

Minutes of a Worksession Council Meeting of the Borough of Hillsdale held at 7:30 p.m. on Tuesday, October 1, 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 9th day of July 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, Meyerson, Pizzella were present. Also in attendance were Mayor Arnowitz, Borough Administrator/CFO DeJoseph, Borough Attorney Bernstein, Borough Clerk Witkowski

APPOINTMENTS:

Promotion of Detective Sergeant Sean Smith~Police Chief Assignment

Mayor Arnowitz administered the Oath of Office to Detective Sergeant Sean Smith.

Police Chief Stalter said in 1996 Sean Smith came into the Police Department and dropped off a resume. We didn't have a job for him but he spoke to Chief Mikulski and Stalter who said that he is a "Mickey Mantle" so Sean came to us in January 1997; he was promoted to Sergeant in December 2012, and we are here tonight celebrating his appointment as Detective Sergeant. He served four years in the US Marines doing relief efforts. He serves as our DARE Coordinator, our Programs Coordinator and Field Training Officer.

Mayor Arnowitz said he was very pleased that he moved up quickly and efficiently and you have given a lot to Hillsdale.

Mayor Arnowitz will not make the appointment to the Environmental Commission, Anthony Maalouf, as he has a conflict with his business so we will provide another name.

OATH OF OFFICE:

Detective Sergeant Sean Smith

Mayor Arnowitz

Mayor Arnowitz administered the oath of Office.

PROCLAMATIONS:

PRESENTATIONS:

Hillsdale Crossing Guards-

Joan Carbonaro, forty (40) years of service.

Mayor Arnowitz presented her with a paper weight inscribed with the amount of years she served.

Chief Stalter said we recognize Joan and Arlene doing our annual school guard training session. It is a rough job and Joan also served in the summer time as a crossing guard at Stonybrook from the Meadowbrook School. She is with us year round and it is an accomplishment.

Arlene Meier, thirty (30) years of service-not present, we attend the October 8th meeting

Girl Scout Silver Award Recognition-

Cassidy Freeman

Carley Wiseman

Mary Kate Viceconte

Advisor: Kathleen Viceconte

Hillsdale Board of Health- overview Public Health Nurse position

Barbara DeCaro

APPROVAL OF MINUTES:

September 1, 2013 regular and closed; September 8, 2013 regular and closed and September 23, 2013 regular and closed. This will be handled at the next meeting.

DEPARTMENT HEAD REPORTS:

Fire Department-dated August 31, 2013

Ambulance Corps.-Captain John Beatty said during the month of September, the Ambulance Corps had 91 calls for service, 76 of which were handled by Hillsdale ourselves, 15 by mutual aid which is exceptional. We had ALS Interaction 32 times, they accompanied us 15 times to the hospital and we were able to cancel 7 and released 6. We went mutual aid 30 times of those 76 that we had, mutual 15 times. We had an ambulance loaner we traveled 1,000 miles last month. In terms of statistics, our response time to the building for our crews whether day or night averaged 6 minutes and our dispatch time 8.1 minutes. The average urban response time is 15.1 so being volunteers we are actually sticking to the national average which is great. The rural response time is 10.1. Average length of call happens to be 52 minutes as a result we put in over 700 man hours and some calls needed medical assistance. The hospital nearby opened recently so it decreased our times. We have emergency services Open House on October 13 in conjunction with the Police Department and the Fire Department from 11AM to 1PM. We are sending out our fund drive letter this week; we are volunteers and never charge.

Mayor Arnowitz offered as a point of information that the Patterson Street Bridge is closing but the bridge will be open for emergency vehicles with one lane and will begin September 30 for 10 days. Yesler Way will be open both directions.

Police Department-Police Chief Stalter reported that the Open House will be held Sunday, October 13, Police, Fire, EMS; on October 19, Saturday, from 11AM to 1PM we will have another Coffee with Cop at Starbucks. You can chat with one of your local police officers. October 22-23, we will have the Officer Phil Program at St. John Academy and is a program at no cost to the Borough because we have sponsorships. A work book and safety program is handed out and he publicly thanked all the sponsors.

For the month of August, we had 39 traffic accidents, 163 summonses were issued; we had 2 DWI arrests and our new officer Alex Kaplan, had both. There were 17 criminal arrests; 6390 telephone calls handled through the dispatch center – breakdown calls for service, 17 animal complaints, 42 assistance for welfare checks, 43 medical aid calls, 13 fire calls, 9 suspicious motor vehicles, 15 suspicious persons, 8 lock outs from motor vehicles or homes; criminal investigations – 5 assaults, 4 criminal mischief, 4 disorderly conduct, 2 drug, 3 theft, 1 weapons, 4 offenses against families, 7 suspicious incident cases, 3 harassment. One case Sergeant Carty was involved in and he arrested a New York man who had a \$20,000 warrant.

Council Member Meyerson had a question on procedure. In the future if we could notify department heads to report to the Council prior to the meeting.

Mayor Arnowitz spoke to the department heads and said it is important not only to inform us but the residents also. There is a misconception what our DPW does, Police, Ambulance. We just heard what our police do, a lot more procedure than just standing out there watching. If the department heads do not feel they need to come they don't have to but if they feel their report is necessary for the public they have the option to come.

Police Chief Stalter said it is the Council's meeting and he will abide by their wishes. The Borough Administrator sent an email to the department heads to submit their report.

DPW-Superintendent Durie said 7 Mayors, 28 Council people, 32 years later it is bittersweet that he will be leaving. You miss what you have done for a long time. The county is now complete with their paving program; sections of Hillsdale Avenue, Wierimus, Washington Avenue from end to end with striping done, Hillsdale Avenue striping, firehouse, borough hall and also taking care of major ripples on Kinderkamack Road. PSE&G repaired the damage in front of the high school on Piermont Avenue. Foreman Patrick and his crew were able to successfully complete rebuilding 30 catch basins this year which was a major undertaking because Department of Public Works do not do that, it is farmed out and it is very expensive. Much blacktop was done this summer, tree trimming, worked with the electrical contractor at Centennial, moving plywood around so that bulbs could be repaired and through early spring and summer with the donation of Council Member Pizzella donating an exhorbant amount of furniture, we were able to reoutfit the borough hall. We moved electrical lines, computer lines, replaced ceiling tiles and he feels comfortable that his last year with the DPW has been a very favorable position. Three men are working with us from the county and will be with us until the end of the year who did painting, outside railings, etc. We paved Oakland Street this week, Yesler is done and Park Avenue is next.

He said Sunday afternoon we must have had a spike in water pressure and within 15 minutes, we had three water main breaks and now we have a fourth. One major on Liberty and Cottage, corner Knickerbocker and Magnolia, Sycamore and Sender and now we had another major one tonight that was repaired on Ridge and Wierimus. It is not normal especially no freeze situation so we must have had some type of spike in the pressure, we had a couple of weak spots and that is where they gave. We have repaired three of the four. The last one will be repaired within the next day or so.

Mayor Arnowitz commented about the oil tanks at Tandy & Allen section.

Superintendent Durie said at Saddlwood Drive, Forest, Windham, Chadwick, Sherwood, Birchwood, Saddle Ranch the homes were built by Tandy & Allen in 1953 and finished in 1959. The oil tanks are starting to fail and you see there are barrels in driveways or units parked in the street. Water is being pumped down and extruded, filtered and is being done under the monitoring of the DEP. Lombardo is the company working on Saddlewood Drive but there have been a number of hazardous operations going on. We have been monitoring them; there has been under pinning and in one case they had to take the house down a couple of years ago because the foundation rotted. There will be activity going on.

Council Member Meyerson said many homes changed over to gas and all you had to do was remove the oil tanks, fill with sand and cap it. Nobody tested the soil. Every closing he has done in the past, soil is tested and the tank out of there. In many cases there is nothing to worry about but Tandy and Allen put the tanks under the front steps of the house which is the worst possible location. Tanks are being removed on a regular basis even if there is no contamination.

Mayor Arnowitz thanked Keith for his 32 years of service and appreciated his excellent service to the borough.

Recreation/Stonybrook-

Hillsdale Library-dated May 2013, June 2013 and September 2013

OLD BUSINESS:

NEW BUSINESS:

DISCUSSION:

BUDGET:

1. Copier Award (12,000 copies/20,000 copies)- Administrator DeJoseph-recommend next week for lease. Borough Administrator DeJoseph said attached to the Council's packets are his calculations for the copier and next week will make a recommendation to purchase or lease a RICOH copier upstairs because our lease is up. It has been budgeted for previously.

Council Member Meyerson said almost every one of these lists were items that were reviewed by the Finance Committee. All of the results have been reported to the Council and asked that we short circuit discussion of every one of these things and if there are any questions ask them now, because we expect to vote on them next week. He asked the Administrator to comment on anything that hasn't been authorized in the 2013 budget.

2. Authorize Borough Clerk to advertise for 2014 Borough Professionals
3. Authorize award of contract for Municipal Court Shared Services Feasibility Study with Westwood and River Vale as lead agency ~ Administrator DeJoseph-copy of reso from freeholders
4. Authorization to enter agreement with Bergen County for Municipal Court Shared Services Feasibility Study Grant in the amount of \$5,000~ Administrator DeJoseph
5. BCIA new program reduced Interest rate~ Administrator DeJoseph
6. Update Recycling Calendar~Borough Clerk Witkowski
7. 2013 Salary Ordinance, non-union employees~ Administrator DeJoseph
8. Authorization to enter into agreement 2013-2014 CDBG Grant for Handicapped Accessible Pool Lift Stonybrook Swim Club in the amount of \$26,000~ Administrator DeJoseph
9. Authorization to enter into agreement 2013-2014 CDBG Grant for Handicapped Accessible Bathrooms Borough Hall in the amount of \$65,000~ Administrator DeJoseph

10. NJDEP \$3 million river and stream cleaning grant program Passaic River Basin~Administrator DeJoseph-not applying for the grant, not enough
11. Authorization to enter lease agreement DPW cell tower~ Administrator DeJoseph
12. Authorize SWAN application to the Watershed Institute's Small Grants Program~Councilman Pizzella
13. Submission of 2014 Bergen County CDBG application for brick and mortar project ideas~Administrator DeJoseph-ma suggested, no matching funds required
14. Amendment to Chapter 138 Fees ~ Administrator DeJoseph (**see ord. #13-10**)
15. Authorization to enter into agreement 2013-2014 CDBG Grant for Public Service Senior Citizens Grant in the amount of \$3,274.00~ Administrator DeJoseph

Mayor Arnowitz asked if anyone had any questions with any of the foregoing items. There were none.

POLICY:

1. Authorize the Borough Attorney to review DRAFT of Employee Handbook and Personnel Manual~Administrator DeJoseph

Borough Administrator DeJoseph said under JIF we are obligated to update our employee handbook for personnel management every two years. We are looking for approval from the governing body to authorize work on it with the attorney. It is his assumption that there won't be much change but he doesn't have a draft.

Mayor Arnowitz thought there would be some mandated or strongly worded suggestions about classes for harassment, etc.

Borough Attorney Bernstein said the manual was written by the JIF for the JIF not necessarily for the borough. It does not fall in line with what you do in your contracts. The more important portion is the issue of money, he will check to see what is left in his budget and he will raise this issue again next week. JIF recommends their own draft but in many cases it is contrary to policies in town. The manual needs to be done unless you want a rubber stamp manual.

Council Member Meyerson was concerned with the contradictions with what we do and wanted to make sure we are consistent with what we do.

Council Member Pizzella said the original budget did not incorporate this.

Administrator DeJoseph will get back to the attorney regarding what needs to be done.

2. Employment Application-proposed change~Administrator DeJoseph said the application was completed by the Borough Clerk and requested review by the Borough Attorney.
3. Formation of Personnel Committee~Councilman Kelley-mtg superintendent;

Council Member Kelley said we had issues regarding hiring a DPW Superintendent and other issues which he discussed with the Borough Clerk and Administrator. We formed a personnel committee in July which consisted of Council Members Kelley, Looes and DeGise. The Mayor stated he was left off that committee intentionally. He obtained the verbatim minutes from that meeting and very clearly when asked, the Mayor stated he had too many meetings already, and a committee was formed and he has the minutes to back this up.

Council Member Frank asked the purpose of this personnel committee, is it just a search for new employees or will this deal with personnel policy.

Council Member Kelley said when we spoke with the Administrator it was initially because we were hiring a Superintendent and it was stated that evening if personnel issues arose we would sit down with the Administrator and Clerk to discuss and the committee would be called.

Council Member Frank said in the past there was a search, Mayor and two Council Members, would be involved in helping screen candidates. It was done on an individual basis, we did not deal with personnel issues that is for the Labor Attorney and entire Council.

Council Member Kelley said this was the Administrator's suggestion.

Council Member Meyerson said it was for the specific purpose of the DPW Superintendent's search. He has never seen an organization that does not have a personnel committee and who is charged with the responsibility of taking a look at our handbook and personnel handbook and that should come through a

committee by members of Council, such as the JIF changes we are talking about. It should become a permanent part of this organization and we should define it as to what it does so that we don't have this problem again.

Council Member Frank said laws are changing constantly and unless you have a lot of extra "t's" in labor law, it is better to leave this between the Administrator and our Labor Attorney in his opinion.

Mayor Arnowitz answered Council Member Kelley's comments. The evening the committee was formed he was upset, surprised and concerned that the Mayor was left out of the committee. He stated that night and he will state it again, in the Pascack Valley, and that is who he has most contact with, no town other than Hillsdale, the Mayor is not part of the personnel committee. In most towns, it is left up to the Mayor and Administrator and he made that statement that night. My comments about two meetings or enough meetings already was said after the fact and the way saying o.k., you made your decision. But if you remember that night, I argued vehemently about being on that committee. He made his comment about the other Mayors and about the other towns. Being the highest elected official in town, the Mayor should be on that committee

Council Member Frank asked if he created the committees, why you don't just change.

Mayor Arnowitz said everyone that was here voted unanimously and voted to put the three people that Council Member Kelley put on the list.

Council Member DeGise said he was not here.

Mayor Arnowitz said the members of the Council who were here voted. He doesn't know what the minutes said, but he is correcting the minutes. I am saying what I feel, a committee of personnel should be established and include the Mayor.

Council Member Meyerson said you are restating what occurred that night. I read the minutes.

Council Member Kelley said there was no disagreement whatsoever, the minutes are verbatim, they are heard from the tape, they are legal minutes, no disagreement and at no time did you mention any other Mayors or that we were leaving you off. You agreed to it, you never even raised it. He was new to this process, what do you think we should do. There was discussion and the Mayor even said "I have enough meetings to go to already." Then Council Member Kelley said if you like Council Members Kelley, DeGise and Looes they will do it and that is the way it was agreed upon. In fact the Mayor put the names up.

Council Member Frank said let's change it, put the Mayor on.

Council Member Kelley said he has an issue with what was just said. The minutes are written, they are there how can you correct the minutes?

Council Member DeGise offered to step down and allow the Mayor to sit on the committee.

Mayor Arnowitz asked the Borough Attorney if the Mayor should be on a committee like that. Attorney Bernstein said the Mayor can be ex officiana to, but at that point you end up with a forum.

Council Member Kelley said we offered to put you on it after that. You said you have too many meetings already.

Council Member Frank said Council Member DeGise offered to step down so let's move forward.

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

Councilmembers DeGise, Frank, Looes, Meyerson, and Pizzella voted yes.
Councilmember Kelley voted no.

Borough Attorney Bernstein read for the record Statute 40A 61-6d.

4. Best Practices Inventory~ Administrator DeJoseph

Borough Administrator DeJoseph said everyone has copies of the Best Practices Inventory and Hillsdale will receive 100% COMPTRA. A resolution will be passed stating that.

MISCELLANEOUS:

1. Authorize the Mayor and Clerk to execute Developer's Agreement for Pool Location and Grading Plan Block 802, Lot 19, 50 Windham Road

2. Letter from Hillsdale Volunteer Fire Department, Board of Fire Officers, seeking approval for Cadet Membership for Nick Brauburger - moved to the October 8th meeting.

ORDINANCES:

Ord. #13-10 Introduction Carried Over from previous meeting

AMEND AND SUPPLEMENT CHAPTER 138, FEES OF THE CODE OF THE BOROUGH OF HILLSDALE

Ord. #13-11 Adoption

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF HILLSDALE, ENTITLED CHAPTER 29, "FIRE DEPARTMENT", MOST NOTABLY SECTION 29-6, "BY-LAWS AND RULES OF BOARD OF FIRE OFFICERS"

Ord. #13-12 Adoption

AN ORDINANCE TO AMEND, REVISE AND SUPPLEMENT THE BOROUGH CODE OF THE BOROUGH OF HILLSDALE, MOST NOTABLY CHAPTER 138-7 ENTITLED FEES FOR "ANIMALS"

Mayor Arnowitz said these will all be voted upon next week.

PUBLIC COMMENT:

Susan Levinshenn, 57 Heritage Ct.

She has been a resident since 1992. All summer she has been endured the smell of garbage in cans for six days. She sent a letter to Community Life, Pascack Press about Hillsdale's once a week garbage pickup. It is more than an inconvenience, it is a health hazard. She emailed Council President Kelley and he immediately responded saying he agreed that not a single resident came to the Council complaining about the problem. She is here tonight to inform the Council that it is a problem. She understands the Mayor has requested the Finance Committee to consider this issue for 2014 budget. She hopes the Council recognizes many people in Hillsdale care about this issue and the elected officials should think creatively about the health problems.

Mayor Arnowitz said he has discussed this with the Finance Committee and the Borough Attorney would review the contract; we have a five year contract and we need to see the implications of breaking the contract or rebidding, whatever is legally required. The DPW Superintendent suggested a capful of bleach in bags that are tied up.

Council Member Meyerson said those who have Friday pickup have the worst day and we have to find solutions to this problem. It is the number one complaint he hears from people. He asked the Borough Administrator to contact the vendor and move Wednesday to Friday to Friday to Wednesday; most garbage develops over the weekend, it is something small that might be able to help people who have Friday pickup. We are also looking at other solutions.

Ms. Levinshenn (Contd).

In summer when temperatures are high and garbage sitting it is unpleasant; it is not so bad in the wintertime.

Mayor Arnowitz said this was done for economic purposes with a 2% CAP; we saved a substantial amount of money with one day a week pickup.

Council Member Frank said with a 2% CAP, if you are not going to take it out of garbage you will have to take it out of something else.

Mayor Arnowitz said paper is taken to a specific place and wasn't sure they would accept paper on Friday. Governor Christie allows us to increase taxes \$160,000, there is a CAP on the amount of money we collect from everyone. Salary increases that people are entitled to almost cover that. If we have to come up with an additional \$150,000 that is not borrowable the only thing left is personnel. We are trying to live within this CAP, we are looking at it but it is not a simple solution.

Administrator DeJoseph said vegetative waste on Thursday and Friday has been discussed to change to Monday and Tuesday as well.

Council Member Meyerson said we are looking at ways working within our contract to try to come up with a solution for the summertime.

Council Member Pizzella has received many emails concerning this problem as well.

Mark Becker, 141 Demarest Avenue –

We have been awarded a grant to look at the ecological solutions to flooding throughout the Pascack Valley. We would like to work in Hillsdale and Westwood; it is a preliminary study, we have about \$9,150 most of that is going to contract Princeton Hydro to come up and do a series of site visits and to see what opportunities might be in the community for ecological solutions to the flooding and work on educational programs, maybe some possibilities for us to look at what alternatives might be available to us. We are asking for your support for this project, will answer any questions, he can provide copies of the grant application.

Council Member Kelley said as a resident he is very involved in the flood area and asked what Ecological Flood Solutions is, what are you talking about.

Mr. Becker (Contd).

We are looking for opportunities to retrofit areas with retention basins, detention basins; large parking areas that we could possibly add retention basins, have the water flow down and back into the ground water instead of rushing off into the stream. Residents can do things to prevent water to run off into the storm water and have it percolate into their lawn, something called rain gardens which are smaller scale retention basins. Also, increasing the natural buffer around the streams.

Council Member Pizzella asked Mr. Becker to come and asked if he could give an explanation of what you are doing in Emerson by the Kmart parking lot.

Mr. Becker (Contd).

It is a very serious issue and attempting to preserve about a 22 acre parcel there and through that parcel there is a drainage area that is severely eroded. Whenever it rained the storm water was creating a Grand Canyon, it was 17 feet deep and 25 feet wide and after every rain storm it is getting worse. We had an opportunity to work with Conservation Resources, Inc., they had a great deal of money about \$400,000 that they needed to put into restoration in this Hackensack watershed. They approached us asking if there were any projects we could do and we have been trying to solve that problem for a long time. Through that we were able to contract the same group, Princeton Hydro to come in, sign a re-vegetation of that slope, re-sloping, and we will be working with it over the next three years monitoring it and replanting it and watching over it as it is 200 yards from the Oradell Reservoir.

Laurie (inaudible) 16 Westwood Ave, Westwood –

There are three storm drains by the drainage ditch by this site and the combined forest created this mess. Contouring terrace was done with the slopes and changed the angle of the slopes to hold vegetative waste better. They also did step pools putting in a great deal of rock, river stone to make a gradual descent and now it is against the rocks and slows it down. The water doesn't go right to the reservoir but through wetlands and it is mitigated by changes in the topography and also they placed a storm sceptor that catches sediment and is cleaned by the DPW.

Council Member Pizzella said that was done using this grant money. What other municipalities are involved?

Mr. Becker (Contd).

This is the first step, we will survey the area and identify the potential projects and obtain the funding.

Mayor Arnowitz asked if this group would do anything with stream cleaning. He walks around town and observed Kentucky Fried Chicken with a large area of tall growth.

Council Member Pizzella said he has worked with Princeton Hydro and found to be great engineering for this type of work.

Mr. Becker (Contd).

We are bringing in the money. He asked for a resolution at the next meeting for support.

Anthony DeRosa, 280 Cambridge Road –

He has grown up in Hillsdale and considered Keith Durie the backbone of this town. He thanked Keith Durie.

Mayor Arnowitz closed the meeting to the public

PROFESSIONALS REPORT:

1. Borough Engineer – September 25, 2013
2. Borough Administrator/CFO - September 24, 2013
3. Borough Attorney-

MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

COUNCIL COMMENTARIES:

Council Member Meyerson thanked Keith Durie for his hard work effort and testified in court as his witness. It is recognizing the needs of the public and what someone has done. He has always shown respect for the people in this town to work out whatever problem they had and with a great deal of poise. He personally thanked him for the work he did in town. He also congratulated Detective Sergeant Smith; there were a number of times when he was arresting officer in court and is an absolute joy to have and thanked him for doing his job.

Council Member Looes congratulated Detective Sergeant Smith as well. She thanked Keith Durie for his dedication to the town. Senior luncheon is scheduled for October 16 at St. Johns and thanked all the crossing guards. She has been walking her children to school for years and there is a need for all of them.

Council Member DeGise said he has known Keith Durie for about 20 years who was a great asset to the town. He said Detective Sergeant Smith has done a great job and congratulated him.

Council Member Frank congratulated Detective Sergeant Smith. Keith Durie has seen a lot of people with a lot of knowledge in business retire, it is hard for an organization to understand how much that knowledge you need is walking out the door. He has done a lot for the town, he will be missed, and appreciated everything he has done.

Council Member Pizzella said Keith Durie is a constant fabric of Hillsdale; he thanked him for all the help he has given to him specifically with floats, wished him good luck in his retirement. He congratulated Detective Sergeant Smith; he congratulated Joan Carbonaro and Arlene Meier. All schools have back to school night, the Board of Ed is making strides with the new curriculum, there are a lot of changes at George White and the Superintendent is doing great things. We have a Harvest Fest at Meadowbrook School on October 3 and a Harvest Fest at St. Johns on October 19.

Council Member Kelley said he has known Keith a long time, fought fires with him, broke bread with him, and none of that will end. He will see him many times at the firehouse and wished him good luck on his retirement. He mentioned Staff Sergeant of Ramsey, Timothy McGill, was killed in action this week. He was a weapons expert, Special Forces, 30 years; he was a fireman in Ramsey. He thanked Ramsey High School for allowing everyone in school out for the procession. His funeral will held on Friday; all surrounding fire departments will be there and invited all who can come.

Mayor Arnowitz said he is very satisfied with the Police Department and congratulated the Police Chief and ex-Chief Mikulski to bring people on board and to have a Police Department like we have. Sean Smith is a great representation of your department and he is very proud of the outstanding department.

He said Keith Durie came on during a crisis and we had a different superintendent who thought differently than Keith and was in jail. Keith started running things legally and the right way, he followed the law, cleaned things up. He said Keith is one of the most knowledgeable people when it comes to fire fighting and rescue. We are all proud of you.

Administrator DeJoseph said he appreciated working with Keith. He asked the governing body if they had any further suggestions to let him know. Every month in your packets financials will be available and a separate report on appropriations. They will be addressed next month with the budget transfers. The replacement of the Paterson Street Bridge will take place in approximately 10 days. He congratulated Detective Sergeant Smith.

ADJOURN TO CLOSED SESSION:

R 13191 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 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. UPSEU, PBA, DPW, AFFORDABLE HEALTH CARE
- (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 CELL TOWER LEASE DPW, SADDLEWOOD HILLS PROPERTY
- (8) Matters relating to the employment relationship. DPW SUPT. RETIREMENT, POSITION OF SUP.
- (9) Matters relating to the potential imposition of a penalty.

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

Motion by Council Member Meyerson, Second by Council Member Looes at 8:56 p.m. and unanimously carried to adjourn to closed session.

RECONVENE REGULAR MEETING:

Motion to come out of executive session was made by Council Member Looes, second by Council Member Meyerson, at 10:55 p.m., unanimously carried.

Borough Attorney Bernstein said let the record reflect that there was ongoing discussion relative to bargaining agreements between the various unions, no action taken. There was an update on certain attorney client privilege matters involving Saddlewood Hills. Council Member Meyerson recused himself during that conversation. Cell tower, DPW garage, solid waste related issues and the current contract, no formal action taken. There was discussion with Keith Durie who was present during this portion of the conversation regarding Mr. Durie's role with the Borough during the interim transition period, no action taken; Administrator DeJoseph given direction relative to this, there was discussion regarding the ongoing issue of the replacement of Mr. Durie, Mr. DeJoseph given direction to work with the governing body providing interim appointments, informal action taken; there was discussion as to the Borough Attorney's opinion relative to the public health nurse. The Council decided to take no action and wait for the presentation of the Chairman of the Board of Health next Tuesday night.

Mayor Arnowitz said this item is for the record. He received a phone call over the weekend from a relative of his who wants to get involved with the Orchard Street project that was before the Planning Board. He wanted the record to reflect that he informed him that it is in the courts and he has no say and have no desire to talk about it. He stopped the conversation. Since that time he heard that the case was settled but he did not call his relative because he did not feel it is proper for the Mayor to speak to the developer. He wanted this on the record.

Borough Attorney Bernstein provided Clerk Witkowski with a half dozen professional service agreements including his own. We are missing and hope within the 30 days to have from all other professionals. He won't do the Planning Board.

ADJOURNMENT:

Motion by Council Member Looes, Second Councilmember Frank to adjourn the meeting at 10:59 p.m., unanimously carried.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, OCTOBER 8, 2013 ~BEGINNING AT 7:30 P.M.

