

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 p.m. on Tuesday, September 3, 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 3rd day of September 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:

Council Members DeGise, Frank, Kelley, Looes, and Meyerson were present. Councilmember Pizzella was not present. Also in attendance were Mayor Arnowitz, Borough Administrator/CFO DeJoseph, Attorney Jeffrey Ziegelheim from Attorney Bernstein's office, Borough Clerk Witkowski.

APPOINTMENTS: none

OATH OF OFFICE: none

PROCLAMATIONS: none

PRESENTATIONS:

Police Captain Michael Niego-retirement
Mayor Max Arnowitz,

Police Chief Stalter said Captain Niego came on in 1986 and has 26 years and 8 months with the Borough of Hillsdale. In 1994, he was assigned to the Detective Bureau after a great history on patrol, making numerous arrests, generating many of his own cases and leads. He had a great patrol career which lead to his assignment to the Detective Bureau in 1994. In 1996, he was promoted to Detective Sergeant and continued his work on investigations; he was recognized by the U.S. Attorney's Office, County Prosecutor's Office, the Department, PBA and numerous other law enforcement organizations throughout the state. He was promoted to Lieutenant in July 2006, second in command, executive officer, and promoted to Captain in May 2011. Chief Stalter thanked his family because many times the department and residents of Hillsdale came first and the family took a back seat. He will be missed by all; he will be the Security Officer at Pascack Valley Regional High School. On September 1st, he retired and became a civilian and thanked him for his years of dedication.

Council Member Meyerson congratulated Captain Niego, he has known him for almost 20 years. When he had a problem, he called "Mike" and we worked it out. He was always there to help work out a case and he congratulated him on his retirement and new job. He presented him with a retirement badge and thanked him for his service to Hillsdale.

Mayor Arnowitz said he has been telling the Captain for 26 years and 8 months that money is tight, the Borough has problems. He has a little gift from the town which says I.O.U. You have been a pleasure to have worked with and he looks forward to many more years of service.

Robert Francaviglia- twenty (20) years of service
Mayor Max Arnowitz,

Joseph Mazzeo- twenty (20) years of service
Mayor Max Arnowitz,

Mayor Arnowitz said he has had the pleasure of working with and having the best police officers in the county.

In attendance at tonight's meeting are Daniel Ferioli and Nick Barile for recognition of the project at Sapienza Gardens completed for their Eagle Scout projects. Ms. Sapienza was the Vice-Principal and Principal of the High School and passed away; the town of Hillsdale, the school, River Vale put a lot of effort in putting together the garden, a place you can walk through. It is a beautiful place and thanked both scouts for what they did for our town. On behalf of the residents of Hillsdale, he thanked them very much for their efforts.

APPROVAL OF MINUTES: Minutes of the Regular Meetings of August 15, 2013 and Closed Session Minutes of August 15, 2013

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

DEPARTMENT HEAD REPORTS:

Fire Department-Council Member Looes said there is a working drill this evening. For the month of July, there were a total of 304 man hours and 26 incidents that were responded to by our Fire Department.

Ambulance Corps – Mayor Arnowitz said they have a drill this evening also.

Police Department- Chief Stalter said the county paving project will take place during the next two weeks, it is on the Borough web site and each day updates are provided. On Hillsdale Avenue far west they have begun milling from Wierimus and heading towards Pascack. Tomorrow they will pick up from Hillsdale Court and go as far as Pascack and then depending on time, they may be over by the Library between the bridge and Cedar Street. It will then go to the east side of the RR tracks and they will mill to Kinderkamack Road; we will have paving on Thursday and Friday of Hillsdale Avenue. We will be sure that the detours are posted. St. Johns Academy is well aware and they will keep a lane open during arrival and dismissal times.

Next week Tuesday, September 10, they will mill Kinderkamack Road which is the second full day of school. The schools have been notified and we will do our best with school arrivals and dismissals. It is a county project and the contractor has been working with us; barring no weather issues, September 11 and 12 the full length of Washington Avenue will be milled and paving will be done on Friday, September 13.

St. Johns Academy is open this week, public schools open next week, the High School has freshman orientation tomorrow. The school Resource Officer will conduct freshman lock down drill. We are eliminating, in conjunction with the Hillsdale Board of Ed, the school crossing guard post at Hillsdale and Wierimus Road as it has dwindled to nothing. We have established a post at Piermont and are having the crossing guard there. Generally a school crossing guard post is not for high school students but with the amount of traffic and the students, as we have had a couple of close calls, we will start a new post there.

One officer is out of work recovering from surgery and hopefully will return in a couple of weeks and as a result, overtime is higher than planned for. He and the Administrator met with NJ Transit regarding the repair of the Washington Avenue crossing and we discussed the issues when the train is in the station, especially when it is Hoboken bound and doesn't pull up far enough and the gates stay down. A conference call is scheduled to discuss with them this week. The trains Spring Valley bound present a host of problems because of the timing with the lights. He hopes get a resolution with the Hoboken bound trains and get the Hillsdale Avenue crossing open.

DPW is not present.

Recreation/Stonybrook- on vacation

CORRESPONDENCE:

1. Letter dated July 29, 2013, Hillsdale United Methodist Church, use of Veteran's Park, Sunday May 4, 2014 for anniversary celebration, Sunday service, 9am-1pm~referred to Councilmember Looes

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

Mayor Arnowitz said DPW Superintendent Durie should be made aware of this so that garbage bags are put out. The Methodist Church has used Beechwood Park before and they know the procedures and are very cooperative.

2. Letter dated August 5, 2013, Sapienza Garden Board of Trustees, Eagle Scout Projects, Sapienza Gardens~referred to Councilmember Looes

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

3. Electronic message dated August 18, 2013, resignation of Thomas Wiseman, Environmental Commission, effective immediately~referred to Councilmember Pizzella

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

Mayor Arnowitz has not heard from the Environmental Commission with regard to a new appointment as yet, however, he has a resident who wants to serve on the Commission.

4. Electronic message dated June 2, 2013, resignation of Ann Deutsch, Board of Health Trustee, effective immediately~referred to Councilmember Looes

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

Mayor Arnowitz said Ms. Deutsch was a great addition to the Board of Health and she will be missed. He asked that a letter of thanks be sent to her.

5. Electronic message dated August 28, 2013, from Donna Zufolo-Otto, requesting permission to hold a craft/vendor show in Veterans Park to benefit the food pantry ~referred to Councilmember Looes

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

Mayor Arnowitz said her letter does not indicate who she represents, what organization. We do not normally let the park out to everyone. While this is a great reason, it does cost the town overtime for cleaning of the park before and after, and for use of police.

Council Member Kelley said she spoke to him saying the food pantry has a need and she would be willing to do this.

Mayor Arnowitz said we just can't let the park out to anyone who wants to use it. It has always been an organization such as the Scouts or Church, not just a resident of Hillsdale that wants to hold an event.

Borough Administrator DeJoseph was concerned with the date which is October 5; it is very close and we would require Hold Harmless Agreements in place.

Borough Clerk Witkowski said there is nothing scheduled for that date and if it is the Council's wish, this can be tabled until we receive further details. She will reach out to get more information.

Council Member Looes inquired whether she is doing this in conjunction with the food bank.

Council Member Meyerson was concerned whether or not the food bank was aware of this.

Borough Clerk Witkowski will put this back on the Agenda until the next meeting and she will gather more information.

Mayor Arnowitz said before we go to the Discussion portion of the meeting, Elizabeth Ward is present. We have a problem, a concert is scheduled for Wednesday, September 4. Tomorrow night is the first night of the Jewish Holiday, one of the highest holidays on the Jewish calendar. He received a number of phone calls; he polled the Council this evening and we feel it would be inappropriate to hold a concert and wished to cancel this concert. He asked if it could rescheduled for another night. This is a two day holiday, the following week we have 9/11. Time is tight but he did not want to make that decision on his own. We will be sure to take care of that in the future when preparing the calendar.

Elizabeth Ward said the concerts were supposed to end last week.

Mayor Arnowitz asked here to work out the details. He reiterated there will not be a concert tomorrow night due to the Jewish Holidays.

DISCUSSION:

1. Council meeting of November 19th ~Borough Clerk Witkowski

Borough Clerk Witkowski said that is the date of the League of Municipalities. She suggested November 12 or November 20 or does the Council wish to have meeting on November 12.

Borough Administrator DeJoseph said the bill list is generally required to be approved the second Tuesday of the month.

Council Member Looes suggested we hold the meeting the second Tuesday, November 12.

Mayor Arnowitz confirmed that the meeting in November will be held on the 12th.

2. Electricity Co-op purchasing savings~Administrator DeJoseph-reported savings

Borough Administrator DeJoseph said as of September 1st, we saved \$25,471 using the energy consultant through the Bergen County Co-op electricity purchasing. There is no cost to the borough other than using a different vendor.

3. Horizon Exterminator advertisement via parked car~Administrator DeJoseph

Mayor Arnowitz said this business is asking to advertise in the town. We have not allowed this in the past; he wants to park a car in the lot or move around town that advertises an exterminator.

Council Member Frank was not in favor of doing this.

Mayor Arnowitz asked to have a letter sent, saying no thank you.

Council Member Meyerson said he was under the impression that the garbage cans we have in town were supposed to be used also for advertising.

Mayor Arnowitz said no, the town did not want advertising on them, there is just a generic Hillsdale message. We could change that but at the time we got them, the Council discussed it at length.

Council Member Meyerson would like this placed on another Agenda.

Mayor Arnowitz said in the past we have received requests to advertise under the Welcome to Hillsdale signs. The Council at that time chose not to do so, there is potential revenue and every little bit counts. We can put this on another agenda and look at the bins and the signs.

3. Community Affairs~Councilmember Frank

Council Member Franks said this is actually the Department of Community Affairs which is part of the state government that oversees municipalities. The Department of Community Affairs covers such things as building codes, fire codes, housing, Sandy relief and Division of Local Government Services. They are responsible for overseeing 566 municipalities; in many levels. The Commissioner of Local Government Services actually was on the dais when they heard the argument of the Woodcliff Lake School Board withdrawal and he was at the public hearing in Teterboro on the phone. They also oversee the statutes on local government ethics which is called title 40A:9-22 which covers all of the ethics required by people who serve on governing bodies, commissions. Under 9:22-5, it is required that each member of the board of governing body files a financial disclosure form by April 30th of the year, it is for transparency. It allows people to find out if a person works for a company that has an issue in front of the town council that he might vote on which would be a conflict of interest. It does not require income levels, just source of income. It also includes the Administrator, Clerk, Police Chief, Fire Chief, Planning Board etc. DCA also investigate complaints of ethics violations.

At the August 15 meeting, we had a topic in closed that one of the Council Members felt he might have a conflict, he got up, recused himself, and left the Council Chamber until the discussion was over. He

only returned after that topic was completed. However, the decision came whether we were going to appeal the flood group decision, Woodcliff Lake Dam, which had been lobbied for by Donald MacLachlan the lawyer for the flood group during open session. When it came up the Borough Attorney suggested Council Kelley to recuse himself and Council Kelley's response was absolutely not. Council Member Kelley is the main principal in the Flood Solution Group and since he first came on Council in November last year, our former Borough Attorney had instructed that he not be given privy to any communication because he had a conflict of interest. This was reiterated again by our Borough Attorney Bernstein in writing earlier this year. There were two Borough Attorneys that advised that he should recuse himself in this discussion where he had a clear, vested interest. That is what prompted Council Member Frank's call to the DCA to find out what you do. If he felt there was a conflict of interest or anybody on Council how does he approach that? He spoke to someone and explained the situation and they said it seems like there could be grounds for that and he should file a complaint with the DCA. He did, he also mentioned that Tom Kelley had chosen not to file a financial disclosure form for this year as well. It is nothing personal. If we are going to serve on Council we have to hold ourselves to a higher standard and represent all people in town, not just part of a group or particular segment. There could be no result of the investigation, there could be a fine, there could be a recommendation for removal, but he wanted Tom Kelley to understand that he cannot be on both sides; he cannot be a member of a group and have the attorney stand up here and lobby us for spending \$40,000 to \$60,000 on an appeal for the dam decision and refuse to recuse yourself and participate in the discussion and when he came out to open, he made the motion that we should appeal which was defeated.

He felt it was important that he should know that this was done and is confident that we will hear from the DCA at some point in time. We need to hold ourselves to a higher standard and applaud Council Member Meyerson for what he did as that is the right way to approach any kind of issue and he hopes it doesn't happen again in the future.

Attorney Jeff Ziegelheim of Attorney Bernstein's Office advised Council Member Kelley in terms of how he should respond for the record; what the Council Member said is subject to closed session discussion as it relates to litigation.

Council Member Kelley said before he was Councilman he was named to this suit by our attorney as an intervener and when he became Councilman was advised that he should be removed as intervener so that there is not a conflict. He thought that was sufficient.

Council Member Meyerson said it was his understanding that this discussion was a long time ago and the question came up and his understanding is our Council President removed himself from that lawsuit and no longer a party of that lawsuit. We have had several discussions since then in which the Council President was involved. In fact, prior to that time, he believed the Council President recused himself because he was advised to do so. He did not want to comment on any litigation discussions but with respect to who is a party is certainly out there and the Council President has not been a party for months with respect to that lawsuit. Since a complaint was filed it will reflect the fact that the Council President, when he voted on that, has not been a party for months.

Council Member Frank said the Borough Attorney did advise in that closed session to recuse himself.

Mayor Arnowitz said for the sake of the public, no action was taken that affected the borough that evening, we went into open, there was a vote and the motion was defeated and no action was taken to spend any tax dollars on that project.

Attorney Ziegelheim said you took an action but the action was defeated and remains in closed session.

PUBLIC COMMENT:

Julie Hodgman, 92 Yesler Way –

She said back in June or July there was discussion about the Green Team having a presentation for about 20 or 30 minutes.

Mayor Arnowitz said it was discussed last month by Council Member Pizzella and it is still scheduled for September 10.

Ms. Hodgman (Contd).

After they have their presentation, will you take action as soon as possible?

Mayor Arnowitz did not know. We would have to consider moving forward with the whole concept of substantial dollars and substantial efforts on behalf of our employees. When we understand the consequences, the various liaisons and department heads would have to agree to have this done. We would also need to know the cost; Council Member Meyerson has already begun the budget process for next year. He doubts whether a decision would be made that evening, but it is possible.

Ms. Hodgman (Contd).

She requested that the Mayor would give to her and some others an opportunity to provide other information after they are finished with their presentation.

Mayor Arnowitz said anyone can speak about anything at the public portion of the meeting. He would not allow Ms. Hodgman 20 or 30 minutes to refute them.

Ms. Hodgman (Contd).

She asked when you talk about money spent, what is the return investment? How much would go to Sustainable Jersey?

Mayor Arnowitz said that is the decision the Finance Committee and the rest of the Council would have to make.

Ms. Hodgman (Contd).

She asked if property owners in Hillsdale be informed before anything that would be done to affect their property.

Mayor Arnowitz has spoken to them over the past year and heard that by going forward with their initiatives, it could affect personal property values or properties. If it does, he and the Council would be concerned and would review it. If that is not revealed in the report, he would appreciate if Ms. Hodgman and anyone else would comment and indicate that if you go forward with this, this is going to happen. That is very important. If she were unable to attend the meeting, he asked that she forward a letter and it would be put on the Agenda.

Ms. Hodgman (Contd).

She said this would be a decision if Hillsdale wants to work towards becoming a member of Sustainable Jersey. When she went on the Planning Board's website, it says Hillsdale already has reached the bronze status.

Borough Administrator DeJoseph said the Borough of Hillsdale is currently bronze certified in Sustainable Jersey. This certification expires the end of this year and the application would be to recertify, which is required every three years.

Ms. Hodgman (Contd).

Does Sustainable Jersey require regulations that would affect property owners?

Mayor Arnowitz said the bronze certification had no effect on property. They are looking to move up to gold; that is where problems would be, but if we are just recertifying it would be about recycling, etc. If you are saying to move up to gold or additional things put into bronze that would affect us, please let us know.

Ms. Hodgman (Contd),

What is odd is that the Council did not know that we were already certified in bronze.

Council Member Meyerson said we do know, it is expired and we start all over again.

Ms. Hodgman (Contd).

Is there any money received through grants from HUD, DOT, BPA for doing certain things?

Mayor Arnowitz said we were talking about the recycling containers downtown; because we were bronze certified that is something we were able to get from the grant.

Borough Administrator DeJoseph said the recycling containers downtown acquired through Clean Communities funds and they were acceptable uses for those funds.

Council Member Kelley said Sustainable Jersey website information is available for qualifications.

Mayor Arnowitz suggested Ms. Hodgman attend the meeting next week, listen to their presentation, provide information that does not agree with their presentation.

Elizabeth Ward, 47 E. Liberty Avenue –

The summer concert series are drawing to an end. We benefited from a lot of publicity throughout the summer; to date there have been eight concerts with a variety of music in the park, standard rock and roll, opera theater night with tenors, acoustic guitar, easy listening great American songbook standards. They were very well received and attended. The concert will not go on tomorrow and hoped it could be rescheduled. She asked if there would be a problem if we rescheduled on a school night, we have already moved it up to 7PM. Perhaps a Sunday afternoon in the Library.

Mayor Arnowitz said a message will be put out tomorrow which will be put on the website and downtown sign. As soon as another date has been decided upon, we will put that message also.

Ms. Ward (Contd).

In the event it cannot be rescheduled, she asked if she has permission to pay the band. We still have a number of programs on the drawing board, one a Battle of the Bands as an autumn event. We were unable to work it in the schedule. For the concerts that were held, there were about 200 to 250 people, people were generous towards the food pantry and donations of about \$100; we already delivered about 12 bags of groceries to the Methodist Church. Not only did the people enjoy the concerts but the food pantry was well served.

She said Keith Durie and DPW crew have been extraordinarily helpful in bringing out the trailer each week for the concerts, hanging the banners, etc. She thanked borough hall employees, Jonathan DeJoseph, Sue Witkowski, Denise Kohan, Patty Hughes for their efforts with the counting and financial matters, the website, digital sign and other promos; Hillsdale Volunteer Ambulance Service was on duty at every concert in the event of a medical emergency, the Police Department had Auxiliary Police Members present at every concert, the Fire Department sponsored a concert and had the rig and firemen to meet and greet the public. We had over three dozen sponsors of food establishments in town, local businesses, local partners, and St. Johns as the alternate rain site.

Following is a list of supporters:

Hillsdale Emergency Services: Ambulance, Fire Association and PBA Members.

Food Establishments: Bella Campania, Big Daddy's Pizza and Grill, Chicken Delight, Cinco de Mayo, Cortina's, Demarest Farm, Domani, Golden Dynasty, Iscreamery, Ken's Deli, Matsu Sushi & Grill, Osso Buco, Peking House, Ronnie's Hot Bagels, Sarabou Bakery and Café-Westwood, 7 Eleven, West Hills Deli & Bagels, Wilkes Delicatessen.

Local Partners: Becker Funeral Home, Care One at Valley, Caroline Sapunarich, Better Homes and Gardens Rand Realty, Judith Brauburger, Joomla Web Design, Marsala Hardware, Michael Laglia, State Farm, Pascack Community Bank, Pascack Pharmacy, Robin's on Broadway, St. John the Baptist Church, Timber Tree.

Hillsdale Professionals: Business & Governmental Insurance Agency, Dennis Harraka, Eric M. Bernstein & Associates, Neglia Engineering Associates.

Ms. Ward said we had doubled the number of concerts we had last year and it took a lot more fund raising time and effort and she will go for earlier fund raising. Concert start times were 8PM in July and it was darker in August and possibly we will begin at 7:30PM. It was her pleasure to serve in this capacity.

Council Member Frank asked how the local merchants responded, those who stayed open.

Ms. Ward believed they were happy. Some didn't stay open too late; some said her idea to promote a picnic supper in the park or snacks did not fly that well because we started too late. Many people have much earlier dinners. Very few people who performed were full-time musicians earning their livelihood from their music and many were coming from regular day jobs. They need at least an hour to get set up. Hopefully we will get more establishments on board.

Larry Mundhenk, 17 Hunters Court –

Hunters Court is the last left on Hillsdale Avenue before you cross over the parkway. There is a total blind spot pulling out of that street from the parkway which curves, there is a white line that runs all along the school down to Pascack Road. He would appreciate, from the parkway, to meet that line and take it down to Hunters Court so it would be a guideline for cars down to stay within that white line rather than trying to cut close on the curve.

Mayor Arnowitz said the Police Chief is present and he will speak to the Sergeant who handles traffic and if it is the right thing to do, we will get it done. He did not know if that could be added to work being done now, but it will be looked into.

Police Chief Stalter said that is a county road and he will speak to the County Engineer and inquire.

Mr. Mundhenk (Contd).

It was done in Washington Township and he would like just enough movement so it is easier to get out.

Julie Hodgman, 92 Yesler Way –

She asked the meaning of Cancellation of Uncollectible Taxes.

Mayor Arnowitz said it is a small amount that we just cannot collect and it is not worth hiring attorneys and going to court.

Ms. Hodgman (Contd).

What is Municipal Trust Fund Application, what are you applying for?

Borough Administrator DeJoseph said next week the borough will have a hearing on applying for a Bergen County Open Space Municipal Trust Grant Fund application to install a patio and walkway in Veterans Park.

Ms. Hodgman (Contd).

She will not be present next week when the Green Team gives their presentation and will try to get everything together before hand.

Mayor Arnowitz did not believe any decisions were going to be made, any concerns can be put in writing. We have meetings every month and discussions can take place at any meeting.

Mayor Arnowitz closed the meeting to the public.

PROFESSIONALS REPORT:

Borough Engineer – not in attendance.

Borough Administrator/CFO- said DPW Superintendent Interviews are beginning tomorrow and next Monday. He is working with Chief Stalter and NJ Transit to get the gates remain open when the train is in the train station. Eric Stigliano, Eagle Scout Candidate, is working on 9/11 Memorial in Veterans Park. We received a piece of steel from the World Trade Center last week and brought to the vendor today and it should be mounted for next week. The plaque is mounted on the memorial and is covered up until the unveiling next week. Landscaping is being done around the monument and a great job for the borough. He

is working with the Borough Clerk to review resumes for a part-time Administrative support position. The interview process should begin shortly. He is working with Bergen County on a special projects engineer for county road paving as the Chief mentioned beginning next week. There will be traffic problems for residents but it will be for the better. He received approval from the county to begin work on the ramps along Broadway in advance of paving and hopefully we get the ramps done this year so whenever the county is prepared to pave the road, there will not be any holdups. The municipal road program should begin towards the end of September and take approximately one to two weeks to complete. The vendor is Haskell Paving, we have used them in the past and they have done a good job. Banking RFP will be open tomorrow; Patterson Street bridge replacement resolution was approved by the Freeholders on August 14 for \$1.83 million dollars to Montano Construction. It is anticipated the work will begin in the fall.

Mayor Arnowitz said a few years ago he tried to get the 9/11 project moving and he reached out to the Port Authority and spoke to personnel who said there was no steel left. The Administrator got on this and obtained us a piece of steel. It is going to be a great addition to Hillsdale. He is so happy that this young man chose this project, put it together and it is being completed. We will have a dedication at 7PM on 9/11 before the Candle Light Service. An Eagle Scout cannot ask directly for funds to support a project but he is selling flags, etc. to raise funds because he has to pay for it. We were able to get a grant the Council approved; the Borough of Hillsdale is matching everything he raises. The cost of the project is approximately \$2400 to \$2500. We will give \$1200 with tax dollars from the county but he still has to raise \$1200. He has raised about \$650 to \$700 to date. He has another \$550; if anyone is interested in helping, a check can be sent to the borough. Any help that can be given to this young man is appreciated. He invited everyone to the park to see the memorial.

Elizabeth Ward, 47 E. Liberty Avenue –

After meeting Eric Stigliano and his family at an earlier Council meeting, she invited him to come to the summer concert series and introduced him. With each and every passing week he has become more confident and addressed the crowds and is doing a great job.

Council Member Kelley said the PBA contacted him and said they will pay the balance for the memorial needed by Eric Stigliano.

Steve Moshac, 41 Rawson Court –

The American Legion will have a meeting tomorrow evening and this subject is on the agenda and he was planning to make a proposal for that amount. Now that the PBA is stepping in, they should leave some room for the American Legion.

Council Member Kelley said we will get all the numbers from everyone involved and together we will get the necessary funds.

Mayor Arnowitz expressed his thanks to all.

ORDINANCES: *Adoption and Introduction* -there are none

RESOLUTIONS: R13176 through R13178 (Consent Agenda):

~~R 13176 — Endorsing Municipal Trust Fund Application for 2013 Open Space Application~~
(Moved to 9/10/13 agenda)

R 13177 Cancellation of uncollectible taxes

WHEREAS, N.J.S.A54:9-12 requires the collector to submit to the governing body a list of uncollectible taxes for cancellation;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale hereby authorize the Tax Collector to cancel the tax amount of \$260.25 due on the 2011 tax roll:

<u>Name</u>	<u>Block/Lot</u>	<u>Amount</u>	<u>Reason</u>
Felixson, Elise & Michael	202/30	\$260.25	Erroneous Assessment

BE IT FINALLY RESOLVED that a certified copy of the resolution is forwarded to the Tax Collector, Tax Assessor.

R 13178 Designation of the National Incident Management System (NIMS) as basis for all incident management in Bergen County

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, County, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity; and

WHEREAS, the collective input and guidance from all Federal, State, County, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS; and

WHEREAS, it is necessary and desirable that all Federal, State, County, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management; and

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, County, and local, organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters; and

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the State's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes; and

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the State, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System; and

NOW, THEREFORE, BE IT RESOLVED, that the Governing Body of the Borough of Hillsdale, Bergen County, New Jersey, by the virtue of the authority vested in me by the Constitution and Laws of the Bergen County, New Jersey do hereby establish the National Incident Management System (NIMS) as the Borough standard for incident management.

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

Roll Call Vote:

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

Nays: None

Absent: Council Member Pizzella

MONTHLY DEPARTMENT REPORTS

(The following correspondence on file in Borough Clerks Office)

R1 Hillsdale Fire Department, Chief's report, July 2013~Councilmember Looes-previous

COUNCIL COMMENTARIES:

Council Member Meyerson congratulated Captain Niego, Sergeant Mazzeo and Detective Sergeant Francaviglia for their years of service. He personally thanked Eric Stigliano for his work with the 9/11 memorial.

Council Member Looes congratulated our retiree and the officers that have given 20 years at this point. There was a lot of hard work with the concerts and all residents of all ages thoroughly enjoyed them. A reminder that Town Day will be held Saturday, September 7, at Stonybrook; on Tuesday, September 10, the senior luncheon will be held at Stonybrook, then the luncheons will continue at St. Johns. Schools will open and a word of caution for children in the crosswalks and on bicycles.

Council Member DeGise said the lightning detectors and warning systems are back up and running in all the ball fields. They are now on a maintenance plan.

Mayor Arnowitz said remind the sports associations that if the detector goes off, get off the fields, it is not up for discussion.

Council Member Kelley visited the Bergen County Fire Academy and 226 firemen graduated from Bergen County. Hillsdale had six graduates, which brings us to nine in the last year. He thanked Tom Wiseman and Ann Deutsch for their years of service and he thanked Elizabeth Ward for her fantastic job on the concerts.

Council Member Frank also congratulated Captain Niego and Sergeants Mazzeo and Francaviglia. With regard to driving students to school he recommended phones be put down or turning it off for the short period of time you drive the kids. It is precious cargo and we read often the many distractions from phones and texting causing traffic accidents.

Mayor Arnowitz did not believe Council Member Kelley gave enough credit to his son for going through fire school. For a 16 year old to accomplish, it is a lot of work; he is amazed what they do for the Fire Department and to finish Fire Fighter at that age is outstanding.

Council Member Meyerson said he discussed the budget process with the Administrator and a schedule will be provided after the Jewish holidays.

Mayor Arnowitz said there is a senior picnic at the county level to be held at Van Saun Park on September 17 at 10AM. There will be a lot going on on 9/11; at 8:15AM the Fire Department members will line up in front of the fire house and walk to the RR station, there are no speeches other than a salute when the first plane hit, salute again when the second plane hit, in between we reflect inwardly. We have been doing this the year after 9/11 and will continue. At 7PM we have dedication of Eric Stigliano's 9/11 monument; at 7:30PM we will have our annual candlelight ceremony. It is not a scout program but many scouts participate. Town Day will be held on Saturday at Stonybrook from 1PM to 5PM. Any proceeds generated are provided to the food pantry; Shop Rite made a large donation. There will be activities and swimming for the children and adults. He reminded the Administrator to contact relatives of two victims in Hillsdale of 9/11 and invite them to the ceremonies. He wished his Jewish brethren a happy Jewish New Year.

ADJOURN TO CLOSED SESSION: @9:02 p.m.

R 13179 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.
- ___ (5) Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- ___ (6) Matters relating to public safety and property.
- ___ (7) Matters relating to litigation, negotiations and the attorney-client privilege
- ___ (8) Matters relating to the employment relationship.
- ___ (9) Matters relating to the potential imposition of a penalty.

NOW, THEREFORE BE IT RESOLVED, by the Council of the Borough of Hillsdale assembled in public session this date that an Executive Session closed to the public be and the same is hereby authorized for discussion of matters relating to the specified items designated above. It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Borough Council that the public interest will no longer be served by such confidentiality.

Attorney Ziegelheim stated the matters for closed session are bargaining agreements, public safety property and matters concerning employment relationships.

Motion by Council Member DeGise, Second Council Member Meyerson, and unanimously carried.

RECONVENE REGULAR MEETING: @10:03 p.m.

ROLL CALL:

Present: Council Members Frank, DeGise, Looes, Kelley and Meyerson

Absent: Council Member Pizzella

Attorney Ziegelheim said there was a discussion with Chief Stalter and a motion was passed, based upon retirement of the Captain, and the vacancy of an executive officer position, based on a recommendation by the Chief, a motion was made and passed to bypass the rank of Lieutenant and go from Sergeant Position to the rank of Captain. Additionally by way of motion, the Chief's ability to initiate the process which would include the promotion of other police officers to rank of Sergeant. In addition relative to the Department of Public Works, the Council passed a resolution approving the ability to communicate the Memorandum of Understanding to the DPW in terms of the position relative to a potential resolution a contract. That is what occurred in closed session by way of action. No further action has to be taken.

Council Member DeGise referred to Council Member's remarks, he and the Administrator went online to see who is in compliance, and half of us aren't.

Council Member Frank asked which half; the only two people on Council are Council Members DeGise and Kelley.

Borough Clerk Witkowski will check on all Council Members to double check who is in compliance.

ADJOURNMENT:

On a motion at 10:05 p.m. to adjourn the regular meeting by Council Member Kelley, Second by Council Member Looes, and unanimously carried. Councilmember Pizzella was absent.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, SEPTEMBER 10, 2013 ~BEGINNING AT 7:30 P.M.