

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 p.m. on Tuesday, April 1, 2014, 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:

This is a meeting of the Hillsdale Borough Council on this 1st day of April 2014. 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, Kelley, Meyerson and Pizzella. Also in attendance Mayor Arnowitz, Borough Attorney Bernstein, Borough Clerk Witkowski. Absent: Council Members Frank and Looes.

APPOINTMENTS: for April 8, 2014

Our Town Committee, Patty Hughes
Deputy Borough Clerk, Denise Kohan

OATH OF OFFICE: April 8, 2014

Our Town Committee, Patty Hughes
Deputy Borough Clerk, Denise Kohan

BUDGET PRESENTATION: for April 8, 2014

2014 Budget Presentation

Paul Lerch, CPA, RMA
Lerch, Vinci & Higgins, LLP

ORDINANCES: for April 8, 2014

ADOPTION:

14-07 Calendar Year 2014 Ordinance to Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank

Mayor Arnowitz said this is still within the 2% CAP. There are certain things you are allowed to do under the law on tax increases which is still within 1.9% per the Finance Chairman.

BUDGET RESOLUTIONS:

1. Waiver of Reading in Full of the 2014 Budget

2014 Municipal Budget Hearing @7:30 p.m. as advertised

2. Adoption of 2014 Municipal Budget

PROCLAMATIONS: April 1, 2014

Distracted Driving 2014 Crackdown of April 1-21, 2014

Mayor Arnowitz said fair warning to the residents of Hillsdale and people going through Hillsdale; we are going to crack down on cell phone use and distracted driving. People talking on cell phones while they drive is one of the most dangerous things he has ever seen and is pleased that this will be enforced by the police.

Borough Clerk Witkowski read the Proclamation.

PRESENTATIONS: none

RECOGNITION: none

APPROVAL OF MINUTES: April 8, 2014

Regular Meeting March 4, 2014 and March 11, 2014
Closed Session Meeting of March 4, 2014

PROFESSIONALS REPORT:

1. Borough Engineer – dated March 25, 2014

Mayor Arnowitz said he will call the Borough Engineer to speak and explain the grants.

OLD BUSINESS:

1. Letter received NJDOT for funds received through Local Aid Infrastructure Fund program in the amount of \$250,000, Baylor and Kent Avenues project

Motion to receipt and file by Council President Kelley, Second by Council Member Meyerson, and unanimously carried. Absent: Council Members Frank and Looes.

Mayor Arnowitz said we were expecting \$350,000 and received \$250,000 and how can this be accomplished.

RESOLUTIONS:

- R14082 Authorize the Mayor and Borough Clerk to execute, sign and submit grant application and grant agreement for NJDOT project for Baylor and Kent Avenues project

**APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE
NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE BAYLOR AVENUE AND KENT
ROAD RESURFACING PROJECT**

NOW, THEREFORE, BE IT RESOLVED that the Council of the Borough of Hillsdale formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as Baylor Avenue and Kent Road Resurfacing to the New Jersey Department of Transportation on behalf of the Borough of Hillsdale

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Hillsdale and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Motion by Council Member Kelley, Second by Council Member Meyerson.

Roll Call Vote:

Ayes: Council Members DeGise, Meyerson, Pizzella, Council President Kelley

Nays: None

Absent: Council Members Frank and Looes

NEW BUSINESS:

DISCUSSION:

BUDGET:

1. Payment of Bills
4. Letter received NJDOT announcing applications for 2014 transportation Alternatives Program (TAP)- “non-traditional” projects-**due May 15, 2014**
5. Letter received NJDOT announcing applications for 2014 Safe Routes to Schools Program (SRTS)-**due May 15, 2014**
6. Authorize award of contract for CDBG-ADA Pool Lift at Stonybrook Swim Club to Lehmann Pools and Spas for the proposed amount of \$13,854.00
7. Requesting Permission for Dedication by Rider for Recreation Donations
8. Requesting Permission for Dedication by Rider for Recreation Fields and Facilities

Council Member Meyerson said there are some questions about this and it was discussed at the Finance Committee. Borough Clerk Witkowski will obtain answers as to who will control funds for the Mayor and Council. There is a question of whether or not the Council has control of these funds, does the Rec Department

have control of the funds, do they both have control of the funds; Borough Clerk Witkowski will get answers and there are partial answers which have to be discussed. We will have the answers next week.

9. Award of LOSAP benefits to eligible members of the Volunteer Ambulance Service

10. Award of LOSAP benefits to eligible members of the Hillsdale Fire Department

Mayor Arnowitz said we will award LOSAP to emergency services tonight. He requires a motion to authorize the Borough Clerk to sign the LOSAP agreement for the Fire Department.

Motion to authorize was made by Council Member Meyerson, Second by Council Member Pizzella.

Roll Call Vote:

Ayes: Council Members Pizzella and Meyerson

Abstain: Council Members Kelley and DeGise.

Absent: Council Members Frank and Looes

Borough Attorney Bernstein said this carries.

11. Authorize Transfer of 2013 budget appropriation reserves

12. Authorize agreement for professional services to Neglia Engineering to submit 2013 NJDEP Municipal Stormwater Management, annual report, **due May 2, 2014**

13. Authorize Darleen Green, Maser Consulting to submit 2013 Project and Unit Monitoring Year Status-COAH, not to exceed \$1,500.

14. Supplemental Snow Plowing Proposals 2014-2015

Council Member Meyerson said this was discussed. Council Member DeGise was going to offer an explanation.

Council Member DeGise said the proposal for snow plowing, if we have another storm we will advertise for bids, is and the same as last year. We will determine how long the duration of the bid price holds.

Mayor Arnowitz said we haven't received a proposal. Will we do the same for leaves?

Council Member DeGise said leaves is different. With leaves there is supplemental help as far as equipment goes, loaders, etc. if we run into a problem.

Council Member Meyerson said one of the problems we had last year was that our equipment broke down so we want the stand-by option to be able to rent equipment and we are going out to bid now.

15. Leaf Removal Proposal 2014-2015

16. Street Sweeper options

Mayor Arnowitz does not want to wait but to get moving on this.

Council Member DeGise said our street sweeper is basically finished. We share with Old Tappan. It would cost about \$30,000 to fix it and it would not be worth it. We had a street sweeper consultant come in and a new street sweeper is about \$150,000 to \$175,000 and if we split it with a couple of towns it is still out of our reach. We met with Waste Management with regard to their street sweeper; they charged about \$80/hour for an eight hour day, with an estimate of six weeks to do the town. It is out of the question. We contacted CNS Street Sweeping which is a large municipal street sweeper in south Bergen and they quoted \$700/day and estimated four weeks to do the roads. We met with the Borough of Paramus who currently does Oradell and Washington Township, they have four sweepers and they estimate one and a half or two weeks, \$3000 which would be \$6000 total for the year. If we needed them to come in for a special sweep it is based on an hourly rate. This would be interlocal sharing with Paramus.

Mayor Arnowitz said one thing you left out about Old Tappan, they don't want to be in the sweeping business so we would have to buy our own. He would like to move forward.

Council Member DeGise said another option is the County also rents out a street sweeper for two weeks at a time and you have to go on a list. He spoke with Paramus today, they did not confirm picking up. Their street sweepers are different than ours.

Borough Attorney Bernstein asked if we have a proposal from Paramus. He will research and see if we can approve this next week.

Council Member DeGise said he would put this on the schedule with Paramus and the worst case scenario we would cancel because they are booking.

Attorney Bernstein suggested a resolution on the agenda next week authorizing the Mayor and Borough Clerk execute a shared service agreement with Paramus with details to be worked out and authorization for the Borough Attorney to work on the agreement and he will bring it back to the Council.

Motion by Council Member Kelley, seconded by Council Member Meyerson.

Borough Attorney Bernstein is looking for a motion to authorize the Mayor and Borough Clerk to execute shared service agreement with Paramus for street sweeping services and authorize the Borough Attorney to enter into negotiations for such an agreement and the governing body does not have to revote on this agreement.

Council Member Pizzella asked what happens if we need them to come out on a special situation. It is an hourly rate and do we know what the rate is?

Council Member DeGise said he will get it for us and will give this to us in a couple of days.

Mayor Arnowitz said this is not to be voted on, it is just authorization tonight so that it can be on the agenda next week.

Council Member Pizzella said if I understand it correctly, we are authorizing them.

Attorney Bernstein said the authorization to execute the agreement and bring the agreement back. You won't need a second motion at a subsequent point which basically allows us to negotiate and the governing body is in favor.

Roll Call Vote:

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

Nays: None

Absent: Council Members Frank and Looes

Borough Clerk Witkowski said we have the issue of a shared sweeper with Old Tappan and they advised we can get money on either market value if they sell it and we get half.

Mayor Arnowitz said it is co-owned.

Borough Attorney Bernstein said you need a motion to support Old Tappan in the sale of the co-owned street sweeper and that we will be entitled to 50% of the sales price.

Motion to support Old Tappan in the sale of the co-owned street sweeper was made by Council Member Meyerson, seconded by Council Member Kelley.

Roll Call Vote:

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

Nays: None

Absent: Council Members Frank and Looes

17. Authorize tax appeal, B2201/L19 5 Cherry Hill Ct. Fixelle/Fox

18. Authorize application for Hazardous Mitigation, culverts Wierimus and Hillsdale Ave., DPW Dry Proofing.

19. Authorize Emergency Temporary Budget

Council Member Meyerson said the Emergency Temporary Budget is there in case we don't approve the budget next week, in the event there is an amendment or we have to delay it. We need this and it is contingent on what happens.

Council Member Pizzella asked if that is required for some sort of emergency.

Borough Attorney Bernstein said the law requires that we have separate budgets which is supposed to go through three months. This would be contingent if we needed to have funding to provide services we do and

contingent upon the budget passing next week. He assumes we will have no need for this emergency temporary budget because it is contingent upon the inability to pass the budget.

Council Member Meyerson said it is not that someone may vote no, it is just that in the event, we need an amendment.

Mayor Arnowitz asked for a resolution supporting A2226 supporting a Bergen County Watershed Flood Prevention and Protection Task Force.

POLICY:

1. Appoint Conflict Resolution Attorney~Interim Administrator.

Borough Attorney Bernstein will discuss this in Executive Session.

2. Authorize the Mayor to execute agreement with Deputy Borough Clerk, effective March 17, 2014
3. Authorize the Municipal Clerk to approve raffle licenses~Interim Administrator
4. Employment Policy Handbook-sick leave policy~Councilman Frank

Mayor Arnowitz said the Borough Attorney will review.

Council Member Meyerson said there needs to be discussion on that issue. He believed there will be a proposal to authorize our attorney to review it.

Mayor Arnowitz said Council Member Frank sent an email that this needs review and if we are going to pass it to make sure it is done correctly.

Council Member Meyerson said there are some issues that need to be discussed and he asked if this is a closed session matter.

Council Member Pizzella said it appears in the email that Attorney Bernstein has already done some work on this. In any event, it is required by JIF.

Council Member Meyerson said this was done some time ago and he wanted Attorney Bernstein to review. He doesn't feel comfortable updating the handbook without the Council providing official approval.

Attorney Bernstein said it is not ready.

Council Member Pizzella said also it indicates that Borough Attorney Bernstein was assigned to this last year.

Council Member Meyerson said the Borough Attorney Bernstein was not assigned this last year. Last year it came up email chains and during email chains there were questions whether Attorney Bernstein should do this. Attorney Bernstein made it clear that this is not part of his responsibility and in order to do so, he would require authorization by the Council to pay for the time it will take over and above. We never did that. In order for everyone to know, we did not authorize him to do this, we asked what it would cost to do this.

Mayor Arnowitz said this is to be reviewed.

MISCELLANEOUS:

1. Approval of the train station open for services Hillsdale United Methodist Church

Mayor Arnowitz said Hillsdale United Methodist Church is not asking to hold services at the train station but what they are asking for is that the RR station be open for their 140th Anniversary in remembrance of the original United Methodist Church services which were held in the RR station many, many years ago. He hoped the train station is clean so that those that come to the 140th service will see the train station and visit.

2. Approval of Raffle License RA 704, American Legion Post
3. Authorize MOA to enter into shared service agreement between Bergen County Department of Public Works, Division of Mosquito Control and the Borough of Hillsdale for municipal stream clearance and maintenance
4. Approval for Sun Dial Garden Club annual plant sale, Train Station, May 10, 2014
5. Approval to use Police Booth, Annual Kids Fishing Contest, May 3, 2014
6. Approval for Art in the Park, Veteran's Park, June 8, 2014, rain date June 14, 2014
7. Approval of Block Party 84 Large Avenue, May 3, 2014, rain date May 17, 2014



8. Approval Dog Fest, Veteran's Park, August 24, 2014, 11am until 4pm

Mayor Arnowitz said previously they used Beechwood Park; it is an extremely important and great program but we don't have the facilities to handle it. He spoke to the Chief and it was agreed that we don't have the parking or people and suggested they continued doing this at Westwood. He was not in favor of approval.

9. Approval of Raffle License RA 705, St. John the Baptist Church, June 8, 2014

ORDINANCES:

ADOPTION: April 8, 2014

1. 14-01 2014 Recreation and Summer Camp Fees
2. 14-02 2014 Salaries-Recreation Department
3. 14-03 2014 Salaries-Stonybrook Pool
4. 14-04 2014 Fee Ordinance Stonybrook Pool
5. 14-06 Amending Salary ordinance to reflect Zoning/Code Official and Interim Administrator

GREG POLYNYIAK-NEGLIA ASSOC.

Mayor Arnowitz said we have never received this much information regarding grant proposals and wondered whether we have to spend the money on copying everything. Can we just go with the front page? Does anyone have a problem with that?

Council President Kelley read it all.

Mayor Arnowitz said he read it all, 136 pages.

Council Member Meyerson said the engineer will be here explaining it and the best he can do is skim it. He believed the Mayor is correct.

Mayor Arnowitz said they can be sent to the Clerk, they should be kept on file.

Greg Polyniak said it carries through the contract we submitted originally to the governing body.

Borough Clerk Witkowski suggested reading the first and second pages describing what it is and the entire thing can be sent to her.

Greg Polyniak, Neglia Engineering –

He said his March 25 was a voluminous report and wanted to highlight some items. Safe Routes to School Program which is due in May. It is not a matching grant; other than design services, the municipality would have to fund the project; construction management services within the grant has available funding. If you receive \$100,000 for sidewalks and only \$80,000 for improvements, you could wrap in statute fees but you could not wrap design fees. The borough would have to pay design fees.

He would recommend the Meadowbrook project and we discussed that project with the Police Department also. They concurred with that location. We also looked at a series of other locations. We favor Meadowbrook; students located on Piermont as they walk towards Meadowbrook School they have to cross the roadway because only one side of the roadway has sidewalks and place sidewalks on both sides of the roadway and this would provide for safer access for students.

He said they would tackle the Transportation Alternate Project grant. He thought the project might cover the train station. The reason he said might is because he would submit a grant package, the state itself, DOT, would send out a review which is an environmental consultant who would look at the train station. They themselves would look at to see if it would fit their historic criteria. You can't get that review without submitting a package so there is a chance that if we do file that grant application that they might not view the building historic enough. That grant opportunity potentially may not have the same percentage.

Council Member Pizzella said if they were to deem the train station not historic enough, would that impact anyone else's designation of it as an historic site?

Mr. Polyniak would have to look into it, it would have to be discussed directly with them. He is not sure how it would affect any designation of any other community.



Council Member Pizzella said we would not want to negatively impact any other designation the Historic Society might attempt to pursue.

Council Member Meyerson said this might be an opportunity to do exactly what they want to do, he didn't want to give that up. Have they listed their criteria for what is an historic site?

Mr. Polyniak said we do have information with that and it kind of fits. It is not a solid document, it is going to be a tough grant to get.

Council Member Pizzella said when they send out an environmental consultant they are probably going to look at the grounds, it's not so much the building itself, it is the actual right-of-way ground that they look at.

Mr. Polyniak said they would look at the grounds and the building itself to see if it would fit their historic criteria. The issue would be as it relates to that grant opportunity, we would need information if you would want it evaluated and the governing body give the following request that you want to file or not file. He understands the risks involved.

Mayor Arnowitz said we do not own that building.

Mr. Polyniak said exactly and part of the submission process would be we would have to forward a letter on borough letterhead to Transit which would permit the submission of this grant application. The other potential issue that could arise would be that initial step and Transit saying we are not interested or they have to do their own evaluation which would take four months to do this review and the grant period would have expired. At least you would have that paper work for next year. That could delay or jeopardize the grant.

Borough Clerk Witkowski asked Mr. Polyniak to explain the conversation they had today about the train station.

Mr. Polyniak said municipalities along the Pascack Valley Transit Line, all the train stations, actually have received some funding to repair and address the train station. With Hillsdale, the train station is located on transit property; all of these other municipalities such as Oradell had their train station addressed and they received funding. They own that parcel and that is how they received the grant.

Council Member Pizzella said in other towns he has noticed in that same situation the town owns the building but the right-of-way belongs to Transit. That is not the case in Hillsdale. They definitely own the train station building itself.

Mayor Arnowitz said they own the property it sits on. They own the building.

Council Member Pizzella asked about historic tax preservation credits, did you look into that?

Mr. Polyniak said we researched it and are moving forward as it relates to the grant.

There is a discussion item on the agenda that relates to the DOT discretionary aid grant for Kent and Baylor. We filed two separate applications, one for Kent and one for Baylor and were hoping we would receive funding for one of those applications. Luckily the municipality received funding for both applications. DOT requested that we combine the two applications into one application and have a resolution tonight combining the two projects into one. He thought that fits the municipality as a whole. As it relates to the project you would have the ability to disperse the money for design based on the areas that need most improvement on those roadways. Mayor Arnowitz asked since you asked for \$350,000 for the two, will the \$250,000 cover what we need to do.

Mr. Polyniak said he believed it will address one of the roadways that you choose to design. It may not depending on the actual bids. There is a potential to do both roadways but there is the potential to do one and a half and one and three quarter roadway. We definitely can do that and not expend any additional funds; DOT looks favorably on sections.

Another item that is on the report is we looked forward to quickly address the Community Development block grant for ADA lifts. We solicited firms and received a low bid from Lehman Pools, a little less than \$14,000. We submitted a recommendation letter along with a resolution for award so that the borough can meet the deadline of the grant and construct improvements as stipulated within the grant. Other than that, this concludes my presentation but would be glad to address any questions or comments.

Council President Kelley said we are moving forward on the two grants for the bathrooms.

Mr. Polyniak said correct, the architect has been hired and they are moving directly to address them. We noted this last month, they have until the end of June, they have a preconstruction meeting and it seems like they are in order and can meet that deadline.

CHIEF STALTER-

Police Chief Stalter said as was mentioned in the Proclamation we are the recipient of a Distracted Driving Enforcement Grant along with many other police departments in the state. From today through the 21st of the month we will have officers out on extra patrols targeting distracted driving predominantly cell phones but anything else. We had a car out all day today, had a few calls and complaints, drivers got snagged and didn't get a warning but a summons, but it is a serious problem and it needs to be addressed; people will think twice about answering a phone.

Church Road was closed this morning, the world didn't end, the sky didn't fall, we did not receive one complaint at the desk; we actually received four thank yous, cars did extra radar on Saddlewood Drive to try to curtail people cutting through there. Church Road is milled so it is no longer passable and now wait for the project to finish before we traverse it again.

Operation Take Back will be held Saturday, April 26, from 10AM to 2PM. We will collect no longer needed prescriptions and medications which can be dropped off in our lobby. It is a good way to protect the environment and also we encourage those of us who may have pills from the dentist, doctor in our medicine cabinets, get them out. It is a gateway drug to the heroin epidemic; we are not having one, Pascack Valley has not experienced a heroin overdose death but it starts with prescriptions which unfortunately tend to be like candy in people's houses.

In the next few weeks, officers of the department will be walking around and when on duty they will have a yellow holster usually on the left side because most of us are right handed. That will be new tasers, electric conducted devices, we will be finishing training and then the officers will be deployed with them. It is another tool in our tool box and we hope we won't have to use them but if the situation warrants, it is better than using force. We thank you for budgeting for them.

Matt Buesser is at the academy and is doing well and in a couple of weeks will start firearms and is close to being half way through.

The Captain and I were out checking traffic this morning with the closing of Church Road. Ms. D'Alessandro called to say the monument is being delivered and we stopped by there; it is set in place and ready to go for Thursday night at 5:30 PM.

He thanked the Council for the budget and bi-partisan effort and getting it done in a reasonable amount of time. We know where we stand and it is appreciated by myself and the officers in the department. We appreciate the investment in the records management and all the things we will be getting out of that.

PUBLIC COMMENT:

Marty Ward-47 E. Liberty Avenue

He said next week the budget will be approved and asked if there will be another meeting.

Council Member Meyerson said there will be a public meeting. If there are no specific changes or recommendations for changes we will adopt it.

Mayor Arnowitz said there will be a budget discussion.

Mr. Ward said last year the leaf problem was due to all of our equipment breaking down.

Council Member DeGise said for five weeks we didn't have a loader which is 50% of the job. It has been repaired but just in case we would have a problem with that, he wanted a backup.

Mr. Ward said you have leaf proposals, you have snow proposals, and what is the DPW doing.

Council Member Meyerson said regarding the leaf proposals, this is backup equipment that we are bidding for and if something goes down, we don't have to wait five weeks to get back again. The whole idea is to have equipment available and that is what the proposal is for.

Mr. Ward said it is for equipment, not for manpower to come in. Based on the sweeper, he had no idea what a sweeper is worth.

Mayor Arnowitz said it is not worth anything, it is not repairable.

Council Member DeGise requested that next week under construction report, the purchase of a vehicle for 2014 be listed.

Mayor Arnowitz said that would not go there, it would go under discussion items. That is just a report that is given; we would discuss it.

Council Member DeGise said we discussed it.

MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

Ambulance Corp-

Construction Department-February 2014

DPW-

Fire Department-February 2014

Board of Health-February 2014

Hillsdale Library-

Police Department-February 2014

Recreation/Stonybrook-

COUNCIL COMMENTARIES:

Council Member Meyerson said the Council may not be aware but the school district, Pascack Valley Regional, has just been named one of the top 50 innovative school districts in the country by the federal government through the Gates Foundation. They were invited to Arizona for a recent meeting, the Superintendent went out there, and they have been invited to the White House for all districts. This is the top 50 in the nation and because of our technology program, because of what they did with the lap tops and how they integrated the community, we all know through the newspapers what they did with the virtual school day. They haven't heard from Trenton yet; they are being recognized as one of the top 50 innovative schools districts in the country. It is time for this Council to recognize that by bringing the Superintendent of the School Board President and members of the School Board to come here and be recognized for the job they have done in the last several years, but particularly how it was led to this moment with respect to all the publicity they have gotten. They are a real leader in the community and are now recognized by the national government. He asked the Mayor to consider presenting them with appropriate recognition.

Mayor Arnowitz directed Borough Clerk Witkowski to invite Mr. Gunderson and the Chairman of the Board to our meeting.

Council Member DeGise said Saturday is Baseball opening day. They will use the center field at Beechwood, starts at 11AM. We have most of the fields ready, the DPW has not gone out to Centennial Field due to the excessive rain. If we don't get a lot of rain this weekend, perhaps next week they will work there.

He said good news for the DPW, he verified through the CFO and Administrator who has been working on funds for F 450 with a plow and that is moving forward.

Council Member Kelley conveyed his condolences of the Boston Fire Department who lost two of their best last week in a fire. They have never seen a fire take off like that. He welcomed our newest member to the Fire Department, Matt Jeffreys. Normally he would be sworn in here but he is starting fire school tonight. He will be sworn in six months.

He added that he doesn't like to answer letters to the Editor but this week he feels it is important. The four Democrats on Council were accused of committing a crime; he doesn't take that lightly, no one here does. As the Mayor put it to him, this is politics at its worst. We were accused of using taxpayer dollars to pay back a political friend which is untrue. If it came from a taxpayer he could understand it because not everyone understands the tax appeal process, in this case a tax appeal by someone who allowed us to use a store front for campaigning a year and a half ago. He wasn't using it and said we could; he was awarded a tax appeal last month. The letter stated this was a gift from the Democrats, we gave this to him. This was the Council President prior to him, a long time Councilman in Hillsdale, Mike Giancarlo, who full well knows the process, understands how it works, that the Council doesn't handle it. This process is handled by the Tax Assessor and the Tax Appeal Attorney, we had nothing to do with it other than approving it once it is presented in front of us. He knows this, he could have been part of this process but when we took control, he chose to walk away, quit the residents of Hillsdale saying he didn't have time. He had time a month later to be the Vice-Chairman of the Planning Board, he didn't want to work with us. He is out there spreading lies but the Democrats who work hard, as the Republicans do; he did not think it is necessary and he felt he had to address this letter because it is not fair. We do the best we can for the borough, the businesses in town get affected by the accusations such as this and this why there is a problem getting people to work for the government. Kids in high school read the papers, this is wrong and hoped it doesn't happen again. This person runs campaigns in town and he hoped people in town step up and say they don't want this.

Council Member Pizzella said UNICO is having autism awareness on April 5th at the Westwood Community Center at 5PM. This is a great cause, many of the local vendors in Hillsdale and Westwood are providing food and is another reason why we should support our local businesses because if we don't, they can't get involved

as much as they do. He said it was great that the school district is in the top 50; we should support the school district. A lot of people believe it should be separate but what the school district does both at the local level and regional really impacts our property values and people coming into the town. He also believed the politics that has been going on in this town has of late been truly disconcerting on both sides and would hope that by now we could all be able to work together and move forward. It seems like there is still that ongoing struggle, he believed it wrong to attack people in the press, it is also wrong to attack people while we are up here. We should all just move forward. If Mr. Giancarlo has something to say as a resident, he has a right to say it. We should just leave well enough alone and we should move forward, work together as a team for the benefit of Hillsdale. We should leave campaigning out of it up here. While I agree with a lot that Council President Kelley said, I think that I sit up here and keep my mouth shut week after week, I can't do that anymore.

Borough Clerk Witkowski said she was at a conference last week of the Municipal Clerks of New Jersey and a big topic was the financial disclosure forms. The state will be distributing another new financial disclosure form with a new setup of instructions. We will get through it and do well. Raffle licenses were discussed and she asked for an item on the Agenda authorizing her to approve them, this is right from the state. The state regulates everything, they say what you can and cannot do, so she requests the Council to authorize her to approve them so that people don't have to wait until the next Council meeting therefore keeping the process going.

She has been working very closely with Mr. Polyniak and he is trying very hard to find grants for the Borough of Hillsdale. We have been going wherever we can; Mr. Polyniak has been doing a lot of the issues he told her about, she has been working with Sergeant McLaughlin at the Police Department and we have been doing a lot of police grants, we are learning how to use the programs, and we are doing a lot to find what we can out there.

Youth in Government is coming up, it is set for May 13th; she received a phone call from the Vice-President and has a number of students lined up ready to go and has four students more than listed and asked what she can do. She reached out to a few people in town asking if they would volunteer their time at night for Council Meetings and she will attempt to connect Council people and people who volunteer to be part of the program, just a few minutes to talk about what you do and how you do it and really be part of the night. It is also great for the community to be working together. She is looking forward to doing this that night.

Mayor Arnowitz wanted to address Council President Kelley's statement. His first inclination of something going on was a phone call from one of the local papers and he did not know about this. If you listened to the Agenda tonight, we had a tax appeal for a piece of property, block and lot, did not give the name of the person. There was a mistake made that night by Council President Kelley and wanted to state this for the future. He spoke to Council President Kelley informing him of the phone call he received and Council President Kelley also received a call. Mayor Arnowitz checked with the Tax Assessor to find out the details and it was a tax appeal from a couple of years ago that finally went through the process and was approved. The mistake that Council President Kelley made and he would appreciate it if everyone did that, he didn't make the decision to do anything, he went to the attorney. Our Borough Attorney wasn't here and we had his second replacement here who stated we could vote on that. He asked Council President Kelley and he would ask everyone to let him know because that night he would have announced it and ask the Attorney to please tell the audience why they are allowed to vote on this so that there is nothing sinister. That is the only mistake in his opinion, he didn't know. You have to let the public know because people make mountains out of molehills, this was not something that was initiated while this present Council sat. This is at least two years old where Mr. Gassib went to the town and appealed something and the county granted the appeal. With the corporate name, lot and block, we approved it and I signed it. That was the only mistake that was made. If this comes up in the future, the attorney should address the Council, let the public know.

Today he had the distinct honor to address French students at the high school. He was amazed at how many students are in the French Club in the high school. He was amazed seeing them sing the French National Anthem after they sang our National Anthem. They were well-behaved, good students and that is what good education is all about.

He wanted to address the meeting he will have next month with River Vale on the Woodcliff Lake withdrawal. We are concerned how this will affect our kids' education. The French Teacher spoke with him today and he spoke to a group of students from France last year or year before, there were only four kids there. The teacher said there are budget cuts and with everything that is going on they cut back on programs. If there are cutbacks already and they are regional, what is going to happen if Woodcliff Lake pulls out? When they announce the date of the referendum, he urged everyone to come out and vote against it.

Mayor Arnowitz received an unsigned letter which requested that a letter be read at the Council meeting. If someone is not willing to sign something, we are not going to receive it and the Clerk was so advised. Secondly we don't read letters sent to us, we read by stating a letter received from John Doe and the premise of the topic, that is it. If someone wants something like this read or wants to discuss something, the podium is open at every single meeting but you have to come and speak. We will not acknowledge an anonymous letter.

ADJOURN TO CLOSED SESSION:

R 14083 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 *Litigation*
- (8) Matters relating to the employment relationship *DPW*
- (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 President Kelley, Second by Council Member Meyerson, and unanimously carried. Absent: Council Members Frank and Looes.

RECONVENE REGULAR MEETING:

Motion to reconvene regular session by Council President Kelley, Second by Council Member Meyerson, and unanimously carried. Absent: Council Members Frank and Looes.

Borough Attorney Bernstein stated let the record reflect all the members of the governing present at the executive session and present for the recommencement of the open session as well as Borough Clerk/Administrator and the Borough Attorney.

There was discussion relative to a lawsuit being handled by the Bergen County Joint Insurance Fund on behalf of the borough, Wood vs. Borough of Hillsdale and Jonathan DeJoseph. There is a proposed settlement agreement which will require the municipality to pay somewhere approximately in the range of \$19,000 to \$20,000. The Fund is requesting approval, he is suggesting it is under duress but is suggesting the authorization because he does not know if the borough has anywhere else to go in regard to this matter.

Motion by Council President Kelley, Second by Council Member DeGise.

Roll Call Vote:

Ayes: Council President Kelley

Nays: Council Members Meyerson and Pizzella

Abstain: Council Member DeGise

Absent: Council Members Frank and Looes

Attorney Bernstein said the motion fails. He will advise the Fund there is no authorization.

He notified the Council that his office has received notification that the Tax Counsel is in conflict with three state board tax cases involving TD Bank and Bank of America. His office will be representing the borough in these matters in accordance with the authorization and Borough Attorney and part of his services. No formal action to be taken, there was an update for the process for replacement of the DPW Superintendent. The Administrator shall distribute the resumes to the Personnel Committee and to the DPW Committee.

Council Member DeGise has spoken with the DPW Committee already and the Personnel Committee will review and provide recommendations to the governing body.

Borough Attorney Bernstein said the Personnel Committee will come back to the governing body with processes regarding such. The other discussion was the ongoing litigation involving the regional school; the Mayor will be meeting with the attorney and representatives from River Vale and will come back to the governing body with recommendations. Council Member Frank will determine whether or not we will pursue an appeal to the state board's decision to grant the referendum.

ADJOURNMENT:

Motion by Council President Kelley, Second by Council Member DeGise, and unanimously carried. Absent: Council Members Frank and Looes.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, APRIL 8, 2014~BEGINNING AT 7:30 P.M.

