

Minutes of a Council Meeting of the Borough Council held at 7:30 P.M. on Tuesday, April 2, 2013, in the Council Chamber, Borough of Hillsdale, Hillsdale, New Jersey.

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

OPEN PUBLIC MEETING STATEMENT

Mayor Arnowitz stated, "This is a Meeting of the Hillsdale Borough Council on this 2nd day of April 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

Municipal Clerk Witkowski called the roll those present being as follows: Councilmembers DeGise, Frank, Kelley, Looes, Meyerson and Pizzella. Also in attendance Administrator DeJoseph, Borough Attorney Bernstein and Clerk Witkowski.

APPOINTMENTS None

OATH OF OFFICE None

PRESENTATIONS

Safety Award Presentation~Administrator DeJoseph thanked all of the Department Heads for their hard work who are members of the Safety Committee. With our Risk Manager and all of our Department Heads we were able to have quarterly safety meetings where we would actually review the loss history of the Borough, looking at Workmen's Comp claims, trying to improve our loss ratio. On Tuesday, March 12, the Borough of Hillsdale received two (2) safety awards, one was a Gold Certificate Award and the second one for the Most Consistent under 50 employees. The committee consisted of Police Captain Mike Niego, Debra Ginetto, Vice-President Burton Agency, Police Chief Chip Stalter, Borough Clerk Susan Witkowski, myself, Al Murphy, past Mayor and Hillsdale Volunteer Ambulance Service, Patty Hughes, Recreation Director, Jason Durie, Fire Chief, and Keith Durie, DPW Superintendent. He thanked everyone from the committee who worked hard over the years to benefit the residents of the Borough of Hillsdale.

Mayor Arnowitz thanked the department heads by keeping a safe work place we keep our employees safe and as a result there is a dollar savings to us and JIF, our insurer. He thanked everyone for doing such a great job.

APPROVAL OF MINUTES

Approval of minutes the Regular Meeting of March 5, 2013, Closed Session March 5, 2013, Regular Meeting March 12, 2013, and Closed Session March 12, 2013

Motion to approve the minutes of the Regular Meeting of March 5, 2013, Closed Session March 5, 2013, Regular Meeting of March 12, 2013, and Closed Session of March 12, 2013, by Councilmember Frank, seconded by Councilmember Kelley.

Roll Call Vote:

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

Nays: None

CORRESPONDENCE

1. Letter dated March 26, 2013 from Borough Tax Assessor, Patrick Wilkins, overview of 2013 Tax Revaluation Program~ referred to Councilmember Frank

Motion to Receive and File was made by Councilmember Frank, seconded by Councilmember Kelley, and unanimously carried.

Patrick Wilkins, Tax Assessor –

Essentially the letter he wrote summarized the program which he considers a success. A letter was sent to every property owner in town and in total 88 residents met for informal hearings which is very low, probably indicative of the fact that most assesses dropped as a result of the revaluation program. We had a success rate of 90% accessing properties in town which is standard for revaluation programs. He noted in the letter that residents had until May 1st due to county delays for taxes but residents actually have until May 13th to file tax appeals. He expects the number of appeals to drop dramatically from last year. The program went well and has been very well received.

Councilmember Frank asked when we will be able to strike the tax rate for this year based on the inputs from the other entities.

Patrick Wilkins said he will inquire with the County within the next few days.

Mayor Arnowitz said the residents will find out what their actual tax will be when we send out the August tax bills, we are not going to send anything out before hand. If someone wants to get this information will they be able to come here to find out or do they have to wait until the tax bill is generated.

Patrick Wilkins said we could give them an estimate based on last year's rate and typically mailed in July/August.

Councilmember Frank said he did a great job coordinating everything and thanked him.

Mayor Arnowitz said this is the first Reval we have done in which he did not get any negative calls about the personnel.

2. Letter dated March 26, 2013 from Carella, Byrne, Cecchi, Olstein, Brody & Agnello, P.C., resigning from appointed position of Bond Counsel, R13021 of January 6, 2013~referred to the entire Council

Motion to receive, file and accept was made by Councilmember DeGise, seconded by Councilmember Meyerson.

Roll Call Vote:

Ayes: Councilmembers DeGise, Frank, Kelley, Looes, Meyerson and Pizzella

Nays: None

Borough Attorney Bernstein arrived at this time 7:40 PM.

Borough Administrator DeJoseph said at the last meeting the Council authorized the Borough Clerk to advertise for qualifications and should be available for the first meeting in May and have recommendations for the Council. We have completed the bond ordinance through a different attorney which will be adopted this evening.

3. Letter dated March 18, 2013 from Roberta Cripps, requesting permission to use the Hillsdale Railroad Station for its Annual Plant Sale, May 11, 2013~Referred to Councilmember Looes

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

DISCUSSION:

1. Sign Ordinance-initial comment and questions from Borough Planner~Councilmember DeGise

Councilmember DeGise said this was discussed at the last meeting and he asked Darlene Green of Maser Consulting, Borough Planner, to review the Sign Ordinance. Recommendations in a letter dated March 29, 2013, were made after her initial meeting with the Code Compliance Department and were distributed to Council. has the letter dated March 29, 2013. If the Council desires to go forward with this project, there are Five (5) preliminary questions that have to be answered. He suggested the Council read the letter. If the Council wanted to go forward with this it is estimated to cost \$2,000 to \$3,000 to amend this ordinance. He is bringing this to the Council for their comments.

Councilmember Frank read the letter and they found a lot of errors in the first read. He didn't see the five questions indicating how we go forward with the Sign Ordinance.

Councilmember DeGise said it was emailed to everyone. On the last page, the Borough Planner prepared a chart to try to understand the Sign Ordinance better.

Councilmember Frank asked if any conversations with the local businesses, the items that have been identified, changing the current Sign Ordinance alleviate their concerns?

Councilmember DeGise said it is being in compliance and he has not spoken to the businesses.

Mayor Arnowitz asked Borough Attorney Bernstein to review the letter and the sign ordinance, give his legal opinion, is it feasible or grandfather original sign ordinance. He has asked Mr. Bernstein to speak with Tracy Jeffery. Mayor Arnowitz read the letter and the five questions, and that was the gist of the "A" frames per the prior Council and the Planning Board. The problem of discussing this on April 9 is the fact that we are adopting the budget and will be a lengthy meeting and this could be a lengthy discussion.

Councilmember DeGise asked the Council to extend it 30 days while it is being reviewed. He wanted the five questions addressed by the Council.

Councilmember Meyerson said one question asks for a legal opinion as to getting rid of existing non-conforming signs, is that something we want to discuss tonight for Attorney Bernstein's opinion?

Mayor Arnowitz said that is a part of what was addressed when it was discussed with the Planner and attorneys, Planning Board and Council. They all felt it was enforceable and obviously this Planner has a different opinion. He spoke with the Code Compliance office and are backing down and wishing they had done something way back when. We have to get it straightened out and his suggestion is we wait until May when we have more time. He asked the Borough Attorney to review the letter, look at the Sign Ordinance, and provide his opinion as what the Planner is recommending and if they are feasible or if the things in the original Sign Ordinance are enforceable. The main thrust he got from the businesses the last time and now is grandfathering.

Attorney Bernstein will review with Planner.

2. Order of Business, i.e. Professionals~Councilmember Kelley

Councilmember Kelley stated that we have had professionals speak come up at the end of the public hearing after everything else is done. We pay the engineer hourly, but his concern is the Fire Chief, Ambulance Corps Captain, who are here on their own time. He thought by moving the reports of the professionals up in the agenda they may be here for a half hour or an hour, and if someone wants to ask them a question, the Liaison could get the answer. At times professionals are here for three hours.

Mayor Arnowitz said we moved them from the end of the meeting to approximately to the middle of the meeting after the public portion at the recommendation of the police and DPW Superintendent. This past meeting, the Fire Chief has attended last and now he sees the Captain of the Ambulance Corps here. If they want to hear what the public has to say so, they can answer them. Most questions reflect back to our professionals, not to the Council. One of the reasons we didn't want them to leave is we didn't want people to be waiting another week or possibly another month as they are not present at the second meeting. If someone comes up and complains about traffic situations, the Chief provides an explanation. He doesn't have a problem bringing the engineers up in the beginning of the meeting because theirs is more of a report. But if someone complains about something being done in town, for example, when we start the bridge project, people will questions things going on.

Councilmember Kelley said this is more of a seasonal question, is it possible to open the meeting to the public just for the engineers if they have questions while they are here. With regard to the Fire Chief and Ambulance Captain, the Chief missed a drill because he was here and if he could leave in 30 minutes, he could still make the drill.

Mayor Arnowitz said If someone has to leave, they can let him know and he will call upon them earlier.

Borough Clerk Witkowski will make a change in the Agendas, schedule the professionals during the public comment.

3. Budget Update:Suggested Improvements~Councilmember Frank

Councilmember Frank stated that last week at the special meeting to discuss the budget. We tried to come to a compromise and the Council did vote to go in one direction. He still has concerns and believed debt is nothing more than a tax deferred, meaning you are pushing a tax increase in the future. Our three year projection done by our new Auditor projects that not counting what we do with capital next year, we are looking at a 4% tax increase. One of the questions asked by a resident, John Ruocco, was where else could the council cut as elected officials. After 11:00 P.M. it is difficult clearly discuss.

Mayor Arnowitz reminded the council at 8 p.m., Ordinance No. 13-05 has been advertise for a public hearing.

Councilmember Frank stated we have been attempting to get some control over cost reduction, garbage, staffing changes, purchasing changes, researched court consolidation and central dispatching. By his calculations which he sent to the Finance Chair and to our Auditor, we are looking year to year approximately \$348,000 spending increase this year, \$121,000 alone is an increase in capital spending over last year. Some of the items we don't have a lot of control over. The legal costs associated with the Pascack Valley Regional High School studies, and labor negotiations; our health care cost, even though the employee contributions have gone up \$40,000 this year, our health care costs are still increasing over last year which are very difficult to offset

Councilmember Frank (Cont'd.) We are a town of volunteers, our Board of Health, Recreation Commission, Stonybrook Commission, Ambulance Corps, Environmental, Green Team, and Library Board where no one draws a salary. With that he has six items to consider. Eliminate the Mayor and Council stipends for this year which amounts to \$48,000 and we could reinstitute this as soon as we got our budget back in balance. Eliminate the Fire Department salaries, cost savings of \$25,000 and it would not affect their clothing allowance or their retirement benefits. Sports lighting for the associations, eliminate any funding at \$21,000; Library funding reduce by \$18,000 to bring it to the state minimum; Police overtime we moved it from a new employee to overtime \$32,000, we did that at the meeting last week; staffing adjustments, he spoke to the Borough Administrator briefly and this could be timing issues without seriously impacting any of our employees \$15,000; for a reduction in spending in the budget of \$159,000. They would remain in place until the town passes a balanced budget where our revenue and spending are in line. However, share the pain also involves our residents and we should raise the tax increase to 3% and the net result would be a \$240,000 change in the budget. If we are serious about getting ourselves back on track financially, these are the kinds of painful things we need to do.

Mayor Arnowitz said it is 8:00 p.m., we need to hold the public hearing on Ordinance No. 13-05 and then we will return to the conversation.

Motion to change the order of business was made by Councilmember Kelley, seconded by Councilmember Meyerson, and unanimously carried.

ORDINANCES

13-05 (Adoption): AN ORDINANCE PROVIDING FUNDING FOR IMPROVEMENTS AT CENTRAL AVENUE AND INSTALLATION OF ADA RAMPS FOR THE BOROUGH OF HILLSDALE AND APPROPRIATING \$421,500 FOR SUCH PURPOSE.

PUBLIC HEARING:

Mayor Arnowitz asked if there are written objections to the Ordinance. Clerk Witkowski stated that there were none. Mayor Arnowitz said I will now open the meeting to the public for this ordinance only. If anyone desires to be heard regarding Ordinance No. 13-05 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. This is a grant that we received from both the state and the county.

He entertained a motion that the public hearing on Ordinance No. 13-05 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Motion to close the public hearing was made by Councilmember Frank, seconded by Councilmember Kelley.

Roll Call Vote:

Ayes: Councilmembers Looes, Meyerson, Pizzella, DeGise, Frank and Kelley

Nays: None

Motion to adopt Ordinance No. 13-05 was made by Councilmember Meyerson, seconded by Councilmember Looes.

Roll Call Vote:

Ayes: Councilmembers Meyerson, Pizzella, DeGise, Frank, Kelley and Looes

Nays: None

Motion to Return to the order of business was made by Councilmember Kelley, seconded by Councilmember Meyerson, and unanimously carried.

Councilmember Frank said the public might see that we can find ways to reduce the budget, as the spending doesn't entail a slightly higher tax increase that we talked about last week, but I think it is the right thing to do and it is the responsible thing to do to get our spending and revenues in line.

Councilmember Kelley questioned Councilmember Frank as to his timing of this discussion. With regard to salaries, do you mean officers pay?

Councilmember Frank said correct.

Councilmember Meyerson said he has a few comments. What brought this about is essentially when you look at the numbers. There was a dissenting vote on the proposal made by the Finance Committee not to borrow any money, not to bond or BAN any money because that is bad. Many of us on the Council disagreed with that and the reasons we gave were many because this was a good year to do that. We felt that tax increase should be lower particularly this year because we had a revaluation and typically a third of the town is going to get an increase. If the school stays within the CAP, we have no vote on the school budget and we will get a tax increase there too. Combined with the fact that the interest notes on these BANS are the lowest in history we felt it was appropriate to borrow money for certain capital improvements. We looked at \$370,000 and came to a semi-compromise; some of the long term items were put back into the operating budget, even though there are capital improvements that will be paid out of the annual budget, and kept about \$285,000 out of it, consisting of a \$200,000 road program and two vehicles. One for the Chief of the Fire Department and one for the Police Department, both SUV's issuing BANS. We had a vote on that which resulted in a 4-2 vote, passed.

He questioned and in order to do that the consequences are as follows: we would have to raise taxes 5% to 6% total or cut something else. He asked where to cut and no one had an answer. Councilmember Frank suggested we furlough employees, no support. Councilmember Frank went back and looked at the budget book, which he asked the Council to do if they were serious in cutting instead of having BANS. He does not agree on the philosophy of BANS he listened to the Auditor. We are spending much too much of our surplus and the only way to get this back in shape is to start this process now. What Councilmember Frank proposes is all or nothing and it is very hard to have a debate of all or nothing.

Councilmember Frank said if you do all and include in the increased taxes, you get \$26 increase on the average household.

Councilmember Meyerson said each of these things represent different philosophical differences; for example, sports lighting – we are basically asking the sports to contribute more and that is a discussion that has been around for a long time. Sports are one of the highlights of Hillsdale having the kind of Recreation programs that we have here. The debate is always between taxes vs. user charge and will go on for years. Do we make everything user charge then people with no kids don't have to pay for the kids to go to school either. Where do you draw that line and it is always subject to debate.

Police overtime, we heard the Police Chief who said we already used 1/3 of our allotted overtime. We do know there will be a full complement of staff soon, but if there are one or two people out that increases the overtime dramatically. The reason the new person was shifted to overtime last week because we recognized we are going to have more overtime than we budgeted for. The Library, for example, this year is the required amount of money that Hillsdale has to contribute towards the Library decreased by \$18,000 and Councilmember Frank suggested to keep it at the higher amount as the Library is a center of excellence, not just for Hillsdale but the surrounding area. Now he is proposing to cut the \$18,000. He didn't know what Councilmember Frank had in mind for staffing adjustments.

Councilmember Frank said timing issues for some of the rehires. Councilmember Meyerson reminded all that when a resident asks where can you cut and we say we don't know. That is not totally true because every single department head who came before us was in negotiations. Chief Durie asked for items and the Finance Committee reviewed and proposed a budget we thought we could live with. Raising taxes 3%, again especially this year that is within CAP, and the increase this year is just too much. Councilmember Frank should be congratulated for spending time necessary for going through the budget book although each one of these things requires a debate. Maybe we can agree to one or two of these things but it won't satisfy the proposal because the whole goal here is to eliminate borrowing money completely and he doesn't agree with that goal.

Councilmember Kelley said the Auditor is a professional, handles many boroughs, clearly said this is a sound budget, it is not outrageous, borrowing is not out of control and supports moving forward with Mr. Lerch's professional recommendation.

Councilmember Pizzella does not agree. He believes the Police and Fire Departments need what they are asking for as do the other departments and believe they need more, but they can't ask for more because of budget restraints. Probably most of us up here would want to take the vehicles out of the capital budget and put it into the operating budget because it works better for both departments because it sets a precedent in their budget for future needs, both departments would not have to come back every time they needed something. He continued to look through the budget during the week to see where we could cut and had a difficult time. He will continue

to look through the budget to see if there are any items he would move out and back into the operating budget. He did believe the Finance Committee did put forward a remarkable effort to get the town a workable budget. He spoke to Bond Counsel who hadn't seen the budget but explained what is in a CAP budget because most towns are having a hard time paying for everything. He spoke to the Auditor who was very helpful.

Councilmember Pizzella stated his issue with the budget it would be the same issue regardless of who put the budget forward. His problem with this budget and other budgets is that there is no provision for an economic development plan at all and he strongly believes without one we simply prolong the problem that most towns are facing. We are running out of cash to pay for everything and traditional methods of budgeting are not going to work, hire a consultant to assess all the municipalities' potential assets, things that could generate cash in the town and have a variety of different components. We can generate revenue in our town if we look and secure services in the future and keep our volunteers safe, provide for the kids, make a Hillsdale a better place but we can't do that unless we come up with a plan where we can generate revenue and move forward. Consider allowing him to establish a committee of residents, professionals, volunteers that have skill sets that we might not have, to help put together a plan. It would be a long process and in any future budget you at least discuss an economic development plan that generates true revenue for Hillsdale.

Mayor Arnowitz said that committee already exists, the Budget Advisory Committee. It is a very diverse group of professionals from engineers, legal and lay people. The committee is expandable and anyone can join it, if you feel you know someone would be viable for that committee, he would appoint them. They have come up with some great ideas in the past. He suggested that Councilmember Pizzella go to that committee, chaired by Al Murphy, and get involved. Any Council member, not more than three, can get involved.

Councilmember Pizzella said this involves a level of commitment that the town has to get behind. If you are going to look into an economic development plan because eventually when you come up with ideas, you have to hire a specialist, a consultant, that will guide through the process.

Councilmember Frank stated his proposal did include all capital, no cuts to the capital, but has a problem with debt.

Councilmember Meyerson said He is not in favor of a tax increase as he stated before.

Councilmember Kelley said moving in a different direction is not something he ever heard of at a meeting. Councilmember Pizzella had some good ideas and has some people in mind already and the budget advisory committee has a different direction and having a new committee set up is a good idea.

Mayor Arnowitz said all committees that are not part of the governing body are at the appointment of the Mayor. He is not in favor of creating another committee since one exists.

Councilmember Kelley said Councilmember Pizzella has a specific plan and if he does it with budgetary advisory, that is fine, it is a great idea.

Councilmember Pizzella said he never met with the budget advisory committee. He will meet with them and report back to the Council. Other towns have done it, not so much in New Jersey, but other states and have successfully created things that generate revenue. When you generate revenue, you don't need to cut and you have an income stream and he believed Hillsdale has a lot of assets and we don't use them correctly.

Mayor Arnowitz said it doesn't have to be done on a local level but also the Pascack Valley level down the road because every town is running into the same problem. It hasn't been easy to get volunteers but with a new idea you might get volunteers.

Councilmember Looes said when the Auditor was here last week, the issue of surplus was discussed. The BAN issue comes in to eventually lead us in a few years to being at a more comfortable level with our revenue and expenses. To keep hitting the surplus to keep the tax number down is causing our problem with our revenue and expenses not matching up. We need to rebuild surplus as we can't let our roads go and need to keep services to our residents.

Councilmember Frank disagreed, borrowing doesn't build up surplus.

Councilmember Looes said we are trying to maintain surplus so that every year we can build and get to a healthier number. By keeping the money in surplus, we need to get the money elsewhere.

Councilmember Pizzella agreed but the surplus we are speaking about is all tax generated but as a town we need to come up with a way where we can generate cash separate from taxes.

Councilmember Looes said that is our job, how are we going to find money in Hillsdale that is not coming from our taxes, not coming from our residents.

Mayor Arnowitz said the issue with the BANS, is you only have to pay interest, you don't have to pay principal. It became very convenient when the budget was created you didn't raise taxes over a certain amount and back then we didn't have a CAP. We would just roll over the BAN and increase it by \$100,000 or \$200,000; in this year's budget we are not doing any more roads than we've done in the past years we put in \$150,000 and this year \$200,000. When we get the quotes back with the price of oil which reflects on the price of material, there will not be a lot of roads. The BANS create a problem because of convenience but are very beneficial because they have very low interest rates. You take a chance for the following year.

Councilmember Meyerson understands the philosophical difference.

Mayor Arnowitz said it is the consensus of the Council when this BAN comes due, what do we do and that is his concern.

He appreciates Councilmember Frank's proposal because it was looked through carefully. What Councilmember Pizzella proposes is not an answer to the 2013 budget and has nothing to do with this year's budget.

Councilmember Pizzella stated that there is nothing he can really cut without seriously impacting something else.

Councilmember Meyerson said Hillsdale should address it after the budget cycle is completed next week. We are faced with this issue now, this is our first budget and we looked at every single line item and he thought if we come down to this \$300,000 discussion about issuing BANS, issuing debt and not issuing debt, there is a philosophical difference. Economic development is nice but it is not an answer to that question.

Mayor Arnowitz agreed with Councilmember Meyerson, each item has to be discussed and we are a little late in the game to discuss this right now. He hasn't seen anyone on the Council to do this other than Councilmember Frank and he doesn't believe anyone would do it now without further discussion. He spoke to the Fire Chief who informed him his budget is done, not approved yet, OSHA made a visit and he is facing a \$2,500 bill to fix one of the doors. He advised the Fire Chief to speak to the Administrator and get this included in the budget because there is nothing to move around at the end of the year, there will not be a big amount of money that we have had previously. When emergencies arose we have been doing emergency appropriations which we want to get away from. Our residents don't want their taxes to go above 2% and this will be a problem this year and in future years. He said Councilmember Frank came up with viable suggestions and could be considered for the 2014 budget.

Councilmember Meyerson agreed and said every one of these things should be on the table for future discussion during the year rather than starting this process in January and having a very short period of time to make this decision. He said the budget has to be approved by the DCA and asked if any correspondence was received.

Borough Administrator DeJoseph said we received notice from the DCA the other day for requested items and he sent them to Auditor Lerch's office and hopefully they will be complete for Tuesday, but he doesn't want to guarantee it.

Councilmember Meyerson said we can go forth with the hearing but we can't vote without DCA approval.

PROFESSIONALS

Mayor Arnowitz asked if any professionals would speak before the Public Hearing.

John Beatty, Captain Hillsdale Ambulance Corp.,—

In the month of March there were eighty (80) calls for service, Hillsdale took fifty (50) of them; twenty seven (27) were handled by Mutual Aid from our surrounding towns and the other three (3) were taken by paid ambulance service. Two (2) were in Hillsdale when we were in service and on other calls, it has been a very busy month. We have two new members who have joined, we currently have fifteen (15) active members, seven (7) probationary two of which are in school, and seven (7) more on academic leave, soon to return from college. While this meeting was going on, we had eleven (11) members across the street practicing and learning our skills in the event we have a catastrophe in the area. Currently, Hillsdale ambulance is in service every night of the week, Monday and Thursday days, we have Mutual Aid on a pre-planned schedule other days. Of the eight weekend days that fall in April, we are in service seven out of the eight with a full twenty four (24) hour staff. The last day general alarm those available come in a two minute response time. Next month as more students return home, there will have more coverage for Triage skills.

Mayor Arnowitz thanked his group for their service and expressed his appreciation.

Patty Hughes, Recreation Director –

The Easter Egg Hunt went well and thanked Ann Cron, the only Recreation Commissioner for her help. We put out 3000 eggs and 4000 pieces of candy and it was over in four minutes. She thanked the DPW for getting the fields ready. We are working on community pass for Stonybrook and the Rec Department which will be going live at the end of this week. Bank of America was contacted, we will be offering credit cards to our residents for the sports program and for Stonybrook for the summer hoping this will increase our revenue.

Mayor Arnowitz asked if she had dates for registration for Stonybrook, registration for day camp.

Patty Hughes said all information is on the website through the date for our tree lighting.

Keith Durie, Superintendent Public Works –

We had a meeting with our new landscaper yesterday, we visited all the properties and are getting ready for cleanup. Within the last week we were able to meet the needs of baseball and recreation associations to get our fields open. Opening day was held on Saturday the earliest he remembers. Through the Administrator's efforts, we participated in the cooperative program with TruGreen Chem Lawn, saving a considerable amount of money with our fertilization program which will start in the next week and through the Fall. He is working on the list of stump removals which is almost complete.

Mayor Arnowitz asked that he meet with the Administrator, Municipal Clerk regarding his retirement.

Superintendent Durie said this will probably take place the first week in May.

Councilmember Frank thanked the DPW and Police Department for all of the additional crosswalk signs in town and it will make things safer.

Superintendent Durie said we found this through a vendor and we were able to purchase them for 1/3rd to 1/4 of the price they were selling for. If they work we will continue to use them.

Mayor Arnowitz asked if cleaning of the recycling containers could take place again.

PUBLIC COMMENT

Mayor Arnowitz opened the meeting to the public and invited comment from the audience.

John Ruocco, 25 Riverdale Street-

He appreciates the discussion you are having with regard to pros and cons on BANS and bonding. Does the town know the debt service and capacity to do under a stress level environment? That is a question being raised by a number of institutions throughout the country. You need to have that answer ready what the town's debt capacity is because towns have a problem with revenue and you need to pay attention to debt service.

Councilmember Kelley said that is a question for our auditor.

Mayor Arnowitz said we reviewed the debt service in the past and this debt we are taking on is not excessive. We have about six million dollars in debt, we did bond everything a couple of years ago to lock in the rate. Because of the bond, it requires principal payment so we have been paying down the principal and have about 1/2 million dollars we are paying this year. We are in good shape, Moodys commented on our credit rating as our debt service was one of the reasons we have higher ratings than we would have otherwise. We are a stable town, they reviewed the rate of tax payments, which is at 98.9% at that time and believed we are at that rate now which is a factor; the amount of debt we were taking out. We were looking to take all of our debt, we weren't looking to increase debt but combine all of our debt. They reviewed the utility as a source of income, tax base and ability for people to pay in town and that put together we had the ability to bond literally millions more if we chose. It is not something we want to do but we had a great rating and another \$200,000 or \$300,000 this year is not something that will hurt us. His concern is down the road, that is how we got into the problem before. If we pay off the BANS and don't borrow next year to meet the budget we will be in great shape. But we could literally double the debt in Hillsdale to 12 million dollars and would probably be lower than most towns in the Pascack Valley and still be in good shape. It would affect us and would affect what we pay, but according to Moodys two years ago, Hillsdale's debt was very good.

Mr. Ruocco (Contd).

If you double the amount of debt will that have an impact on your debt payment? There would be more burden in the future.

Mayor Arnowitz said absolutely, it would double the principal and double the interest. Moodys said we could do it but it is not something financially we could afford to do. If we plan to pay that bond off in its entirety next year plus, the interest which will be nominal, it will have an impact on the budget because it is two points on the budget, 2% to pay off \$200,000. We could put it all in the budget or increase taxes to accommodate it, not bond it. It is fine for this year but what happens in the future.

Administrator DeJoseph said in the State of New Jersey it doesn't go by what you can pay but your total assessed valuation of your municipality. Based on our current revaluation year 1.6 million dollars at 3.5% the borough can have 56 million dollars in feedback.

Councilmember Meyerson said have 3-1/2 million dollars.

Mayor Arnowitz said we have the utilities that we are responsible for also.

Councilmember Meyerson said we are the lowest in 13 surrounding towns per capita.

Mr. Ruocco (Cont'd).

You are taking expenditures you could absorb and shifting them down the road. As long as you are comfortable with the ability to come up with the revenue in this environment and the stress environment, fine.

Councilmember Frank said the 3.5 million debt is municipal debt, our local school has debt and the Pascack Valley Regional has debt and it is all in the 1.6 million dollars of assets. The local school district will advise their outstanding debt and the Regional is 30 million in outstanding debt.

Councilmember Meyerson said the Regional School Board borrowed 25 million dollars and that was borrowed for the buildings and they have paid off a good part of it already. We can debate but that is a vote that the taxpayers and passed two to one by the four towns years ago because our schools were dilapidated and it was time to do something. The lap tops did not come out of those expenditures, they came out of the regular budget.

Mayor Arnowitz did not want to get into a discussion about the schools but with the possible separation of the schools, if we hadn't done the improvements at Pascack Valley. Pascack Valley would be in bad shape today because we would have overcrowding and the state would have stepped in.

Councilmember Meyerson said we did a 10 year study and we would have been in trouble with the capacity and the goal was to make the schools an education to be proud of.

Councilmember Kelley said we have \$500,000 debt in our bond, what would be our minimum responsibility.

Administrator DeJoseph said we currently have serial bonds with 10 years amortization schedule and that is what we have to pay every year.

Councilmember Meyerson said the answer is revenue, a long term plan that is going to bring revenue into this town.

Mayor Arnowitz closed the meeting to the public.

PROFESSIONALS

Michael Neglia, President of Neglia Engineering Associates and Gregory Polyniak, Vice-President-

He introduced himself to the governing body and is looking forward to working with the town and making the transition as smooth as possible.

Councilmember Kelley said we have a lot of problems at Centennial with field use. When a light rain, the fields are closed for three days. He asked him to review and advise what needs to be done to address this issue.

Mr. Neglia said he knows the fields well, his son played on the fields and he and Mr. Polyniak will look at the fields at no charge to the borough on a Saturday.

Mayor Arnowitz said that is an old landfill and we are limited with what we can do. We were told this before we started the project that we would have problems with water but we went forward because it is a valuable piece of property. We put in drainage and if there is something you can recommend we would appreciate it.

Chip Stalter, Police Chief-

This month on April 27 is the National Drug Take Back between 10a.m. and 2p.m. at headquarters and it is on the web. We have a homeland security grant for a license plate reader and hopefully with the next week or so you will see a car driving around with cameras mounted. The Administrator and I received proposals for security cameras for the Railroad station and that will be paid for by existing grant money. Friends of the Railroad station are anxious to move forward so that mischievous activities in the waiting room can be curtailed. With the anticipation of being open evening hours because of moving around and changes upstairs we had the panic alarm vendor in and reviewed the system. Currently all panic buttons in borough hall are functioning. At the end of this month and May we are going to have George White and St. Johns DARE Graduation, email invitations are to follow.

We are running ahead on overtime and 99% sick time driven; comparing first quarter sick time from this year to last year, this year we had 90 days, we had one officer out since December and another officer out on extended injury. This afternoon he was handed a doctor's note by an officer who has to have hand surgery and be out six to eight weeks. The forecast is gloomy and we will do everything we can with the schedule as we always do, detectives are in uniforms when we can.

Councilmember Kelley said the discussion came up last week, as Chief, do you think you need seventeen (17) officers or do you need eighteen (18) officers?

Chief Stalter said he believed he said last week that he feels 18 is our optimal number as far as the balance between being effective and pro-active; state police numbers based on population was 24. He feels 18 is a good number for the department and gives us a little cushion.

Borough Attorney Bernstein asked him to work with the Municipal Clerk for the Rice Notice.

Chief Stalter said the Captain has been putting a letter together with regard to his retirement at the end of the year. There is a strong possibility it will be moved up to September 1st.

Christopher Statile, Special Projects Engineer –

The Government is buying up treasury notes and borrowing costs will be going up. With regard to the Patterson Street project, the county engineer advised that the contract will be awarded in May and work will commence in June. FEMA administers the flood insurance program and in Hillsdale you have 152 holders of flood insurance. We pay flood insurance for the Library and DPW. They offer a program by which people who live in the flood area pay for flood insurance and the commissioners would give points and class, the lower the class number the better the discounts. On the average most get 2000 points and save about 20% on the premiums for flood insurance. In Hillsdale if we get to the 2000 point level we would save \$62,000 a year in premiums for all the flood insurance that people pay.

Mayor Arnowitz said we spend \$300,000 now you say we can save \$62,000?

Engineer Statile said that is a big savings. You could do that by public outreach, mapping and buying flood prone properties and it is a good program to consider. He had a handout that the Council could consider and the higher the points, the more the discount. You would apply to FEMA, make out an application, they make a field visit, validate, and you are in the program, there is no cost or fees to apply.

Mayor Arnowitz asked the feeling of the Council. It sounds like a great savings up front and it is worth looking into.

Councilmember Kelley said when Statile sent it out last month, he reviewed it and in favor of the move.

Councilmember DeGise asked where we go to the Special Project Engineer or the Borough Engineer for a project like this.

Borough Attorney Bernstein said his recollection is when you put out RFQ's there was a specific list of projects covered for the Special Engineer which he believed this was not listed, it probably belongs with Engineer Neglia.

Mayor Arnowitz asked if River Vale is doing this? If two towns do it with one engineer, is it less expensive?

Councilmember Kelley recommended that the Borough Engineer handle this.

Borough Attorney Bernstein said we need a motion to enroll in this program.

Motion to enroll was made by Councilmember Kelley, seconded by Councilmember Meyerson.

Roll Call Vote:

Ayes: Councilmembers DeGise, Frank, Kelley, Looes, Meyerson and Pizzella

Nays: None

Engineer Statile said the preconstruction meeting will be held next week on the ADA ramps and will try to motivate the county to move by the end of the week.

ORDINANCES *Adoption and Introduction*

13-03 (Adoption):

AN ORDINANCE ESTABLISHING 2013 SALARIES FOR THE RECREATION DEPARTMENT

Mayor Arnowitz asked if there were any written objections to this ordinance. Municipal Clerk Witkowski said no.

PUBLIC HEARING:

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 13-03 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. Seeing no one, I entertain a motion that the public hearing on Ordinance No. 13-03 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Motion to close the public hearing was made by Councilmember Kelley, seconded by Councilmember Meyerson.

Roll Call Vote:

Ayes: Councilmembers Pizzella, DeGise, Frank, Kelley, Looes and Meyerson

Nays: None

Motion to Adopt Ordinance No. 13-03 was made by Councilmember Meyerson, seconded by Councilmember Looes.

Roll Call Vote:

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

Nays: None

13-04 (Adoption):

AN ORDINANCE ESTABLISHING RECREATION DEPARTMENT PROGRAM AND SUMMER CAMP FEES FOR THE YEAR 2013 IN THE BOROUGH OF HILLSDALE

Mayor Arnowitz asked if there were any written objections to the Ordinance. Municipal Clerk Witkowski said no.

PUBLIC HEARING:

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 13-04 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. Seeing no one, I entertain a motion that the public hearing on Ordinance No. 13-04 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Motion to close public hearing was made by Councilmember Meyerson, seconded by Councilmember Looes.

Roll Call Vote:

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

Nays: None

Motion to adopt Ordinance No. 13-04 was made by Councilmember Kelley, seconded by Councilmember Looes

Roll Call Vote:

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

Nays: None

13-06 (Adoption):

AN ORDINANCE TO REPEAL CHAPTER 130 OF THE BOROUGH CODE ENTITLED "DISORDERLY CONDUCT"

Mayor Arnowitz asked if there were any written objections to the Ordinance. Municipal Clerk Witkowski said no.

PUBLIC HEARING:

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 13-06 please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. Seeing no one, I entertain a motion that the public hearing on Ordinance No. 13-06 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Clerk is authorized to advertise the same according to law.

Motion to close the public hearing was made by Councilmember Meyerson, seconded by Councilmember Looes.

Roll Call Vote:

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

Nays: None

Motion to adopt Ordinance No. 13-06 was made by Councilmember Meyerson, seconded by Councilmember Kelley.

Roll Call Vote:

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

Nays: None

RESOLUTIONS: R13077 through R13082, R13084 through R13087 (Consent Agenda):

Borough Attorney Bernstein said Resolutions 13079 and 13080 are being approved subject to the funding of the Bond Ordinance.

Councilmember Frank asked the R13082 be removed from the consent agenda.

Mayor Arnowitz said we will vote on R13082 separately.

R 13077 Authorizing of Stipulation of Settlement tax appeal, 321 Broadway, Block 1001, Lot 1

WHEREAS, Plaintiff is the owner of certain real property located at 321 Broadway and designated as Block 1001, Lot 1 on the official tax map of the Borough of Hillsdale, Bergen County, New Jersey; and

WHEREAS, the owner has filed an appeal to the Tax Court of New Jersey for said premises for tax years 2010, 2011, and 2012 under docket numbers: 006035-2010; 001939-2011 and 004010-2012; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Hillsdale that the adjustments of the assessments of the property specified above be and is hereby ratified as follows:

<u>Year: 2010</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 1,336,500	N/A	\$ 1,336,500
IMPROVEMENTS:	<u>\$ 1,833,600</u>	<u>N/A</u>	<u>\$ 1,833,600</u>
TOTAL:	\$ 3,170,100	N/A	\$ 3,170,100

<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
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LAND:	\$ 1,336,500	N/A	\$ 1,336,500
IMPROVEMENTS:	<u>\$ 1,833,600</u>	<u>N/A</u>	<u>\$ 1,663,500</u>
TOTAL:	\$ 3,170,100	N/A	\$ 3,000,000

<u>Year: 2012</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 1,336,500	N/A	\$1,336,500
IMPROVEMENTS:	<u>\$ 1,833,600</u>	<u>N/A</u>	<u>\$1,513,500</u>
TOTAL:	\$ 3,170,100	N/A	\$2,850,000

WHEREAS, Statutory interest, pursuant to N.J.S.A. 54:3-72.2 having been waived by taxpayer, shall not be paid, provided the tax refunds are paid within sixty (60) days of the date of entry of the Tax Court Judgments in this action; and

WHEREAS, the Tax Counsel and the Tax Assessor have recommended said settlement to the Mayor and Council; and

WHEREAS, the Mayor and 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 Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, being the Governing Body thereof, that the settlement in this matter as set forth hereinabove be and is hereby approved and the Tax Counsel, Christopher E. Martin, Esq., is hereby authorized and directed to effectuate said settlement.

R 13078 Authorizing Stipulation of Settlement tax appeal, 57 Harrington Street, Block 1307, Lot 12.02

WHEREAS, Plaintiff is the owner of certain real property located at 37 Harrington Street and designated as Block 1307, Lot 12.02 on the official tax map of the Borough of Hillsdale, Bergen County, New Jersey; and

WHEREAS, the owner has filed an appeal to the Tax Court of New Jersey for said premises for tax years 2011 and 2012 under docket numbers: 016000-2011; and 2012; and

WHEREAS, the parties have engaged in settlement negotiations; and

WHEREAS, as a result of those settlement negotiations, a settlement has been reached; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor & Council of the Borough of Hillsdale that the adjustments of the assessments of the property specified above be and is hereby ratified as follows:

<u>Year: 2011</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
LAND:	\$ 337,800	\$ 337,800	\$ 337,800
IMPROVEMENTS:	<u>\$ 457,200</u>	<u>\$ 457,200</u>	<u>\$ 372,200</u>
TOTAL:	\$ 795,000	\$ 795,000	\$ 710,000

<u>Year: 2012</u>	<u>Original Assessment</u>	<u>County Board Judgment</u>	<u>Requested Tax Court Judgment</u>
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LAND:	\$ 337,800	\$ 337,800	\$ 337,800
IMPROVEMENTS:	\$ <u>457,200</u>	\$ <u>457,200</u>	\$ <u>372,200</u>
TOTAL:	\$ 795,000	\$ 795,000	\$ 710,000

WHEREAS, Statutory interest, pursuant to N.J.S.A. 54:3-72.2 having been waived by taxpayer, shall not be paid, provided the tax refunds are paid within sixty (60) days of the date of entry of the Tax Court Judgments in this action; and

WHEREAS, the Tax Counsel and the Tax Assessor have recommended said settlement to the Mayor and Council; and

WHEREAS, the Mayor and 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 Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, being the Governing Body thereof, that the settlement in this matter as set forth hereinabove be and is hereby approved and the Tax Counsel, Christopher E. Martin, Esq., is hereby authorized and directed to effectuate said settlement.

R 13079 Award and Execute contract to J.J. Sinisi, Inc., 272 Broad Avenue, Fairview, NJ 07022, in the amount of \$156,408.50 for the 2013 Central Avenue & Cross Street Improvement Program

WHEREAS, the Borough of Hillsdale promulgated bid specification to obtain bids for the 2013 Central Avenue and Cross Street Improvements (the "Project"); and,

WHEREAS, the bid opening was held on March 20, 2013 for the Project; and,

WHEREAS, eight (8) bids were received by the Borough of Hillsdale; and,

WHEREAS, the lowest responsible bidder was J.J. Sinisi Inc. located at 272 Broad Avenue, Fairview, New Jersey 07022, with a bid of One Hundred Fifty-Six Thousand Four Hundred Eight Dollars and Fifty Cents (\$156,408.50); and,

BE IT FURTHER RESOLVED, This contract is being awarded subject to the approval of the necessary bond ordinance and the expiration of the estoppel period pursuant to law. No funds are to be expended and no work is to be done by the successful contractor until such time as the successful contractor and the Borough have executed an agreement to perform services and the successful contractor has received notification from the Borough's CFO that there are funds available for the project in question.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby that the contract for 2013 Barrier Free Ramps and Sidewalks is awarded to J.J. Sinisi Inc. located at 272 Broad Avenue, Fairview, New Jersey 07022, and the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough, to execute an Agreement with J.J. Sinisi Inc. in the total amount of One Hundred Fifty-Six Thousand Four Hundred Eight Dollars and Fifty Cents (\$156,408.50). A copy of the executed Agreement shall be on file in the office of the Borough Clerk.

R 13080 Award and Execute contract to Reggio Construction, Inc., 1575 West Street, Fort Lee, NJ 07024 in the amount of \$152,212.60 for the 2013 Barrier Free Ramps and Sidewalk Program

WHEREAS, the Borough of Hillsdale promulgated bid specification to obtain bids for the 2013 Barrier Free Ramps and Sidewalks Program (the "Project"); and,

WHEREAS, the bid opening was held in March 2013 for the Project; and,

WHEREAS, ten (10) bids were received by the Borough of Hillsdale; and,

WHEREAS, the lowest responsible bidder was Reggio Construction, Inc., located at 1575 West Street, Fort Lee, New Jersey 07024, with a bid of One Hundred Fifty-Two Thousand Two Hundred Twelve Dollars and Sixty Cents (\$152,212.60); and,

BE IT FURTHER RESOLVED, This contract is being awarded subject to the approval of the necessary bond ordinance and the expiration of the estoppel period pursuant to law. No funds are to be expended and no work is to be done by the successful contractor until such time as the successful contractor and the Borough have executed an agreement to perform services and the successful contractor has received notification from the Borough's CFO that there are funds available for the project in question.

NOW, THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby that the contract for 2013 Barrier Free Ramps and Sidewalks is awarded to Reggio Construction, Inc. located at 1575 West Street, Fort Lee, New Jersey 07024, and the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough, to execute an Agreement with Reggio Construction, Inc. in the total amount of One Hundred Fifty-Two Thousand Two Hundred Twelve Dollars and Sixty Cents (\$152,212.60). A copy of the executed Agreement shall be on file in the office of the Borough Clerk.

R 13081 Approval of raffle license #692, St. John the Baptist Church, Off premise merchandise draw raffle, June 9, 2

WHEREAS, St. John the Baptist Church, 69 Valley Street, Hillsdale, NJ 07642 has made proper application for the following Raffle License to be held June 9, 2013; 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.	Type of License
RL: 692	Off-Premise Merchandise Draw Raffle

R 13084 Authorize the Borough Clerk to advertise for fair and open contract for cleaning services

WHEREAS, the Borough of Hillsdale has a need for cleaning services;

WHEREAS, the anticipated term of this contract is one (1) year;

NOW THEREFORE, BE IT RESOLVED, the Borough Clerk is authorized to advertise for proposals for cleaning services for the Borough of Hillsdale.

R 13085 Authorize Tax Collector to redeem Tax Sale Certificate and issue a payment for premium, B904/L3

WHEREAS, The Tax Collector held a Tax Sale on July 18, 2012 and at the sale a lien was sold on Block 904 Lot 3, also known as 15 Ramapo Lane, Hillsdale, NJ 07642 for 2011 Delinquent taxes and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00002 was sold to Ridgeback Ventures, LLC. PO Box 503, Mount Freedom, NJ 07970 for 0% redemption fee and a \$22,000.00 premium and,

WHEREAS, Carrington Mortgage Services, 1123 S. Parkview Dr., Covina, CA 91724 has effected redemption of Certificate #12-00002 in the amount of \$24,181.92.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$24,181.92 payable to Ridgeback Ventures, LLC for the redemption of this certificate.

BE IT FURTHER RESOLVED. that the Tax Collector is authorized to issue a check in the amount of \$22,000.00 (Premium) to the aforementioned lienholder.

R 13086 Authorize Tax Collector to redeem Tax Sale Certificate and issue a payment for premium, B1212/L1

WHEREAS, The Tax Collector held a Tax Sale on July 18, 2012 and at the sale a lien was sold on Block 1212 Lot 1, also known as 1 Esplanade Drive, Hillsdale, NJ 07642 for 2011 Delinquent taxes and,

WHEREAS, this lien, known as Tax Sale Certificate #12-00006 was sold to Act Lien Holding, Inc. 45 W. 45th Street, Suite 1402, New York, New York 10036 for 0% redemption fee and a \$13,000.00 premium and,

WHEREAS, Edward & Rosann Mateo, Homeowner, 136 Alexander Road, Monroe, New York 10950 has effected redemption of Certificate #12-00006 in the amount of \$23 075.66.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$23075.66 payable to Act Lien Holding, Inc. for the redemption of this certificate.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$13,000.00 (Premium) to the aforementioned lienholder.

R 13087 Authorize additional not to exceed limitations, Wiss & Company, LLC regarding Pascack Valley Regional High School in the amount of \$13,299.00.

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 \$13,299.00 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.

Motion to approve R 13077, 13078, 13081 through 13087 was made by Councilmember DeGise, seconded by Councilmember Kelley.

Roll Call Vote:

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

Nays: None

OFF CONSENT RESOLUTIONS

R 13082 Approval of raffle license #693, General Leonard E. Wood-American Legion Post 162, Off premise merchandise draw raffle, July 13, 2013

WHEREAS, General Leonard E. Wood-American Legion Post 162, 98 Legion Place, Hillsdale, NJ 07642 has made proper application for the following Raffle License to be held July 13, 2013.

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: 693	Type of License Off-Premise Merchandise Draw Raffle
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Motion to approve R13082 was made by Councilmember Meyerson, seconded by Councilmember Looes.

Roll Call Vote:

Ayes: Councilmembers Kelley, Looes, Meyerson, Pizzella and DeGise

Abstain: Councilmember Frank

R 13083 Award payment of LOSAP benefits to eligible members of the Fire Department

WHEREAS, the Mayor and Council of the Borough of Hillsdale has heretofore established and created a Length of Service Awards program (LOSAP) for the benefit of eligible volunteer Fire Department members; and

WHEREAS, in accordance with the LOSAP program, a list of eligible members and corresponding award has been presented to the Borough Administrator, a copy of the same being annexed hereto; and

WHEREAS, the list of eligible members and proposed award has been reviewed and approved by the Borough Administrator, the list has been posted in accordance with law, and funds have been certified by the Chief Financial Officer; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale, does hereby approve the list of twenty four (24) eligible members, One Thousand Three Hundred Sixty Eight Dollars and no cents (\$1,368.00) per eligible member, proposed total award of Thirty Two Thousand Eight Hundred Thirty Two Dollars and no cents (\$32,832.00) for 2012 LOSAP benefits, for eligible Fire Department members as annexed hereto and made a part hereof and authorizes payment in accordance therewith.

Motion to approve R13083 was made by Councilmember Meyerson, seconded by Councilmember Frank.

Roll Call Vote:

Ayes: Council Members Frank, Looes, Meyerson and Pizzella

Nays: None

Abstain: Council Members DeGise and Kelley

MONTHLY DEPARTMENT REPORTS

(The following correspondence on file in Borough Clerks Office)

R 1 Hillsdale Fire Department Chief's Report dated 02/28/2013~Councilmember Looes

Councilmember Looes said the month of February, seventeen (17) calls went out; three (3) mutual aid calls, ten (10) residential, three (3) commercial and one (1) motor vehicle accident. April 20, the fishing contest, the Fire Department has their free pancake breakfast at the firehouse and all welcome to attend. On May 7th through the 11th the carnival will be held in the center of town.

Motion to Record and Accept was made by Councilmember Kelley, seconded by Councilmember Meyerson.

Roll Call Vote:

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

Nays: None

COUNCIL COMMENTARIES

Councilmember Frank said Fred Winkler, a tremendous volunteer in Hillsdale, ex-Fire Chief and ex-Commander of the American Legion is in the hospital, we all wish him a speedy recovery. We are planning for our Memorial Day Parade and later this month we will be calling a meeting.

Councilmember Pizzella said the school budget was approved; there is a transition to real time emergency contact system, report cards are now on line. The Superintendent did attend all family association meetings; George White is in the process of reviewing and revising the master schedule and will take up to a year to complete. The school district is also piloting the new teacher evaluation model with staff members in all three schools, all New Jersey districts are required to fully implement the new teacher evaluation model by September 2013. The RAC Committee for the regional achievement center will be visiting George White on April 3. This is their second meeting to address the focus status. He could not attend the last Environmental Committee meeting and the spring clean up tentative date is April 27; for Arbor Day the schools have provided specific requests and looking into the New Jersey Tree Foundation delivery with a potential site at the Demarest property for holding the trees there, it is being discussed. The tree bank has 60 trees at \$100 per tree estimated at \$250 for installation. The Recreation Committee that the Mayor and Council approved will be having their informal meeting tomorrow evening at borough hall at 8PM. He asked that a representative from every association be present and we will move forward with an open discussion to begin to understand the services that each organization provides the town, including the cost associated with the services provided. We propose solutions for some outstanding issues. At the meeting he will ask each association to appoint no more than two representatives to sit on the committee and also will ask the Recreation Commission to appoint one representative to sit on the committee along with Councilmember Kelley, Liaison to the Recreation Committee.

With regard to the D'Allessandro memorial, he spoke with Ms. D'Allessandro today and will be meeting on Friday for her to relay her desires on the memorial. He will meet with an engineer friend who will draw up a formal plan for her and then we will present it to the Council. He understands he is Liaison to the Historical Preservation Committee. .

Councilmember Kelley congratulated baseball on a great opening day and it was a great event. On June 8, in Pearl River and Montvale, New Jersey/New York Firemen's Association Parade will be held. It is the 100th Anniversary and 70 to 90 fire departments participate and is impressive. At the May 7th meeting a presentation will be made to Coach Jasper from Pascack Valley, girls' basketball coach is the only girls' basketball coach they ever had and has been an extraordinary coach. In the past year we have had outstanding growth in the Fire Department Cadet Company about 12 to 14 active members participating in drills. He invited anyone between the ages of 16 and 18 to check out the Cadet Company.

Councilmember DeGise said this Saturday there will be free shredding at the DPW from 8AM to 12PM.

Councilmember Looes said tomorrow at Memorial Field House the Hillsdale Football Cheer Association is having their final registration 5:30PM to 7:30PM. She thanked the DPW for preparing the fields for baseball. A special thank you to the Easter Bunny who was present at the Rec Easter Egg Hunt. April 17 is the senior luncheon and April 20 is the health fair at St. Johns.

Councilmember Meyerson thanked the department heads and Finance Committee coming to us one by one. There was an article in today's paper that we should keep an eye on. We all pay our taxes on a quarterly basis and we are paying a small portion for the municipal budget. The rest is county taxes, Pascack Valley Regional as well as the local school taxes, all made up into one tax bill. When someone has a successful tax appeal, the municipality is responsible for paying the entire amount. He feels this is grossly unfair. Each dollar that the taxpayer pays 20% to us, we have to pay 100% of each dollar that is given back for a successful tax appeal. A few towns have indicated this is wrong and we have to fight them because they have to borrow millions of dollars and bonding the amount in order to be able to pay back tax appeals.

Mayor Arnowitz said we did adopt a resolution specifically on that issue and they are supposedly talking about it in Trenton. It is still in committee.

Councilmember Meyerson said we should keep a close eye on this and it may be a lawsuit worth fighting, banding together all towns through the League of Municipalities. He doesn't understand how they have gotten away with this for so long.

Borough Attorney Bernstein said people are paying their taxes to the municipality and the concept is every dollar comes here with the county and school portions.

Councilmember Pizzella said the town itself is the only one authorized to tax.

Attorney Bernstein said the county is authorized to tax.

Councilmember Meyerson said he does not see why we can't turn around to the schools and county and send them a bill.

Attorney Bernstein said the county does reimburse us for what we get but in the following year.

Councilmember Frank heard that the logic behind this is that the town is responsible for the assessment and the town is to set the assessments properly for taxing, therefore the schools say they didn't set the assessment.

Mayor Arnowitz said when the clean up date of April 27 is confirmed, it has to be on the website.

ADJOURN TO CLOSED SESSION

R 13088 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

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

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and

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

- (1) Matters required by law to be confidential.
- (2) Matters where the release of information would impair the right to receive funds.
- (3) Matters involving individual privacy.
- (4) Matters relating to collective bargaining agreements. **PBA and UPSEU**
- (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 **BPU**
- (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.

Borough Attorney Bernstein stated the purpose of the Closed Session is pursuant to N.J.S.A.10:4-12.B. B4 negotiations of collective bargaining UPSEU and PBA Local 207; and B7 anticipated or pending litigations, attorney client privileges relating to the United Water Resources case.

Motion to go to Closed Session at 9:49 p.m. was made by Councilmember Kelley, seconded by Councilmember Meyerson, and unanimously carried.

RECONVENE REGULAR MEETING

Motion to reconvene regular meeting at 10:25 p.m. by Councilmember Looes, seconded by Councilmember Kelley, and unanimously carried.

Attorney Bernstein stated for the record reflect the members in attendance of the closed session were Councilmembers DeGise, Frank, Kelley, Looes, Meyerson, Pizzella, Mayor Arnowitz, Borough Administrator DeJoseph, Borough Attorney Bernstein and Borough Clerk Witkowski.

An update as to negotiations/collective bargaining with UPSEU and PBA Local 207-no further action at this time. Further discussion on United Water and the Borough of Hillsdale-no further action at this time

ADJOURNMENT

On a motion to adjourn at 10:27 p.m. made by Councilmember Meyerson, seconded by Councilmember Kelley, and unanimously carried.

04.02.2013

Susan Witkowski, Municipal Clerk

APPROVED AS PRESENTED

Susan Witkowski, Municipal Clerk