

This is a meeting of the Hillsdale Borough Council on this 10th day of December 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.

ROLL CALL:

On a roll call Council Members DeGise, Frank, Kelley, Looes, Meyerson, and Pizzella were present. Also in attendance Mayor Arnowitz, Borough Administrator/CFO DeJoseph, Borough Attorney Bernstein and Borough Clerk Witkowski.

RESOLUTION:

R 13241 Approve agreement between the Borough and the PBA Local 207 Bargaining Agreement, January 1, 2013 through December 31, 2015

WHEREAS, PBA Local No. 207 hereinafter called the "Association" is the exclusive bargaining representative agent for all patrolmen and sergeants, to include males and females in the Police Department of the Borough of Hillsdale; and,

WHEREAS, the Borough of Hillsdale and Association have negotiated a collective bargaining agreement for the period of January 1, 2013 through December 31, 2015; and,

WHEREAS, the Borough of Hillsdale desires to enter into a collective bargaining agreement with the Association for the period of January 1, 2013 through December 31, 2015.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough of Hillsdale, to execute a collective bargaining agreement between the Borough of Hillsdale and the Association, for the period of January 1, 2013 through December 31, 2015. A copy of the executed Agreement shall be on file in the office of the Borough Clerk.

Motion by Council Member Meyerson, Second by Council Member Kelley.

Roll Call Vote:

Ayes: Council Members DeGise, Kelley, Looes, Meyerson, Pizzella

Nays: Council Member Frank

APPOINTMENTS:

R 13248 Appointment of Probationary Patrolman, Michael Camporeale, effective date of 12/11/13

WHEREAS, there exists a vacancy in the Hillsdale Police Department for a police officer; and,

WHEREAS, the Borough has gone through the process of applications and interviews to employ the services of a police officer; and,

WHEREAS, the Chief of Police has recommended the hiring of a probationary police officer for the Hillsdale Borough Police Department.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the recommendation of Chief Chip Stalter to employ Michael Camporeale as a Probationary Police Officer with the Hillsdale Police Department is accepted and Michael Camporeale is hereby appointed to a Probationary Police Officer with the Hillsdale Police Department, at a salary of \$28,000.00, effective December 11, 2013

Motion by Council Member Meyerson, Second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members Frank, Kelley, Looes, Meyerson, Pizzella and DeGise

Nays: None

Chief Stalter gave a brief bio on Michael Camporeale.

Mayor Arnowitz said before we proceed with the Oaths of Office he read the letter from the Fire Department.

APPOINTMENTS:

Letter from Hillsdale Volunteer Fire Department, Board of Fire Officers, seeking approval of membership for Daniel Lapin.

Motion to receipt, approve and file was made by Council Member Looes, Second by Council Member Frank, unanimously carried.

Police Chief Stalter said Michael Camporeale comes to us from Lyndhurst, the New Jersey Department of Human Services and works as an instructive Counselor at the Hunterdon Developmental Center. He received his BA Sociology Degree from William Paterson University and currently has 20 credits towards his Masters at William Paterson University; he has worked as a Class I Special Officer in Hackensack then progressed to Special Officer Class II in Hoboken where he has been working for the past year.

OATH OF OFFICE:

Mayor Arnowitz administered the Oath of Office to Michael Camporeale.

OATH OF OFFICE:

Mayor Arnowitz administered the Oath of Office to Firefighter Daniel Lapin.

Chief Jason Durie welcomed Daniel to the Fire Department. His brother has been with us for about a year now. He said the Volunteer Fire Department needs members, we are down in the 40's which is the first time since WWII. He invited anyone to give him a call as we are seeking membership. He congratulated Daniel again.

PROCLAMATIONS: none

PRESENTATIONS/RECOGNITION: none

APPROVAL OF MINUTES:

November 6, 2013 regular and closed session meeting, November 12, 2013 regular and closed session meeting

Motion by Council Member Looes, Second by Council Member Kelley.

Roll Call Vote:

Ayes: Council Members DeGise, Kelley, Looes, Meyerson and Pizzella

Nays: Council Member Frank

OLD BUSINESS:

1. Closed Session Minute Policy

Council Member Frank said the policy was not solved, it was pushed back to this week. He has reviewed some of the minutes, even the open session minutes, and we are putting a lot of responsibility on the Borough Clerk to pare it down and in the interest of transparency for the public, we should have full transcriptions of everything that everybody says at meetings. It may not be welcome by some people here but it is very important, we are looking for transparency and the public has the right to know what is said both in open in detail as well as in closed even though it may take a while for the closed minutes to be released.

Council Member Kelley said he knows this came up last week, at least the closed portion, and he doesn't agree with Council Member Frank's statement that the rest of the Council doesn't believe in open government.

Council Member Frank said I didn't say that.

Council Member Kelley said it is my opinion on this matter that we are doing what is normally done as advised by the Borough Attorney. We are not doing anything to hide anything but we are told the normal way of doing business. This is the way I see it; obviously Council Member Frank doesn't believe it. I believe he is starting a campaign in December and that is my personal belief.

Council Member Meyerson asked a question about open minutes, I do believe we have verbatim open minutes. I thought the open sessions we do have transcripts of those.

Council Member Frank said please ask the Borough Clerk, I do not believe the current...

Council Member Meyerson said I will ask the Borough Clerk then.

Borough Clerk Witkowski said they are not verbatim minutes because when I first came here and started reading over the minutes, I found out previously they were never read before the Council approved them and I read back on some of the minutes I saw some of the things that were in there, the mistakes that were made, the spelling and some garble, I took it upon myself to clean them up; the Mayor said this five times, the Council Member said this five times, it is basic summary but more verbatim than a summary when it comes to those minutes. It is not verbatim because it is a recertification of minutes. I have never done the minutes in any job that I have been in to make it political, it is minutes of and action.

Council Member Meyerson asked what our normal retention policy is on the open minutes. We destroy after 90 days.

Borough Clerk Witkowski she hasn't destroyed since she has been here.

Council Member Meyerson said we have every tape of every meeting since you've been here.

Borough Clerk Witkowski said yes.

Mayor Arnowitz said our recordings, not archives. Do you still have to use a special machine to listen to them or are they available. I want the public to understand we are not doing anything illegal, we are following the state guidelines. The problem that Council Member Frank had that he didn't mention, he said it last week and I don't want to put words in his mouth, Council Member Frank missed part of the meeting and when he went to the closed session minutes to try to get a gist of what went on, there was no real detail to figure out what went on. Under the Public Meetings Act and one of our State Assembly people Loretta Weinberg, keeps pushing this and wanting to make the minutes more and more available to the public. I believe the public has a right to know what we discussed up here in the public portion and they have a right to know what we discussed up to a point when we have closed session. Closed session minutes are only approved once the action is completed and the attorney approves so that it doesn't affect specific bargaining abilities or personnel. But other than that they should be available to the public.

Council Member Frank said he has another issue; just in reviewing the minutes we had, I think the Borough Clerk will tell you she sends out minutes for approval, I read them and I usually respond. I'm not sure how many people on Council do that. I did find during a conversation we had about D'Alessandro Monument that some of the comments that I made that I thought were important to be part of the conversation were not in the minutes. That was in open. We talked about getting open where we are going to record our Council sessions and then make them available for replay, then people will have the opportunity to go back and see it. Once it is gone, it is gone. I feel that the comments are incomplete and I think what we say ... I have no problem with anything I say in open and closed being made public, given the time constraint.

Council Member Kelley did not think anybody else here has a problem with what we say. Once they are gone they are not gone, they are on a tape and we have them, they can be destroyed in 90 days but we haven't been doing that. So they are not gone, the minutes are still available for anybody who wants them. I know because I went back and asked for a verbatim copy and I got that. I got what I requested, they are there if you want them, this is the way of doing it, this is the approved way of doing it. Yes, there are different ways of doing it, it doesn't mean we are wrong, this is just the way the borough does it. I don't think we are doing anything wrong.

Mayor Arnowitz asked what we are putting on the website when we approve the cursory minutes.

Borough Clerk Witkowski said what is approved. If there is something you would like me to add to your comments by all means I will go back and I will change it. That is no problem. I appreciate your reading of the minutes. There might be something you want to delete, add, that is why I ask you to approve them. It is my observation where she said, he said, and I believe this is history. If someone comes back and asked what the discussion was, I try to distance from repetition.

Council Member Frank said having been in many meetings in my life, I know the minutes of the meeting are very important because they are the document of what happened. This is not as nearly important as it is in public, I believe, and for that reason I still really believe that we need to have verbatim minutes and make them available and let the people know exactly how we come about some of our decisions.

Borough Clerk Witkowski said 95% of them are pretty much verbatim there is just a little bit of changes. If you want them verbatim, if you want them transcribed, if you want them sent out and have them specially printed and if everyone wants this changed, I will be happy to do this.

Council Member Looes had a question about the open minutes. With the technology is there any basis to have a link on our website so that if somebody doesn't see the meeting tonight that they can have access to our website and go to a link and be able to see the meeting.

Borough Clerk Witkowski said that is exactly what we are working on.

Council Member Frank said that alleviates the problem.

Council Member Looes said that alleviates the problem because we do have it recorded and they don't necessarily have to come and ask, etc. With technology I think that is the direction to go.

Council Member Frank said up until early this year everything has been verbatim and we haven't had any problems, lawsuits. I don't know how many years that goes back, goes back three years that I have been around.

Mayor Arnowitz can't think of anyone ever suing us for comments made. Truthfully, I think anything we say we should be responsible for, how you say it, what you say, the words you use. They are your words; do you want to put in the form of a motion just the closed session to go to more verbatim minutes or?

Council Member Frank would want them all to go back to verbatim until such time as we can record the Council meetings and alleviate the problem. Maybe that gives us a little incentive to accelerate our plans to...

Mayor Arnowitz said we would never put the closed session on.

Council Member Frank wants open and closed, you are making a motion that closed session minutes be verbatim.

Mayor Arnowitz said you are going to say open and closed. You want to do a motion separately, one for open, one for closed?

Council Member Meyerson believed we solved the open problem. I thought the open problem essentially has been solved because we are going to put it on our website.

Borough Clerk Witkowski said we have one up there as a test. Denise is starting to load them up and get them up there.

Council Member Meyerson asked if the one on the test is working.

Borough Clerk Witkowski said it was working until today when someone texted me and said the link was broken and she didn't know if Denise has the chance to go back and check it, but yes, it was working, she has it on UTube.

Council Member Meyerson said it is connected to UTube. No one has a problem putting stuff on UTube. We have a problem.

Mayor Arnowitz said another governmental agency has a problem with stuff like that. What I was referring to that I was always trying to do, I didn't realize UTube, our channel 77 and whatever the channel is for Verizon that it be on a regular basis other than when we meet so that when you go to that channel you either see football games, other meetings, more importantly you see a schedule that if someone wants to watch a Council meeting and they can't watch it at night, they can go to that site instead of seeing a test pattern. Something like that.

Borough Clerk Witkowski said the public action channel; I told you I had them call me back. We have done a renovation and it was taken out and we would now want it put back in.

Mayor Arnowitz said Doug's motion to go verbatim closed and open at this time.

Council Member Frank said Council Member DeGise suggested that I split it and I am willing to split it as first starting with closed, make a motion that we go back to closed verbatim.

Mayor Arnowitz asked if I have a second on his motion.

Council Member Pizzella asked if he may say something before, I know you have a motion on the floor but I was trying to say something first.

Mayor Arnowitz said I think I have to get a second. I have to get a second first otherwise there is no discussion on it. So there is no second.

Council Member Frank said I am disappointed. At least someone should step us and so on.

Council Member Meyerson said I think you are right, I will second the motion.

Mayor Arnowitz said I have a motion and a second to go to verbatim minutes for closed session.

Council Member Pizzella said last week the Borough Attorney said there was a way to have more detailed minutes but not exactly verbatim and he was going to provide a little bit more detail on that this week. I don't know if Eric – are you able to do that, is there a happy medium where - because I agree with Council Member Frank that open needs to be verbatim but closed I get nervous because I remember what happened in the past with lots of problems we had with verbatim closed session minutes.

Mayor Arnowitz said no there has never been a problem with verbatim closed minutes that we were sued, there has never been a problem with understanding, the problem comes down to what the town is allowed to release and not release and that is always going to be a problem. People have to understand that you cannot release certain things until it is adjudicated or it doesn't pertain to specific individuals. Some people wanted more than the minutes actually were and more than they wrote their own minutes so to speak. But that was not a problem per se.

Council Member Pizzella said that gets us to where the town attorney is inundated with what can be released, the cost goes up, if it not a problem, it is problematic. Eric, is there a different way of dealing with minutes that is a happy medium?

Borough Attorney Bernstein said the fact that we haven't been sued because nobody knows what has been discussed in executive session. We've done it right and nobody knows what we've done in executive session. Because it fell under inception or after review of the minutes things were removed because they were not covered under the law requiring them to be made public. You all have two sets of closed session minutes which you adopted tonight which are closer to a happy medium than the borough is used to. The reason I recommend elimination of verbatim minutes is twofold. First of all verbatim minutes are an open opportunity for subpoena and to make discovery then getting involved with a judge to determine whether or not they remain discoverable or becomes one issue. The second part is the history of this municipality, at least in my review of the minutes, is everybody goes in the back and feels like they have been released to say whatever comes into their head and has nothing to do with the issue at hand or is nor germane to the issue at hand or a whole host of other related items.

I would say the minutes you adopted tonight are more in line with what most municipalities do is the right decision. I will tell you in general, that I am not aware of any that are open verbatim either. It is not required under requirements of the law, minutes are not supposed to be verbatim. The minutes are supposed to reflect the actions of the governing body, certain discussions and comments by the public in the public portion. They are not supposed to be an oral history for ever and ever of exactly what was said by each and every utterance made by the governing body. That was my recommendation for the executive session. Open session minutes reflect the action taken by the governing body, reflects motions and seconds, and reflects discussions relative to public hearings on ordinances, public applications, comments made by the public in the public portion. They do not have to be from the opening moment who lead the Pledge of Allegiance to the final moment.

Mayor Arnowitz said I have a motion on the floor and a second.

Council Member Kelley said again, the Borough Attorney said we are doing it right and I agree with him, I am disappointed that Doug is disappointed, but I think we are doing the right thing. We can move forward.

Council Member Frank said thank you Tom, I am touched. There could be an issue with perhaps a training session for Council Members as to what they should or shouldn't say in closed to first to get us out of here before 11:30PM most nights and keep us on track. There is also an issue and this is meant in no way to question the job the Borough Clerk does but it puts a burden on her to be a filter and if she is typing concurring minutes or whatever she is doing, that is a very difficult thing to do. It is easy to miss that.

Borough Clerk Witkowski said Paula listens to the minutes, she takes my notes and gets the email and she uses the reference guide so that I am here and there is something she doesn't understand, whatever it might be, she uses my notes to fill in the blanks. I can go back if you like and give you exactly what Paula types. If someone comes back and says what a bunch of bumbling idiots.

Council Member Frank said if we are bumbling idiots, the public should know.

Council Member Looes said the vote now has nothing to do with what we are currently recording and we are still doing that.

Mayor Arnowitz said no, this is just closed.

Council Member Pizzella said the first motion is closed.

Mayor Arnowitz said I will repeat, there is a motion on the floor to go to verbatim minutes for our closed session portion of our meeting, motioned and second, and there is no more discussion and I am going to ask for a roll call vote.

Council Member Frank asked if anyone has been able to read the Bergen Record for a single week without finding an ethical problem at one of the towns in Bergen County? You can't, you absolutely can't. Hackensack this week, Demarest the week before, there are more problems elected officials are getting themselves into as well as employees. I think one way to make sure we don't get in trouble is to keep it open. Sunshine is a disinfectant. That is all I have to say.

Mayor Arnowitz said that is why there are sunshine laws.

Roll Call Vote:

Ayes: Council Member Frank

Nays: Council Members Meyerson, Pizzella, DeGise, Kelley and Looes

Mayor Arnowitz asked if Council Member Frank wanted a motion on open session.

Council Member Frank did not want to waste our time, no.

Council Member DeGise said he made a motion that open minutes the way we have been doing them and when the technology becomes available for our website that we go to tapes on the website of our verbatim minutes.

Mayor Arnowitz said you don't need a motion for that, it is status quo.

Council Member DeGise withdrew his motion.

PROFESSIONAL REPORTS:

Borough Engineer-

Mayor Arnowitz said you heard from the Engineer last week, is there anything anyone wants to add to that?

NEW BUSINESS: none

CORRESPONDENCE:

C1 Letter dated November 20, 2013 from Senator Gerald Cardinale, informing receipt of \$17,618.47 from the NJDEP Recycling Tonnage Grant based on 2011 recycling tonnage

Motion to receipt, and file was made by Council Member DeGise, Second by Council Member Meyerson and unanimously carried.

Mayor Arnowitz could not impress upon the residents of Hillsdale how important recycling is. The more we recycle the more money we are entitled to, the more money we receive, the less taxes we all have to pay. It is the law to recycle; if we don't know what is recyclable, it is on our website, just about everything except waste products from our kitchen. Please recycle; I put out a full barrel every week and I am a single person. I see homes that have three and four children and they have a little bag. Please make an effort to recycle.

ORDINANCES: None

RESOLUTIONS: 13230 through 13240, 13242, 13243, 13248 through 13252

R13230 Payment of Bills

R13231 Authorize Tax Appeal Settlement, Block 601, Lot 12, 26 Oak Trail Road

Council Member Meyerson asked that R13231 be removed from the Consent Agenda.

Mayor Arnowitz said we will do that on a separate vote. This resolution was pulled off consent agenda.

R13232 Authorize endorsing resolution to submit and execute Community Development Grant contract for Board of Health Restroom Improvements

WHEREAS, a Bergen County Community Development grant of \$ 94,800.00 has been proposed by The Borough of Hillsdale for Board of Health Restroom Improvements in the municipality of Hillsdale, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of The Borough of Hillsdale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R13233 Authorize contract for CDL Random Drug & Alcohol Testing Services

WHEREAS, CDL random drug and alcohol testing of all license holders is required as per N.J.A.C. 17:27; and

WHEREAS, the Borough of Hillsdale desires to enter into a contract for Professional Services with Valley Health System, 15 Essex Road, Suite 504, Paramus, NJ 07652; and

WHEREAS, the term of aforesaid contract shall be from January 1, 2014 through December 31, 2014; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into an agreement with Valley Health System for the 2014 CDL Random Drug and Alcohol Program.

R13234 Authorize endorsing resolution to submit and execute Community Development Block Grant contract for Senior Citizens Activities in the amount of \$4,500.

WHEREAS, a Bergen County Community Development grant of \$ 4,500.00 has been proposed by The Borough of Hillsdale for Borough of Hillsdale Senior Activities in the municipality of Hillsdale, and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body, and

WHEREAS, the aforesaid project is in the best interest of the people of the Borough of Hillsdale, and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CD funds.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of The Borough of Hillsdale hereby confirms endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R13235 Authorize Tax Collector to transfer 4th quarter tax overpayments to 1st quarter 2014

WHEREAS, homeowners paid 4th quarter taxes on various Blocks and Lots; resulting in overpayments; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor& Council authorize the Tax Collector to transfer the 4th quarter overpayment of taxes to the 1st quarter of 2014.

Block Lot Address Amount

604	1	150 Wierimus Lane	\$ 161.33
1406	3	150 Magnolia Ave	\$ 121.77
1510	35	341 Raymond Ct	\$ 111.61
1524	11	25 Wilts Ave	\$2,146.85
1612	6	35 Ralph Ave	\$ 77.32
1624	7	29 William St	\$ 70.95
2304	6	11 Chris Ave	\$ 112.47

R 13236 Authorize Tax Collector to cancel tax overpayments or delinquent amounts less than \$10.00

WHEREAS, the 2013 Borough of Hillsdale Tax records indicate overpayments and delinquent amounts less than \$10.00; and

WHEREAS, N.J.S.A. 40A:5-17.1 permits the cancellation of property tax refunds or delinquent amounts less than \$10.00; and

NOW, THEREFORE, BE IT RESOLVED, the Mayor and Council of the Borough of Hillsdale hereby authorizes the Tax Collector, to cancel tax amounts of \$10.00 as deemed necessary for the year 2013.

R 13237 Approval of revised employment application for borough volunteers and paid employees

Council Member Kelley asked that this be pulled from the consent agenda. This resolution was pulled off consent agenda.

R 13238 Authorize additional not to exceed limitations, Wiss & Company, LLC regarding Pascack Valley Regional High School in the amount of \$9,395.15

WHEREAS, on June 12, 2012 the Borough of Hillsdale awarded a professional services contract retaining the services of Wiss & Company, LLC for the Phase I portion of its review of an application submitted by the Boroughs of Montvale and Woodcliff Lake to withdraw from the Pascack Valley Regional High School District, in an amount not to exceed \$10,000; and,

WHEREAS, on January 28, 2013 Wiss & Company submitted a proposal for Phase II services which included the preparation of a final report containing narratives, exhibits and other analysis pertaining to the Pascack Valley Regional High School issue as directed by the Bergen County Executive Superintendent; and,

NOW THEREFORE BE IT RESOLVED, by the Borough Council of the Borough of Hillsdale that additional not-to-exceed limitations in the amount of \$9,395.15 are hereby approved for the firm of Wiss & Company, LLC.

BE IT FURTHER RESOLVED, that the Chief Financial Officer has certified the availability of funds for this portion of the contract.

R 13239 Authorize cancellation of outstanding checks

WHEREAS, the following checks issued from Borough bank accounts have been outstanding for more than one year and are now stale-dated.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Hillsdale, that the following outstanding checks issued from Borough bank accounts be cancelled.

CURRENT FUND

<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
16278	4/14/09	\$95.00
17153	12/1/09	\$165.00
17639	4/13/10	\$66.00
17759	5/11/10	\$43.95
18675	12/14/10	\$125.00
20695	7/10/12	\$340.00

PAYROLL ACCOUNT

<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
34119	9/7/07	\$36.40
48484	6/22/12	\$10.64
48302	6/8/12	\$11.54
49945	6/8/12	\$234.22

AGENCY ACCOUNT

<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
2136	12/30/09	\$20.32

RECREATION ACCOUNT

<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
2722	2/8/11	\$10.00
2896	6/12/12	\$210.00

ESCROW TRUST

<u>CHECK NUMBER</u>	<u>DATE</u>	<u>AMOUNT</u>
1519	12/13/05	\$77.50
1754	6/12/07	\$25.00
1977	12/9/08	\$7.50
2031	4/14/09	\$25.00
2288	12/14/10	\$1,659.75
2314	2/8/11	\$11.67
2327	3/8/11	\$42.50
2331	3/8/11	\$557.15
2395	8/10/11	\$1,480.00

R 13240 Approval of Raffle License #699, St. John's Church, calendar raffle 3/3/14-6/20/14

Council Member Frank asked that R13240 be pulled from the consent agenda. This resolution was pulled from consent agenda.

R 13242 Approval designating time and place of 2014 council meetings

BE IT RESOLVED, by the Borough Council that the first and second Tuesday of each month, except for July and August when there will be one meeting per month, in the Municipal Building Council Chambers, 380 Hillsdale Avenue, Hillsdale, NJ, at the hour of 7:30 P.M. be designated as the time and place of Council meetings for the year 2014; and

BE IT FURTHER RESOLVED, that the Sine Die meeting has been set for January 5, 2014 at 12:30 p.m.; and

NOW, BE IT RESOLVED, by the Borough Council in compliance with the provisions of the Open Public Meeting Act (N.J.S.A. 10:4-6 Et Seq.) that:

Section 1. Except as provided by Chapter 4, Section 10:4-12B, all meetings of the Council shall be open to the public at all times.

Section 2. At every meeting, the public may actively participate during the time designated for that purpose in the order of business and the Council may take formal action.

Section 3. The meetings of the Council shall be held on the dates and times set forth in the scheduled annexed hereto and made a part hereof.

Section 4. Within seven (7) days following the adoption of this resolution, a copy shall be posted on a bulletin board accessible to the public at all business hours at or near the entrance to the Council’s meeting room and shall remain so posted until replaced with a duly adopted resolution setting forth any revision thereof. A copy shall be mailed or sent by electronic means to two (2) official newspapers.

Section 5. Upon receipt by the Borough Clerk of a written request setting forth the name and address of the person making the request, the Clerk shall send to such person by regular mail, or by electronic means, between the date of such request and December 31st next ensuing, a copy of the meeting schedule referred to in section 3.

The following is the 2014 list of meeting dates as approved by the Hillsdale Municipal Council at their regular meeting of December 10, 2013. Council meetings are held on the first and second Tuesday of each month at 7:30 pm, unless otherwise noted. Meetings are held in the Council Chambers of the Municipal Building, located at 380 Hillsdale Avenue, Hillsdale, New Jersey. There is the option to take action at every meeting.

2014 COUNCIL MEETINGS

January	5 th Sine Die Meeting 12:30 p.m.
	5 th Reorganization 1:00 p.m.
	14 th
February	4 th
	11 th
March	4 th
	11 th
April	1 st
	8 th
May	6 th
	13 th
June	4 th Wednesday
	10 th
July	8 th
August	12 th
September	2 nd
	9 th
October	7 th
	14 th
November	5 th Wednesday
	12 th
December	2 nd
	9 th

R 13243 Approval 2013 Officials salary resolution

WHEREAS, the governing body of the Borough of Hillsdale have adopted Borough Ordinance No. 13-13, which sets salary ranges for certain municipal positions for the year 2013.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Hillsdale that the following officials shall receive the annual salaries designated in this resolution and salaries being within the ranges set by ordinance No. 13-13. All salaries shall be retroactive to January 1, 2013.

OFFICIALS SALARIES

MAYOR	\$9,000.00
COUNCIL	\$6,000.00

CHIEF OF POLICE	\$165,052.00
CAPTAIN OF POLICE	\$152,356.00
BOROUGH ADMINISTRATOR	\$50,000.00
BOROUGH CLERK	\$70,000.00
EXECUTIVE ASSISTANT	\$15,000.00
CHIEF FINANCIAL OFFICER	\$50,000.00
QUALIFIED PURCHASING AGENT	\$2,500.00
ASSISTANT MANAGERS-FINANCE	\$57,010.00
TAX COLLECTOR	\$40,656.00
ASSISTANT MANAGERS-FINANCE	\$21,462.00
TAX ASSESSOR	\$20,706.00
ASSISTANT PAYROLL MANAGER	\$2,000.00
SUPERINTENDENT OF PUBLIC WORKS	\$97,640.97
RECYCLING COORDINATOR	\$3,500.00
MUNICIPAL JUDGE	\$17,187.00
COURT ADMINISTRATOR	\$48,141.00
PUBLIC DEFENDER	\$4,080.00
PROSECUTOR	\$10,879.00
WELFARE DIRECTOR	\$14,326.00
COMMUNITY ACTIVITIES DIRECTOR	\$13,010.00
RECREATION DIRECTOR	\$15,530.00
CODE COMPLIANCE OFFICER	\$14,126.77
CONSTRUCTION OFFICIAL	\$19,957.00
BUILDING SUB-CODE OFFICIAL	\$19,957.00
ELECTRICAL SUB-CODE OFFICIAL	\$14,780.00
LAND USE OFFICER	\$1.00
FIRE INSPECTOR	\$23.00/HR
FIRE INSPECTOR	\$20.29/HR
BOARD HEALTH-RECREATION MINUTES	\$50.00/MTG

R 13249 Award of contract to Ken's Tree Care for the purpose of leave grinding in the amount of \$22,832.40

WHEREAS, the Borough of Hillsdale has an Interlocal Services Agreement with the Borough of Northvale to deposit and stage leaves and other related debris at the Northvale Borough Recycling Center; and

WHEREAS, as part of such, the Borough of Hillsdale is responsible for fifty (50%) percent of the costs of the grinding of leaves and related debris at said Center; and

WHEREAS, Ken's Tree Care, 401 Paulding Avenue Northvale, New Jersey 07647 has been retained by the Borough of Northvale to conduct such services, of which the Borough of Hillsdale's costs for same are \$22,832.40; and

WHEREAS, Ken's Tree Care has completed and submitted a Business Entity Disclosure Certification that certifies that Ken's Tree Care has not made any reportable contributions to a political or candidate committee in the Borough of Hillsdale in the previous year and that this contract will prohibit Ken's Tree Service from making any reportable contributions through the term of this contract; and

WHEREAS, the Borough's Chief Financial Officer has filed the necessary certifications required by law as to the existence of funds for this contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough of Hillsdale hereby retains Ken's Tree Care of 401 Paulding Avenue, Northvale, New Jersey 07647 in the amount of \$22,832.40 to provide leaf grinding and related debris at the Northvale Borough Recycling Center on behalf of the Borough; and

NOW THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents with Ken's Tree Care to carry out the provisions of this Resolution.

R 13250 Authorize and execute contract for e-Recycling

WHEREAS, the Borough of Hillsdale wishes to discard various electronic equipment for the residents of the Borough at the Borough’s recycling center and to pay the Borough for such.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough shall enter into a contract for electronic waste recycling with E Revival LLC, 141 Lanza Avenue, Building 5, Garfield, New Jersey 07026 for calendar year 2014, with two (2) one (1) year extensions available at the Borough’s sole discretion for the recycling of electronic equipment for Borough residents and businesses. The Borough shall be paid \$0.05 per pound for all the electronic recycling equipment picked up from the Borough by E Revival.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary on behalf of the Borough to carry out the provisions of this Agreement.

~~R 13251 Approval of change order #2 AllState Technology Inc. in the amount of \$~~

~~R 13252 Award of contract supplemental snow plowing~~

R 13254 Authorize Tax Appeal Settlement, 351 Broadway

WHEREAS, 351 BROADWAY ASSOCIATES owns certain property described as 351 Broadway, Hillsdale, NJ and known as BLOCK 1007, LOT 11 and

WHEREAS, 351 BROADWAY ASSOCIATES filed an appeal to the Bergen County Tax Board for said premises for the tax year 2011; and

WHEREAS, the parties had engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement had been reached upon the recommendation and concurrence of Richard Mohr, the then Borough Tax Assessor whereby the assessment was to be reduced to \$847,000 in tax year 2011 and to \$747,000 in tax year 2012; and

WHEREAS, the assessment was never reduced to \$747,000 in tax year 2012; and

WHEREAS, 351 BROADWAY ASSOCIATES has agreed to waive all interest due on any refund for 2012 providing that same is paid by the municipality within sixty (60) days from the date hereof, and

WHEREAS, The Tax Assessor has recommended said settlement to the Borough Council; and

WHEREAS, the Borough Council is of the opinion that said settlement is in the best interests of the Borough of Hillsdale;

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

The 2012 Assessment shall be reduced as set forth above and is hereby authorized as follows:

<u>Original Assessment</u>	<u>Settlement Amount</u>
\$ 847,000	\$ 747,000

NOW, THEREFORE, BE IT RESOLVED all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Borough Attorney for Tax Appeals is hereby authorized and directed to affect said settlement.

Motion to approve with the exclusion of R13231, R13237, R13240 was made by Council Member Kelley, Second by Council Member Meyerson.

Roll Call Vote:

Ayes: Council Members Pizzella, DeGise, Frank, Kelley, Looes and Meyerson

Nays: None

OFF-CONSENT AGENDA: R13231, 13237, 13240, 13244 through 13247

R13231 Authorize Tax Appeal Settlement, Block 601, Lot 12, 26 Oak Trail Road

WHEREAS, ELLIOT AND SHEILA LICHTSTEIN occupy certain property described as 26 Oak Trail Road, Hillsdale, NJ and known as BLOCK 601, LOT 12 and

WHEREAS, ELLIOT AND SHEILA LICHTSTEIN filed an appeal to the Tax Court of New Jersey for said premises for the tax year 2012; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached upon the recommendation and concurrence of Patrick Wilkins, Borough Tax Assessor; and

WHEREAS, ELLIOT AND SHEILA LICHTSTEIN have agreed to waive all interest due on any refund providing that same is paid by the municipality within sixty (60) days from the date of entry of the New Jersey Tax Court Judgment, and

WHEREAS, The Tax Assessor has recommended said settlement to the Borough Council; and

WHEREAS, the Borough Council is of the opinion that said settlement is in the best interests of the Borough of Hillsdale;

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

Settlement of the 2012 tax appeal is hereby authorized as follows:

	<u>Original Assessment</u>	<u>Settlement Amount</u>
LAND	\$ 451,700	\$ 451,700
IMPROVEMENTS	\$ 404,700	\$ 323,300
TOTAL	\$ 856,400	\$ 775,000

NOW, THEREFORE, BE IT RESOLVED all municipal officials are hereby authorized to take whatever action may be necessary to implement the terms of the resolution.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, that the settlement in this matter as set forth herein above, be and the same is approved, and the Borough Attorney for Tax Appeals is hereby authorized and directed to affect said settlement.

Motion to approve was made by Council Member Kelley, seconded by Council Member Frank.

Roll Call Vote:

Ayes: Council Members Frank, Kelley, Looes and Pizzella

Nays: None

Abstain: Council Members DeGise and Meyerson

R 13237 Approval of revised employment application for borough volunteers and paid employees

WHEREAS, there exists a necessity to approve and implement a revised Application for Employment (hereinafter referred to as the "Application") for all volunteers of the Borough, as well as paid employees of the Borough; and,

WHEREAS, the Borough Council has reviewed a revised version of the Application; and,

WHEREAS, the Borough Council agrees with the revised Application and recommends that the Application be approved for implementation.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough Council does hereby approve the revised version of the Application for Employment and approves its implementation for all volunteer and paid employees of the Borough of Hillsdale

Motion to approve was made by Council Member Frank, second by Council Member DeGise.

Council Member Kelley asked if this is for all borough employees and volunteers, kids at camp, fire and ambulance corps. Are we talking about everybody? I think it is a little excessive for some volunteers. This asks for a full employment history and educational background. Applications for fire department, ambulance corps have been approved by Councils for that service and is this completely necessary. We already have application processes that work for those organizations and I don't think we should have this big change. There might be things in their application that is not included in here and that they would want. If we are going to include that, he did not think it was appropriate at this time.

Council Member Meyerson disagreed. He believed the borough needs a standard application for everyone who works for the borough so if the borough needs to check references at certain times, the borough needs to do history searches particularly for people who work with children, volunteers or otherwise.

Council Member Kelley said what he is saying we haven't talked to department heads, fire department, ambulance corps, everything that they need is in there is in there.

Council Member Meyerson said they still have to make their applications to individual departments, this doesn't replace that. We don't need to include everything that the fire department would require, they may have other questions they wish to ask and this doesn't interfere with that. This is the information that the borough needs to do diligence properly and I think it is appropriate, particularly for volunteers because there is a tendency not just boroughs in general, but in many organizations when they deal with volunteers to relax things. Very often when those programs get in trouble it is because they did not properly check out a volunteer.

Council Member Kelley said they are fingerprinted and checked out.

Council Member Meyerson said we have to ask these questions and get a thorough background history on everybody who works or volunteers in this town. It is reasonable in this day and age to do that.

Council Member Looes said we hope everyone is doing it but some organizations may not be as organized in doing things. If you want to start at this point and a physical or more things like that, then each organization can take the application that we have in front of us and add to it but everyone has to have this as a minimum and each organization has to have done.

Borough Attorney Bernstein said an inquiry has already been made to my office from Stonybrook relative to how this interacts with their situation. I told Patty to add on the sheets that she has filled out on her application and he thinks that is the way to go. Have each individual fill out their application and to fill out the borough's application and believed it makes perfect sense. For those who don't have an application right now this is a new law.

Council Member Pizzella asked if some of these volunteers considered for legal purposes employees of the town.

Mayor Arnowitz said yes, all the emergency service people are either in contact or just about every volunteer with a few exceptions is either inter-reacting with children and we certainly want to look as best we can into their background or in the case of emergency services, going into people's homes during an emergency whether it is ambulance, fire, police, reserve; I don't know if they really go into a home but they inter-react in the street and I don't think anyone should be allowed to be a volunteer if there is anything in that application that would preclude or make us think that there could be a problem, the more checking into for the safety of our kids and for our homes. We are voting on it separately, you don't have to vote for it. We are going to vote on R13237 approval of revised employment application for borough volunteers and paid employees.

Roll Call Vote:

Ayes: Council Members Kelley, Looes, Meyerson, Pizzella, DeGise and Frank

Nays: None

R 13240 Approval of Raffle License #699, St. John's Church, calendar raffle 3/3/14-6/20/14

WHEREAS, St. John the Baptist Church, 69 Valley Street, Hillsdale, NJ 07642 has made proper application for the following Calendar Raffle License to be held March 3, 2014 – June 20, 2014; and

WHEREAS, said application contains the number of designation furnished by the Legalized Games of Chance Control Commission; and

WHEREAS, THE Police Department of the Borough of Hillsdale has reported to this Borough Council in writing that the statements contained in said application are in order, that the place wherein said Raffle(s) is to be held complies with the rules and regulations pertaining to the application.

NOW, THEREFORE, BE IT RESOLVED, that upon payment of the licensing fees, as provided by Statute, and upon filing with the Borough Clerk be and he is hereby authorized to issue a license for Raffles in accordance with said application:

Raffle License No.
RL: 699

Type of License
Calendar Raffle

Motion by Council Member Kelley, Second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members Looes, Meyerson, DeGise and Kelley

Nays: None

Abstain: Council Members Frank and Pizzella

R 13244 Budget Transfers (2/3 vote full membership)

Motion Council Member Kelley, Second Council Member Looes.

Roll Call Vote:

Ayes: Council Members Frank.

Council Member Meyerson said the Fire Department transfers should be removed.

Borough Attorney Bernstein said we should do two separate resolutions on the transfer of funds 13244a and 13244b. You are voting within CAP on gas and electric, road repair maintenance, salary and wages \$8,700 from the account and to the account \$700, road repairs and other expenses.

Council Member Kelley withdrew his motion.

WHEREAS, there are certain appropriations with balances in excess of the amounts needed and there are other appropriations on which commitments to be entered into will possibly exceed the amount of the original appropriations; and

WHEREAS, under Title 40A:4-58 of the State of New Jersey, permission is given to transfer from one budget account to another after November 1st of the calendar year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hillsdale that the Chief Financial Officer is hereby authorized and directed to make the following transfers, \$8,700. within "CAPS" and \$6,200. within Stonybrook Utility.

	FROM	TO
APPROPRIATIONS	ACCOUNT	ACCOUNT
<u>CURRENT FUND</u>		
WITHIN CAPS		
Gas and Electric	\$700	
DCRP		\$700
Road Repairs & Maintenance - S&W	\$8,000	
Road Repairs & Maintenance - Other Expenses		\$ 6,000
Vehicle Repair and Maintenance- Other Expenses		\$ 2,000
TOTAL TRANSFERS WITHIN CAPS	\$8,700	\$ 8,700

TRANSFERS STONYBROOK UTILITY		
Stonybrook - Other Expenses	\$6,200	
Stonybrook - S&W		\$6,200
TOTALS STONYBROOK UTILITY	\$6,200	\$6,200

Motion for approval of 13244a was made by Council Member Meyerson as stated, Second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members Pizzella, DeGise, Frank, Kelley, Looes and Meyerson

Nays: None

Mayor Arnowitz said now we will do R13244b.

Borough Attorney Bernstein said funds for Fire Department expenses.

WHEREAS, there are certain appropriations with balances in excess of the amounts needed and there are other appropriations on which commitments to be entered into will possibly exceed the amount of the original appropriations; and

WHEREAS, under Title 40A:4-58 of the State of New Jersey, permission is given to transfer from one budget account to another after November 1st of the calendar year.

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Hillsdale that the Chief Financial Officer is hereby authorized and directed to make the following transfers, \$4,300. within "CAPS"

	FROM	TO
APPROPRIATIONS	ACCOUNT	ACCOUNT
<u>CURRENT FUND</u>		
WITHIN CAPS		
Fire Department Other Expenses	\$4,300	
Fire Department-S&W		\$4,300
TOTAL TRANSFERS WITHIN CAPS	\$4,300	\$4,300

Motion was made by Council Member Looes, second by Council Member Frank.

Council Member Meyerson had a question about this. When we discussed this in the Finance Committee we thought that the \$4300 for the Fire Department was a mistake and he thought it was confirmed that it was not correct. What happened.

Administrator DeJoseph said Social Security is charged to that line so that is where the dollars went to salaries and wages, not other expenses.

Council Member Meyerson said this has to be explained to me again. Was this item budgeted properly?

Administrator DeJoseph said yes it was. Typically as we have voted on them, is when at some point you realize you have gone beyond transfer from part of the budget into that part of the budget because we have gone beyond that department's budget. What you are saying is that is not what happened here with the Fire Department and can you be more explicit so the Council can understand this.

Administrator DeJoseph said as it is laid out here in the resolution, we are transferring funds from other expenses to salary and wages. He recommended the governing body reduce the one budget line and increase the other.

Council Member Looes asked if it has always been coming out of other expenses, has Social Security always been coming out other expenses or is this a new thing.

Administrator DeJoseph said last year it came out of uniform and this year it came out of salary and wages.

Council Member Looes said we are not creating a line item for Social Security.

Administrator DeJoseph said that is also an option for next year.

Council Member Looes said it sounds like every year you have social security, then you should have a line item rather than taking it out of uniforms or other expenses.

Council Member Pizzella asked why we do it that way?

Administrator DeJoseph said the appropriation goes to the proper department .

Council Member Pizzella said if we always have this expense every year, was there a reason why we just don't have a line item in the budget.

Administrator DeJoseph said he doesn't know the answer to that.

Mayor Arnowitz said all Social Security and all of those things were lumped together by the auditor back then. One of the things that should be done when it comes to fire and ambulance so that you can get a true feeling of what that department spends. I always felt that everything attributable to expenses to that department, ambulance, fire, police, should be charged in some way, shape or form, so if someone says, especially with the fire department because in the past we have been accused of maybe not funding them to the full extent. Someone will look at the budget and say you get a bargain at \$100,000, they don't realize it is a couple of hundred thousand dollars. It gives you and the public the opportunity to see what does the Volunteer Fire Department cost, what does the Volunteer Ambulance cost, what does the Library cost, so on and so forth.

Council Member Meyerson wanted to make it clear to everyone that this \$4300 does not represent the fire department going over budget one dime because there is a tendency with transfers to believe that.

Mayor Arnowitz said it is an expense incurred every year and this happens periodically where we charge something to a wrong line item or it was budgeted to a wrong line item and this is the time of the year to make your normal transfers. You are absolutely correct, this is an expense that is incurred every year. It is not that exact amount every year, it is based on salaries.

Council Member Meyerson said going forward we probably will have a separate line item in the budget for this so that we don't have to have a budget transfer every year on this issue. I'm not adding to the budget, just culling it out so that we have a separate line item for this.

Mayor Arnowitz said we had a motion and a second, now we need a roll call.

Ayes: Council Members Frank, Looes, Meyerson and Pizzella

Nays: None

Abstain: Council Members DeGise and Kelley

R 13245 Endorsing Federal Grant Entitled Fiscal Year 2013 Assistance to Fire Fighters Grant

WHEREAS, The Fire Department of Hillsdale seeks to apply for a Federal Grant Entitled Fiscal Year 2013 Assistance to Fire Fighters Grant; and

WHEREAS, the Old Tappan Fire Department seeks to improve its communication system, most specifically to improve radio communication in the Borough of Old Tappan and also with the neighboring Fire Departments including River Vale, Township of Washington, Westwood, Hillsdale, Emerson, Park Ridge and Woodcliff Lake; and

WHEREAS, the Borough of Old Tappan acting as lead agency, and the other seven agencies in this application are all part of the Pascack Valley Mutual Aid and it is imperative that communication in this vital safety net be maintained as current and reliable; and

WHEREAS, it is essential to have reliable communication among and between the firefighting commands and a goal of this application is to improve incident control and command in emergency situations and at inter local training exercises; and

WHEREAS, the application requires a 10% match for each of the eight municipal fire departments, not to exceed \$6,250 each match; and

WHEREAS, the aforesaid project is in the best interest of the people of Hillsdale and the public's safety.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms its endorsement of the aforesaid project, and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent with the Grant Application.

Motion by Council Member Looes, Second by Council member Meyerson

Roll Call Vote:

Ayes: Council Members Meyerson, Pizzella, Frank and Looes

Nays: None

Abstain: Council members Kelley and DeGise

R 13246 Approval of Raffle License #697, Fire Department, On Premise 50/50 cash, February 28, 2014

WHEREAS, Hillsdale Volunteer Fire Department has made proper application for the following Raffle License to be held, February 28, 2014; and

WHEREAS, said application contains the number of designation furnished by the Legalized Games of Chance Control Commission; and

WHEREAS, THE Police Department of the Borough of Hillsdale has reported to this Borough Council in writing that the statements contained in said application are in order, that the place wherein said Raffle(s) is to be held complies with the rules and regulations pertaining to the application.

NOW, THEREFORE, BE IT RESOLVED, that upon payment of the licensing fees, as provided by Statute, and upon filing with the Borough Clerk be and he is hereby authorized to issue a license for Raffles in accordance with said application:

Raffle License No.

RL: 697

Type of License

On Premise-50/50 Cash Raffle

BE IT FURTHER RESOLVED, by the Borough Council that the fees for the aforesaid license are hereby waived.

Motion by Council Member Frank, Second by Council Member Looes

Roll Call Vote:

Ayes: Councilmembers Looes, Meyerson, Pizzella, and Frank

Nays: None

Abstain: Council Members Kelley and DeGise

R 13247 Approval of Raffle License #698, Fire Department, Texas Hold'em, February 28, 2014

Motion by Council Member Meyerson, Second by Council Member Looes.

WHEREAS, Hillsdale Volunteer Fire Department has made proper application for the following Raffle License to be held, February 28, 2014; and

WHEREAS, said application contains the number of designation furnished by the Legalized Games of Chance Control Commission; and

WHEREAS, THE Police Department of the Borough of Hillsdale has reported to this Borough Council in writing that the statements contained in said application are in order, that the place wherein said Raffle(s) is to be held complies with the rules and regulations pertaining to the application.

NOW, THEREFORE, BE IT RESOLVED, that upon payment of the licensing fees, as provided by Statute, and upon filing with the Borough Clerk be and he is hereby authorized to issue a license for Raffles in accordance with said application:

Raffle License No.
RL: 698

Type of License
Casino Night-Texas Hold'em

BE IT FURTHER RESOLVED, by the Borough Council that the fees for the aforesaid license are hereby waived.

Roll Call Vote:

Ayes: Councilmembers Looes, Meyerson, Pizzella, and Frank

Nays: None

Abstain: Council Members Kelley and DeGise

PUBLIC COMMENT:

John Ruocco, 25 Riverdale Street –

He has a question regarding leaf pickup. It seems every year they never pick up the leaves when they say they are going to pick them up. This time around, he lives in Zone A, November 4 was the scheduled pickup, they didn't come until the 15th. The next scheduled pickup was the 25th, he saw in the paper they moved it back, December 2nd was supposed to be the next day for pickup in his area, they still haven't come, the snow is on top of the leaves like it was a year or so ago. Can you get a more accurate forecast?

Mayor Arnowitz said we had a problem this year. We put on extra people, more than we normally do. We had some breakdowns that kind of messed us up and we had a problem because the leaves seemed to have dropped at once. The volume was high. We pick up our leaves with a loader and one loader was down and it makes it that much more difficult. The leaf vacuum was also broken and that was repaired. He spoke to them this past week and was informed they are two weeks behind and trying to catch up. They are in Zone C.

Council Member DeGise said they finished Zone C today, they are back in Zone A. October was a warm month and the trees didn't shed until the last week of October. The worst thing we can do is put the date on the calendar when they are picking them up, we can't guess with Mother Nature. Next year we are going to have a start date and an end date so that the DPW can just run from one end of town to the other end of town. The men are in Zone A today, the vacuum truck started two days ago and will probably finish Zone A in the next five days and go through the entire town one more time and we expect to finish up by December 20th. We are running about 40 loads ahead of last year and about a week ahead of last year, it doesn't seem that way because Zone A was the first to be picked up.

Mayor Arnowitz said one of the reasons the dates are important, we have been told by the environmentalists they don't like leaves on the street, they want us to bag leaves. By law you are not supposed to put leaves out more than three days before we pick them up. If we have an open end and residents on Zone C put it out at the same time and we acknowledge as Zone A, that is why we set up the dates. We have never been that close to the schedule but leaching goes through the water system from the rain and now the snow goes through the leaves into the sewer system which is our water supply and a lot of people don't realize that. There has to be a start date, and we need some sort of schedule to appease these people.

Mayor Arnowitz closed the meeting to the public.

MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

Ambulance Corp-
Borough Administrator/CFO – November 27, 2013
Borough Engineer – November 22, 2013
Construction Department-
DPW-
Fire Department-November 2013

Police Chief Stalter added to his report. He said Shop Rite has donation bins, such as DARE, along with other programs. We also get recycling credits for that, we get a tonnage report every year. We benefit two ways from our DARE program and in-house programs.

Mayor Arnowitz said perhaps we can put a message in our next newsletter, he didn't know that.

Chief Stalter said we put in our cars new glock guns and short glock guns that educate UFP 40's. The older were becoming unserviceable and are not made anymore. We spent about \$8000 on new guns but that all came from confiscated funds from arrests our officers made in town. Each department maintains an account with the

Prosecutor's Office and we put in a request and they reimburse us for it. It is paid out of borough funds but ultimately we are reimbursed from that. It is a nice addition to the department and for everyone's safety with what is going on today. We took delivery the end of last week of our new patrol utility vehicle that will be outfitted in the next few weeks and you will see that on the road. He has November's traffic bureau report. We had 31 crashes during the month of November, total of 5 injury accidents and 8 injuries in those 31 accidents. Three of the accidents were the result of DWI and had 6 DWI arrests in November. Three were made by Officer Kaplan, one by Sergeant Carty, one by Patrolman Sayers and one by Patrolman Norton. The officers issued a total of 183 summonses, 63 for moving violations, 33 for parking violations 87 for other violations. Officers did 17 specific targeted motor vehicle enforcement details during the month, a lot done in school areas and they installed two child safety seats during the month, 20 so far this year.

Council Member Meyerson asked if Chief Stalter has seen an uptick in DWI arrests this year compared to last year or year before.

Chief Stalter said we are running a little ahead of what we had in the past. Part of it is party time of the year, November and December.

Council Member Looes said there was a discussion last week about the vehicle the Chief received the SUV and the Fire Department SUV. The loan process is still going and there were comments about the process may take long because we are borrowing. There was an email this week regarding Hillsdale, the wording was structural imbalance. She made a phone call to the Director of Division of Local Government Services, Mr. Thomas Neff, and she spoke to him about Hillsdale being in structural imbalance which was what she was told in the email from Council Member Frank. She asked Mr. Neff two things, first he is also handling the paper work for the loan of the fire SUV; he asked if there was a reason why it was being held up, if there is more scrutiny because of our loan. He said absolutely not, we are doing the loan participating in the lease pool with BCIA. Because we are doing that, there are more checks and balances, more avenues, more desks that it will stop at. We could have gone the route of going to a bank and just getting a loan and doing that, but he actually said the BCIA was the better way to do it because the rate is ridiculously low and he said it was a wise and sound decision by the Borough to make which is the reason the Council decided to go that way. The BCIA lease pool is for long term legitimate capital purposes or for the long term purchases. He also said in particular it went to his office last Friday.

Administrator DeJoseph said that as the Administrator and CFO, had to sign off that this was the best financing available, a simple one page application, it went last Wednesday or Thursday. The Director asks specific questions as far as the police vehicle, the Police Chief provided backup information for that, and he had the same questions regarding the Fire Department vehicle.

Council Member Looes said the police vehicle was \$30,000 and the fire vehicle was \$50,000, he wanted additional information because he is not an expert on fire vehicles. He was provided a breakdown and again it went to another desk, not because there was a problem with the loan, but simply to make sure that things were in fact fire-related things, that person reviewed it and said there was absolutely no problem with the purchase or with the items on the list. We will get the final paper work which should be any day now.

The second part of her conversation with Mr. Neff was addressing the structural imbalance. He said in no uncertain terms does Hillsdale have a structural imbalance. We are borrowing for long term capital improvements, therefore it is not causing a structural imbalance because we don't have money to pay our bills. That is not the case here, Hillsdale not spending vs. revenue. Hillsdale chose to take a long term loan to do capital improvement. These are his words, they are not mine, that is why I called because my concern was to take a loan becomes structural imbalance and irresponsible and that isn't what this Council did and that is what I spoke to him about yesterday.

Council Member Frank said that is good to hear because that is different than what I heard at the League, that towns borrowing to balance out their spending vs. revenues and in that case from the definition I got it was structural imbalance but I am glad you clarified it.

Mayor Arnowitz said truthfully, that is not part of the report.

Motion to receipt and file all reports was made by Council Member DeGise, Second by Council Member Meyerson, and unanimously carried.

COUNCIL COMMENTARIES:

Council Member Looes reminded everyone that on December 18 the senior luncheon will be held at St. Johns at 11AM to 1PM. We have the tree lighting tomorrow evening at 7PM. She congratulated the Pascack Valley Varsity Team, and the coaches. She said Happy Hannukah and Merry Christmas and to all, Happy New Year.

Council Member Meyerson wished to echo many of the comments made by Council Member Looes. He attended half the football game and it was really exciting to watch Pascack Valley play at MetLife Stadium. He congratulated all the coaches and their families and those who played. He congratulated our new Fire Cadet and also our new Police Officer. The younger the police department the more tickets seem to be issued. He thought the loss of world leader Nelson Mandela should not go unnoticed by this Council. He watched his career and what he did for the world and for his country was amazing; he saved literally millions of lives by his approach to apartheid and someone who saved millions of lives as he did should be mentioned when he passes.

Council Member DeGise noted that we had another snowfall again today, the first time the DPW had to drop the plow this year. The roads are done a little differently; there is a new system set up by the foreman and the Acting-Superintendent that we put in place for snow emergencies. We are calling in extra help as we need and there have a crew set up that we had but we had let go. When the police department calls out for salters we automatically send two out now and if a third one needs to go out, it will be out within a half hour of the first two getting called out. He thinks the roads will be a little bit better. We also looked into some supplemental plowing; we met as a committee with the DPW Foreman. At this time they did not feel it was needed, it can always be revisited. He wished everyone a Merry Christmas and Happy New Year.

Council Member Kelley said on Sunday, 11AM Santa will come. The Fire Department will assist; we love when the kids come out and say Hi and receive a candy cane. With regard to the football game, he couldn't be more proud and congratulated the players and coaches.

Council Member Pizzella congratulated the Pascack Valley Football Team. He thanked the Police Department for their help with the Cub Scouts this past Friday, finger printing them and specifically to Adam Hampton. Hillsdale Helping Hillsdale will be bundling gifts that are secured from the giving trees that are in the post office and borough hall at the Westwood Community Center on Friday evening and distributing them on Saturday morning, if anyone wants to lend a hand, please feel free to help out. He updated everyone on the blood drive that we had that was done at the town hall this past Sunday. 89 units of blood were collected and over 210 items were brought to the food pantry, it was very successful. He wished everyone a very Merry Christmas and Happy Hannukah.

Council Member Frank said we had a Library Board meeting last night and the question came up about the budget review schedule. We need to get that out quickly and start reviewing the budgets. The budgets are technically due to Trenton February 10; we were told they will probably be pushed back to March 10. This usually happens every year because the state can't figure out what they are going to do in terms of aid. He suggested we start very quickly because there is a lot of work to put the budget together. He inquired of our Borough Attorney of Mayors appointments as our next meeting will be the Reorganization Meeting. It appears that there is a little different process about the Mayors appointments than we followed last year. My hope is perhaps we can have some meetings between the majority of the Council and the Mayor prior to Reorg and not have the competing lists of appointments so that we can agree on it, because we kind of know what is going to happen and maybe get a little bipartisanship somewhere along the line. With regard to the professional appointments, these are non-competitive appointments; basically they are done on capability, it is not like matching up the low bidder on the garbage contract. Sometimes the appointments are too political and I think we have a couple sitting up here on the Council that know that politics does go into decisions as to who gets appointed and who gets re-appointed. It is the nature of the beast. We had some problems again in the beginning of this year in terms of the appointments; some of the firms of professionals were not vetted properly and fortunately that was changed and adjusted. In my opinion, there were two professional appointments where we threw the baby out with the bath water because we made kind of wholesale changes to our professionals. The first is our insurance broker, we had a local insurance broker in Westwood who has worked with us closely on all the storm damage we had the last couple of years and we changed over to a firm down in Woodbridge that I was told in a rumor that they didn't know where Hillsdale was and they got lost the first time coming up here. I think that was political. In light of the fact that we lost the knowledge we had with our DPW Superintendent who retired, it makes sense to have someone who really is very familiar with Hillsdale, very familiar with what has happened with our claims and what has happened in the past. We are in a dry spell right now, I can tell my sump pump is kind of dry, but weather is cyclical and we could have some big problems. The company Burton Agency in Westwood is non-partisan and not a political company, they have been our insurance broker for 40 some years. I would request the Council, you have the majority, please consider that especially in terms that we lost a lot of knowledge about goes on. Check with people like Butch Franklin and Jon Najarian to see what their input is in terms of how well Burton was to work with.

The second is, and we talked about it last week, is the Borough Engineer. I believe Neglia is a competent firm, the problem is we are assigned a junior engineer and I think it is not working out too well in my opinion. I think we are paying a lot of money to them to learn about Hillsdale and we threw out a Borough Engineer doing this 30 plus years and has an unbelievable knowledge of our town. Again, we lost our DPW Superintendent which is 30 plus years and I think it would make sense for the Council just to consider that as we go forward for

the next year to take advantage of the fact that Statile has been a loyal and good engineer for this town, not perfect I am sure there were issues from the Council on personal things with the way he did business, but I am requesting that the majority rethink their appointments for 2014. It would be nice if everything wasn't a surprise to some of us up here on Council on Reorg where we had no idea of what the selections were going to be, but I guess that is how it is supposed to be in an open public meeting. An old adage of business is just because you can't doesn't mean you should. Just because you can doesn't mean you should. Just because you can do something doesn't mean you should do it. Think that over for what is best not politically but what is best for Hillsdale. He wished everyone a Merry Christmas and Happy New Year.

Mayor Arnowitz said the tree lighting is 7PM tomorrow but I would suggest get there a little early, they are trying to make this one a little special, there will be a DJ, Big Daddy's, Pizza Parlor in town, is donating chestnuts; he is going to roast chestnuts and will have hot soup and we will still have our coffee and hot chocolate from Starbucks and donuts. Our Reorganization Meeting will be the first Sunday in January which is the 5th at 1PM; the fire department is having their Reorganization on Saturday at 12PM, the day before, the 4th. Everyone was talking about the high school win which was outstanding, I was kind of hoping we would have a rally beforehand but it didn't work out. Last night I spoke to the Superintendent over at the ribbon cutting for the classrooms that they built, which by the way are beautiful and first rate. They did a great job over there and asked if he would be willing to do something and he is thinking about it. They are going to work on something and Doug, you said Mayor Blundo of River Vale has reached out to me, he wants to do something jointly. If we can't get something going with the high school, we will do something here and basically what Mayor Blundo is recommending maybe he will come here and he will give awards out to Hillsdale and I will go there. Unless everyone wants to go to River Vale we have to advertise it; if not, just two others and myself could go to River Vale and give out certificates there also. I am working on something and hopefully we will get something put together, what I don't know. I would really like to do something on the field, big rally with both towns, a lot of rooting and a lot of hollering, but that is up to the high school. As soon as I get more information I will keep you informed.

Thursday at 2:15PM I am meeting here at the borough hall with the high school who has a visiting Italian club, a student body from Italy coming in and I am going to take them on a tour of both the borough hall and the firehouse which should be interesting for anyone who wants to stop down. I heard something last night that unfortunately I missed the message I am very proud and wanted to let everyone know the Hillsdale Fire Department has been working that poor woman who got hurt at Trader Joes and they are making handicap ramps and making her house better for her, obviously no expense to her, when she comes home from rehab and I believe she is at Kessler, but I'm not sure, she will have a nice ramp that she will be able to get in and out of her house and that is what the fire department is all about. They have volunteers other than the fire department, the fire department is arranging it, but I believe there are people from all over coming and I think it is great and I thank the fire department for that.

Once again he reminded everyone to be careful when they leave. He is asking the Council for a special meeting not next week, the week after and I need to know your schedule to talk about a personnel matter. They want to do it before the end of the year. He asked everyone's feelings about Monday, December 30th.

Council Member Meyerson said if it scheduled for an evening, it is possible I will be there. I can't guarantee it. You can schedule for 7:30PM but I just can't guarantee as I don't when my flight is coming in.

Council Member Pizzella said I might be out of town as well.

Borough Attorney Bernstein said during the day January 2nd.

Council Member Meyerson said not during the day.

Various dates were discussed.

Discussions inaudible.

Mayor Arnowitz said we will have to do this on December 30 at 7:30PM and asked the Borough Clerk to advertise.

ADJOURN TO CLOSED SESSION: @9:00 PM

R 13253 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 B4, matters relating to Collective Bargaining Agreement, Teamsters Local 945 and Employment Relationship Police Personnel.

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 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.
- ___ (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
- ___ (8) Matters relating to the employment relationship.
- ___ (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.

Motion by Council Member Kelley, Second by Council Member Looes, and unanimously carried.

Council Member Frank left the meeting at 9:02PM.

RECONVENE REGULAR MEETING: @ 9:15pm

Motion to reconvene regular session was made by Council Member Kelley, Second by Council Member Looes, and unanimously carried. Council Member Frank absent.

Borough Attorney Bernstein said let the record reflect all members of the governing body present for commencement of the executive session and present for the recommencement of the Open Session. Let the record also reflect that Council Member Frank had to leave prior to commencement of Executive Session on a personal matter. Also present for a portion of the Executive Session were the Police Chief and Captain and there was discussion about police personnel manpower;. Your honor it would be appropriate for the Mayor to authorize the Chief to make a conditional offer to a police officer candidate subject to the appropriate passage of medical psychological.

Motion by Council Member Looes, Second by Council Member DeGise.

Roll Call Vote:

Ayes: Council Members DeGise, Kelley, Looes, Meyerson and Pizzella

Nays: None

Absent: Council Member Frank

Mayor Arnowitz told Chief Stalter, you have your authorization.

Borough Attorney Bernstein said the record reflect there was also a brief conversation regarding the ongoing negotiations with Teamster Local 945 which should be completed at some time in the early part of the year. With that an appropriate motion to adjourn.

ADJOURNMENT: @ 9:18

Motion by Council Member Kelley, Second by Council Member Looes, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
SUNDAY, JANUARY 5, 2014, SINE DIE 12:30 P.M. REORGANIZATION 1:00 P.M.**