

Minutes of a Council Meeting of the Borough Council held at 7:30 P.M. on Tuesday, May 7, 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 that this is a meeting of the Hillsdale Borough Council on this 7th day of May 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 of those present being as follows: Council Members DeGise, Frank, Kelley, Looes, Meyerson, and Pizzella. Also in attendance Mayor Arnowitz, Borough Administrator/CFO DeJoseph, Borough Attorney Bernstein and Clerk Witkowski.

APPOINTMENTS

R 13099 Appointing Denise Kohan to the position of Registrar of Vital Statistics for three year term, May 1, 2013 through April 30, 2016

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

Roll Call Vote:

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

Nays: None

Mayor Arnowitz announced that a past Council Member Betty Roach passed away; also Harry Randall, Councilman, Legislator and Freeholder from Westwood passed away. Bernie Dorfman, our Judge for a long time, 99 years old, also passed away.

OATH OF OFFICE

Registrar of Vital Statistics, Denise Kohan

Administered by Mayor Max Arnowitz

PROCLAMATIONS

Jeff Jasper, Basketball Coach

Max Arnowitz, Mayor

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**Proclamation**

WHEREAS, Jeff Jasper, married to his wife Lois, for forty one years, and father to three sons, Jeremy, Justin and Gavin; and

WHEREAS, Jeff Jasper is a teacher of Social Studies and English at Pascack Valley High School; and

WHEREAS, Jeff Jasper served in the Vietnam War; and

WHEREAS, Jeff Jasper is finishing his 40<sup>th</sup> year of coaching and during that time served as Athletic Director and has coached a variety of sports; and

WHEREAS, during the course of those forty years, Coach Jasper has been recognized for numerous Coach of the Year Awards, Coach of the Century Awards, inducted in to a variety of Hall of Fames, and received recognition awards by the YMCA; and

WHEREAS, Coach Jasper has led numerous teams to League, State Sectional and State Championships; and

WHEREAS, Coach Jasper had fifty players who went on to play on college teams upon graduation, being honored as one of the two most influential people in Pascack Valley High School's fifty year history; and

WHEREAS, Coach Jasper is recognized as being the *only* coach of the Girls Basketball Teams as Pascack Valley High School to achieve 900+ wins.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale does hereby proclaim:

**MAY 7, 2013**

**As**

**COACH JEFF JASPER DAY**

in the Borough of Hillsdale and thank him, for his devotion and positive impact to the youth of Pascack Valley High School.

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Council Member Meyerson served seven years on the school board and both his children had Jeff Jasper as a Social Studies teacher. Jeff Jasper is a Pascack Valley treasure, and in his opinion, he is the best female basketball coach in the nation. He is a great teacher and great inspiration for everybody who has ever met him and he is proud to see him receive this recognition.

Mayor Arnowitz said everyone here agrees with what Councilmember Meyerson said. It is a great accomplishment and Coach Jasper really made a difference at the high school.

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Municipal Clerk's Week

Max Arnowitz, Mayor

**Proclamation**

Municipal Clerks Week

April 28-May 4, 2013

**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.

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

**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.

**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 April 28 through May 4, 2013, 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.

Dated this 7<sup>th</sup> day of May, 2013

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Mayor Arnowitz has served with three Clerks and they have done a phenomenal job and congratulated Susan Witkowski and stated she is a pleasure to work with and appreciates everything she does for him as Mayor and for the residents of Hillsdale and this Council.

**PRESENTATIONS:**

**APPROVAL OF MINUTES:**

Approval of minutes of the Special Council Meeting of March 27, 2013, Regular Council Meeting of April 2, 2013, Closed Session April 2, 2013, Regular Meeting April 9, 2013, and Closed Session April 9, 2013

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

Roll Call Vote:

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

Nays: None

Mayor Arnowitz we will discuss the Budget at 8:00 P.M. as advertised.

**DEPARTMENT HEAD REPORTS:**

Police Chief Stalter said we had Operation Take Back and collected 77 lbs. of prescription drugs. He thanked the residents who participated; the drugs will not be put into landfills, etc. Traffic Update, Sergeant McLaughlin, motor vehicle accidents: 21 crashes, four injuries, one hit and run, 156 motor vehicle summonses were issued, 41 of them for moving violations, 32 parking violations; 83 other violations, i.e., seat belts, one DWI, nine specific targeted enforcement details some in the area of the George White School.

Fire Chief Jason Durie reported in the past month the Fire Department responded to 17 incidents, 275 man hours. Our annual carnival will be held this week starting this evening running through Saturday from 6PM to 10PM; Saturday 2PM through 11PM. He thanked his personnel for last week, they responded to a carbon monoxide incident and was more extensive and evacuated a person who was almost at the point of death. A great job was done by the crew.

John Beatty, Captain, Ambulance Corps, said they were also at the scene and thanked the Fire Department for their assistance. For the month of April, Ambulance Corps had 87 calls, 64 of them were handled by Hillsdale Ambulance, 23 were by mutual aid, 2 calls from the hospital as we were busy helping other people, another 5 mutual aid calls came while we were on other calls. We were not available for 18. Our average response time for the month of April was 5.85 minutes, the national average is eight minutes and the average volunteer response is 9.57 minutes. We are well under the average. Currently we have seven new members, three are already certified EMT's, four are planning to go to school in the summer; unfortunately Paramus is restricting the number from each town. One of the patients we rushed to the hospital with chest pain, after arriving at the hospital had cardiac arrest, and called us and thanked us as she is now at home and doing well.

Mayor Arnowitz praised the Ambulance Corps for their fine work and dedication. He said we will not address the LOSAP letter that came in tonight. This was acceptable with Captain Beatty.

Captain John Beatty said currently we are looking at our LOSAP requirement, in order to be listed as an active member of the Ambulance Corps you need to attend 50% of our meetings and 75% of our drills throughout the course of the year and ride 24 hours a month of response. We are amending that instead of having a meeting and drill requirement cut to a total of 288 hours per year which is the same 12 months at 24 hours. We still receive LOSAP points for attending the meetings but it is no longer a requirement as an active member. Some of our active members work night jobs and cannot always make our meetings; and maintain their active EMT mandatory certification.

Mayor Arnowitz said when that was written up they used to get a good portion of their CEU's from drills and the state changed that requirement. They have to go two or three full days to get the credits, and still have to be certified to get LOSAP. We will address that next week.

Patty Hughes, Recreation/Stonybrook, Stonybrook will open in three weeks. We had our first Clean Up Day on Saturday 16 employees helped out. We have four pools open and the kiddie pool will be open by this coming weekend. We are now doing our registration online, we received 53% of our registration in funds already in three weeks. We are doing a garden this year at Stonybrook, United for Earth Program for Kids and Teens; and our renovation of the kiddie pool bid is ready to be put out for bid, and our office is waiting for DCA approval. In our Recreation program, our camp registration started and today was the last day to register before an increase in fees. We are starting a new program in August, tennis and golf program. She reached out to the sports associations for the Memorial Day Parade, Baseball Association, Girl Scouts and Boy Scouts. On May 18 we will have our Parkinson Fund Raiser from 9AM to 1PM, 3PM to 6PM at Stonybrook. We have over seven bands for our concert series this year due to Councilman Kelley and Elizabeth Ward's efforts. Our next senior luncheon will be held May 15<sup>th</sup>.

Gregory Polyniak, Neglia Engineering Associates said his office issued an Engineer's Report for consideration by the governing body which outlines a series of projects that we addressed over the past month. It was dated May 1<sup>st</sup> and was issued for tonight's meeting. The first is Ms. Hughes discussion of Stonybrook project. Our office has been working with the Borough Attorney and Borough Administrator to finalize the specifications and notice to the Borough Clerk for advertisement. The plans will be available for pickup at borough hall on May 10 at noon and the bid opening is scheduled for May 30. Since the pool will open shortly, the project construction start date is to be in October of this year.

The second project relates to the National Flood Insurance Program, Rating System application. There was discussion at the last meeting as it relates to reduction in flood insurance for borough property and residential property throughout the municipality. Our office issued a proposal as it relates to the program as a whole, it is a fairly extensive process as it would relate to the ordinance changes with respect to development, notifications to residents in the flood plains, changing in procedures of the Building Department. The presentation as it relates to what would need to occur to attempt to acquire the necessary points to get to specific reduction of flood insurance for borough and residents. This is not a one year project, it is an annual recertification process.

The third project is the Bergen County Paving Program. His office has been in contact with the County and there are a series of roadways within the Borough of Hillsdale that are intended to be paved. Bergen County has requested that documents be sent to their office to check and review the designs to ensure that they agree with ADA requirements.

The fourth project Borough roadway Estimate. His office is working with Administrator DeJoseph. They have prepared a table which lists Oakland Street, Forest Drive, Cedar Street, Yesler Way, Orchard and Valley Street. They have prepared a series of estimates for milling and paving of the roadway; the second related to replacement of curbs and aprons, tree removal and plantings that are damaging to roadways. That includes our engineering fee and includes fluxuations based on the current economic conditions.

Mayor Arnowitz stated it was 8 p.m. and we are obligated to have the Public Hearing on the Budget Amendment for the 2013 Municipal Budget as advertised.

**PUBLIC HEARING ON BUDGET AMENDMENT FOR THE 2013 MUNICIPAL BUDGET: (8:00 p.m.)**

Motion to open the Public Hearing was made by Council Member DeGise, seconded by Councilmember Kelley and unanimously carried.

I will now open the meeting to the public. Notice of public hearing on Amendment Resolution 13090 was advertised three days before the date set therefore under 40a:4-9, on April 16, 2013. If anyone desires to be heard regarding the amendment to the 2013 Municipal Budget, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

(IF NO ONE DESIRES TO BE HEARD)

I entertain a motion that the public hearing on Resolution 13090 be closed and that it be resolved that this resolution was posted on the bulletin board on which public notices are customarily posted and published in The Record.

Motion to close public hearing was made by Council Member Meyerson, seconded by Council Member Looes, and unanimously carried.

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R 13100 Adoption of the 2013 Municipal Budget

Motion to adopt 2013 Municipal Budget was made by Council Member Kelley, seconded by Council Member Looes.

Discussion

Council Member Meyerson stated that the Operating Budget is relatively set, but there was a controversial issue dealing with the Capital Budget. We resolved at one point the nature of the amendment to have two vehicles, a police officer's vehicle, a and Fire Chief's vehicle in the Capital budget as well as the road program for a total of \$270,000. There have been discussions outside without violation of the Open Public Meetings Act. We discussed pulling one of the vehicles outside of the Capital Budget and placing it on the regular budget but not funded this year but funded as a lease over the next five years starting a year from now. We checked with the Administrator, the Council and with Mr. Lerch, Borough Auditor and this doesn't require an amendment, with the intent and commitment to pull the Fire Chief's vehicle out of the Capital Budget and place it in the operating budget to be paid in the following manner. We are allowed to lease the vehicle over a five year period, pay for it over a five year period through TD Bank and BCIA which allows us to begin paying a year after we lease the vehicle. It is a buy back for \$1.00.

Administrator DeJoseph said the Borough has used the BCIA with lease/financing in the past for a lease purchase.

Council Member Meyerson said it is a lease compromise, and we would vote on this separately. He proposed one is a resolution as when we lease the vehicle it is part of the operating expenses and the rest is Capital Budget as part of potential BANS. Council Member Pizzella had spoken about and would like comments from the Council.

Council Member Kelley believed it was a good compromise.

Council Member Looes agreed; some residents were concerned that we were pushing off debt.

Council Member Meyerson said it is a compromise, it is still debt, he did not want to misrepresent what it is.

Council Member Frank said our appropriation budget, the spending part given the items we have in Capital are very reasonable. We have gone for years without funding some of the things we need do; we do have a increase in spending per budget this year over what we had last year when we add in the capital and you take into account some of the things that happened, but he thought they are all justified. We had \$176,000 in storm costs from Sandy, it is a very tight budget. He is still concerned with spending and our revenue are out of balance. When he came on Council we had almost 5 million dollars in BANS floating out there with no plans to pay them down, just paying interest on them. We finally put them into a bond; this year in the budget there is \$486,000 in principal and interest from those BANS that is diverted to a bond. Lease financing is borrowing in a different way, it has a pay out schedule which is one of the concerns and we are still talking about putting \$200,000 in BANS with no pay down for the road program and one vehicle. He is totally against raising taxes but the fact that 2% is some kind of magic number and we really should be paying for what we are spending now especially in these types of items. The things we should be bonding are the DPW building located in flood zone which needs to be replaced at some point in time. It will cost millions of dollars to relocate or rebuild and that is something we should be bonding; day to day items such as police car or fire chief's car should be in the operating budget and we should not be lease/financing or borrowing to do it. That is the reason he will not support the budget his year, not because of the spending but strictly because of the debt.

Council Member Pizzella said he would like to explain why he will support the budget. He feels that Hillsdale has been through a great deal last year and he has attempted to raise a level of creativity in accomplishing our goals and it assists in healing the community overall. His original frustration was there was never any economic development plan that worked in conjunction with a true capital improvement budget. Another issue he had was pay as you go vs. bonding and he needed an understanding that enough was cut but also an acknowledgement. The town needs an economic development plan and a committee, cooperating in reducing future debt and support of an alternate method to get us closer to pay as you go vs. bonding. He doesn't necessarily agree with everything in the capital improvement budget; he believes a true capital improvement budget looks for assets and creates assets that will create revenue later on. He would prefer both cars being leased but he understands they can't, but he does appreciate the compromise. The lease allows us to get what we need while we are paying during its useful life. It is closer to a pay as you go vs. not knowing how you are going to pay for it later on but getting the money to buy it now. It locks us into a payment plan, it doesn't increase the debt and it shows compromise and a level of creativity.

Council Member Meyerson said there is another philosophy going on here; there are times to borrow and times not to borrow. This year is a time to borrow for a number of reasons. If we take the entire amount of money we were planning to put into the capital budget, put it in the every day expenditures, it would raise taxes close to 5%. When you haven't bought a police car which you promised to buy the last couple of years and you have a fire vehicle that is 15 years old and we have the historic low interest rates. We also have a year where we have a re-evaluation in town and a part of this town will receive an increase in taxes because of the re-evaluation and they will have a large increase in taxes above that when you have the schools, then you see a significant hit for a lot of people. He believes we have a reasonable approach. He asked Council Member Frank to provide a plan to cut and a tax plan that would incorporate and he laid it out, he appreciated that and it was debated.

Council Member Frank said he knows debt is not a concern for a lot of people, they feel it is a good way to go forward. He just did some rough numbers and our town debt at the end of this year will be 3.6 million dollars for the municipal portion. Local schools principal and interest 5.4 million dollars; regional school 32 million and Hillsdale's portion is 3 million of that; the total debt is 17 million dollars which will be paid back. The debt for Hillsdale is 600 million dollars just for our town, as a rough number.

Mayor Arnowitz said he appreciated the leasing and one of the reasons he can accept the lease over the BANS, however, there is no future plan of paying that BANS off. Next year we are going to have similar expenses. When you bond or lease you have a plan to pay it off and over five years that loan is gone. With BANS we don't have a plan to pay it off. We are moving towards paying off principal and interest where with BANS we are only paying interest.

Roll Call Vote on the 2013 Municipal Budget.

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

Nays: Council Member Frank

Mayor Arnowitz thanked the Finance Committee for preparing the Budget, it is not a pleasant task.

Council Member Meyerson said it involves a lot of work and he appreciated all the differences of opinion, difficult discussions.

Council Member Frank left the meeting at 8:20 p.m.

#### DEPARTMENT HEAD REPORTS (Continued)

Gregory Polyniak, Neglia Engineering finished his report after the Public Hearing on the 2013 Municipal budget.

He issued a letter to PSE&G Roadway Project List Letter coordinating new main improvements projects and limit potential disturbances of newly improved roadways.

Year 2012 NJDEP Annual Stormwater Report. He said the municipality is required to submit and complete 2012 NJDEP Annual Stormwater Report and the report has been prepared and submitted.

With regard to drainage of Centennial Field, they inspected the field, obtained the plans and will prepare a report based on their inspection.

Council Member DeGise said when he was in the interviewing process with Neglia they stressed the need to be involved with the county, they picked a tremendous amount of Hillsdale's county roads to be resurfaced and repaved this year.

Mayor Arnowitz asked for clarification as to who is doing the county road program.

Mr. Polyniak said he is in contact with the county and coordinates and works with them. The County is requesting some of the plan work be forwarded to them for review prior to construction to ensure that it is constructed in accordance with county standards.

Mayor Arnowitz said on Hillsdale Avenue is the Methodist Church and they reached out to him a number of years ago. A nursery school is located there and parents drop off their kids and this is a dangerous situation. At that time, he spoke to the county engineer and the administrator and they said when the roads will be done again, they will look at it. They did not give any guarantees. The church asked to take the road back, put a bump on one end and on the other end with an area enabling people to park their cars. They would lose the grass expanse between the curb and the sidewalk. The Borough Administrator sent a request to the county but he would like this followed up, if it is possible. The second thing is on Washington Avenue, the corner of Washington Avenue and Kinderkamack Road, the curbs are chopped up and the residents have a water problem because the water doesn't flow properly. That should be addressed when that road is being done. You mention milling, especially on Washington Avenue, we do have a water problem; if they don't mill the street we will have a water problem with water going over the curb. They have to mill both sides of the street to keep the curb tight.

Borough Administrator DeJoseph asked the engineer to clarify for the Mayor and Council who owns the curbs on a county road.

Mr. Polyniak said curbs are the county's responsibility when you look at the outside of the curbing, the sidewalk itself, and the ADA ramps are replaced prior to the resurfacing of any streets and the responsibility of the ADA ramps is funded by the state but is the responsibility of the municipality to have them replaced prior to any resurfacing of county roads.

Mayor Arnowitz said the church was considering the safety of the project is the safety of the road. He does not want to spend taxpayers dollars to accomplish that but if we can get the county which is still get taxpayers dollars they want to have it done.

Borough Attorney Bernstein-no report at this time.

#### CORRESPONDENCE:

1. Letter dated January 2, 2013 from Bo Petkovich, Director, Pascack Valley Triathlon~ referred to Councilmember Looes

Motion to approve and file was made by Council Member Looes, seconded by Council Member Kelley, and unanimously carried.

Council Member Looes explained that this takes place at Stonybrook and throughout the area, bicycle, running and swimming. The funds raised go to different organizations; school, Hillsdale Helping Hands, Wounded Warriors, PVHS scholarships. They are requesting two races this year, July 21 and September 8. There are no conflicts with the Police or DPW. Superintendent Durie is fine with the date, Chief Stalter is concerned about the July date and asked to confer with Patty Hughes.

2. Letter dated April 15, 2012 from Florio, Perrucci, Steinhardt & Fader~referred to entire Council

Motion to receive, approve and file was made by Council Member Kelley, seconded by Council Member Looes, and unanimously carried.

3. Letter dated April 17, 2013 from Frank and Mary Capsouras, 8 Maple Avenue, Hillsdale~referred to Councilmember Meyerson

Motion to Receive and File was made by Council Member Meyerson, seconded by Council Member Kelley.

Council Member Meyerson said he had some questions because there was more than one letter that was attached and it was about the speed hump.

Mayor Arnowitz said when that was done it was at the behest of the residents but it is offensive.

Council Member Meyerson said the Police Chief is present and also the engineer and he happened to notice that Yesler is also on the list for paving this year. Now is the appropriate time to address.

Council Member Kelley said if you ask the residents there, half say they are not in favor of the bump and half love it.

Council Member Meyerson said this is the appropriate time if you are going to get rid of it. He said an article attached to the letters that was sent years ago and one of the things they said when you do these speed tables you do them on private roads. He asked if it has slowed traffic, are there less accidents?

Chief Stalter addressed the Council and said the last time we checked the volume of the traffic, it was about the same, this has a rich past, the closing of Hazelwood Drive onto Yesler, one way street in that area and overflow. The complaining resident lives closer to the speed table and with landscapers, etc. going over, there is extra noise. Residents closer on Yesler Way some were in favor and some wanted it removed. You have one letter before you based on what brought this about and he believed if you remove it, numerous residents will be behind it.

Council Member Meyerson said his question is does it make it safer on the street and you balance it against the increased noise. You are saying it does reduce speed, the volume is not reduced.

Mayor Arnowitz said there is a compromise on Sand Avenue in Westwood, they have a speed table and they are much lower and less in width. People can go over them in a faster rate but he did not believe there was bouncing. Would that be more acceptable?

Chief Stalter said you will still have noise and he believed the engineer should address this.

Borough Administrator DeJoseph said this is just the "S" bend towards Westwood and the speed table is not part of it. He believed the Mayor questioned the type or shape of the speed table and to the best of his knowledge when it was originally installed, the speed table was installed as one unit, then they wanted it slowed down further and they put in the additional unit on the end.

Mayor Arnowitz said what is there is what was put in originally, there were never any adjustments. The only other thing done on that street is the coloration of the "S" turn. As far as volume is concerned, we are going to have that one-way situation going into the Park Section eliminated for about two years for the rebuilding of the bridge. The volume on that street will increase and now we will have residents complaining if we take it out for people speeding. There was a lot of controversy when this went in; as someone riding on a fire truck to an emergency call, it is a horrendous thing.

Council Member Meyerson said that is why you shouldn't have this on that kind of road.

Mayor Arnowitz said it certainly slows cars down; but it is noisy and residents have requested that he come there, listen to the cars going over it, trucks with equipment bounce and noisy.

Council Member Kelley said a resident told him the speed table on Yesler Way works so well and asked for another on Saddlewood.

Mayor Arnowitz said he cautioned the Council that there are people there that don't live in close proximity and love it, it is a benefit, and he did speak to the Librarian and it does slow people going down into the library. He said you decide if someone's life is saved, prevention of an accident, it is a plus. The Council has to decide, do you want it taken out, leave it, change it? Tell them what you want; you don't have a lot of time to make a decision.

Chief Stalter said this is the third letter from the same resident and we have houses closer to the speed table and are happy.

Council Member Meyerson asked the engineer if noise is really an issue, is there a lot of increased noise?

Engineer Polyniak replied yes to an extent with heavy vehicles and trailers; these are different times, you get accustomed to a lower profile. He recommended you utilize the one that is there.

Council Member Kelley said this has worked; residents knew it was going to be noisy when it was installed, it has slowed traffic and accomplishes reducing speed.

Council Member Meyerson said the Chief said it does reduce speed and that is the purpose of it. The letter deserved a fair discussion.

Mayor Arnowitz asked if anyone on Council believed this should be removed? Seeing none, he will consider it a vote to accept the letter, file, send a response saying it was discussed, and at this point in time we have chosen not to remove the speed bump.

The Council was in favor of receipt and file.

4. Letter from Willow Grove Paving, LLC, re: Bank of America Parking Lot Improvement~referred to Councilmember DeGise

Mayor Arnowitz said for the public's edification, they are paving the parking lot and do it in the middle of the night.

Council Member DeGise shared the letter with Borough Attorney Bernstein with questions, amount of time to accomplish the job, one night or more than one night.

Attorney Bernstein wanted an explanation for those hours, when they are proposing , what is the obligation if inclement weather, is it a partial, there are many questions.

Council Member Pizzella said that parking lot is in the center of town, did we ever get a plan for paving? Does any other committee get involved so perhaps they could add trees.

Mayor Arnowitz said they do not need Planning Board approval so all they need is a permit from the Building Department or to be notified, but it is not a Planning Board issue. We will hold off on approving this.

**DISCUSSION:**

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

Councilmember DeGise said last month he handed out five questions and asked if the Council has reviewed the questions.

Mayor Arnowitz said the questions raised were the same questions that were raised when it was written and he still has the same opinion that it was an unnecessary trial, a very large expense for no benefit. That was his opinion back then and it is still his opinion now. Everything that the Planner said in there is true. It was discussed and addressed when we wrote the ordinance.

Council Member DeGise said if the Council has no problems he will get back to Darlene Greene, Maser Consulting and have her continue on changes.

Mayor Arnowitz asked if money was appropriated to make all of these changes? We spent a ton of money on this last time between legal and planners.

Council Member DeGise said she is giving us a contract on the cost and it will be sent to the Council.

Mayor Arnowitz said you also need the attorney's estimated cost and make sure there is enough money in the budget. He said if anyone has any questions, give them to Council Member DeGise in a timely fashion.

2. 2013 Proposed Road projects as per letter dated April 16, 2013, Neglia Engineering~ Administrator DeJoseph.

Administrator DeJoseph said the DPW Committee will discuss the proposal from the engineer and prioritize the project based on funding.

3. Hillsdale Ambulance Corp, LOSAPS~Administrator DeJoseph.

Mayor Arnowitz said this will be postponed until next week.

4. Amendment to the 2010 Master Plan Reexamination Report~Entire Council

Mayor Arnowitz said the Council received the Master Plan two years ago.

Borough Attorney Bernstein said the Plan was approved by the Planning Board and is presented to the Council, no further action is necessary.

**PUBLIC COMMENT:**

Burt Simpson- 197 Forest Drive –

Mayor Arnowitz said he sent an email to the entire Council complaining that he refused to allow something to be put on the Agenda that you brought up year after year. He did not refuse to put it on the agenda, he asked the Council if they wish to discuss it again since it has been discussed for four years in a row and voted on four years in a row and no one wanted to discuss it.

Mr. Simpson (Contd).

He referred to Maple Avenue and if you go left or right he believed you need a speed table on each side.

Mayor Arnowitz said there is one big speed table that goes the width of Maple Avenue.

Mr. Simpson (Contd).

When you approach Maple Avenue you notice the first one but you don't notice the second one and it should be marked in red so you can see it better. It is dangerous for bicycles.

Mayor Arnowitz said the roadway is colored leading up to it but the speed table itself, other than all the gouges in it, there is no coloring. With regard to bumps, there is one approaching from both directions. The speed table is not covered, there is signage there.

Kevin O'Brien-61 Parkview Drive-

He referred to the three letters that deserved discussion; he sent three letters with a variety of issues. He challenged the police department where we had one unregistered, uninsured motorcycle, wheelies through an intersection. His complaints have been rejected by the court. On Parkview Drive there are motor cyclists using excess speed on the dead end street, wheelies going through the intersection with no helmet, uninsured. He signed complaints, if not seen, cannot issue a ticket.

Council Member Pizzella remembered that he had pictures and in the pictures were skid marks right on the street. He remembered the Council discussing how the town might have a mediation committee made up of residents and asked if we have that.

Council Member Meyerson said we are not going to have mediation when you have a quasi criminal matter. This is a police matter, a court matter.

Matter Arnowitz said this is a police matter, skid marks in the street doesn't mean someone did something because you have to see it physically. The Police Department has to be there. If you wish to sign a complaint, you can do that. If the judge throws it out, we can't tell the judge what to do.

Mr. O'Brien (Contd).

He complimented the Chief who went out of his way to help mediate and resolve. We also have property maintenance issues and spoke to the Department of Health and suggested they put out a memo on mosquitoes. He also reached out to the attorney regarding OPRA responses, sections of closed session minutes that have been missing and never received a response.

Attorney Bernstein said under the law those items are either not resolved or if they were resolved, they were not available to the public; in regard to the others, he will get back to the clerk.

Mr. O'Brien (Contd).

There was discussion regarding drinking in the fire house and his issue is it was discussed in private where other municipalities discussed it openly why were those pages in closed session deleted.

Chief Stalter said Mr. O'Brien calls us when he witnesses an act and we took his complaints, his frustration is probable cause is not found and the because of the neighborhood issue it is not in our court. This is part and parcel of property maintenance and health issues.

Council Member Meyerson asked why the motorcycle issue was not here.

Attorney Bernstein cautioned the Council not to get involved with the court, judge or court administrator and their decisions.

Mayor Arnowitz closed the public portion of the meeting.

**RESOLUTIONS: R13096 through R13098 (Consent Agenda):**

R 13096 Authorizing and Execution of Interlocal Agreement Establishing Public Safety Answering Point Telephone System with Borough of Paramus, at an annual cost of \$5,253.50

R 13097 Authorizing Stipulation of Settlement tax appeal, 295 Patterson Street, Block 1212, Lot 14, In the amount of \$1,521,300.

R 13098 Authorize additional not to exceed limitations for Wiss & Company, LLC for litigation with Pascack Valley Regional High School, in the amount of \$5,654.45

Motion by Councilmember Kelley, seconded by Councilmember Looes.

Council Member Meyerson asked that Resolution 13098 be removed from the Consent Agenda.

Motion to approve Resolutions 13096 and 13097 was made by Council Member Kelley, seconded by Council Member Looes.

Roll Call Vote:

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

Nays: None

Absent: Council Member Frank

Motion on R13098 was made by Council Member Meyerson, seconded by Council Member Kelley.

Council Member Meyerson asked about Wiss and Company.

Mayor Arnowitz said DeCotiis is the firm that Victoria works for.

Administrator DeJoseph said this is the last invoice for the study prepared for the Borough of Hillsdale.

Roll Call Vote:

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

Nays: None

Absent: Council Member Frank

### **MONTHLY DEPARTMENT REPORTS**

*(The following correspondence on file in Borough Clerks Office)*

R 1 Hillsdale Fire Department Chief's Report dated 03/31/2013~Councilmember Looes

Council Member Looes said 274 volunteer hours were devoted, carnival this week. Wednesday and Thursday nights are bracelet nights, Saturday 2PM to 11PM.

Motion to Record and Accept by Council Member Meyerson, seconded by Council Member Looes, and unanimously carried.

R 2 Hillsdale Board of Health Reports, April 2013~Council Member Looes

Council Member Looes said they held a health fair at St. Johns. On May 23 there is an eye screening clinic, May 29 and 30 there is a babysitting clinic, July 30 skin screening at pool.

Mayor Arnowitz said they plan to move the health fair to September due to low attendance.

Motion to Record and Accept by Council Member Looes, second by Council Member DeGise, and unanimously carried.

### **COUNCIL COMMENTARIES:**

Council Member Pizzella said the Assistant Principal position was cut at the George White School and was replaced with a Dean of Students. The focus of Dean of Students is growth and development, guidance and administration. Additionally, there will be a district-wide supervisor for curriculum, focus on math and science and a literacy coach. He passed out a draft of the memorial that is going in front of the train station; it was a public right-of-way, the memorial fits in the public right-of-way and has to be set back 10 ft. The draft needs to be finalized and PS&S Engineers have agreed to do it at no charge. He asked if this needs to be processed through any other department. Can he just finalize the plan and submit to the Council for final approval of the memorial; does the Environmental Commission and Planning Board need a copy?

Council Member DeGise said we started a committee for this and he is Chairman. It should go to the Committee first before the Council looks at it.

Mayor Arnowitz said no one has seen this draft but the word got out and he received comments from the public saying this is getting big. Looking at it, it takes up the whole area so that has to be considered.

Council Member Pizzella said that plan is the first plan that was introduced to us when she was here. He will discuss this at the committee meeting with Council Member DeGise.

Mayor Arnowitz said we have to do this right, we can't rush this, this is a major project. He said the DPW Superintendent has to be included for his comments.

Council Member Pizzella said that the target date to unveil is September 7, 2013.

Council Member Pizzella said the Historic Preservation Society advised that the photos in the train station are missing. Possibly the people redoing the station have removed them, but it was his understanding that they were stolen.

Mayor Arnowitz said this is the first he has heard of this tonight. They would have been gone before we had surveillance there.

Administrator DeJoseph will speak to the DPW Superintendent to see if they possibly were moved.

Council Member Pizzella reported that the Environmental Commission is hosting a town cleanup May 11; for Arbor Day, he thanked them for providing all of children in the school district, Meadowbrook as well as Smith, with tree plantings. He asked to put the Green Team on the agenda next meeting because we, as a Council, need to understand the process that the Green Team has asked us to undergo before we allow to embark into a sustainable New Jersey. It is a time commitment, there are financial aspects and have someone present from the Green Team. It is a commitment the Council should understand before they allow the Green Team to go forward.

Mayor Arnowitz said next meeting could be a very long meeting and said we could schedule the Green Team for the first meeting in June.

Council Member Pizzella said the next Recreation meeting is scheduled for May 23 and all association representatives will provide us with a detail of what they provide in the way of services. He thanked the Police Department because he spoke to Chief Stalter when he was in the discussion with Council Member Meyerson about leasing vehicles. He wanted the public to understand that it is not simply we want this car and get it for us. The Police Department will take items from other cars and update the car when it comes in; unlike other towns where they get a car completely outfitted they are trying their best to save money. He commended them for doing that. He thanked the Council for supporting his Economic Development Committee.

Council Member Kelley said he attended a concert at George White School 8<sup>th</sup> grade, held at Pascack Valley High School. Then the high school performed and it was unbelievably awesome. The instructor must be enormously talented. They won a top prize at an event in Philadelphia. He encouraged everyone to attend these performances.

Council Member DeGise announced that Hackensack University Medical Center at Pascack Valley is opening officially, 128 bed, full service, Thursday, May 23, with a ceremony at 10:30AM. The Governor will be present with special guests. The Pascack Hills High School Relay for Life for cancer May 18 and 19 is an all night event and in need of funds.

Council Member Looes said this week is National Teachers Appreciation Week and parents volunteer to thank the teachers for their hard work and dedication. May 15 is the date for the next senior luncheon.

Council Member Meyerson said he wished to say he knew Bernie Dorfman and of his passing at 99 years of age. He was the former judge here for a very long time and that kind of service should not go unnoticed. He said we are so lucky to have Pascack Valley High School right in our town; they are still getting people from all over just to see the lap top program besides the choir, dance team, etc. One of the tech schools was visiting today, people from all over the world come to see this lap top program, it is a world class public education right in our town.

Mayor Arnowitz said he is super concerned as every resident should be as to what is going on in Woodcliff Lake and Montvale as to the splitting of the high school. Hillsdale and River Vale are committed 100% to fight this. The splitting of the high school would destroy our reputation process and will affect our property values and both are important, kids education the most important. We cannot let this happen, Woodcliff Lake is wrong in their assumption. He thanked the Administrator for attending the Woodcliff Lake meeting and he understood it was very long. He received a report as to their presentation from their experts, dismissing our experts' opinions in its entirety as to the effect of the dissolution of the two schools. We cannot let that happen.

There is a town wide cleanup taking place this Saturday at 9AM at Veterans Park; we will provide equipment for pickup, bring gloves, wear long pants. Food and drinks will be provided at the end of the day. On May 18 at Stonybrook, a Parkinson event hosted by the Kohan Family will take place, all proceeds will go to the Parkinson Fund to try to find a cure. There is a fee of \$20 for adults to participate in games and swimming, etc. An Eagle Scout Award ceremony at Pascack Valley High School is scheduled for May 19. He is pleased Pascack Valley Hospital is finally opening and thanked all residents and people in the Pascack Valley that wrote letters, attended meetings, spoke to get this hospital open. The Garden Club will have their annual Mothers Day Plant Sale at the railroad station on Saturday; the annual Cub Scout Troop 109 breakfast will be held at Trinity Church on the morning of Memorial Day.

Administrator DeJoseph said the borough is installing roughly 60 trees over the next two weeks; we worked with the Environmental Commission, Ken Barber and Scott Raymond, to pick out the locations. Last week he attended a Bergen County FEMA meeting to discuss the new flood insurance, 23 towns were represented. One

discussion that will affect Hillsdale borough buildings as well as residents, flood insurance will increase roughly 25% per year over the next four to five years. This will affect non-residential properties meaning commercial as well as municipal buildings which will include our library as well as the DPW. A second home or non-owner occupied homes are going up 20% per year over the next four to five years. Currently the residential owner occupied houses or primary residences are not going to see an increase roughly for three to four years. This is a great impact to the borough and the CRS project is something the borough should be looking at shortly. FEMA will be forwarding information on training program through the CRS program. Road paving will be completed by Bergen County; Pascack Road is already marked out, we had a preconstruction meeting with myself, Police Chief, DPW Superintendent and the contractor. They will do ramps prior to paving, however, Pascack Road has no ADA ramps so that road will be paved first. The county issued a contract for the expansion joint on the bridge on Hillsdale Avenue by the library and this should be completed before the paving and the pothole will be repaired. With regard to Central Avenue and Cross Street, NJDOT Discretionary Aid Program met with the contractor and that work should begin by the end of May. Again ramps and concrete work will be done first followed by road paving. The DPW committee and DPW Superintendent will meet to go over the road paving program this year and prioritize the roads within the budget. A discussion on COAH will be discussed either in closed session or next meeting. Regarding energy aggregation, there is no cost to the borough to do this; the borough is part of the Bergen County Coop for Energy Purchasing. If the Mayor and Council want to proceed with this, a resolution would be passed to extend it to our residents as it would benefit our residents by an estimated annual of half a million dollars. No cost for the residents, no obligation for the borough, but if the Mayor and Council wish to go ahead we would have a vendor come in to discuss it and a resolution would be required to move forward. The Borough of Hillsdale is receiving \$18,600 from Clean Communities this year.

### **ADJOURN TO CLOSED SESSION:**

Borough Attorney Bernstein read the following:

R 13101 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, it is necessary for the Borough Council of the Borough of Hillsdale to have a session not open to the public on certain matters relating to an item or items, authorized by NJSA 10:4-4-12. No. 4. matters related to collective bargaining agreements with the UPSEU, PBA and Teamsters; No. 7, matters related to litigation negotiations with attorney/client privilege, United Water litigation and the Affordable Housing Trust Fund litigation and No. 8, matters related to employment relationship personnel Police Department. Also under attorney/client privilege the issue of shared services.

Motion was made at 9:24 p.m. by Council Member Kelley, seconded by Council Member Looes.

Roll Call Vote:

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

Nays: None

Absent: Council Member Frank

Borough Attorney Bernstein asked Neglia Engineering to remain first for Affordable Housing and Police Chief and Captain for Police Department personnel.

### **RECONVENE REGULAR MEETING**

Borough Attorney Bernstein said let the record reflect that all members of the governing body present for the commencement of the Executive Session are present at the recommencement of the open session as well as the Borough Attorney, the Borough Administrator/CFO and the Borough Clerk. Also the record indicate representatives from Neglia Engineering were present during the initial portion of Executive Session and the Police Chief and Police Captain were present at a subsequent portion of the Executive Session.

Representatives of Neglia were present for discussion of the Affordable Housing Trust Fund litigation, COAH and authorized to go ahead and take the necessary action to try to maintain our existing Affordable Housing Trust Fund. The motion is to authorize the Mayor and all our officials to sign the necessary papers on file for the protection of the Affordable Housing Trust Fund.

Motion made by Council Member Looes, seconded by Council Member Kelley, and unanimously carried.

Borough Attorney Bernstein said the second item Council Members met in executive session with the Chief and Captain regarding police personnel matters and man power. It was the recommendation of the Police committee and the senior administrative staff of the Police Department authorization given to start the process of hiring up to two patrol officers to join the Hillsdale Police Department. Necessary action was taken by the governing body to start that process.

Motion by Council Member Kelley, seconded by Council Member Pizzella, and unanimously carried.

Borough Attorney Bernstein said let the record reflect that negotiations with the Borough Attorney and members of Teamsters 945, the Borough Attorney gave direction to respond to the latest negotiations; update UPSEU negotiations, update PBA negotiations and update on United Water litigation and related items to the dam report.

No formal action need be taken. No public discussion at the May 14 meeting and will be rescheduled for a date in the future. There would be an open session public report regarding the dam at the May 14 meeting. We will get back to our appropriate action.

ADJOURNMENT

Motion at 11:25 p.m. to adjourn the meeting by Council Member Kelley, seconded by Council Member Pizzella, and unanimously carried.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE  
TUESDAY, MAY 14, 2013 BEGINNING AT 7:30 P.M.