

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:34 PM on Tuesday, May 5, 2015, in the Council Chamber, Borough of Hillsdale, Hillsdale, New Jersey.

The meeting was called to order by Council President Pizzella, who also led the Salute to the Flag.

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 5th day of May 2015. 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 those in attendance were Council Members Looes, Meyerson, Ruocco, and Council President Pizzella. Also in attendance were Borough Attorney Madaio and Borough Clerk Witkowski. Mayor Arnowitz, Council Members DeGise and DeRosa were absent.

Council President Pizzella stated that on the agenda it calls for a closed session at this time, however, this will not occur at this point of the meeting.

APPOINTMENTS/OATH OF OFFICE:

R15109 Appointment of Michael Kaufmann, CMFO, effective May 11, 2015

WHEREAS, the Borough wishes to retain the services of Michael Kaufmann to serve as Chief Financial Officer for the Borough of Hillsdale; and,

WHEREAS, Michael Kaufmann wishes to serve in the position of Chief Financial Officer and to enter into an Employment Agreement to perform such duties with the Borough;

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Michael Kaufmann is hereby appointed Chief Financial Officer for the Borough of Hillsdale for the period of May 11, 2015 to May 10, 2019 and until a successor is qualified and appointed.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough wishes to enter into an Employment Agreement with Michael Kaufmann to serve as Chief Financial Officer and to authorize the Mayor and Borough Clerk to execute said Agreement on behalf of the Borough.

Motion to approve by Council Member Meyerson, second by Council Member Looes

Ayes: Council Members, Looes, Meyerson and Ruocco

Absent: Council Members DeGise and DeRosa

Abstain: Council President Pizzella

RECOGNITION:

Narcan save

Officer Ryan Norton

Officer Michael Camporeale

Robert Francaviglia, Chief of Police

Chief Francaviglia thanked all of the Hillsdale Police Officers for their dedication and professionalism, and for making his first nine months as Chief of Police a smooth transition. In particular, he recognized and commended two of them for saving the life of a Hillsdale resident. On the evening of April 15, 2015, Officers Norton and Camporeale were sent to the home of a resident, where a 19-year-old female was in cardiac arrest. Once they arrived at the home, they determined that the young woman was suffering from a narcotics overdose. They administered a dose of Narcan, which reverses the effects of opiates, found in heroin. Once the Narcan dose was given and took effect, the patient regained consciousness immediately. She was turned over to the staff of the Ambulance Corps and paramedics for further treatment. After she was stabilized, she was transported to the hospital. Chief Francaviglia commended and cited the two

officers for their outstanding performance on behalf of the Hillsdale Police Department and the citizens of Hillsdale for preserving life.

Council President Pizzella added that it is unknown what the individual was going through to cause her to be in the state in which she was found, and if the two officers had not responded, that young woman would not be alive today. Council President Pizzella thanked the officers as a parent and as a Hillsdale resident for their actions.

James Hayden – retired Board of Education member (*May 12, 2015*)

PRESENTATIONS: none

PROCLAMATIONS:

Municipal Clerks Week

Council President Pizzella

Municipal Clerks Week
May 3, 2015 through May 9, 2015

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

WHEREAS, The Municipal Clerk serves as the information center on functions of local government and community, and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations, and

WHEREAS, It is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, I, Max Arnowitz, Mayor of the Borough of Hillsdale, do recognize the week of May 3rd through May 9th, 2015, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Susan Witkowski, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

APPROVAL OF MINUTES: *for May 12, 2015*

Special Meeting March 23, 2015; Work Session Meeting April 7, 2015; Regular Meeting April 14, 2015; Closed Session April 7, 2015, and April 14, 2015.

PROFESSIONALS REPORTS:

(The following correspondence on file in Borough Clerks Office)

Borough Engineer – dated April 28, 2015

Greg Polyniak of Neglia and Associates presented the Engineer's Report. The first item relates to the historic preservation grant for the train station. A hearing was held on April 26 for the grant application, and it was included in the recommended award list, which will be forwarded to the Board of Chosen freeholders for review and consideration over the next few months. The next item on the list is the paving project, Kent/Baylor/Saddlewood. Paving on that project has been completed, with striping and other minor punch list items remaining to be done.

Regarding Centennial Field, the methane survey, which is the quarterly testing that occurs, was completed this month. The report will be provided by the end of the week, with copies being sent to the Borough and NJDEP. In addition, there was a warning letter sent to the Borough regarding the landfill at Centennial Field. Mr. Polyniak said his firm spoke to someone with enforcement regarding the letter. It memorialized

the findings and occurrences from the February 2015 meeting, a long list of items that had to be addressed, including a schedule and some financing information. Based on the conversations with enforcement officers, there are no enforcement actions to be taken, the letter simply was memorializing the previous findings. In fact, it was acknowledged that the Borough has been moving forward within the past few months to address those items accordingly. There should be no further issues if the Borough continues to proceed as it is now doing.

Mr. Polyniak addressed the subject of the building methane sensors. A pre-construction meeting for that work has been scheduled for May 12 at Borough Hall at 11:00 AM. Subsequent to that meeting, the sensors will be installed in the building.

With respect to the field methane sensors and the steel boxes in the middle of Centennial Field, Mr. Russell has secured one quote for some of the work. However, he has not been able to locate any other firms to solicit, so Mr. Polyniak said his firm would prepare solicitations to other firms so that the Borough will have a minimum of three bids for awarding a contract. That will be provided at the first Borough Council meeting in June.

Moving on to the Public Library elevator, Mr. Polyniak stated that on April 16, his office issued a recommendation letter for consideration by the Borough Council for Thyssen Krupp to repair the elevator and complete the project. As previously mentioned, the second phase of the project, relating to potential contamination issues, was avoided based on the current design of the elevator so that the hydraulic fluid will not breach the sump pit well located within the elevator shaft.

The final item is that PSE&G is requesting the vacation of a portion of Knickerbocker Avenue for potential consideration by the Borough Council at the terminus of Knickerbocker Avenue. PSE&G has made a request for the Borough to consider, which would require action by the Borough Council. In addition, it would also require authorization for Neglia and Associates require escrow to be posted by PSE&G for Neglia to conduct the review, if that is the decision that is made.

Council Member Ruocco asked about the elevator repair at the Library, and if it is proceeding according to schedule. Mr. Polyniak answered that he believes it is, and as long as the Borough's financing is in order, work could proceed immediately.

Council Member Ruocco mentioned that the only other issue he could recall was authorization on the financial side for the work being done at the Public Library. Mr. Polyniak confirmed that the amount is below the threshold, so if the financing is in order, the contract can be awarded. Three firms have been solicited, and one response has been received.

Council President Pizzella asked for clarification that when Mr. Polyniak stated that the Borough Council must take action with respect to PSE&G, what steps must be taken. Mr. Polyniak explained that the only action would be if the Borough Council wanted to consider the vacation of the roadway, and ask Neglia and Associates review that. Council President Pizzella commented that he asked the question because this issue has arisen twice, and you understand what the Borough Council wants to do. Council Member Meyerson mentioned that he was under the impression that the Borough needed to move forward with this. He believes that PSE&G would obtain both sides of the right-of-way, as one lot. Council Member Looes recalled that there was a concern that if the three lots became one lot, the ratable would change, and someone was going to research that to ensure that the Borough would receive the same ratables whether it is three lots or one. Mr. Polyniak stated that his office would take care of that, and they would review the plan technically as it relates to utilities in the area, and how it would affect the engineering of the property. It might also be necessary to have the Tax Assessor review plan. Council Member Ruocco thought it was important for the public to know that merging the lots would result in a better situation than what is now there when floods occur. Allowing PSE&G to proceed with this work will raise the substation by at least one foot above the floodplain. Council President Pizzella asked Ms. Witkowski to reach out to Patrick Wilkins, the Tax Assessor, to find out what effect this will have on taxes. He also asked Council Member Meyerson to reach out to PSE&G as to what their intent is with respect to the lots in question. Council Member Meyerson asked Ms. Witkowski if there is a contact person at PSE&G, and he will call that person. Council President Pizzella suggested to Ms. Witkowski that once Council Member Meyerson gives her that information, she should ask Neglia and Associates to do a preliminary assessment of whether it can be done, and what impact, if any, it has on the Borough Council.

MONTHLY DEPARTMENT REPORTS:

Ambulance Corps – Council President Pizzella announced that the Ambulance Corps is a fundraiser in

order to purchase new ambulance. It is a beefsteak to be held on Saturday, May 16, at St. John's Church from 6:00 PM-10:00 PM. Council President Pizzella encouraged everyone to go if possible, and even if they do not plan to attend, perhaps they could donate money for the purchase of the ambulance. Council Member Ruocco pointed out that the cost of a new ambulance is more than \$200,000.

Construction Department – no report

DPW – no report

Fire Department – Council Member Looes noted that the annual Carnival is ongoing, and she reminded everyone to be mindful when driving on Hillsdale Avenue, because people are not using the crosswalks in that area. The carnival will be open Monday-Friday from 6:00 PM-11:00 PM. Wednesday and Thursday nights are bracelet nights, when one price paid to go on all of the rides. On Saturday, the carnival will be open from 2:00 PM-9:00 PM.

Board of Health – April 2015 – Council Member Looes noted that their meeting is occurring now, and she will have a report next week.

Hillsdale Public Library – 2014 annual report – Council President Pizzella stated that the Hudson Valley Wood Turners will return to the library on Saturday, May 16, to hold the pen turning event. It is a free event, and attendees will be able to learn how to use a lathe to create their own Cross-style pen. Times are 11:00 AM, 12:00 noon, 1:00 PM, and 2:00PM. In addition, the artwork of Julia Parisi, a student at Pascack Valley High School, will be on exhibit until May 31. When Julie was 12, she attended the Hillsdale Art Studio; when she was 14, she attended the Ridgewood Art Institute. She received a scholarship from RAI, where she is currently studying oil painting.

Police Department – April 2015

Chief Francaviglia presented the report, starting with traffic-related issues. Pedestrian crossing details were conducted around Broadway and Park Avenue, which were very successful. Several warnings were issued. In addition, Chief Francaviglia met with a company called GSHP with respect to a sign. The quote received was for approximately \$8,500 for a pedestrian crossing sign, including four pushbutton points to activate the sign and cross safely. It would alert motorists that a pedestrian is trying to cross the road. Approximately \$1,500 was received by the Safety Committee from the JIF, which could be put toward the sign.

Chief Francaviglia and Sergeant MacLachlan attended a meeting organized by Council Member DeGise in reference to the issue with Demarest Farms in the fall, and the attendant parking problems. Permanent “no parking signs” will be posted throughout the area. In addition, traffic will be directed out of the area on Melville Place, and will not be allowed into the area, to eliminate two-way traffic. That will help with the safety of pedestrians walking to and from Demarest Farms, because there are no sidewalks in that area. Council Member Meyerson asked what the general consensus of the meeting was. Chief Francaviglia answered that there was only a handful of residents present, although everyone was invited. The residents most concerned about the situation attended the meeting. They will try and revisit the issue in future to see if the plan works. Council Member Looes asked where the exit would be around Melville, and Chief Francaviglia responded that the exit would be Melville Place. People will be able to enter that area through Craig Road or Royal Park Terrace.

Chief Francaviglia welcomed new police reserves, Kyle Carty and Tim Frantin, who graduated from the Police Academy last night.

The Hillsdale Police Department has been meeting with all of the emergency services in reference to active shooter incidents. The purpose of these meetings is to determine everyone's role if and when there is an active shooter situation in Hillsdale. Chief Francaviglia stressed the need to take a proactive approach on this issue. In addition, they met with Bergen County SWAT, the Bergen County SWAT medics, the Bergen County Office of Emergency Management, and MYCOM (paramedics). It was an informational meeting. Chief Francaviglia stated that he also met with tactical officers in the surrounding communities to determine the pre-designated roles everyone will have if this situation occurs in Hillsdale. Meetings are also planned with the Board of Education.

The Digital Dangers program was held at Holdrum School, as reported by Lieutenant Smith at the previous meeting. It was a joint venture between Hillsdale and River Vale, and the Bergen County Prosecutor's Office. The program was well received, with more than 300 people in attendance. Chief Francaviglia commended Sergeant John DeVoe of the River Vale Police Department, and Detective

Diedtrich of the Hillsdale Police Department for putting the program together.

On June 6, from 10:00 AM-1:00 PM, the “Coffee with a Cop” event will be held in front of Starbucks. Chief Francaviglia invited everyone to come with their questions and concerns to present to the Police Department, and have a free cup of coffee.

Council Member Meyerson commented that in the Westwood/Hillsdale Patch, there was an article about the 100 safest towns in the United States, and Hillsdale is mentioned as one of those towns (among eight Bergen County municipalities mentioned). Council Member Meyerson said that is through no small effort of the Hillsdale Police Department, and he congratulated Chief Francaviglia and the rest of the Police Department for that accomplishment.

Recreation/Stonybrook – no report

COMMITTEE REPORTS:

Council Member Jason DeGise- no report

Council Member Anthony DeRosa- no report

Council Member Looes: Council Member Looes reiterated that the Board of Health this meeting now, so the report will be next week. No report for the Building and Zoning Departments.

Regarding the Fire Department, Council Member Looes thanked Chief Domville because on April 22, Pascack Valley High School had students from France visiting as part of an exchange program. Students were brought to Borough Hall as part of a discussion about government and the local level. They also visited the Fire Department, and Chief Domville gave them a very nice introduction to the Fire Department, for which Council Member Looes thanked him and the rest of the Department.

Moving on to insurance, Council Member Looes said she has been attending the JIF meetings, and our Risk Manager was able to get the late fees waived for the first quarter payments.

The Local Assistance Board met last night, and many of its members overlap with the Hillsdale Helping Hillsdale organization. Both groups focus on helping residents in need, and Council Member Looes encouraged everyone to donate generously to Hillsdale Helping Hillsdale, and those in need should contact the Local Assistance Board.

Council Member Meyerson: Council Member Meyerson said he had nothing to report, because he has been out for a while. However, he noted that the Mayor of Westwood called him to discuss Shared Services, and Council Member Meyerson will get back to him. The setback in the DPW may or may not give Hillsdale a new opportunity to engage in some new Shared Services activities, which would have to be discussed by the Council Members.

Council Member Ruocco: Council Member Ruocco reported that the Finance Committee, met on April 20. One of the items discussed was the DPW capital budget. The DPW Committee was scheduled to meet with Mr. Russell to review equipment needs. There were concerns expressed by some of the members that it might be better to front-load some of the equipment listed in the 2016 or 2017 budget, and to replace them in 2015, because the Borough was advised to forego borrowing the following year. The DPW Committee was unable to meet, but Council Member Ruocco again reviewed the comments made by Mr. Russell in February, as well as the inventory sheet, and he realized that there might be some merit in moving up the acquisition of the two used garbage trucks, and after discussing it with the CFO, the purchase was moved from 2016 to 2015. The Finance Committee also discussed the road improvement program, and the Committee decided to go with the program of approximately \$452,000 to address the needs of Sycamore, Lafayette, and Everdell. Realizing that there are residents who will think that their streets are worse than the ones mentioned, Council Member Ruocco urged everyone to consider the fact that in making the decision as to which roads will be improved, the traffic along those roads must also be considered, as well as the state of the road itself. Lightly-traversed roads will probably take a backseat to roads with heavier traffic. All of the roads that need to be repaired will eventually be repaired; it is a question of time and money. Finally, as a result of the changes in the DPW capital budget, it now includes a road improvement program of approximately \$452,000; equipment costs of approximately \$433,000; a Centennial Field remediation of approximately \$175,000.

The other item discussed at the Finance Committee meeting was a receivable on the Public Library books of approximately \$49,000 from the Borough, and Council Member Ruocco asked Ms. Witkowski to work with the auditors to make the funds available to the library. Council Member Meyerson asked about the Public Library elevator repair, and why it was not included in the DPW capital budget. Council Member

Ruocco explained that it was not part of the DPW capital budget. The total capital budget is approximately \$1.834 million, and Council Member Meyerson said he hoped that certain items could be discussed, although the Council Members will vote on the budget as a group. Council Member Ruocco pointed out that if the capital improvement fund and the grants are subtracted from the capital budget, there is anticipated borrowing in the capital budget of approximately \$1.425 million. Council Member Ruocco took credit for the \$60,000 grant for the generator, but he is now not sure that it was the right thing to do. If the Borough was awarded the grant, the Borough Council must pass a resolution to accept the grant. The CFO is reluctant to include that money in the capital budget until it is actually accepted. Based on the fact that the Borough received a letter explicitly stating that they would be getting a grant, subject to the completion of a number of steps, Council Member Ruocco chose to include it, rather than showing it as debt that had to be issued.

Council Member Looes asked a question about the Public Library receivable. Council Member Ruocco answered that there is a \$49,000 receivable on the Public Library books owed by the Borough to the Public Library from 2014, and Council Member Ruocco is not sure why it was not completed. Discussions with David Franz, Hillsdale Public Library Director, and former Council Member Doug Frank indicated that they were relying on that money in order to achieve their 2015 goals. Council Member Meyerson noted that the Borough Council reduced their budget, but Council Member Ruocco corrected him, saying that the budget was kept at \$634,000. Council Member Meyerson argued that the Borough Council \$25,000-\$30,000 off of the proposed appropriation. Council Member Ruocco pointed out that the Public Library budget was \$634,000 last year, which was kept the same, although an increase was requested but not granted. Council Member Ruocco stated that the Public Library wanted to get the \$49,000 that was owed to them, plus the \$634,000, which was not really an increase. Council Member Meyerson said he recalled \$32,000 that they were trying to recoup from the \$49,000. Council Member Ruocco agreed that the Public Library was willing to accept \$32,000 instead of the \$49,000 to settle the issue. He wants to make sure that the outstanding balances correctly addressed, and is either transferred to the Public Library, or a reason is found for not transferring it.

Council President Pizzella recalled that during the last Finance Committee meeting, it was specifically mentioned that the Auditor would be reviewing the issue, and his input should be obtained before any further action is taken. Ms. Witkowski reported that she asked the Auditor the following day about the \$49,000, and the response was that if that money is budgeted to the Public Library, it is rightfully their money. However, it does not have to be transferred as cash, but can be used to offset something else in their budget. She has notified David Franz of this information. Council President Pizzella suggested that, because it does not sound like everyone understands what to do about this issue, the Finance Committee should meet to clear this up. Council Member Ruocco thinks it is important to find out if there is a reason why the Borough did not or cannot transfer those funds to the Public Library. If there is no reason why it cannot be done, it should be done. As long as the Auditor agrees that there is a \$49,000 receivable from the Borough listed in our AFS and the AFS of the library, the money should be transferred to them. Council President Pizzella stated that he would like to understand the legal reason why the funds belong to the Public Library. Council Member Ruocco stated that he spoke to someone from Garbarini, who also believes the money belongs to the Public Library, and is not discretionary from the municipality. That leaves him wondering why the money was not turned over before. The most important thing is to get that money to the Public Library, because they believed they need it in order to meet their bills.

Council Member Looes said she and Council Member DeGise met with Mr. Russell on Saturday, and he stated that the two trucks will be needed in 2016. Council Member Ruocco pointed out that there was another piece of equipment costing approximately \$48,000 that he left in the 2016 capital budget. He added that the inventory sheet prepared by Mr. Russell was very clear. Council Member Looes stated that she met with Mr. Russell to get a perspective of the DPW Superintendent.

Council President Pizzella reminded everyone that next week is the budget meeting/hearing. Council Member Meyerson asked if Mr. Benecke would be making a similar presentation to what he did before that would be open to the general public, and Council President Pizzella answered that he will, and he believes the general public will be given time to ask questions and give input.

With respect to the Police Department/OEM, Council Member Ruocco referred to the accolade mentioned by Council Member Meyerson, which was a result of research done by www.safewise.com, a privately run on security website. They ranked eight Bergen County towns with populations of 10,000 or more as among the safest in the United States. Hillsdale ranked 68 out of 100. Council Member Ruocco congratulated Hillsdale and the Police Department for all of their efforts.

Regarding the senior citizens, Council Member Ruocco said it is his understanding that all of the senior

lunches for 2015-2016 have been covered by business donations to make up for the grant that was not received due to the lack of application. However, Council Member Ruocco strongly urged that the application be submitted next year, because many of the businesses are suffering financially. The next senior luncheon is scheduled for May 20 at St. John's church. In addition, there will be a public hearing in Hackensack tomorrow morning regarding the needs of senior citizens in Bergen County, to be held on the fifth floor of the County Administration Building. Council Member Ruocco plans to attend, and it is open to all Bergen County residents over 60 and their caregivers. Each person is limited to five minutes of testimony.

Council President Pizzella: Council President Pizzella reported that the Board of Education hired a new Superintendent of Schools. His name is Kevin Brentnall, and he will be starting on July 1. Mr. Brentnall was a principal in a school in Nyack for a number of years, and he taught in Montvale for a few years. He was also an administrator in Paramus. Council President Pizzella also thanked the Board of Education for all of their hard work. He stated that they are a new group, and they are not afraid to tackle challenging issues.

The Environmental Commission (EC) recognized Pascack Bible Church, who worked with Scott Raymond of the Environmental Commission last week, and the church chose Beechwood Park for their service project. They did a tremendous job at no cost to the Borough. They fixed some areas of the bandstand, as well as some areas of the field and the park itself. The Earth Fair was held recently, and Council President Pizzella thanked James Alba and Scott Raymond, as well as others, who made it a great success. The event was bigger than the one last year, and is always a good draw for the downtown area. Council President Pizzella will be asking for special recognition for individuals in connection with the Earth Fair. In addition, the Kids for Earth group will be planting a garden at the Hillsdale Public Library again this year, and Council President Pizzella wanted to request if the DPW will be assisting them. Last year, the DPW provided compost and donated some of their time in the planting of the garden. The Environmental Commission had a question with respect to Sustainable Jersey, because there are still some old pass codes (for example, the former Borough Administrator is still authorized to access the site), so Council President Pizzella would like to update that information to members of the Environmental Commission can have access to it. They also had a question about the maintenance of trees, because they are receiving a lot of complaints that trees that were planted are not being maintained. Council President Pizzella wanted to know how maintenance of the trees was handled in the past once they have been planted. Formerly, the DPW maintained them, and Council President Pizzella asked if that is still the case, and if there is any issue with allowing the DPW to continue that maintenance. Most of the trees are obtained through grants and through the State. The EC would like the DPW to continue watering and pruning trees, as well as performing other necessary maintenance, provided that the EC takes an inventory and supplies the DPW with a list of the trees to be maintained. Council Member Looes suggested that Council President Pizzella should talk to the DPW Superintendent to see how done in the past, and to find out how much time is available for the DPW staff to do that. As far as replacement is concerned, Council Member Looes recalled a discussion last year in which it was stated that it is necessary to wait a year to see if a tree is truly dead or is just dormant, and to wait until late spring/early summer to determine if it is flowering. Moreover, most landscapers do give at least a one-year guarantee on their trees. Council President Pizzella asked Ms. Witkowski to ask Mr. Russell to provide input on this issue, and if the DPW can work with the EC on the trees, and report back to the Borough Council. Council Member Meyerson is concerned that this could turn into a large undertaking, and Council Member Looes asked where the water would come from. Council President Pizzella responded that Mr. Russell could let Ms. Witkowski have all of that information, and the Borough Council could take it from there.

The Historic Preservation Committee stated that the grant for the train station is scheduled to be presented to Board of Chosen Freeholders, which means that the first step has passed, and it does qualify as a project. Council President Pizzella reminded everyone that it is a matching grant, for a total of \$200,000. Ms. Witkowski noted that the hearing for the \$100,000 provided by Bergen County will be on May 26, 2015. The purpose of the grant is to repair the roof of the train station, and Ms. Witkowski scheduling a meeting with New Jersey Transit to discuss the possibility of a contribution from them. Regarding the Tandy/Allen property, OSI and the owners have reached an agreement on the property, and the environmental assessments have begun. The Borough will only accept ownership of the property if there is a clean title and a clean environmental report. Council Member Looes thought there was also discussion about any deed restrictions that might be placed by OSI regarding the property, because it would be preferable that Hillsdale would have no limits placed on what can be done with the property, other than those defined by open space regulations. Council President Pizzella stated that Hillsdale has accepted ownership conditioned upon it remaining open space. Bergen County Open Space definitions might be different than the ones being used by OSI. If Bergen County definitions are used, the property could be used as a recreation facility of some kind, such as a field. Council President Pizzella is not sure that that

was the intent of OSI when they offered the property to the Borough. He offered to approach OSI to consider other options, if the Council Members want him to do that. Council Member Looes stated that she recalled that the 2014 Council Members emphatically stated that they wanted to keep all of their options open, with no restrictions on the property, before making their own decisions. There is a difference in how different entities defined open space. Council Member Looes wants to know if OSI is giving the property to Hillsdale with restrictions, or for use as open space, so that Hillsdale can use it as open space in whatever capacity is determined by the Council Members to benefit Hillsdale. Council President Pizzella believes that OSI was granting the property to Hillsdale consistent with the County definition of open space, and Council Member Looes was satisfied with that, and wanted to ensure that the County definition of open space would supersede any language provided by OSI. Council President Pizzella said he is sure that OSI is granting the property to Hillsdale pursuant to the open space definition provided by Bergen County, because County money is what the application is for. Council President Pizzella will get confirmation of this.

OLD BUSINESS:

1. Status of Sports Association Agreements
Council Member DeRosa will report next week.

2. PSE&G Vacation Knickerbocker Avenue
This was already discussed.

3. Pedestrian Crosswalk Sign
This was already discussed.

NEW BUSINESS:

1. Sign Ordinance Proposal Review

Mr. Madaio reported that the sign ordinance was reviewed by Darlene Greene, the Borough Planner, as well as by Tracy Jeffery and Mr. Madaio, who recommends that it be reviewed by the Council Members. Council Member Meyerson said he had a question about procedure, because this affects every business in Hillsdale, so he thinks it might be necessary to have an open public hearing so that business owners, after being given an opportunity to review the proposed ordinance, can come and ask questions of the Council Members and Darlene Greene, as well as Mr. Madaio. There could be a session dedicated to the sign ordinance. This would help to avoid the complaints that have been heard over the past couple of years. Council President Pizzella asked Ms. Witkowski to arrange for this to be put on the agenda for a Public Meeting, unless anyone believes it is necessary to have a separate meeting just to discuss the sign ordinance. Council Member Meyerson does not think there would be necessary, unless hundreds of people show up, in which case it might be necessary to schedule a special meeting. He suggested that perhaps Darlene Greene could be invited to attend the first session in June to answer any questions that the Council Members might have. After the Council Members have an opportunity to review the proposed ordinance and her answers to the questions, introduction of the ordinance could be put on the agenda for a Public Meeting in July. Council President Pizzella asked about the possibility of getting input from the Council Members first, and then having a question-and-answer session at a meeting. Council Member Meyerson said he was suggesting that the first session in June could be for Council Members to give their input, and the Public Meeting in June could solicit input from the public, with introduction of the ordinance in July at the Public Meeting. Council Member Ruocco noted that it seems that Council Member Meyerson suggested that the Council Members should be able to review the proposed ordinance and make any changes to it before it is presented to the public, in order to get the public's reaction to something that the Council Members believe is a good ordinance. Council President Pizzella said he could agree with that, provided Ms. Witkowski is allowed to figure out the best time to place on the agenda. Council Member Meyerson said he was making the suggestion because he wanted to keep this moving along, and he wanted to ensure that when public input is solicited, it is properly advertised, and every business in Hillsdale gets an opportunity to be heard on this matter. The ordinance will also require immediate compliance. Council President Pizzella reiterated that Ms. Witkowski will determine the best meeting date; the Council Members will be given first opportunity to review and make any changes to the ordinance; and then the business owners will be invited to attend a Public Meeting to give their input, and every effort will be made to ensure that all businesses in Hillsdale are notified of the meeting. Council Member Meyerson also suggested that when the Borough Council meets to discuss the sign ordinance, the Borough Planner should also be in attendance, as well as Mr. Madaio.

2. Bergen County Freeholder Request

Council President Pizzella received a request from Bergen County that an agenda item be included to allow a group to present a brief verbal presentation regarding Access to All. Access to All does amazing work to raise awareness of the needs and rights of people with disabilities. What the Freeholders/group members hope to do

is to encourage Hillsdale to set up its own Access to All committee, and the presentation will show how to do that. Council President Pizzella asked that Ms. Witkowski be allowed to find a spot in an upcoming meeting to invite Bergen County Freeholder Maura DeNicola and whoever she might wish to accompany her to give the presentation.

3. Employee Evaluation Process

Ms. Witkowski is working with the Labor Attorney on the handbook, and the employee evaluation as part of the handbook, and will dovetail out of this process. It is Ms. Witkowski's understanding that the employee evaluation is there for the dual purpose of protecting the employee and the employer. Council Member Meyerson asked if this was for non-union employees, and Ms. Witkowski confirmed that it was.

4 Halloween in Hillsdale

Council President Pizzella explained that Halloween in Hillsdale is an idea that was discussed last year with Patti Hughes from the Department of Recreation, and with James Alba from the Chamber of Commerce, and more recently, with Sean Smith from the Historic Preservation Committee. The goal is that these various organizations will assist in capturing a holiday for Hillsdale, similar to the "Home for the Holidays" parade in Westwood. Council President Pizzella thinks the idea of Halloween in Hillsdale would be great, because there are many activities occurring in Hillsdale at Halloween, such as the ragamuffin parade, Fright Night, and other activities for children and adults. It could bring in revenue, as well as attract people to the downtown area. Sean Smith also suggested the possibility of incorporating a carnival with a fundraiser element to raise money for the train station. Council President Pizzella said he is willing to start off with a small event that could grow into something that Hillsdale could capture for itself, and he would like to move forward with this plan. He asked for volunteers to help with any aspect of this. There was no opposition from the other Council Members.

5. Bergen County Floodplain Protection Grant Program

Council Member Ruocco reported that he attended this program with Ms. Witkowski. He explained that Hillsdale ranks among the top 10 towns with severe repetitive loss properties in the County. Last year, the County adopted new rules for the Open Space Trust Fund to provide funding to assist municipalities in purchasing homes damaged by ongoing storms. Once the purchased property is cleared of all structures, it is protected as open space to restore natural floodplain functions. The reason for spending taxpayer money to do this is to move people out of harm's way; it lowers municipal costs from post-flood cleanup and repair; it creates a permanent self-sustaining solution to flooding; it increases open space areas; and it reduces the need for disaster services. The County is giving priority to FEMA and NJDEP-qualified projects, but the second priority is locally-funded projects. They would be funded with a 75% grant. However, before a community can apply for grant, it must have a floodplain acquisition plan. At the meeting on April 23 attended by Council Member Ruocco and Ms. Witkowski, there was a presentation given by the Department of Planning and Economic Development, who informed everyone that the County is partnering with a land conservancy organization and Rutgers University to provide planning and technical support 25 municipalities for 2015, to help them develop a floodplain acquisition plan. Council Member Ruocco noted that once a plan has been developed, it does not expire, so that if a municipality does not apply for the grant this year, applications can be submitted in subsequent years, although Council Member Ruocco is not sure how long the same plan can be rolled over from year-to-year. A cost-benefit analysis would be required as part of the plan before any decision can be made as to whether it is worthwhile to purchase these properties. It is necessary to weigh the loss of the tax revenue against the reduced expense for the municipality during a flood, as well as weighing the greater benefits of having more space against how the space will be used for the benefit of the municipality. The deadline is May 29 to submit a letter of intent to express willingness to become one of the five municipalities. The County will decide which towns will be the chosen five, and Council Member Ruocco does not know the criteria to be used for making that determination. If selected, Hillsdale must enter into an interlocal agreement for funding for the professional services. The groups mentioned would come in, at no cost to the municipality, assess the properties and do the cost-benefit analysis and eventually the floodplain acquisition plan. The deadline for the grant is some time in the summer; Ms. Witkowski recalled someone mentioning a 90-day window, leading to late summer/early fall. Council Member Ruocco pointed out that the Council Members must have the fortitude to see this through. It would be very easy to have these groups come in and help with preparation of the plan, and then do nothing with the plan that is prepared. However, Council Member Ruocco commented that if the Council Members are serious about the process of buying these properties, it would be a good idea to have the plan.

Ms. Witkowski added that the woman who presented this program, and who is one of the people who helps to develop these floodplain acquisition plans, is Barbara Heston Davis, from Boonton, New Jersey. Ms. Davis is with the Land Conservancy of New Jersey. She presented a wonderful program, and Ms. Witkowski was ready to engage her services on the spot after listening to the presentation. In addition, the results that have been seen with these grants and plans have been amazing. Council Member Ruocco noted that any municipality that is serious about moving forward with this cannot cherry pick the properties, but should have

a view that there is an area of the town with contiguous properties, and if that is seen in Hillsdale, it would be worthwhile to pursue this. However, if the Council Members are nervous about losing the tax revenues, then it should not be acted upon. There is no commitment or negative aspect to preparing and submitting a letter of intent.

Council President Pizzella commented that this seems to be consistent with the activities of Bergen SWAN in trying to mitigate the flooding and protection of the watershed area. He also believes that Bergen SWAN wants to come back to Hillsdale to give a presentation on their findings, but they need much more time than the Borough Council can accommodate during public sessions. Council President Pizzella and Ms. Witkowski discussed this, and thought about reaching out to the Environmental Commission to work with some members of the Open Space Committee in Hillsdale to investigate an opportunity in Hillsdale, and the potential for this program in Hillsdale, before any commitments are made.

Council Member Meyerson clarified that what is being discussed is essentially taking entire sections of Hillsdale and obtaining funds to buy up those sections and turning them into open space. It is a very nice goal, but he reminded everyone that it takes a large amount of money to ride town, and if the tax revenues from those properties are lost, the burden is placed on the rest of the taxpayers in Hillsdale. That will dramatically increase taxes. Therefore, while one problem might be solved, another has been created. An action is seemingly innocuous as simply sending a letter of intent can cause momentum to build, and the point is reached where it is impossible to say no. Council Member Meyerson is not sure at this time that this would be a good idea although he does feel for the people who bought in the floodplain areas and would like to sell their properties. Council Member Meyerson is not sure how buying large sections of town and turning them into open space helps Hillsdale. He is also not sure that starting this process now, without further research into the ramifications of it, it makes sense for Hillsdale. Council President Pizzella said he was suggesting that, because there are volunteer committees available in Hillsdale to do this kind of work, they could be asked to look into this. Council Member Meyerson said that is not a good idea, because the people on those committees might have a conflict comes to investigate the properties. There are people who are concerned about the environmental aspects, and there are other people who represent the taxpayers of Hillsdale. Council Member Meyerson stated that people from both of those camps should be part of it to balance the focus of the research. Council President Pizzella suggests that Council Member Ruocco, as chairman of the Finance Committee, and Council Member Meyerson could work with whoever will be doing this research. Council Member Ruocco stated that he had the same skepticism when he first went to the meeting as Council Member Meyerson does, and he was concerned about the loss of tax revenue. If Hillsdale were one of the five chosen municipalities, the plan would include this aspect. At the end of the planning process, the Council Members may decide that they do not want to move forward with the purchase, because the cost-benefit is not in Hillsdale's favor. Council Member Meyerson pointed out that the only way offset the loss of that revenue is to look at other parts of the municipality for re-development, and he would not support taking this action as a Council Member without knowing that any development plan would require taking a look at the rest of the town, identify areas that are in need of development, and work with a land-use board and the Borough Council to rezone or encourage developers to come in to offset the loss of revenue in a plan that would eliminate parts of the flood zone. He believes that a balancing act like that makes sense rather than simply wiping out sections of the floodplain and calling it open space. Council Member Ruocco mentioned that the presentation included information on the property once it is bought, and the fact that it does not necessarily sit useless, but could possibly be used to draw other benefits to the town. However, from a monetary, any town is more likely to lose dollars than to gain them with this type of plan.

Council President Pizzella recommended that, because Hillsdale will be embarking on economic re-development once the budget has passed, this should become a component of the economic redevelopment plan for Mr. Benecke and the Economic Development Growth Committee to consider. Council Member Ruocco wanted to know if that means that the letter of intent should be sent, and Council President Pizzella answered that he is recommending that Council Member Ruocco use what he learned from the presentation and included as part of the economic growth plan. Council Member Meyerson noted that Council Member Ruocco referred to a timeframe that it must be done within 2015. Council President Pizzella responded that he also stated that the grant application does not have to be sent this year. Council Member Ruocco stated that was true, but this is an opportunity to develop the first step, which is the floodplain acquisition plan, and it could be obtained free. If Hillsdale is chosen, the plan could be held in abeyance for several years until the Council Members decide they want to move ahead. That is why Council Member Ruocco does not see any negative in asking for a plan. Council Member Meyerson said he would like to think about it and discuss it again next week, and any plan he supports must include a simultaneous plan for redeveloping part of Hillsdale to raise revenue that will offset the lost revenue. Council Member Pizzella stated that it will be put on the agenda for next week as old business, and it will be considered for inclusion as a component in the overall assessment of economic growth when Mr. Benecke is ready to work on. In addition, the Council Members will decide about sending the letter of intent.

6. COAH Fair Housing Update

Mr. Madaio said he would like to report on these issues during the Closed Session, because there is some litigation involved.

7. New Jersey Transit Grant Application Senior Van

Ms. Witkowski stated that this was submitted. Council President Pizzella asked when a response is expected, and Ms. Witkowski could not recall that information. However, she did recall that if the grant is awarded, it would be approximately 18-24 months before any funds are received.

DISCUSSION:

1. Floodplain Manager – Model Job Description

Ms. Witkowski explained that this came from the insurance company. There is a model job description that she believes the Council Members should review and consider. There has already been one situation before the Borough Council, and this should be revisited and a decision made. This will be put on a future agenda as old business for discussion.

2. Youth in Government – May 12, 2015

Council President Pizzella said it is his understanding that the students will take the Mayor and Council Members' spots at the dais. The Council Members will start the meeting and discuss the budget at 8:00 PM, and once that discussion has concluded and the vote has been taken, the Youth in Government portion of the meeting will commence. Ms. Witkowski noted that the budget hearing is scheduled for 8:00 PM, and the Borough Council meeting begins at 7:30 PM. Names will be given to the Council Members, and the students will be given their own packets.

BUDGET:

1. LOSAP Payment Hillsdale Volunteer Ambulance Service

2. Proposals for Methane Gas Sensors – Centennial Field

This was addressed by Mr. Polyniak.

3. Approval of Bergen County Multi-Jurisdictional Hazard Mitigation Plan

4. Authorize Shared Service/Interlocal Agreement for Fuel with Westwood

5. Authorize Interlocal Agreement for Street Sweeping Services with Paramus

Council President Pizzella said he noticed this was on several agendas, and Ms. Witkowski explained that she was waiting for the resolution from Paramus.

6. Award Contract for Tree and Stump Removal Service

7. Authorize Redemption and Premium Tax Sale Lien, Block 168, Lot 7, a/k/a 101 Dwight Avenue, 2011 Delinquent Taxes

8. Authorize Phase 1 Environmental Assessment for 46 Beechwood Drive, Block 1109, Lot 3, Gassib, to Partner Engineering & Science, Inc., in the Amount of \$2,100

Council Member Looes asked who is paying this, and Council Member Meyerson wanted to know why this was being paid. Mr. Madaio stated that the Borough will pay it, because Mr. Gassib is giving the property Borough. The EJIF inspected the property, and they found it to be clean, although there was some concern because they did the inspection while there was snow on the property. They came back and re-inspected after the snow melted, and still seem fairly confident that the property is clean, and considered to be a low-risk property. There was also some concern expressed by the Borough Council about ever accepting property without at least a phase 1 study being performed. Council Member Meyerson and Council Member Looes did not think they would be any cost to the Borough for the study, but they could not recall exactly what was decided. Council President Pizzella said he thought that the JIF would cover the cost of this phase 1 study. Mr. Madaio explained that the JIF would only cover the EJIF review, not the phase 1 study. Council Member Meyerson explained that this is an issue because some Council Members received campaign contributions from Mr. Gassib several years ago. However, Council Member Meyerson's only concern was that it was his understanding that the landowner pays for all environmental studies. Council President Pizzella asked Ms. Witkowski to do a bit more investigating, and add it to the agenda for next week as old business, only for discussion.

9. Authorize Release of Performance Bond for Block 1205, Lot 12, 289 Broadway
10. Authorize Non-Fair and Open Award of Contract to Thyssen Krupp Elevator Library Elevator Repairs in the Amount of \$34,744
11. Budget Adoption May 12, 2015
12. Library Funds Transfer

POLICY:

1. Supporting the Transparent Tax Act of 2015

Council Member Ruocco explained that this was given to the Council Members in their April 7 packets, and it was discussed at that meeting. He thought it would come up again at the April 14 meeting, but it did not. Council Member Ruocco asked for it to be put back on the agenda. It seems to have two parts, one of which is a report to the taxpayers of a bill sponsored by Assemblyman Auth, which would require towns to identify how much of their taxes go to the schools, the municipality, and the County. The second part of the bill requires that when there are refunds, a prorated portion of the refund is allocated to the school district. Currently, whenever there are refunds, those costs are borne by the municipality. Council Member Meyerson does not believe it will pass.

Council President Pizzella recalled that when it was discussed, there were two things that needed clarifying. One of them was whether the school district and other responsible parties actually pay back their prorated shares; and the other was what the cost is to the town in issuing these new invoices. Council Member Meyerson thought that the first part of the bill states that we must print two new tax bills, but Mr. Madaio pointed out that it says that the town “may” print new bills, but that is not required. In fact, the act specifically provides language to the effect that should the municipality desire to continue sending one bill, that bill may identify which is which. Hillsdale already does that with its tax bills.

Council Member Meyerson stated that this bill for him is the refund, which will essentially turn the New Jersey tax code on its head. Mr. Madaio noted that the request is for a resolution in support of the bill, and he asked if anyone feels strongly that it would not be appropriate to support this bill. Council Member Meyerson stated that the Borough is always picking up the tab for the County and the Board of Education, but the flipside is that this will significantly affect County and school budgets. Council Member Ruocco said he can support that, because it is transparent. Council Member Meyerson commented that this is beyond transparent, because it takes affirmative action to make it “fair” to the Borough. If this comes to pass, the municipal tax bill will drop, but the County tax bill and the school tax bill will increase. Council Member Ruocco agreed with that assessment, but he pointed out that currently, the municipality bears the entire weight of the refund. It is only fair when allocating expenses to allocate expenses to be County, as well as to the regional schools and the local schools. Council Member Meyerson agreed, but stated that there are ramifications to this, and it will increase school taxes.

Council President Pizzella noted that this has now been discussed at two meetings, and he recommended that it be put on the agenda for next week for a vote.

2. Fire Hydrant Ordinance Update

Mr. Madaio commented that some time ago, an ordinance was prepared that would require clearing the area around the fire hydrants. It requires a clearance of three feet around each hydrant, and Mr. Madaio thought he also prepared an alternate ordinance that also required a Knox box system at commercial premises. Mr. Madaio has not received any feedback on either of those proposals. Council Member Looes thought it was supposed to be sent across the street to the Board of Fire Officers for their review, and to the Darren Blankenbush, the Fire Official. Council Member Ruocco recalled that Council Member Looes said that she would bring it up again to the Council Members in April, because she was going to check with the Fire Department and get back to the Council Members. She said she would present it to the Fire Department at her next meeting with them, and she will also double check with Darren. Ms. Witkowski thought she had given Darren the copies, and she was going to check with him about that.

3. Authorize Waiver of Reading in Full the 2015 Budget

4. Employee Handbook Update

5. Distribution and Posting of Final Agenda & Packet Materials

Council Member Ruocco asked for this to be on the agenda. He noted that at the last meeting, the bill list was

in the packet, but was not posted on the website until after 5:00 PM. Council Member Ruocco abstained when the bill list was brought up for vote because he did not have enough time to review it. He said that perhaps there is a need for an ordinance that the Council Members should follow with respect to when they can expect the agendas. Some residents have complained about the agendas not being available in a timely fashion, and although it is not required that they be posted, Council Member Ruocco believes it would be a good thing for the Council Members to have their agendas and supporting materials 48 hours prior to the meeting. Once Council Members are given the agenda, it could also be posted on the website. Mr. Madaio pointed out that agendas never have to be posted, other than in the case of special meetings. Therefore, if agendas do not have to be posted, Mr. Madaio he would be very reluctant to create an ordinance or policy that the Borough could theoretically violate. What has been agreed to is that every effort is made to have the agenda prepared at least 48 hours in advance of the meeting. He reminded everyone that the agenda can only be prepared to the extent of what agenda items are known at that time.

Council President Pizzella asked if there is anything in the statute that allows for the cutting off the introduction of new materials in the agenda. For example, today, there was information being received up to two hours prior to the meeting, making it very difficult to get an accurate agenda. Mr. Madaio reiterated that it is not necessary to post a final agenda, although the Council Members can create whatever rules they wish with respect to that. He suggested the one of those could be that by Monday afternoon, no new items could be added to the agenda. Council Member Looes recalled that for the past several years, there was a Wednesday or Thursday cutoff date. Mr. Madaio noted that last-minute items can be added as Council Members walk in the door to the meeting. He added that once the Council Members make a decision, he would be happy to draft a rule, ordinance or any other document that they would require. Council President Pizzella stated that in the future, every effort would be made to have the agenda out at least 48 hours prior to the meeting. He asked everyone to respect the cutoff created by Ms. Witkowski.

MISCELLANEOUS:

1. Surviving the Foreclosure Crisis Article

Council Member Meyerson commented that it is a major-league problem in New Jersey.

2. EJIF Property Inspection (Second Inspection) 46 Beechwood Drive, Gassib-discussed earlier

3. Letter from State of New Jersey DEP – Centennial Field

Mr. Polyniak mentioned that this was the letter he referred to in his discussion. The letter was issued by the NJDEP to memorialize findings from the February meeting held at Borough Hall along representatives from NJDEP, as well as Ms. Witkowski and Mr. Russell. The meeting discussed the deficiencies found, and subsequent to the meeting, Mr. Polyniak's office prepared the schedule and the financing memo relating to those 26-27 items. He noted that the Borough is diligently addressing the items in order to comply with NJDEP.

4. Letter from 250 Pascack Road, Flooding Issues-no input

5. Approval of Raffle License – St. John the Baptist, June 14, 2015, Off-Premise Merchandise Raffle

6. Approval of Relay for Life – May 30-31, 2015

7. Authorized Developer's Agreement Block 1910, Lot 14, 68 East Liberty Avenue, K&M Hillsdale, LLC

8. Authorized Developer's Agreement Block 1007, Lot 13, 14, 15, 16, Broadway and Coles Crossing, Inserra Supermarkets, Inc.

9. Letter from 79 Hillsdale Court, Fichtenbaum, Paving and Curbs – Potholes Reported

Council Member Ruocco stated that he drove this road during the week to see what the conditions are. There are potholes there, which can be filled by the DPW. Ms. Witkowski stated that they have been reported. Council Member Ruocco commented that the whole street does not need to be milled and paved; the potholes simply need to be patched Council Member Meyerson noted that curbs are the responsibility of the property owners. Council President Pizzella reiterated that property owners are responsible for their curbs, and Council Member Looes pointed out that if utility company is responsible if they open the street, they are responsible for repairing those. Sidewalks are also the responsibility of the homeowners.

10. Bergen County Black Bear Alliance Update-no update

11. Deer Population Control Update-no update at this time
12. Letter of Resignation Dated May 1, 2015, from Donald Russell, Superintendent of Department of Public Works
Council President Pizzella commented that it is sad to see Mr. Russell go.

ORDINANCES: (for May 12, 2015)

ADOPTION:

15-11: ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND CHAPTER 292 OF THE BOROUGH CODE ENTITLED “VEHICLES AND TRAFFIC” (TRINITY PLACE)

WHEREAS, the Chapter 292 of the Borough Code of the Borough of Hillsdale pertains to Vehicles and Traffic; and

WHEREAS, Chapter 292-37 establishes restricted parking spaces for handicapped persons; and

WHEREAS, Chapter 292-57 establishes certain locations where parking is prohibited at certain times; and

WHEREAS, the Borough desires to add specific locations and/or time restrictions to each of the aforesaid sections.

NOW BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:

1. The following shall be added to §292-37 Schedule VI: Handicap Parking:

A designated space on Hillsdale Avenue, north side, from Trinity Place to a point 125 feet westerly therefrom (Trinity Church entrance).

2. The following shall be added to §292-57 Schedule XVI Parking Prohibited Certain Hours:

Name of Street	Side	Hours/Days	Location
Trinity Place	East	8 am to 4 pm School Days	From Hillsdale Avenue to Washington Ave

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect. This Ordinance shall take effect upon passage and publication as provided by Law.

INTRODUCTION:

15-12: ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND CHAPTER 292 OF THE BOROUGH CODE ENTITLED “VEHICLES AND TRAFFIC” WILL (BY DEMAREST FARMS)

WHEREAS, the Chapter 292 of the Borough Code of the Borough of Hillsdale pertains to Vehicles and Traffic; and

WHEREAS, Chapter 292-55 establishes specific locations within the Borough where parking is prohibited at all times; and

WHEREAS, Chapter 292-57 establishes certain locations where parking is prohibited at certain times; and

WHEREAS, the Borough desires to add specific locations and/or time restrictions to each of the aforesaid sections.

NOW BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:

The following shall be added to §292-55 Schedule XIV: Parking Prohibited at All Times:

Name of Street	Side	Location
Bedford Road	Both	From Fairhaven Drive to a point of 50 feet northerly therefrom
Craig Road	West	From Glen Hook Road to a point of 50 feet northerly and to a point of 50 feet southerly therefrom
Craig Road	West	From Melville Road to a point of 50 feet northerly and to a point of 50 feet southerly therefrom
Craig Road	West	From Douglas Drive to a point of 50 feet northerly and to a point of 50 feet southerly therefrom
Douglas Drive	Both	From Melville Road to a point of 50 feet southerly therefrom
Fairhaven Drive	South	From Bedford Road to a point of 50 feet easterly and to a point of 50 feet westerly therefrom
Melville Road	South	From Douglas Drive to a point of 50 feet easterly and to a point of 50 feet westerly therefrom
Royal Park Terrace	North	From Wiermus Road to a point 50 feet westerly therefrom
Standish Road	Both	From Fairhaven Drive to a point of 50 feet northerly therefrom
Winthrop Road	Both	From Fairhaven Drive to a point of 50 feet northerly therefrom

The following shall be added to §292-57 Schedule XVI Parking Prohibited Certain Hours:

Name of Street	Side	Hours/Days	Location
Bedford Road	West	9 am to 5pm Saturdays & Sundays (all)	From Hillsdale Avenue to Fairhaven Drive
Craig Road	East	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Wiermus Road to Alpine Terrace
Douglas Drive	East	9am to 5pm Saturday & Sunday 8/30 – 10/30	From Melville Road to Craig Road
Fairhaven Drive	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Plymouth Road to Bedford Road
Glenn Hook Road	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Douglas Drive to Craig Road
Hunters Court	Both	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Hillsdale Avenue to a point 500 feet southerly therefrom
Jane Court	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Bedford Road to Dead End
Langersfeld Road	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Wiermus Road to Beverly Road
Lesla Lane	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Hunters Court to a point 500 feet easterly therefrom
Melville Road	North	9 am to 5pm	From 200 feet west of Wiermus

		Saturday & Sunday, 8/30 – 10/30	Road to Craig Road
Paul Court	East	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Hillsdale Avenue to a point 500 feet southerly therefrom
Ridge Court	North	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Wiermus Road to Dead End
Royal Park Terrace	South	9 am to 5pm Saturday & Sunday 8/30 – 10/30	From Wiermus Road to Sunrise Drive

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

RESOLUTIONS/CONSENT AGENDA: R15085 through R15100:

R15110 Award Contract to Pat Scanlan Landscaping, Inc., for Grass Cutting for a 24-Contract (2015-2016) Expiring December 31, 2016, for Various Borough Properties

WHEREAS, the Mayor and Council of the Borough of Hillsdale is desirous of hiring a vendor to cut grass on Borough owned property; and

WHEREAS, the Mayor and Council of the Borough of Hillsdale advertised bids for the grass cutting contract; and

WHEREAS, one bid was received by the Borough Clerk on April 30, 2015, and

WHEREAS, the sole bidder was Pat Scanlan Landscaping, Inc.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale hereby award the contract for the Grass Cutting on Borough Owned Property to Pat Scanlan Landscaping, Inc. for a 2-year contract for a term expiring December 31, 2016.

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to Pat Scanlan Landscaping, Inc.

Motion to approve by Council Member Meyerson, second by Council Member Looes. Council Member Ruocco pointed out that this is budgeted at \$103,000 over two years. Last year, it was approximately \$88,000. According to the QPA, that is a 17% increase from this particular vendor. In the budget, the DPW Superintendent allowed \$41,500 for this per year. One bid was received. Council Member Ruocco wondered if the Council Members did something or neglected to do something that caused there to be a number of bidders. Council Member Looes recalled that last year, with respect to cutting the grass, there was a situation in which the person who won the bid did not do a good job. Ms. Witkowski responded that it was two years ago. Council Member Looes wondered if this is a similar situation to that one.

Council member Ruocco asked if this also includes Stonybrook, and Ms. Witkowski said that it does. Last year, the budget also included Stonybrook. Council member Ruocco suggested that this RFP be put out earlier. Ms. Witkowski noted that this is a two-year contract.

Council President Pizzella thought that because only one bid was received, the Borough could not reject it. Mr. Madaio corrected him, saying that there are a number of reasons for which all bids could be rejected, which are limited by statute. Council President Pizzella asked if an acceptable reason is, as in this case, there is only one bidder, but the bid is too expensive. Mr. Madaio said that was not an acceptable

reason, but the fact that the amount exceeds the budgeted amount is an acceptable reason. On the other hand, as Council member Looes pointed out there are some time constraints, because Stonybrook needs to get its grounds in order so that they can open at the end of the month. Madaio suggested that this be discussed with the QPA

Roll Call Vote:

Ayes: Council Members Looes, Meyerson, Ruocco
Absent: Council Members DeGise and DeRosa
Nays: Council President Pizzella

PUBLIC COMMENT:

Meredith Kates, 146 Sebastian Court, is the Chairperson of the Environmental Commission. She wanted to address some issues that were raised, including the fact that the EC comes up a lot at Borough Council meetings. Ms. Kates explained that the EC is an advisory group, and are always eager to help when requested by the Borough Council. However, they have not been promoting themselves or taking the initiative in any of these areas. With respect to tree maintenance, there have been emails going back and forth for years concerning the condition of trees. When there is a storm, the EC goes out to bid to purchase and plant new trees. The EC members monitor tree conditions very carefully, but there have been ongoing issues due to the fact that Shemin's Nursery has been telling them that they are not maintaining their trees, and the EC must meet to determine how maintenance is to be done. The trees are not being watered, and no one is taking responsibility for that work. Most of the EC members have daytime jobs, and cannot go out and maintain the trees, so many trees are being lost. Some municipalities have tree managers, but Hillsdale does not. The EC can advise and inspect the trees, but they cannot promise to do maintenance on them. Ms. Kates also suggested that the Councilmembers avoid using the word "team" with respect to any issue in Hillsdale, because she believes that having multiple perspectives is important. The EC members pay taxes in Hillsdale, and they vote on Planning Board development, but they do try to stay non-partisan.

Kevin O'Brien, 61 Parkview Drive, complemented the Councilmembers saying that he enjoyed their exchanges. As far as sign ordinance is concerned, Mr. O'Brien noted that when he was in Ridgewood, they had situations in which real estate agents would put up signs, and had to pay for permits for the signs. In that way, Ridgewood generates revenue from the sale of homes, and it is an ongoing issue there. The permit gives the owner a specific amount of time in which the sign can remain on the property. Council President Pizzella noted that Mr. O'Brien brought this up before, and he would like to reach out to the Borough Planner and suggest that it be included in the ordinance. It is a good way to generate revenue.

Mr. O'Brien asked Council member Looes if there is any issue with the Tandy/Allen property that would prevent the Borough from accepting the property. Councilmember responded that she simply wants to have all the information available, but she has no opinion right now one way or the other.

Mr. O'Brien thinks that Halloween in Hillsdale is a wonderful idea. The work that was done on the windows last year looked great. He noted that in Virginia, where his sister lives, to protect children, parking spaces at a particular church are used where people park their cars and leave their trunks open. Council member Looes pointed out that Smith School does that; it is called "Trunk or Treat".

In the past, the Public Library asked about rotating the fence at the dead-end, and Mr. O'Brien was curious to know if that was on the agenda in the near future. Ms. Witkowski noted that it has to be discussed with Mr. Russell. Councilmember Meyerson stated that the DPW has not given any input on that yet.

With respect to correspondence on the agenda, Mr. O'Brien noted that emails are now acceptable forms of correspondence, and he suggested that, in order to expedite the meetings, it might be better off to eliminate the correspondence. Mr. Madaio answered that all correspondence is not put on the agenda and only includes items that require action.

Mr. O'Brien recalled that last year, as a result of a letter Mr. DeJoseph, there was an issue with respect to benefits which were called "special deals". Ms. Witkowski commented that they could be discussed further, but they were not benefits that were part of any contract, and she asked how the Councilmembers like to proceed. Mr. O'Brien has not seen anything resolves this issue. He asked if it is still being discussed by the Borough Council, or what is its current status. Council President Pizzella stated that he believes that Ms. Witkowski is working on that with the Labor Attorney. Ms. Witkowski stated that it is on her list of things to do. Council President Pizzella stated that the Councilmembers would report back to the

public when more information is obtained. Mr. O'Brien asked if there is a time frame. Council President Pizzella suggested that it could be put on the agenda as old business for the next meeting.

Mr. O'Brien noted that since 2008, the Borough has been providing an employee with continuing health benefits, although the person is now a part-time employee. He wanted to note that is also being considered. Council President Pizzella stated he was not aware of that, and if there is any such situation, it would be dealt with in the same manner as the other similar situations that are being discussed. Mr. O'Brien stated that he would leave copies of his information for the Councilmembers.

Regarding the fire hydrant ordinance, Mr. O'Brien asked if that refer to plantings, or just snow. Mr. Madaio stated that it is only concerned with snow removal.

With respect to the Borough Council agendas, Mr. O'Brien stated that in Closed Session, the Mayor had made reference to the fact that the agenda would be an informal matter, and would be extended on Thursday afternoon.

Mr. O'Brien pointed out that at Stickey's Barbecue, where he raised the issue about the ADA compliance with respect to five feet of access, they have now put picnic tables out, cutting off a section of the picnic table by putting up against the railing. Once the chair is put there, there is less than five feet of access. If the table is pulled out, it would eliminate the chair and fix one side of the fence. However, Mr. O'Brien stated the problem is that there is not enough parking there, and Stickey's should have applied for a change of use variance because of the change in occupancy. They have put out more picnic tables, and exceeded the number of available parking spaces in the parking lot. Council member Meyerson asked if Mr. O'Brien was saying that Stickey's is in violation of the zoning code. Mr. O'Brien explained that change of use, under the Borough Code, states that whenever a change is made from one store to a different style, it must go before the Planning Board. Stickey's never went before the Planning Board. The Chairman of the Planning Board also stated that they have no way to require that Stickey's come before the Planning Board for approval, but that must be directed to them by the Building Department. Councilmember Meyerson clarified that Mr. O'Brien was suggesting that Stickey's is in violation of the zoning code, and Mr. O'Brien should go to the Code Enforcement Officer and file a complaint. Council President Pizzella recalled this, and he also recalled that the Planning Board was perplexed by its. He asked if the Enforcement Officer could investigate this and give a history of what happened on that property. Mr. O'Brien continued by saying that there was a drawing submitted as their seating, and for every four chairs, they were allotted one parking space, per the Zoning Code. There is not enough parking to allow for the extra picnic tables that have been placed around there; there is not enough parking to support the other two eateries in that same area. The same problem exists at Osso Bucco, but they were given permission by the Planning Board to use the ShopRite parking lot at night. The strip mall does not have the same access to ShopRite. Council President Pizzella asked Ms. Witkowski to ask Tracy to look into this. When Mr. O'Brien received a copy of the action report on this issue, it has mentioned the fact that the tables were not being used at that point in time, because it was not the right season for it.

Finally, Mr. O'Brien stated that during the last Borough Council meeting, the Councilmembers went into Closed Session to discuss tenure for Ms. Witkowski. Mr. O'Brien believes that a RICE notice should have been extended to her before going into Closed Session. The courts have said that people can only exercise their statutory right and request the public hearing if they have been given reasonable advance notice to enable that. Mr. Madaio responded that Ms. Witkowski waived her RICE notice. Mr. O'Brien stated that she waived her right to a public hearing, and Mr. Madaio corrected him, saying that Ms. Witkowski waived her right to receive the notice. Mr. O'Brien commented that that is not what the law says. Mr. Madaio said that is not true, and Mr. O'Brien was reading a law that has to do with going into Closed Session. Mr. O'Brien said that he was reading from a case, specifically the judge's remarks. He read the part of the law that states when and under what circumstances in employee must be given a RICE notice. Mr. Madaio pointed out that the employee can waive that notice. He noted that the employee can say that s/he wants the conversation to be held in public. However, in the case of Borough Clerks and Administrators, they would be required to RICE notice themselves, and Mr. Madaio is fairly confident that it is not necessary for them to send themselves such notices, because they are aware of their rights. Ms. Witkowski waived the RICE notice on the record in Closed Session; she indicated that she did not need a letter and was aware that she would be discussed, and that it would have been pointless to send herself such a letter. Councilmember Meyerson reiterated that Ms. Witkowski waived her rights to a RICE notice, and that the rights are hers to waive or not, as she chooses. When a person is familiar with RICE notices, as Ms. Witkowski is, she does have the right to elect not to send a notice to herself. Mr. O'Brien stated that the case he read dealt with failure to give the employee the necessary written notice, and Mr. Madaio pointed out that the employee in that case had not waived his/her rights to a RICE notice, as

Ms. Witkowski did. They are two completely different situations.

There were no other public comments at this time, and Council President Pizzella closed the meeting to the public comments.

COUNCIL COMMENTARIES:

Council Members Looes and Meyerson will report next week.

Council Member Ruocco mentioned that Hillsdale United Methodist Church has been looking for community cleanup projects for Sunday, May 17, and he thanked Meredith Kates and Grace Biener for their suggestions, which Council member Ruocco forwarded to the church coordinator. The church is now in discussion with the EC to provide volunteers for every third Sunday in May every year. He also mentioned that the senior citizens day at Pascack Valley High School went very well. Finally, Council member Ruocco mentioned that he and his wife applied for the half fair New Jersey Transit program, for which they had to go to Hackensack. He said it is a wonderful program, and anyone who is interested could email him and he would send information.

Council President Pizzella wished Mayor Arnowitz a speedy recovery, and he thanked the residents of Hillsdale for their patience with him while he was running these meetings, as well as for their input. He also thanked the other Councilmembers for their robust debates.

ADJOURN TO CLOSED SESSION: @9:59 PM

R15111 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 – Gassib; COAH litigation; Lally/Magnolia; bankruptcy

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

Roll Call Vote:

Ayes: Council Members Looes, Meyerson, Ruocco, and Council President Pizzella

Absent: Council Members DeGise and DeRosa

RECONVENE REGULAR MEETING: @11:04 PM

Motion to reconvene regular session was made by Council Member Looes, Second by Council Member Meyerson.

Roll Call Vote:

Ayes: Council Members Looes, Meyerson, Ruocco, and Council President Pizzella

Absent: Council Members DeGise and DeRosa

Borough Attorney Madaio said let the record reflect all members of the governing body present for commencement of the executive session and are present for the recommencement of the open session as well as the Borough Clerk/Borough Administrator and the Borough Attorney.

ADJOURNMENT: @11:05 PM

Motion to adjourn was made by Council Member Meyerson, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members Looes, Meyerson, Ruocco, and Council President Pizzella

Absent: Council Members DeGise and DeRosa

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, MAY 12, 2015 – YOUTH IN GOVERNMENT
BEGINNING AT 7:30 P.M.

Susan Witkowski, Municipal Clerk

APPROVED AS PRESENTED
JUNE 9, 2015

Susan Witkowski, Municipal Clerk