RECOGNITION:

Hillsdale Ambulance Corp recognition

Mayor Max Arnowitz

Mayor Arnowitz said it is an honor to recognize volunteers in our community on the Ambulance Corps, they saved a life. They kept someone alive that would have been dead if it wasn't for their actions. He asked the volunteers to come up. The Hillsdale Ambulance was assigned coverage for the town of Westwood on Saturday, 10-26-13. The duty crew consisted of Captain John Beatty, Judith Bromberger who is absent, and Matt Ciupa. The crew was backing into their building on Washington Avenue from a previous call when Captain Beatty over heard the Westwood Police Dispatch send a Westwood police car to a difficult breathing person on Third Avenue. Knowing that the Hillsdale HBAS was on dedicated coverage, Captain Beatty alerted the Westwood police that we were responding prior to be dispatched. The patient was reportedly to have difficulty breathing and while he was being moved on to equipment to remove him from the second floor, he became unresponsive. Upon checking for a pulse, Captain Beatty declared that the patient was in cardiac arrest. The patient was quickly carried down the stairs, placed on a stretcher and CPR was begun. Paramedics from Valley Hospital responded and arrived on the scene. The patient was transferred to Hackensack University Medical Center at Pascack Valley; upon arrival at the hospital the patient spontaneously regained pulses while still in the rear of the ambulance. The patient was brought into the hospital and care was transferred to the emergency department staff. As of last week, the patient is still in the ICU Hackensack University Medical Center at Pascack Valley. He asked that the Borough Clerk send this to the Mayor of Westwood and hoped they recognize them.

APPROVAL OF MINUTES:

Regular and Closed October 1, 2013 and October 8, 2013

OLD BUSINESS:

1. 27 Arcadia Way, Property Maintenance-bamboo.
Council Member DeGise and Borough Attorney Bernstein are working on this.

Mayor Arnowitz said Emerson attempted to address this same issue and they have decided it is not enforceable.

Council Member Kelley asked if we have something on property maintenance regarding a plant that is evading a neighbor's property, how to address.

Mayor Arnowitz said we do have it where bushes that hang onto the other side, this is enforceable.

Council Member Kelley said if you have a tree or bush that goes over to the other property, the other person has the right to cut it back to the property line. He did not believe there was a requirement for that person to eliminate the bush.

Mayor Arnowitz said our property maintenance is more if you don't maintain your property, not if someone else invades your property. Emerson indicated that bamboo roots go all over the place and then you start getting into things like poison ivy, poison oak, etc.

Council Member Pizzella asked the Attorney if he knew of an example where bamboo is considered a nuisance to a neighbor.

Attorney Bernstein said the difference in the nuisance ordinance problem is the exact definition of a nuisance. Certain issues need to be followed under the International Property Maintenance. He will look at that issue. Normally, if you have something intruding on your property you have the right to cut it back to the property line.

2. Future stream de-snagging permit requested by the Mayor

Mayor Arnowitz stated it is not something that Hillsdale alone can do, it has to be a joint effort with the other towns. I have asked Westwood to consider it, especially the problem area by Kentucky Fried Chicken, by Hillsdale and Westwood, it would have to be done by both towns. For Hillsdale to just apply for a permit the costs are exorbitant and it won't help flooding that much. If all the towns were willing, it would open up the stream all the way to Oradell. Oradell was interested, Westwood didn't seem to be interested. He will follow up.

3. Sign Ordinance

Attorney Bernstein said his office provided an opinion letter relative to issues regarding the ordinance and the suggestion is to take it back and make it consistent. There are significant inconsistencies in the ordinance itself which makes enforcement difficult. Examples are how you enforce one piece of the puzzle and not the other piece of the puzzle. If the governing body agrees, his office will look at it.

Mayor Arnowitz asked that he wait until next year.

Council Member Meyerson commented on the letter as there are some simple changes that we can do. There are complicated things that require the Council to debate some of the things that Attorney Bernstein brought up in his letter. The question is do we refer this letter to a subcommittee to go through and make recommendations. He had a proposal for neon signs but he did not consider other forms of signs that light up, LED signs for example. If you take down a sign that is not conforming, do you have the right to put one back up and that is not in our ordinance. If you put up a new sign you need permission. There should be something in the ordinance that you have a right to put up a sign of equal size; there are a number of things in here that the committee could consider and make recommendations to the Council that satisfies the questions Mr. Bernstein raised without engaging the services of Mr. Bernstein.

Mayor Arnowitz was in agreement that we start. He thought the old ordinance was enforceable, however, the Building Department did not agree.

Council Member Meyerson did not know if they were referring to the same thing Mr. Bernstein was referring to. We could fix all these problems and still have the same enforceability problems that they encountered. He would like to hear from them their problems they had with enforcement.

Council Member Kelley said the biggest enforcement problems were not so much the way it was written but most of the town is not in compliance. It is a big change in the law. It would take four years to get it done. Right now, Tracey would be the only one doing this and she has other duties.

Council Member Meyerson said that is not a reason not to enforce the law. He thought they had problems with some of the laws that were difficult to implement. Why don't we send this out to the committee and ask them to come back in the beginning of the year with some recommendations and resolve some of the issues Mr. Bernstein brought up.

Mayor Arnowitz said the building department was part of the group who constructed the ordinance, they went over each item and reviewed it.

Council Member Meyerson said it wouldn't be the first law that had to be tweaked. There are plenty of laws that after the implementation period they find out they don't really work because of inconsistencies. It didn't bother him that implementation was problematic and needs to be changed. There are real inconsistencies and if we can answer some of those things we will have a better law.

Mayor Arnowitz said this will be given to Building and Zoning Committee to review and bring back recommendations to the Council.

Council Member Pizzella asked if the building committee could determine what we are going to do with the people in violation and we didn't enforce the law or the ordinance.

Mayor Arnowitz said it is his understanding there are no outstanding violations.

Council Member Pizzella said if some people received a violation and other people didn't get reviewed, violations should be withdrawn. Some people spent money fixing it and you have to keep track of that because other businesses didn't.

NEW BUSINESS:

DISCUSSION:

BUDGET:

1. Update Recycling Calendar~Borough Clerk Witkowski

Borough Clerk Witkowski said since we have spoken about this about a month ago and Council Member Meyerson had asked for suggestions on doing some sort of sponsorship she reached out to her fellow Clerks and received a variety of different things. There are not many who do a sponsorship but there are some people that use it out of their recycling money, some out of their budget and one or two post it on line. She spoke to Community Life that has offered to sponsor My Hillsdale and she asked if they could sponsor a calendar. She said they cannot sponsor calendars but gave a quote. The Borough Clerk mailed a copy of the calendar to make sure it was the same and she came back and said it was a better price and she couldn't beat it. The mailing is the most expensive and was more than the cost to print the calendar. She followed up with Boy Scouts to see if they would do this as a community project; they thought it was a great idea, and they are willing to do it and the committee was to discuss it to see if they could do it. She suggested we make it a town day, one day where we supply coffee, donuts, hot chocolate and they would spread out. The safety of the kids is the number one priority. We would require adults supervising kids on the streets. She needed feedback from the Council before she proceeded.

Council Member Frank said we are anticipating changes of some of the recycling dates.

Borough Clerk Witkowski said there are changes and have to be discussed, it would probably be a January delivery.

Mayor Arnowitz said we will have a quarterly newsletter, not a monthly. Hackensack University and Pascack Valley are sponsoring that. We will work on changing the recycling and garbage and get that settled and then go to print. We will wait until we settle that issue but other than that, is the Council willing to go ahead on doing a calendar.

Council Member Frank asked how it will be paid for. Borough Clerk Witkowski mentioned recycling money, budget, what the cost will be. He didn't know if it was budgeted for.

Borough Clerk Witkowski said the cost of printing was about \$3,300 and \$5,000 to mail.

Council Member Pizzella asked if people could pick up their calendars.

Borough Clerk Witkowski said we could do that and there are several other options.

Administrator DeJoseph said it is not a budget item, we used the recycling tonnage grant funds so it doesn't affect the budget.

2. Approve change Order No. 1 and Final (increase)–Oakland Street Road Improvement Program, Haskell Paving

Administrator DeJoseph said we were able to pave Park Avenue, Winkler Way, the parking lot across the street; last night we were striping the street. The total increase on the contract amount was \$3279.17, representing 1.98% increase over the total cost of the contract which was originally \$169,000. The money is budgeted and available through the capital ordinance.

3. Approve Change Order No. 2 (increase)-Central Avenue and Cross Street Improvements, J.J. Sinisi Asphalt Paving

Administrator DeJoseph said the change order increased \$30,805.63, again covered through the New Jersey DOT Discretionary Aid Grant that we received and there is no cost to the Borough for that.

4. Approve Change Order No. 1 (increase) - maintenance contract Stonybrook Swim Pool-Lehmann Pools

Administrator DeJoseph said the pool was open during the month of October so there was a bid project to do a change order for \$625 for the monthly maintenance.

5. Approve Change Order No. 1 (increase) – architect site visits, Stonybrook Renovation Project-Wallover Associates

Administrator DeJoseph said this is for the swimming pool construction that is underway; this is to have the architect design the project and also perform two site visits for the construction. He requested this and it came from the Stonybrook Commission to have someone experienced in that construction to review the project. That totals \$1700. That is in their budget.

6. Approve UPSEU & Borough of Hillsdale Bargaining Agreement, January 1, 2012 through December 31, 2014

Mayor Arnowitz asked if anyone had any questions.

7. Award state contract DPW dump truck-recycling tonnage grant funds
8. Award IT Service contract
9. Award Architect for ADA Bathroom project Borough Hall

Council Member Meyerson asked if one was Joe Bruno's firm. The Finance Committee discussed this and disclosed that he went back to his office and apparently he is a former client of one of his partners representing something small. He will not vote on this and he wanted to disclose that.

10. Budget transfers

Administrator DeJoseph said Resolution 13218 is in everyone's packet for next week. We are transferring \$9500 within caps and \$1100 excluded from caps. This is less than our normal transfers. On the back of that resolution for everyone's reference is the actual balance for those accounts year to date. It is \$6600 so that we can get through the end of the year to repair vehicles and do a couple of other items.

11. Supplemental snow plowing services

Administrator DeJoseph requested the governing body authorize the Borough Clerk to advertise for the services of supplemental snow plowing in the borough for this winter season for two trucks.

Mayor Arnowitz said it is non-binding.

Council Member Pizzella asked why we are doing this.

We lost the Superintendent, one who plows and our equipment is old. This is a possible way of reducing overtime and supplementing the crew if the price is right. We could then discuss if we want to go forward. We are only checking prices, not going into contract.

12. Resolution actual salary in conjunction with salary ordinance

Administrator DeJoseph said next week we are going to prepare a salary resolution to specify the job position along with the salary.

13. Part time administrative assistant

Administrator DeJoseph would like to make an offer to the employee and speak to the Borough Attorney for a resolution spelling out the salary for the person. It has been budgeted for.

14. Authorize redemption of municipal lien

15. Authorize certificate of redemption
16. Endorse CDBG funds for Alliance Against Homelessness (no cost to the borough)
17. Authorize additional lawn maintenance fees to 4th quarter tax bill for certain properties

Administrator DeJoseph said this is for maintenance liens that are not being maintained, the borough has to maintain them. The lien is attached to that property so that the borough can be reimbursed for that service.

Attorney Bernstein said the borough is required to take care of lawn related items or other related items that require costs on behalf of the borough. A lien will be placed against taxes.

Council Member Pizzella asked if we normally use an outside vendor; is there any way we could use our own people to maintain it and get reimbursement.

Administrator DeJoseph said the current DPW does not have any large lawnmowers and to maintain that would not be feasible.

Council Member Pizzella asked if we did have that equipment would we be able to get reimbursement?

Attorney Bernstein said it would be based on the employees who are actually doing the work.

Council Member Pizzella asked that the Finance Committee look into that.

Administrator DeJoseph said this resolution is for \$800. Generally the staff does a great job finding the owner; there are certain residents you can't contact.

Borough Clerk Witkowski said it is roughly three properties and about \$1500.

POLICY:

1. Continued discussion on Borough Employment Application

Mayor Arnowitz said this is in everyone's packet and asked that it be reviewed and discussed. If there are no problems, we will vote on it next week.

MISCELLANEOUS:

1. Authorization for Mayor and Clerk to execute Gateway BMED Health & Dental Coverage 2014

Administrator DeJoseph said this is a standard annual renewal through BMED with the name of Gateway.

2. Letter from Hillsdale Volunteer Fire Department, Board of Fire Officers, seeking approval for Cadet membership for Nick Brauburger
3. Letter from Pascack Valley High School dated October 17, 2013, requesting permission to hold annual 5K Walk/Run, Dr. Barbara Sapienza Scholarship Fund

Mayor Arnowitz wanted to be sure this was approved by the DPW and Police.

Council Member Meyerson asked how many 5K runs do we have. Is there a limit?

Mayor Arnowitz said this is one that is done every year.

4. Joan D'Alessandro Memorial

Mayor Arnowitz said we have a letter from Ms. D'Alessandro on verbiage and asked for discussion and if we wish to do this, it will be on the Agenda next week.

Council Member Kelley said this has been discussed for a year, it has been approved by the county, approved by the girl scouts, the verbiage was changed, and did not have a problem with this.

Council Member Pizzella reminded everyone that Ms. D'Alessandro originally wanted the memorial in the park. We had issues with that, a committee was established, Council Member DeGise sought to have it in front of the train station, everyone was o.k. with that. He offered to get a landscape architect and we had the plans drawn up. We determined that the property belonged to the county, the county approved it provided she sent a statement with the set backs. The plans were adjusted to stay within the set back. We then had issues with the language and that is where Council Member Pizzella got involved. What you have in your packets is the final language that was agreed to by the county, D'Alessandro Foundation, Girl Scouts, as well as a psychiatric social worker who was present at the meeting. He and Council Member DeGise were not present at the meeting because we felt that this group of people should come together and determined how they wanted it to go. You also have a letter of approval from the County Executive. You have everything you are required.

Mayor Arnowitz said this will be on the Agenda for November 12, 2013, if the majority of the Council agrees.

Council Member Frank said when he saw the wording on the initial proposal he spoke to a number of people who support this. He spoke to a number of people in Hillsdale and explained to them and 100% of the people did not want that language, any reference to the crime whatsoever. He also said 90% of the people don't want the memorial at the train station in the middle of town. There is a memorial to Joan at St. John's and asked what was written on that memorial. He has a problem with it and he believes that the message that is being put on here becomes more of a memorial to a crime than to a little girl. Looking at the terminology in paragraphs 2, 3, 4 he doesn't see where that belongs on a memorial to a little girl. It is not on the memorial at St. John's. He continues to have concerns with the language.

Mayor Arnowitz said he received quite a few emails and phone calls; we more or less approved the monument and we are at the verbiage. He will place this on the Agenda for next week.

Council Member DeGise is hearing the same thing from residents. There are memorials that have a soft touch to it and this too harsh.

Mayor Arnowitz said this will not be placed on the Agenda unless he has a consensus.

Council Member Looes has spoken to quite a few residents and it tended to be parents with younger children. They discussed with their children what happened and to be able to do this in their own way in their own time. This memorial memorializes the story and not so much the person.

Council Member Meyerson said the field house also has a memorial; there are three or four memorials already in town.

Mayor Arnowitz said we have a tree in the park but it doesn't have her name on it.

Council Member Meyerson said because of the work of Ms. D'Alessandro over the years and was accomplished by passing a law after law and probably saved tons of lives. There is a commitment to do this but when the language was presented and we all had the same reaction. Council Member Pizzella worked with Ms. D'Alessandro who wanted the original language. A number of residents have the same reaction over the language. The people who gave their approval don't live in this town and coming off the train every day and seeing this with the language, he has this reaction himself.

Mayor Arnowitz said there are four Council people who have a concern over the language and the history of Joan. He had a lot of emails to support this and only one person from Hillsdale to support this. Most of the supporters were out of town. We are not against the memorial, it is the verbiage. He will not put this on the Agenda for next week.

Council Member Pizzella did not have a problem going back, he is trying to act as a non-biased liaison. A large number of people were for it, age groups are different. The younger people would like the language changed and not have a great deal on the monument and the older crowd is for it. The language was changed and now it says she was lured and her life was taken and the neighbor convicted of murder in the first degree, sentenced to life and eligible for parole after serving only 14 years. He did not have any issue with that language but he will take it back. He pointed out this is not specifically a monument about this little girl or her tragedy, this is monument making child protection an awareness, the essence of it. This tragedy and injustice sparked a movement of positive change that began in Hillsdale. Her Mom had all these laws passed that protect children not only in Hillsdale but throughout the United States. Her original supporters were from Hillsdale. We should be proud of what this woman has accomplished. That is her reason for being supportive.

Council Member DeGise believed we should eliminate what we think should be eliminated.

Mayor Arnowitz believed there will be more discussion tonight. He will have a vote when everyone feels comfortable with it, it doesn't have to be unanimous, but wants everyone to be satisfied with it. Also, when the project is ready to begin we have to make sure they notify the police, DPW when the project begins and not block the sign entering Hillsdale.

Council Member Pizzella said the monument is a piece of granite, a beautiful piece of art and they have to lay the ground work in order for it to be done a certain date. He asked that changes be made and get back to him as soon as possible, he will take it back to Ms. D'Alessandro.

Mayor Arnowitz asked the Council if they want to make changes get them back before the next meeting.

5. 2014 Council meeting Schedule

Mayor Arnowitz said the Council cannot vote on the schedule until January but requested the Council to review the schedule. The Borough Clerk highlighted the Jewish holidays and there will be other conflicts and asked that this be reviewed and if there are any changes, notify the Borough Clerk.

Borough Attorney Bernstein said the Reorganization Meeting has to be advertised.

Mayor Arnowitz said the meeting will be held the first Sunday, January 5, at 1PM.

Council Member Looes said November 11 has been listed as a conflict.

Borough Clerk Witkowski said that is a holiday and she suggested the 10th, 12th or the 17th.

6. DPW-change of garbage/recycling collection day

Council Member Meyerson said the proposal was to switch Friday to Wednesday and Wednesday to Friday; the problem also changes vegetative waste pickup day. We cannot have recycling pickup the same day as vegetative waste pickup. That would move Thursday, Friday pickup days to Monday and Tuesday. Basically, those who get picked up on Friday for garbage are going to move it to Wednesday. Wednesday town-wide recycling would move to Friday and the vegetation which was normally Thursday and Friday would go to Monday. The effect of that is that most of the garbage generated is over the weekend, they had to wait the entire week to Friday only wait until Wednesday. This is at no cost to the borough, it is within our contract, it will take a little time to advertise but it is a small incremental step to help people so they don't have to wait the entire week.

Mayor Arnowitz asked if anyone had a problem with this. It will not solve the problem of two days per week but it might help. He said this information will have to be posted on the calendar.

Council Member Meyerson said we have to find out when this will be implemented so that we can advertise. This is a good time to do it during the winter months.

Council Member Pizzella asked to alleviate this garbage concern, can we look into the cost of licensing the DPW as a drop off.

Council Meyerson said it is his understanding that the DPW would have to apply for a license as a transfer station and that is something we don't want to do. He asked how Woodcliff Lake does this.

Mayor Arnowitz said if you take garbage you need a transfer license and that is what you are doing, taking garbage from one location and transferring it to another location.

Attorney Bernstein will check with Mayor Goldsmith.

Administrator DeJoseph will check with the DPW as well. Regarding garbage collection and the date change, in his Memorandum to everyone he would recommend starting this on January 8 so it is the week after the New Year holiday.

Mayor Arnowitz asked if we have to do anything contractually.

Borough Attorney Bernstein said we would require a letter of acceptance.

Council Member Looes said it would be great to notice this in the quarterly newsletter, not giving all of the details, but just alerting the residents.

Mayor Arnowitz asked the Liaisons to Fire, DPW, Ambulance, and Fire to talk to everyone with regard to what should be placed in the newsletter. We are limited to space but have some notification as to what will change.

Council Member Looes suggested a reverse 911 to alert the residents, website and all forms of communication possible. She will announce this at the senior luncheon also.

Ambulance Corp-

John Beatty, 54 Westdale, stated for the month of October, Hillsdale Ambulance had 96 requests for service, 83 were handled by our own corps; 42 of those 83 that we personally took were in Hillsdale, 4 in River Vale, 8 in the Tri-Boro area, 14 in Washington Township and 15 in Westwood. Accounting for our own corps, 214 man hours for calls for service plus an additional 50 hours for meetings and drills for our members and stated that we are always recruiting. Paper work will be released in the spring EMT course which is run through Paramus, both day and night courses; day courses from 9:30 a.m. to 1:30 a.m. and the evening course 6:30 p.m. to 10 p.m. This covers three days per week for four months, you get certified and anyone who is already a nurse or doctor or paramedic, higher than EMT, all they have to do is challenge the State EMT Test, take 24 hours of training, and they are ready to go. For the month of October, we had 13 calls handled by other towns. In the past year we have brought in 12 new members since January and have been able to handle more calls; every year since 2012 we've done about 322 calls out of town and we had about 310-320 in. This year we had more going out compared to coming in because of membership. We are in service more days per week than we normally are.

Council Member Frank noted that Emerson is in the process of pulling away from the paid ambulance service and asked how that affected us.

John Beatty said for the month of October we haven't been to Emerson at all. Emerson is looking for another company to take over their daytime service. They are currently working with Hackensack University Medical Center to have an ambulance that would be willing to respond to their town. The contract they had was dedicated to Emerson and anytime their ambulance was requested elsewhere, that company would relocate one of their ambulances to Emerson to make sure no matter what Emerson was covered. On average for a paid ambulance corps to make sense is to make about 1200 calls a year and Emerson runs about 600 including night time.

Mayor Arnowitz said this is a good thing for our residents to know and a good example is the award we gave out earlier. That was for a mutual aid call in Westwood, the system works. It is a very good system for a volunteer organization, we have outstanding ambulance service in this area. It is a system that works and we don't want to break it.

ORDINANCES:

Ord. #13-10 (Adoption)

AMEND AND SUPPLEMENT CHAPTER 138, FEES OF THE CODE OF THE BOROUGH OF HILLSDALE

Ord. #13-13 (Adoption)

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICE AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY

PUBLIC COMMENT:

Mayor Arnowitz opened the meeting to the public.

Rosemarie D'Alessandro, 45 Florence Street –

She noted that everyone has different opinions and she asked that she and the Council get together for a meeting at her house to discuss

Mayor Arnowitz said the Council cannot come as a group as that would be a violation of the law. Three Council Members can go. Council Member Pizzella will meet with Ms. D'Alessandro. Every Council Member will review the report and verbiage, they will add their preferences.

Ms. D'Alessandro (Cont'd).

She attended a meeting in March, reviewed the history of the sculpture, some ideas were given regarding verbiage and this has changed tremendously. It has been a nine month process with verbiage. She believed the residents in Hillsdale don't know what the verbiage is. We have people from the community and outside the community that want the structure and the words and they signed a petition which she gathered 293 signatures. It is not just about Joan, it is about all children present and future generations. It will set a precedent for other states and this is Joan's 40th anniversary; this helps society. She hopes to have the unveiling April 3, 2014.

Robert Valdura, 158 Demarest Avenue, Closter

He started Megans Law in Hudson County. He travelled throughout the state with the Attorney General's Office speaking to the Boards of Education, PTAs and audiences to allow them to take the law and use it to their advantage. This law has been around for a long time.

Mayor Arnowitz said it is the language on the monument, not in the law. We believe the monument should reflect Joan and the laws Ms. D'Alessandro has been able to enact to protect other children. Each Council Member will review and by next week they will all have their suggested changes. The consensus tonight was to make the monument about Joan and the laws that were passed for Joan, not the tragedy that took place.

Council Member Meyerson stated that the graphic description was objectionable in the second paragraph. We want to memorialize why these laws were passed.

Council Member Pizzella said the language they are referring to is that Joan left her home to deliver cookies to her neighbor three houses away and never came back. She was lured and her life was taken on Holy Thursday. Her body was found three days later on Easter Sunday at Harriman State Park. The neighbor was convicted of

murder in the first degree and sentenced to life. He was eligible for parole after serving only 14 years. That language was changed from originally that she was molested and murdered.

Borough Attorney Bernstein said the objective this evening is not for the governing body to engage in a discussion as to what language they may or may not find objectionable. At the discussion earlier was that members of the Council would advise Council Member Pizzella what part of the language they have a problem with and he was authorized to meet with D'Alessandro Foundation and see if they could resolve the matter.

Mark Dancewicz, Owner and Operator Alpine Monuments, 348 Closter Dock Road, Closter –
He will be building the monument and bring it to this location. He displayed the material that will be used and reviewed the installation process. If the Council has any questions they may contact him at any time.

Mayor Arnowitz said the building department will tell him to call an 800 number so that the utilities can mark out their lines for equipment. The monument is approved, verbiage is a concern and hopes this will be settled soon.

Ray Konigs, 180 Maple, Goshen, NY –
He lived in Westwood for about 30 years, and can relate to Hillsdale flooding problems. He discovered what Rosemarie D'Alessandro had done with these laws. He has been involved in helping create the words and spoke with Hillsdale residents as he was getting the signatures for the petition. He said the last verbiage is not graphic, it has to do with the history of the case. There is no meaning or purpose of the monument if you don't provide an explanation. People getting off the train will say this is an unbelievable town and in an unprecedented way chose to look at something that is pervasive in a society. This event happened in Hillsdale and it changed the world. There has to be inclusion of what happened.

Cindy Rega, 7 Ridge Court, Hillsdale –
She is the mother of three daughters and it is important to think about what has been said. People need to open their eyes and remind people that they can openly talk about it. You should not be afraid of wording, you should be open with your kids and she felt the new wording is perfectly fine. We need to be strong to get the point across. The train station is visible and a good choice.

Eric (inaudible), 278 Schraalenburg Road, Haworth –
This is a beautiful town working together to create a historical monument. He respects the Council for working together to celebrate life and create a monument. It will affect generations to come.

Mayor Arnowitz closed the meeting to the public.

PROFESSIONALS REPORT:

1. Borough Engineer – October 24, 2013
2. Borough Administrator/CFO – November 4, 2013

Administrator DeJoseph said Patterson Street is officially closed.

Mayor Arnowitz said we conveyed to the residents and emergency services that they would be able to go across the bridge. Concrete barriers are up before the bridge and you can't go across. We were wrong in our news releases and wrong as to what we told the merchants.

Council Member Kelley said he was there when it was being set up. You can get across but they put tall barricades. If you need to get across you have move the barricades.

Mayor Arnowitz asked that he reach out to the engineer because this is not the information we provided to merchants and residents. He was assured that there would be emergency access.

Administrator DeJoseph will speak with the project manager.

MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

Ambulance Corp-

Construction Department-October 25, 2013

DPW-

Fire Department-September 30, 2013

Board of Health-September 2013

Hillsdale Library-

Police-September 2013

Mayor Arnowitz will speak of Stonybrook in closed session.

COUNCIL COMMENTARIES:

Council Member Frank congratulated the re-elected council members. Monday, Veterans Day, there will be a ceremony in Veterans Park at 11a.m., starting today the American Legion will be visiting the schools.

Council Member Pizzella thanked the voters who supported him and will do his very best. He reminded everyone that Thanksgiving is coming and the food pantry needs donations and Hillsdale Helping Hillsdale is also accepting donations.

Council Member Kelley said the Pascack Valley Football Team are outstanding, and encouraged people to come out and support them. He tends to be very involved in emergency services. There was a Paramus Mall incident on Monday and some our of patrolman responded immediately.

Council Member Looes thanked everyone for their support and looks forward to serving on the Council. The senior luncheon will be held on November 20 at St. Johns. Our junior football program for the first time have made all playoffs and all will be playing at Ramsey High School this Saturday night starting at 5PM.

Council Member Meyerson congratulated Council Member Pizzella and Council Member Looes.

Mayor Arnowitz congratulated Council Member Pizzella and Council Member Looes. He also wanted to thank Paul Muller and John MacEwen for running and caring enough about Hillsdale to want to participate. Hopefully we can get past the elections and move forward with the business in Hillsdale.

He spoke to Patty Hughes, the tree lighting on December 11th. She will have a DJ, Santa Claus, provided by the Fire Department, and roasted chestnuts donated by Big Daddy's. He asked for Christmas carols and Hanukkah songs. We will light the menorah and discussed a separate ceremony for a Hanukkah ceremony as this holiday also falls on Thanksgiving and it will never happen again. He will speak to Patty Hughes in this regard.

ADJOURN TO CLOSED SESSION:

Borough Attorney Bernstein read as follows:

R 13219 To provide for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act N.J.S.A. 10:4-12 below, 4 matters relating to collective bargaining agreements, PBA agreements, DPW agreements, Administrator agreement.

WHEREAS, the Borough Council of the Borough of Hillsdale is subject to certain requirements of the Open Public Meetings Act N.J.S.A. 10:4-6 et seq; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 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 of Council of the Borough of Hillsdale to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12(b) and designated below:

- ___ (1) Matters required by law to be confidential.
- ___ (2) Matters where the release of information would impair the right to receive funds.
- ___ (3) Matters involving individual privacy.
- ___ (4) Matters relating to collective bargaining agreements. *Administrator agreement*
- ___ (5) Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- ___ (6) Matters relating to public safety and property.
- ___ (7) Matters relating to litigation, negotiations and the attorney-client privilege *Saddlewood Hills, Kraycinovich, Lichstein*
- ___ (8) Matters relating to the employment relationship. *Fire Official, DPW temporary position, Acting Zoning Official, Electrical Subcode Official*
- ___ (9) Matters relating to the potential imposition of a penalty.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Hillsdale assembled in public session this date 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. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

- a. Fire Official employment agreement
- b. Department of Public Works temporary employment agreement
- c. Appoint acting zoning official
- d. Administrator -Employment agreement
- e. Appoint Electrical Subcode official
- f. Saddlewood Hills update
- g. Kraycinovich update
- h. Lichstein update

Motion by Council Member Kelley, Second by Council Member Looes, to adjourn to closed session at 9:31 p.m., and unanimously carried.

RECONVENE REGULAR MEETING: @ 11:32 pm

Motion to reconvene regular session at 11:32 p.m. was made by Council Member Kelley, Second by Council Member Looes, and unanimously carried.

Borough Attorney Bernstein said let the record reflect that all members of the governing body present at the executive session and commencement of the regular session, Borough Administrator, Borough Clerk and Borough Attorney. Also present at one time during closed session was William Franklin relative to the DPW administrative position. The Mayor and Council has given direction to the Borough Administrator regarding the issue of the DPW administrative position and a resolution placed on the agenda next week. There will also be a resolution replacing the recently deceased Electrical Subcode Official Inspector. The personnel committee will be discussing the issue of the acting-Zoning Officer and another discussion relative to the Fire Official. The litigation involving Kraycinovich direction to Attorney Bernstein and discussion in regard to Saddle Wood Hills direction left to Attorney Bernstein. There was discussion about the Lichtstein tax appeal and there will be a resolution on the agenda next week. The governing body will discuss the Administrator's pay raise under his contract in closed session and he will be RICED.

ADJOURNMENT:

Motion to adjourn at 11:35 p.m. was made by Council Member Kelley, Second by Council Member Looes, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, NOVEMBER 12, 2013 ~BEGINNING AT 7:30 P.M.**

Susan Witkowski, Municipal Clerk

Approved as Presented
December 10, 2013

Susan Witkowski, Municipal Clerk