

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Thursday, June 8, 2017, in the Council Chamber, Borough of Hillsdale, New Jersey.

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

ROLL CALL:

Council Members Karcich, Lundy, Pizzella, Segalas, Council President Ruocco
(Mayor Frank, Borough Attorney Madaio, CMFO Jonathan DeJoseph, Borough Clerk Kohan)
Absent: Councilmember DeRosa.

Mayor Frank said our Borough Attorney is not here tonight and any legal issues will be deferred to next week.

Mayor Frank said the ordinance, voting and discussion for the parking on the west side of town is scheduled for next week, not tonight. Because of that we will not be responding to anything, you will have an opportunity to speak, but you will have an opportunity to speak next week before we vote. We are all entitled to our own opinions but we are not entitled to our own facts and there are some facts being presented that are not accurate. He had an email that he sent out to the residents that he would like to read and clarify some of the information so that where there are disagreements and concerns they will be based on fact. On June 5, I sent an email to all those residents who sign up for our email notification and I am going to read it. You have probably read something on line or in the papers about the Borough's efforts to protect pedestrians on the west side of town during pick your own season. There is a lot of misinformation being disseminated; while residents may like or dislike the Farm's operations for any of several reasons, your elected officials and Hillsdale Police Department has an obligation to focus on pedestrian safety both for residents as well as farm patrons. Anyone who was at the farm at the 2016 season understands this. Safety has been our sole concern in this matter. Here are a couple of facts: No. 1, the Borough is considering a No Parking Ordinance on the west side of town during the fall, the intent is to reduce or eliminate pedestrian danger where families with small children are sharing the streets without sidewalks with many cars looking for parking spaces. The Ordinance is up for discussion and vote on June 13, not June 8, which the farm has been advertising. There will be an opportunity for public comment on June 13. No. 2, the Farm was preserved by the State of New Jersey and there is no chance that the Farm properties could be developed. The development rights in both Hillsdale and Saddle River portions were bought from the family with State funds which was supported by the town at the time. The new management of the Farm has chosen to implement the highly aggressive lucrative business model based on high intensity volume in their commercial retail operations. Unfortunately, the implementation of that business model comes at the expense of safety or residents and patrons of the Farm. The Farm has not significantly expanded its parking capacity over 210 spaces beneath the aggressive business aspirations. If the new managements cannot successfully operate such a thriving business without the proper regard for the safety of its customers, the Borough has no option but to take action. In efforts to resolve the safety issues of customers walking on streets with no sidewalks and sharing the roads with a parade of cars, we have tried to help the Farm find off-site parking. We have helped despite what you have read. We have offered the use of the commuter lot in town; last year despite two efforts to get the Farm to take advantage of this, they never picked up the needed paper work. We even made it where they could dictate the cost associated with the use, we plan to offer it again this year. Last year on June 8, Resolution 16139 we offered to have the Farm use the commuter lot downtown on Sundays, they never picked up the paper work. We revised it and made it where it would be they make us an offer of anything you want which was on August 9 because it hadn't been picked up; that was Resolution 16190 that also was never picked up, never bid on. Tonight we have Resolution 17159 where we are offering the commuter lot to the Farm both on Saturdays and Sundays during the pick your own season. The town is cooperating and trying to find a solution. While he Smith School lot was available for Farm parking in the past when traffic to the Farm was a fraction of what it is now, expansion of sports programs and the objections of some residents led the Board of Education to cancel this informal agreement. At the request of our Chief of Police with my support, we asked the Board of Education to reconsider. Legally they found out by looking at the By-Laws that they could not do this without having a formal agreement so legally the Board of Education developed a formal plan with their attorney and we are ready to introduce it; but again due to objections from the same groups, they had to table the plan. The Borough is working with the Board of Education and the Sports Associations to find any possible solution but it is not guaranteed. Both the Board of Education and the Sports Associations do not report to this Council, we have no control over them, they are independent operations. I have a meeting next Monday with the Board of Education to explore what our operations are to see if we can find a solution. While we are working the best we can to help find parking for the Farm, it is their responsibility to find sites for parking, not the Borough's. The Farm which is a privately owned business was able to do this last year in the second half of October but only after the Chief of Police with the Council's

concurrence declared safety urgency and closed the local streets to traffic. This issue is being heard by the Bergen County Farm Board in Hackensack, the next hearing will be on June 19 at 6:00 PM in the Freeholders Room. At these meetings the real facts will come out about the town has done to help and what the Farm management has done and what they have not done. You are welcome to attend the meetings and hear the full story, not just one side which is what you are getting from social media and in the press. I am not a member of any anti-Farm group, I don't even know what an anti-Farm group is and I have been accused of that by the Farm. My son worked at the Farm for three years during high school and had a very good relationship with the Demarest family which he still has; I believe Demarest Farm is here to stay in Hillsdale. Any statements to the contrary designed to engender sympathy for their aggressive and unsafe plan to use public streets without sidewalks for their extraordinary volume of traffic and pedestrians. We support a safe and prosperous pick your own season at Demarest. That is the only thing I am going to say about the Farm tonight and I think that is the only thing anybody up here is going to say about it. If you want to hear our comments and anything you want to hear, come back next Tuesday at 7:30 PM, we will have the Ordinance which is up for adoption and there is a public hearing.

PRESENTATIONS:

RECOGNITION:

PROMOTIONS:

OATH OF OFFICE/APPOINTMENTS:

R17149 Resolution Authorizing the Appointment of Denise Kohan as Municipal Clerk for the Borough of Hillsdale and Authorizing the Mayor to Execute an Employment Agreement on Behalf of the Borough of Hillsdale with Denise Kohan to Serve as Municipal Clerk

WHEREAS, N.J.S.A.40A:9-133 states that every municipality in the State of New Jersey is required to have a Municipal Clerk; and

WHEREAS, in accordance with N.J.S.A.40A:9-133 the term of the office of the Municipal Clerk shall be three years and that the term shall be deemed to have begun as of the actual date upon which a person serving as Municipal Clerk is appointed; and

WHEREAS, the Borough wishes to retain the services of Denise Kohan to serve as Municipal Clerk for the Borough of Hillsdale; and,

WHEREAS, Denise Kohan, a Registered Municipal Clerk of the State of New Jersey, wishes to serve in the position of Municipal Clerk and to enter into an Employment Agreement to perform such duties with the Borough; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Denise Kohan is hereby appointed as Municipal Clerk for the Borough of Hillsdale for a term of three (3) years in accordance with N.J.S.A. 40A:9-133, effective June 8, 2017 through June 8, 2020 with a salary of \$74,000.00 (Seventy-Four Thousand Dollars and No Cents); and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough wishes to enter into an Employment Agreement with Denise Kohan to serve as Municipal Clerk and authorizes the Mayor to execute said Agreement on behalf of the Borough.

Motion by Councilmember Lundy, Second by Councilmember Karcich.

Roll Call Vote:

Ayes: Council Members Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Nays: None

Absent: Council Member DeRosa

Mayor Frank said working with Denise for the past year and a half has been fabulous. When I became Mayor there was a vacancy in a few of the positions and if it were not for Denise the first two months of my being Mayor, I might have walked out the door, she was great. This is well deserved and fabulous.

R17150 Resolution Authorizing the Execution and Award of Fair and Open Contract for Borough Prosecutor for the remainder of 2017 to Ryan Franco of Morrison Mahoney

WHEREAS, the Borough of Hillsdale has a need to retain a Borough Prosecutor as a Fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, funds will be available by way of budget to compensate said Borough Prosecutor; and

WHEREAS, N.J.S.A. 19:44A-20.4 et seq. commonly known as the “New Jersey Local Unit Pay to Play Law” that took effect on January 1, 2006; and

WHEREAS, the Borough has fully complied with the “fair and open” process set forth under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Borough Council has determined that Ryan Franco, Esq. of Morrison Mahoney LLP 2001 US Highway 46, Suite 200 Parsippany, New Jersey 07054 to be the most advantageous to the Borough; and

WHEREAS, the firm Morrison Mahoney has completed and submitted a “Contribution Statement by Professional Business Entity” as required by Hillsdale Borough Ordinance No. 04-14, entitled, “An Ordinance Establishing a Borough Policy for the Awarding of Public Professional Service Contracts”; and Ordinance No. 11-19 “Amending Chapter 12, Contracts, Public Professional Service and Chapter 305, Contribution Disclosure Statements”

BE IT RESOLVED THAT, the Mayor and Borough Clerk are authorized to execute such contract with Ryan Franco, Esq.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsdale Borough Council hereby award a contract to Ryan Franco as Borough Prosecutor through December 31, 2017 or until a successor is qualified or appointed.

Motion Council President Ruocco, Second by Council Member Pizzella.

Roll Call Vote:

Ayes: Council Members Lundy, Pizzella, Segalas, Council President Ruocco

Nays: None

Absent: Council Member DeRosa

PROCLAMATIONS:

INITIAL PUBLIC COMMENT (Time limited, new topics only, one speaker per topic):

Mayor Frank said this is a time limited public comment, we allow new topics only things that have not been addressed here and there is only one speaker per topic and there is a five minute time limit. There will be another public comment section later in the meeting. Anyone wishing to address the Council please raise your hand, identify yourself, and come up to the podium.

Kevin O’Brien, 61 Parkview Drive –

On March 7, Mayor Frank stated he visited my residence and looked the property up on the website. Mayor Frank failed to state he selectively picked out my residence to take pictures of; you singled out where I live. I have the copies of your email along with the pictures that you extended to the Code Officer. The biased views on enforcement discretion can be considered an abuse of power. Mayor Frank’s interest prompted my request

for research from Denise Kohan who is absolute wonderful. I was shocked to learn that the officials of Hillsdale were aware that my two family dwelling supports three rental units; Mayor Frank should have observed three mail boxes on the property, he didn't do anything. Three rentals at a two family property is not supported by zoning, it lacks a variance, it was never registered with the State of New Jersey and is a blatant violation of New Jersey Administrative Code yet Hillsdale looked the other way. May 15 the Borough was sent pictures of leaking waste lines in the house, the waste lines were replaced with no permit, another violation of New Jersey Administrative Code and Borough ordinance, no inspection, no permits and no violations were taken care of. The removed waste line was tossed into a box in a basement where children play, viruses, bacteria, nasty stuff grows in that pipe, a health issue, yet there were no inspections by the Borough of Hillsdale again, they looked the other way. The owner built a deck within inches of my neighbor, no permit, no variance, no violation notices extended and nothing done since I raised the issue to the Borough of Hillsdale. The Planning Board should hear a variance for the deck, another variance for the illegal third apartment, another for the covered porch and the rear door cut into the carriage house. All are violations of New Jersey Administrative Code; work done on the property without permits is shocking. The owner is a building contractor known by the Code Officials of the Borough of Hillsdale. There was a great deal of electrical work done which is now being redone as a result of my formal complaint to the Division of Community Affairs. Violations over a hot water heater, a report from the Code Official stated there was no permit for the hot water heater or for the gas hot water or the electric water heater. Again the left hand doesn't know what the right hand is doing in the Borough of Hillsdale. After challenging the Mayor's desire to build apartments at the Waste Management property, the owner mandated I vacate the property, the tenant's rights in New Jersey are rather strong and I am sticking where I am. So why are no violations over the illegal apartment extended; perhaps the deal was brokered for the illegal renters to move into the apartment eliminating the six month rent the owner is required by law to pay the illegal renters and it removes the Mayor's political nemesis, me, is just another hillsdeal in Hillsdale. Would you like to comment why you felt compelled to go take pictures of my property over none others in the rest of Hillsdale, just mine.

Mayor Frank said I will make just one comment and that is all of the issues you just raised are being handled by our Borough professionals, our Attorney with the DCA.

Mr. O'Brien said you singled me out over the other 3000 homes in the Borough of Hillsdale.

Mayor Frank said you made numerous complaints against your neighbor over the years; I rode down Parkview Terrace to see what the condition of that property and I saw there were two mail boxes in front of your house, two on a post, and I took a picture of it, called the post office because you constantly get up here and misrepresent your address. Called the post office and you always say 61 Parkview Drive and it doesn't matter what is on your license. When I spoke to the Post Master he told me there are two addresses, 61-1 and 61-2; you live at 61-2 which is the apartment over the garage. That is what they told me, that is all I did. Did I get back to you about that, did anybody come and contact you about the fact that you misrepresent your address.

Mr. O'Brien said in your picture there is a third mail box, you made no reference of that fact.

Mayor Frank asked who gave you that picture.

Mr. O'Brien said I got it through an OPRA request, it is a public record made available by the government. You can get it from Ms. Kohan. Explain why you felt compelled to take pictures of my residence.

Mayor Frank said thank you for your comments.

Mr. O'Brien said I would like an answer. You told me you would give me an answer why you felt compelled to take pictures of my residence over everybody else in the Borough of Hillsdale, you singled me out. Yet the property next to me has ongoing violations that you have known about for years and you actually wanted to send the DPW to clean up that private residence. I have the email from 2012.

Mayor Frank said your five minutes are up and thank you for your comments.

Marie Cefali, 6 Manson Place –

She wanted to speak about this town notice at Hillsdale.gov that you use to notify the town; it is supposed to be something to notify us about the garbage and if something gets closed down, but it seems to me that you use it to support your political agenda. The letters that you put on there for example just to make reference to a lucrative business is a personal comment that is not what town notice is for. At one time you put on there about the Waste Management meeting and you made reference to several people that were for the permit, one of them being me. You wrote on there that I had the right to voice my opinion no matter how illogical it was. I had no way to rebut that and reply to you and explain to you and any other town member that was reading that why I felt that way. That is not what this website is for; this website is for you to notify the town of things that are

going on in town, not your own political agenda because we have no way of replying or explaining our feelings on it and I don't understand why you keep using it for really personal things or your personal opinion. This is for town notices only; I understand you ran on a ticket that you wanted open government, not so sure we are there, but I want to understand why you feel it is o.k. for you to voice your own political agenda on it.

Mayor Frank said I have a right to free speech just like anyone else does and you have an avenue that you use regularly to the newspapers, the letters to the editor, saying many things about the Council and town, so I feel it is fair. Thank you for your comments.

Marie Cefali said the newspaper does a number of towns; the town notices concentrate on the Borough of Hillsdale. I would have loved to be able to reach out to all the people in my town about what you were doing with the apartments. To say that it was fair isn't, because you can write on the paper as well, so by you having this voice that nobody else has doesn't smell right.

Arnold Scherr, 157 Windham Road –

You are going to vote on Ordinance No 17-10; I just want to thank you and the town for doing that. I am on the Board of Ed for the high school and we have been waiting for this to happen. Thanks to everyone for agreeing in getting it done and taken care of. At the last meeting you had Resolution 17143 which agreed for more money towards Pascack Regional High School litigation; is that the possible break up?

Mayor Frank said yes, we were hoping it had gone away but an appeal came up. We objected to an appeal Woodcliff Lake had to go forward with it, there was a hearing and we need to increase our funds.

Seeing no one, Mayor Frank closed the meeting.

APPROVAL OF MINUTES:

Special Council Meeting Minutes of March 28, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Regular Council Meeting Minutes of April 17, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Closed Session Meeting Minutes of April 17, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Regular Council Meeting Minutes of May 2, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Closed Session Meeting Minutes of May 2, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Regular Council Meeting Minutes of May 9, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Closed Session Meeting Minutes of May 9, 2017

Motion _____ Second _____

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Mayor Frank said we will vote on these minutes as a block.

Motion by Council Member Karcich, Second by Council President Ruocco.

Roll Call Vote:

Ayes: Council Members Karcich, Lundy, Pizzella, Segalas and Council President Ruocco

Nays: None

Absent: Council Member DeRosa.

PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:

(The following correspondence on file in Borough Clerks Office)

Police Report – May 2016

Chief Robert Francaviglia

Police Chief Francaviglia congratulated Ryan and Denise on their new positions. For May, there were 93 dispatching shifts all covered with non-sworn personnel so no overtime. In May, there were 307 motor vehicle stops which resulted in 105 summonses issued; there were also 22 criminal arrests. This past month we had our third Narsave since its inception; Bergen County Prosecutor's Office reports that 100 saved this year alone in the County in 2017, there were 22 deaths. We have a desperate opioid epidemic in this country that needs to be straightened out. This past month Sergeant Tom Smith, Detective Bill Dietrich and Officer Mat Buesser participated in a law enforcement bicycle tour and that is remembering officers who died and they raise money for the families of those fallen officers. The event started at Ground Zero in New York City and concluded in Washington, DC where they had a ceremony for those officers. Project Crash held at the high school today and thanked Sergeant Tom Smith and Joe Solda for organizing that; he also thanked the Hillsdale Ambulance Volunteer Corps, the River Vale Ambulance Corps, Fire Department, Prosecutor's Office, Richards Towing, high school students and our elected officials for allowing us to have that event. We had a helicopter landing and the students were fantastic with their acting and Tom Smith with his brother who passed away from something similar to this and commended him.

Project Crash is an event for high school students who are seniors upon graduation season and it shows the dangers of drinking and driving. We had speakers who lost loved ones in that type of tragic accident and when he watched the students, they were focused on this event. They got a lot out of it. It was the seniors, day before the prom, graduation season and we focused on drinking and driving. You have Uber today and other avenues how to get around.

June 17 we have Coffee with a Cop in front of Starbucks at 11:00 AM to 1:00 PM, Saturday; come on out and meet your officers downtown and they may rectify any problems you might have to the best of their ability. He sent his condolences to the Bradshaw Family with the loss of Bob; he was a member of the Ambulance Corps for 63 years, he will be truly missed.

Cops and Bobbers was an event we had and thanked Ryan Norton for organizing it as well as all officers who participated. It was a program for parents to bring out their young children to go fishing at the reservoir and he received good feedback from parents.

Fire Department Report – April 2017

Chief Patrick Doody

Chief Patrick Doody said for the month of April we had 15 alarms and two fires that we responded to, one on Magnolia and mutual aid fire in Old Tappan which totaled 85 hours. We trained at Bergenfield Training Center for a total of three hours or total of 66 man hours for the month of April. Today we worked with the Police Department and Ambulance Corps and went to Project Crash and it went extremely well which began about 8:00 AM getting the cars ready and proceeded to go through a safety meeting and responded to the scene and finished at about 1:30 PM. Upcoming events we do have a lot of graduations going on and the Fire Department is giving out scholarships today at the high school and George White scholarships and St. Johns coming up.

Mayor Frank said he was impressed when he saw the men take the top off the car in Project Crash to extract one of the students. It is very impressive.

Chief Doody said we got new tools two years ago after we had an incident on the Parkway and the new tools are extremely powerful, they can cut anything much quicker.

Councilmember Segalas said he is hoping we pass a Resolution for the Grant Writer to get Scott Packs, the importance, why we need it as we are looking for a quarter million dollar grant to replace our Scott Packs.

Chief Doody said we have 40 Scott Packs and air bottles that we use when we go into a fire and the reason we are going for a grant is because those packs cost about \$8000 each and 16 or 17 years ago we did get a grant for them. They have a short life span which is 15 or 20 years which you can either upgrade the existing unit for a small amount of money, about \$3000, or you can go for a grant for new ones. New ones would cost approximately \$250,000 for new air packs and bottles, so we plan to look into getting a grant because other towns have been able to get it and we met with Councilmembers and Administrator DeJoseph for assisting us. The new command vehicle Ford Explorer is up and running, we are retiring the old one.

COMMITTEE REPORTS:

Councilman - Anthony DeRosa

Councilman - Scott Karcich

Councilman Karcich said we are working with the grant writer to get those Scott Packs. Hopefully the Resolution tonight will pass, the grant writer came highly recommend from other Fire Departments within the Valley and he has an 84% success rate and is hopeful we can bring the grant to the Borough for much needed equipment. Some of the equipment we were waiting for at the DPW finally arrived; the hook life came in and it is a piece of equipment we will be able to use in all seasons. We also hired a consultant to help us develop better systems within our DPW to serve the residents better and our annual road program is about to start and shortly there will be a list of roads that we will fix and repave.

Councilman Pizzella said as Liaison to the Planning Board, he reported that at their 5/11 meeting the Planning Board unanimously approved the Pascack Valley Regional High School District Life's Skills Program for students aged 18 to 21 to be located at 63 Patterson Street. The Life's Skills Program includes functional academics, communications and proper nutrition as well as a variety of other options; students acquire skills in a simulated home environment and in the community through structured learning experiences and internships at local businesses. The goal is to teach them life skills to allow them to develop as productive adults in independent living skills and their ability to obtain employment. He thanked the Planning Board for doing such a positive thing for the community. As Liaison to the Environmental Commission he stated he has been honored to be a Liaison to this group as they are the most hard working and intelligent, creative group in town. This past Sunday the Environmental Commission and 50 volunteers from the Pascack Valley Bible Church repaired Beechwood Trails. They worked for the entire day and this was a tremendous effort and this shows what a group of people can do, they didn't know each other. If you haven't been to Beechwood Park he encouraged a walk through the trails. He will attend a Sunday service and thank them and suggested a Proclamation that he could present.

He also had the privilege of honoring Mr. Schuck at George White; he has been a teacher in Hillsdale for 61 years and has been working for the past six or eight years losing money because he could have retired. He is an amazing person; he gave his last concert last week and congratulated him.

Councilwoman - Abby Lundy said her committees haven't met yet so she will report on Tuesday.

Councilman – Steven Segalas said he attended the Board of Health meetings as Council Liaison and each time learns something more about what they do in the town. This past week they had hearing testing, a free service available to town residents. They work very hard to assist people in transition and you don't always hear about these people. He said he works with the best people in town as well; they really do great work; there is a nurse's office adjacent to the Police Department, all sorts of services are available, take advantage of them. Apparently the County is in the process of trying to centralize transitional housing to the extent that it is made available and it requires families that otherwise might be together during a hard time trying to get back on their feet to have to live separate and the folks at the Board of Health are working very hard to try to avoid such a harsh impact for those in our town who are in that type of need. He worked with our Council President on the interview process for our replacement Prosecutor and would like to applaud him on his professionalism, the time commitment that went in is over and above what anybody sees beyond our meetings. We selected an incredibly well qualified attorney to represent the town's interests. The Ordinance Review Committee should be meeting shortly and go through some final redrafts and make appropriate recommendations to the Mayor and Council such as making things easier for our residents to do things.

Mayor Frank said the reason for the new Prosecutor was that our Prosecutor who has been with us for a number of years has been elevated to judge in Mahwah. He did a great job for us for a number of years.

Council President – John Ruocco said George White is hosting breakfast tomorrow for our 50+ Club tomorrow at 9:00 AM, they do this regularly. The next senior lunch is June 14 at Stonybrook pool at 11:30 AM. The Finance Committee will be scheduling a meeting for June 28.

DISCUSSION:

Mayor Frank said we have a request from Bottle King for us to adjust our hours on Sundays and certain holidays. He asked Jim Reilly, Regional Manager for Bottle King to advise the Council what the request is.

Jim Reilly said Bottle King runs 14 liquor stores throughout New Jersey and one of the biggest problems we face is Sunday hours because of the loss throughout the state which is pretty antiquated going back to

prohibition and we have towns with Sunday hours of 9:00AM to 10:00 PM and Hillsdale is unique; they have a late opening but allow us to stay until 10:00PM. It is noon to 10:00 PM. We are trying to get continuity; we look at ourselves a little different than any other business. Next door to us you have Kings and you have Walmart, those stores are open but they can't come to our store. We are no different than any other retail outlet and it does affect us over time because there are so many towns that have regular hours; they are leaving to go to the shore and we are losing that business to surrounding municipalities. I am here if you have any questions and consider extending the Sunday hours from 9:00 AM to 10:00 PM. If Sunday is Christmas Eve or New Year's Eve that it be 9:00 AM to 10:00 PM because those are our busiest days in the year.

Councilmember Karcich said I can appreciate this because he was one of those customers on the way to the Giants Game after he came home from Cincinnati, Ohio. There was nothing on Sunday so I could feel your pain on the weekends when folks want to go to the shore or tailgate for Giant or Jet games. I am for it.

Jim Reilly said we lose a lot especially in this area because we have so many people going to stadiums.

Mayor Frank said we will proceed to put together an ordinance and put it before the Council for vote. This would apply to any retail outlets in town.

NEW BUSINESS:

Hours of Operation – Liquor Distribution/Consumption- Operating Hours

Mayor Frank said the Chief brought this up as a question.

Police Chief Francaviglia said since we discussed this last time, there has been a new landscape to this whole conversation. He thought it best if he met with the bar owners and come up with a resolution with some of the safety concerns we have because he was approached by his staff about some safety concerns with some of the establishments but he was sure we could work that out if he meets with the bar owners and report back to the Council. He would prefer to do that to attempt to come up with an amicable solution rather than roll back the hours.

CORRESPONDENCE:

1. Letter dated June 1, 2017 from Abraham Fichtenbaum regarding the Demarest Farm Parking

Motion to receipt and file - Motion by Councilmember Pizzella, Second by Councilmember Lundy, and unanimously carried.

PUBLIC COMMENT:

Jason DeGise and James, owners of Demarest Farm –

We are here tonight to let everyone know exactly what is going on. He looked at 6:00 PM before he came to the Council meeting and printed off the agenda from the May 9 meeting and it still said in your records that Ordinance 17-09 is going to be discussed tonight, June 8, 2017. We rely on that information as we try through social media and through the ways and email to get the message out. We rely on the date that you put in your records and that is how we have the date for June 8. To go back and correct some of the things you said earlier in your speech, on June 5th of last year, the Borough offered us a lot for the afternoons between \$600 and \$1000 a day for three to four hours. James and I were not in a position at that time to take that offer, in fact you put it out again for bid and anything that would be acceptable. At that time we were concluding mediation and had a grievance with 27 neighbors that the Borough was an active participant in for other solutions at that time; just some things to clear up before we start. I think it is very important for this Mayor and Council we're the red barn west of town that you have an open communication with us and would like to start off with this. People fail to get along because they fear each other; they fear each other because they don't know each other, they don't know each other because they have not communicated with each other. This was said by the great Martin

Luther King, Jr. I am here tonight to communicate to this Mayor and Council and this great community of Hillsdale we all call home. James and I started working on the farm for the Demarest family at the age of 13; we grew up learning from the Demarest's; we learned how to appreciate a hard day's work, what it meant to have upsets but also unbelievable accomplishments. We learned that being a part of the farm was so much of being part of the community. The values the Demarest family installed in James and I during our more than 27 years working alongside them taught us invaluable lessons. The first and most important lesson is always love our family and the extended family; the hard working men and women and young men and women who work alongside of us every day. The second lesson that stays with James and I is respect and value for what is right and wrong; we had the unique opportunity to learn this from Elizabeth Demarest who James and I both call grandma. She shared many stories with us what it was like to grow up during the World War in Europe and what it was truly growing up in a horrific time in history but never losing touch of family and love and standing up for what is right. James and I are here tonight to stand up for what is right and just, we are here today to ensure we continue the legacy of making memories that connect generations for thousands of visitors that come to the farm every fall. James and I were honored and humbled to have the opportunity to fulfill our childhood dream, not only owning the last remaining working farms in Bergen but also to proudly continue its legacy which has been a part of Hillsdale's history since 1886. Understand this responsibility is not taken lightly; the health and safety of every resident, citizen and visitor to this farm has always been a priority for us. In 2015, the Hillsdale Police Chief stated to James and I you two continually and always have gone above and beyond in anything we ask of you in any way to help us during the pick your own season, we now ask the help of the Police Chief, the Mayor, and this Council to solve this matter together. The following items I am going to read was proposed settlement that was given from James and I only, not through our attorneys, it was given from our hearts for this community. We read it off to the Mayor unsuccessfully but I am going to read it off so the public knows exactly where we stand. The return of the school parking lot for use of the farm; we ask the Mayor and Council and the Police Chief to again publicly support the use of the Smith School during the fall during the pick your own weekends and holidays. We understand the Board of Education is currently scheduled to meet soon to discuss this issue; we view the availability of the Smith School as a condition of reaching a resolution, therefore, we feel it is imperative that this Mayor, Council and Police Chief express their support for the use of the parking lot when the meeting is discussed. As always Demarest Farm has been proactive in reaching out to the Sports Associations to use this field and I want to flag these football main sponsors who relocated to another field through the help of Councilwoman Abby Lundy; she reached out to us and said the only people currently using the field is the Hillsdale Baseball Association when they have rain-outs because they currently have a field that is in terrible condition. The farm is very sensitive to the needs of the community as far as the sports needs playing on the field and as a major supporter of the sports programs in town. As a condition to the continued use of the school parking lot the farm will arrange at our cost the completion of the drainage project at Corra Field in accordance with the proposal provided through Abby Lundy to the farm ownership. The farm's contribution will be to donate \$20,000 to do the work that is necessary to repair that field. James and I have from the beginning agreed the west lot concept of the New Jersey lot concept for downtown parking is a route that we would like to go; the farm will be permitted to use the west lot and the New Jersey Transit lot on Saturdays and Sundays during the pick your own season. A shuttle bus will be provided by the farm; the farm has some concerns about the impact of Saturday traffic and the potential opposition for use of this by downtown residents, but as the Police Chief had indicated it might be acceptable for him to use that parking lot on Saturdays. The farm has also reached out to the Mayor; as the Mayor's counsel said at the opening meeting of the Right to Farm Act, the farm absolutely acted in a safe manner in 2014, 2015 we disagree in 2016. We told

the Mayor that we would bring the on-street parking level to 50% below what we used in 2012; we offered to amend our SSA&P application that is the Site Specific Agricultural Management Practice application to reduce street parking that currently proposed to use on pick your own weekends and holidays. Less than 50% that we use in the periods that everybody agreed would save. This would be done pursuant to a schedule that would be agreed upon in consultation with the Police Department, the Mayor and Council and the residents. This would reduce traffic on those streets for eight days, maybe five or six hours a day. We hired one of the best pedestrian experts you can get out of Connecticut, world renown; he is actually a human expert factor; we just learned what that was this year; the farm implemented his services and are willing to take additional measures outlined in his report in our event management plan to reduce pedestrian traffic on the west side of the farm by directing patrons through parking areas directly onto the farm with on-site paid police, on-site security and on-site training. The farm aggressively continues to pursue the purchase of 786 Hillsdale Avenue; some people know it as the Tandy & Allen lot. There are many environmental restrictions on this lot and last year when we were in negotiations with it, a builder came in, made an offer and it since fell through. James and I have completed a Phase 1 and Phase 2 and now recently this week a cleanup agreement with an engineering firm that could possibly add 300 offsite parking spaces.

We ask the Mayor let us spend our money trying to get parking, not in court. The Mayor responded to us not one spot on the street we will help you with. The Mayor and Council needs to support these efforts, the Mayor and Council needs to agree they have a gem in their town. The proposed No Parking Ordinance – we asked the Mayor and Council to table this ordinance to prohibit parking on all streets west of Pascack Road during the pick your own season pending a potential resolution of this matter. We understand you can pass this very restrict ordinance against us, make adjustments as you go down the road, however, in the world of social media and in the world of media, all our potential visitors to the farm are going to read No Parking, Demarest Farm has No Parking. Please work with us to reach a settlement; if it does not work out, bring up the ordinance again; there is plenty of time before September. The Borough and the farm need to co-exist, work together, we need to address these issues together. We hope that this framework will finally bring an end to the back and forth between the Council and the farm. Thank you very much for your time.

Jerry Fiderman, 63 Mountain View Terrace –

I am a longtime resident on the west side of Hillsdale. I love and support the farm and don't want to see the farm to close. We are now at the point where the farm might close. I see the farm every day from my house. When I spoke to Demarest and asked them what will happen if the farm closes, I was told there won't be any fruit farmers willing to buy it but you might have an opportunity to sell it a horse farm, a pig farm or a turkey farm. They can sell it to whomever they want to. Now a pig farm will be nice in my neighborhood and that is a reality that is not fake news that is real. I hope that we can keep this farm alive.

Elaine Meyerson, 27 Winthrop Road –

Last year when they closed the streets we had police at the end of our street, we had police stopping people asking where they are living and we were not allowed to have people park in front of our homes. We do not want to live in a police state, we want to live where there is a quality of life. We are so fortunate to have the farm to be able to go out and eat outside whenever we want and enjoy the benefits of living in the country. I ask that we reconsider the ordinance and figure out a way we can work with the farm in order for us to continue to have a really excellent quality of life that brings people to Hillsdale.

Jenny Hansing, 22 Buena Vista –

She wanted to share what the farm means to her, her family and community. As a child her earliest and fondest memories have been of Demarest Farm; she would sneak downstairs before 5:00 AM as to never miss the drives dropping my brothers off to the fields. From the back seat of the car she smelled the sweet air over the fields and wanted to be a farmer just like her brothers. She continues to look forward to each season on the farm as it brings forth the fresh start and new opportunities. With spring a new life emerges from the soils and sprouts from the branches of the trees; in the summer the heat dances on our heads as we seek shade from the trees. We cherish these lazy, hazy days with family and friends; the days shorten and the heat gives way to the cooling autumn breeze, families and friends don sweaters and boots as they harvest their apples from the trees. Children run excitedly through the orchards plucking their apples from the branches and stashing them away in their bags. Pumpkins are lifted from the ground as people talk excitedly about their plans for carving and costumes. The fields burst into color as the last apples are being harvested. Families and friends enjoy their final days outside before the winter months set in and with each winter come the whisper of the fields lay quiet, there is a promise of new life, so beautiful that people from all over will want to come and bask in its glory. Fall is my favorite time of the year at the farm; my family and I look forward to apple and pumpkin picking and memories we will cherish as many families do. We find friends and families of all backgrounds; every person enjoying their time spent with their loved ones and enjoy the breathtaking orchards. These are the simplest of times and the most joyous of times, we all need simplicity now, more than ever. In the uncertainty of today the promise of the farm and all it has to offer our community is so incredibly important for 16 days a year; are we willing to take this away from our community, our children. As a resident of Hillsdale I ask you not to negate but to negotiate, not divide but to unite us. Please stop this very targeted ordinance against Demarest Farm as they have offered to reduce street parking by 50%. These ridiculous and drastic restrictions are threatening the future of our farm; I urge you to take this opportunity and do the right thing, work with Demarest Farm as they have always been willing to work with you. Thank you for your time.

Chis Kamp, 206 Raymond Street –

I moved to Hillsdale two months ago, I feel very fortunate to live here, and what attracted my wife and I to this town from Brooklyn was the amazing sense of community. I want to throw my support behind trying to find a resolution for the farm because it is one of the great things that attracted us to this town. It is important to us and important that this community continues to have great things like this that we can all enjoy together.

Dr. Zachary Orden, 72 Hillsdale Court –

He would like to concur with the opinion that Demarest Farm is a gem in the community. I live on the same street as Abe Fichtenbaum and I would be perfectly comfortable having any visitors at the farm park on my street. I have been going to the farm for 15 years or so on a regular basis and I noticed over the years how many people in the community the farm has offered to help in one way or another. A number of fund raisers over the years and I can tell you from personal experience some of the people in this room know I was involved in a horrific accident five years ago with a friend of mine who was hurt worse than I was and without being prompted and without being asked the current ownership of the farm offered to hold a fund raiser for my friend. It wasn't necessary but it was a beautiful gesture. Under the ownership of both the Demarests and the current ownership, they have extended themselves whenever I have asked them. I am very active in the diabetes community for 12 of the past 13 years; during that time on a number of occasions I have the Demarests and

current owners to help me on various occasions with fund raising. I have never had to ask twice, they have never said no to any of my requests. They are wonderful people, wonderful community members; I hope that you will make an earnest effort to find a resolution to this issue and I hope that it will be done in an amicable manner.

Resident from Washington Township –

She felt compelled to speak tonight. She lives by the Parkway and has been coming to this area and shops in Hillsdale. She lived in Washington Township since 1956 and remembers all the farms around here. We have this gem and it is a gem left in this community and you need to work together to solve this. My daughter and I walked to school and you have children able to walk to school with no sidewalks; I cannot see how adults who are visiting your community and shopping cannot use the roads without sidewalks when children going back and forth to school. She owns the Dairy Queen in Emerson and his business is greatly affected by the road project going on in Emerson; she lost up to 50% of her income since last August when this project started. Everyone thinks business owners have a money tree in the backyard; this farm's business is seasonal and she only has six months out of the year where she can support herself enough into the rough winter months and the farm also has a limited time and is also seasonal and has income they bring in certain times.

She has a great affinity to this gem of a farm not only as a private citizen that has been going to the farm but also from a business perspective I understand their pain and loss of income. She threw her support behind the farm and has been a visitor to the farm for all these years. This gem needs to be preserved and hope you work together, there has to be a solution.

Arnold Scher, 157 Windham Road –

How much money does the Mayor and Council decide to spend on defending this or going forward with this instead of putting that money towards a good resolution.

Attorney with Beatty Padavano, Montvale –

We represent Inserra Supermarkets and Shop Rite Wines and Spirits in Hillsdale. The new business hours of operation, liquor distribution, consumption, operating hours, he is here on behalf of Mr. Inserra to express our agreement that the hours be extended for all operators within the town. The representative from Bottle King made some very good points one being neighboring towns all have more expansive hours of operation and we agree the Council should be adopting the ordinance.

John Korchuck, 857 Hillsdale Avenue –

He has noted things about parking around the farm and the existence or non-existence of a group that is against allowing the farm's street parking. He received in his mailbox flyers from someone who is trying to organize opposition to farm parking. Whether the Mayor acknowledges it or not, there is at least one person who is organizing opposition to allowing the farm to park. Maybe it is just one individual but there is someone organizing and the small group of people who are in opposition and show up to voice their opinion against it. The farm has a very short window and the pick your own is when they make their money for the year, like retail stores that make their money from Thanksgiving to Christmas. This situation with disallowing parking on public streets is like informing the downtown shop owners we are closing the parking from Thanksgiving to Christmas because there are too many people on the sidewalks, potential danger to pedestrians. You would

have a bankrupt downtown and the situation is like that. People affected by it have to see that they are giving back to the farm by allowing people to park on public streets for 16 days a year.

Paul Muller, 10 Catherine Court –

This started gaining traction in 2015 by a group of 27 residents who organized as SOS, Save Our Streets. In the Mayor's letter he stated he did not support any groups that are against the farm and in 2015 signed a petition against the farm. This is political, it is not about safety, this is about Jason as not serving as a Republican; prior owners of the farm were Republicans. When Jason and James take over they are not supporting the Republican party and now we have safety concerns on the streets in Hillsdale. If it was a public safety issue why the first thing that was done was for the group of 27 residents petition the **Board** of Ed to shut down parking. This is not about safety, there may be safety issues that can be addressed, but you are looking to shut down the streets on the west side of town after last year creating a police state. It is embarrassing and instead of working together with the local business, one of the last farms in the county, there is still land up there that can be used. There is land there that can be redeveloped and urged they realize that this is nothing more than 27 residents spending my taxes to defend 27 residents. Taking away pick your own season and when the farm relies on the majority of their income and you shut down parking, that will put them out of business.

Georgia Blau, 16 Royal Park Terrace –

She lives in the cul-de-sac where people walk down the path to get to the farm, nobody wants to shut this farm down. Everybody loves the farm, they eat lunch, buy their fruit; eight days of the best time of the year for families to be outside, have company, and I can't park on the street. There about 20 signs on Royal Park Terrace indicating no parking. Just in the cul-de-sac we have seven children, basketball net, it is so safe there and is wonderful. For the eight days, nobody goes out, nobody has company, no place to park; it is not safe; the Demarest family has been there for many years and hundreds of people walk down to the farm.

Gregory Stalb, 33 Hillsdale Court –

He has three boys and tries to help out with football, baseball and their activities at Smith School. We moved here because of the sense of community. He would not want to live anywhere else. He sees the farm as a piece of Americana and it is and we need to keep it. The sense of community is where he feels a hand shake or whatever needs to happen behind scenes to get this done needs to happen. There was a lot of support for the farm today; they support every organization in town. The farm generates revenue and we need to support them and it has been here longer than the town. I love Hillsdale just as everyone here does and they wouldn't be here; if this can't be tabled, can it be put towards a referendum. A lot of things happen over a handshake and maybe that is what needs to happen.

Joanne Ingus, 67 Standish Road –

She loves Demarest Farm and was asked to sign a petition about the farm but she did not, so there are residents against. If parking were allowed at Smith School, there is a sidewalk from Smith School to the farm. Living a couple of blocks from the farm has made it a fun and integral part of our family life; apple picking, peach picking, numerous salad bar and hot bar meals plus shopping so close to home are assets. Complimentary Mothers Day and Father's Day brunches plus last year's December treat for local residents are an additional perk. We think it is fun to actually live near a tourist visiting place; Hillsdale, NJ is a tourist visited place during the six or seven weekends a year when people want to come to Hillsdale to pick apples and to come to a

place that is a little bit more country than other areas of Bergen County. Our family capitalized on the extra traffic by hosting a multi-family mission's fund raiser yard sale earning hundreds of dollars for missions. The extra foot traffic for the farm helps young people go to another country and get out of their technology generation and experience a third world country. She appreciates the desire of the Council and Police Department for safety, perhaps an agreement with single side of the street parking or rotating the parking rather than not having parking at all could be visited as an alternative. I do not mind having parking on both sides of the street and there are some people who have said that things have been missing from their yard. To them I say lock up your stuff, you know people are coming. I do not want to lose the farm, I would rather have Demarest Farm than a strip mall or a 40 unit apartment building or a development of single family homes. None of these will ever replace the charm, beauty and aesthetic value of the farm. Don't we want to keep an attraction that keeps our town desirable and pretty and special? Woodcliff Lake doesn't have a farm anymore and Montvale lost theirs; does Hillsdale want to join that group and say take our farm too. As far as those who find it inconvenient in terms of parking, growing up I lived across the street from a dress factory. One day while hitting tennis balls against the wall of the factory I actually broke a window; alarms went off and police came. The owner of the company drove 20 minutes from his home; I waited there to confess and my mother asked how much we owed for the window. The owner of the business said you don't owe us anything; one hand washes the other; in other words he was saying because you live so close to this business and you are keeping an eye out for it, I am not going to charge you for what has happened. The farm has been an integral part of this community, it is time for us to help them and I hope the Mayor and Council will come up with something that really helps preserve one of the last farms; it might be the last farm in Bergen County. Hillsdale residents I hope you continue to come along side of the farm.

Adam Tate, 17 Riverdale Street –

I am not against the farm but a lot of people are. I reached out to the Bergen Agricultural Development Board and I was curious as to what the regulations were regarding how the property can be used, whether you can have temporary parking on the site. There are 17 acres on the property, there has to be some place on that property that you could put temporary parking where it is not just on the street. We wouldn't have all this discussion about parking on the street. There is NJAC2:76-2A.13, Agricultural Management Practice, Paragraph 5 which deals with parking areas and states that if existing parking areas or spaces at or on farm direct marketing facility are insufficient to accommodate the volume traffic anticipated for the farm, the following standards shall apply for additional parking area and spaces. Safe parking shall be provided, number of spaces provided shall be sufficient to accommodate the activity of normal traffic volume, egress and ingress points drive areas and parking areas shall be arranged so as to provide for self- traffic circulation; the arrangement shall allow customers to safely to pull off and onto adjacent roadways and to safely maneuver to and from parking areas and into and out of parking spaces. Parking areas shall accommodate bus traffic and allow for safe unloading and loading of bus passengers. Sites and services and any physical improvements associated with areas devoted to parking such as curbing, landscaping need not involve greater than the minimum amount of improvements necessary for public health and safety. Some of these areas can just be temporarily used or hay or gravel put on the ground. I am sure there is some place on 17 acres of property can be used as temporary parking where you could have a shuttle to the main area and that would alleviate a lot of this argument.

Rick Savino, 64 Westdale Avenue –

I don't live near the farm and am on the other side of town but the farm was there before any of us were born; people bought houses in Hillsdale because we liked the farm. It is a concern as I look at this proposed ordinance to prohibit parking it is targeted at one business. I think it will not be approved in the court and it is a business operation that has protection under the agricultural laws. If the ordinance is set aside, where are we? It is sad; nobody is compromising whether it is here, Washington, Trenton; we forgot how to compromise. The proposals that I read about one side of the street parking, use the school, shuttle down to the parking lots here are all good compromises that could work. The farm could stay in business, we will all be happy and it is something we can control. If a court rules on this it is going to go the same way we spend a lot of money fighting Suez; that went nowhere at the time. We could fight this in court, lose, and be set way back compared to the compromise and different proposals being discussed. He encourage the Council to think about that, compromise, there are a lot of possible solutions to this problem to keep the farm in business and pick fruit and apples and keep the neighbors happy. One side of the street parking seems a reasonable solution, we don't have to close 30 or some streets; vehicles can get through, there is passage and visitors can get to homes and it is a problem targeting one business and one property with an ordinance.

Marie Cefali, 6 Manson Place –

She went through some old websites and she came across a postcard on the Republican facebook and it was a postcard you sent when you were running for Mayor and it was a list of your platforms. One of your platforms you said the Democrats continuously approved farm act to support one of their Council members and went on to say that a former Democratic Councilman uses private streets for profit and that is the platform you ran on. Nowhere did it say anything about safety but for that gentleman that said it is political he is absolutely correct.

Mayor Frank said seeing no one, he closed the public portion of the meeting.

Mayor Frank said maybe you didn't hear what I said in the beginning; what I said was that next Monday I am meeting with the Board of Education. We met at the request of Mr. Degise's attorney who is sitting here; we met a week ago Monday and we are negotiating. When Jason presented the fact about the Smith School parking lot, we said we are going to try to help you; we discussed the commuter lot and we are going to make that available tonight as part of a resolution. When you said you were contemplating buying or leasing the Tandy Woods property on Hillsdale we said if you need to get it rezoned agricultural, which takes it off our tax rolls and makes it much easier to use that for 300 parking spaces I would support and work with the Council to try to get that support. I think that anybody here who thinks that there is an animosity for the farm is mischaracterizing. I haven't heard anybody even to the people who are objecting to the parking there and some of the safety issues, they all want the farm to be alive, they want the farm to stay, no one wants to get rid of the farm. Who do we call when the first kid is hit by a car; that is my concern?

ORDINANCES: (Introductions)

17-10 (Introduction)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 63 OF THE CODE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT TO ADD THE POSITION OF CLASS THREE SPECIAL LAW ENFORCEMENT OFFICER

WHEREAS, recent legislation has enabled municipalities to establish the position of Class Three Special Law Enforcement Officer (SLEO III) for the purpose of serving as school security officers under the control and supervision of the Chief of Police; and

WHEREAS, the Pascack Valley Regional School District Superintendent is in favor of the assignment of SLEO IIIs at Pascack Valley Regional High School; and

WHEREAS, the Chief of Police of the Borough of Hillsdale Police Department has recommended that the Mayor and Council establish such a position in the Borough to assist with school security in accordance with applicable law; and

WHEREAS, the Mayor and Council are desirous of establishing the position of Class Three Special Law Enforcement Officer in the Borough in accordance with the recommendation of the Chief of Police; and

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, as follows:

Section 1. Chapter 63 of the Code of the Borough of Hillsdale is hereby amended and supplemented by adding the underlined text and deleting the [bracketed] text in §63-9, as follows:

§ 63-9. Creation and composition.

A. Pursuant to the authority granted by N.J.S.A. 40A:14-118, the Borough of Hillsdale hereby establishes a Police Department in and for the Borough of Hillsdale, New Jersey, to consist of the following positions, and the maximum number of individuals assigned to each respective rank, as follows:

(1) Chief of Police: 1

(2) Captain: 1

(3) Lieutenant: vacant

(4) Sergeant: 5 (plus a temporary 6th sergeant during 2018 in anticipation of a sergeant retiring)

(5) Patrol officers: 16. See Subsection C below.

(6) Class Three Special Law Enforcement Officers (SLEO III) who are retired regular police officers and who may from time to time be appointed and shall serve at the pleasure of the governing body for a term not to exceed one year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police for use solely as school security officers as detailed in N.J.S.A. 40A:14-146.10, et seq.: as necessary.

B. This Section shall not be construed as establishing any right on the part of any member or members of the Police Department to appointment to any position within the Department, nor shall it be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department. The existence and continuance of any of the above-specified offices and the number of appointees to each such office shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.

C. In the event that there is an unfilled vacancy in any of the superior officer positions, the maximum number of patrol officers shall be increased by the number of such vacancies. However, in no event shall the maximum number of officers in the Police Department, including the Chief, Captain, Lieutenant, Sergeants and Patrol Officers, but excluding Special Law Enforcement Officers, exceed 18 members.

D. The Borough Administrator of the Borough of Hillsdale shall be deemed to be the "appropriate authority" for purposes of the Borough Code and N.J.S.A. 40A:14-118.

Section 2. Ratification of Prior Actions; No Interruption in Service.

The Borough does hereby ratify and reconfirm all prior actions concerning hiring and promotion in the Police Department taken prior to the adoption of this Ordinance. Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department.

Section 3. Repeal of Inconsistent Ordinances.

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings Clause.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 5. Severability.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

Section 6. Effective Date.

This ordinance shall become effective upon adoption and publication as required by law, but in no event sooner than August 8, 2017.

BE IT RESOLVED, that Ordinance No. 17-10 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on July 12, 2017 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Motion by Councilmember Karcich, Second by Council President Pizzella.

Roll Call Vote:

Ayes: Council Members Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Nays: None

Absent: Council Member DeRosa

RESOLUTIONS:(Consent Agenda): R17151 through R17170:

R17151 Resolution Confirming Quarterly Testing for Methane Gas Vents at Hillsdale Landfill, AKA Centennial Field

WHEREAS, there is a DEP requirement for the Hillsdale Landfill to perform certain tests quarterly; and

WHEREAS, the Borough Engineer Christopher Statile, P.A, has subcontracted with The Environmental Group, located at 261 Main Street Ledgewood, New Jersey 07852 to perform all sampling and testing work at the Hillsdale Landfill (AKA Centennial Field); and

WHEREAS, the Borough is required to sample air in the 21 passive vents to substantiate the assumptions made under the filing of the permit to discharge any air contaminants directly into the atmosphere; and

WHEREAS, The Environmental Group will perform all sampling and testing at a quarterly charge of Twenty Four Thousand Dollars and No Cents (\$24,000.00), totaling an amount not to exceed Seventy Two Thousand and No Cents (\$72,000.00), and;

THEREFORE, BE IT RESOLVED that the Mayor and Council authorizes the Methane Testing – T Vents at the Hillsdale Landfill, AKA Centennial Field to be performed by The Environmental Group, located at 261 Main Street Ledgewood, New Jersey 07852, in the total amount NOT TO EXCEED \$72,000.00.

R17152 Resolution Confirming the Slam Bar Testing at Hillsdale Landfill, AKA Centennial Field

WHEREAS, there is a DEP requirement for the Hillsdale Landfill to perform certain tests quarterly; and

WHEREAS, the Borough Engineer Christopher Statile, P.A, has subcontracted with The Environmental Group, located at 261 Main Street Ledgewood, New Jersey 07852 to perform all slam bar testing at the Hillsdale Landfill (AKA Centennial Field); and

WHEREAS, Slam Bar testing is used to be detect the presence of landfill gas migration and will be obtained via slam bar methods at twenty-three monitoring points around the perimeter of the landfill and on adjacent private properties; and

WHEREAS, The Environmental Group will perform all slam bar sampling and testing at a quarterly charge of Two Thousand Eight Hundred and Fifty Dollars and No Cents (\$2,850.00), totaling an amount not to exceed Eleven Thousand Four Hundred Dollars and No Cents (\$11,400.00), and;

THEREFORE, BE IT RESOLVED that the Mayor and Council authorize the Slam Bar Testing at the Hillsdale Landfill, AKA Centennial Field to be performed by The Environmental Group, located at 261 Main Street Ledgewood, New Jersey 07852, in the total amount NTE \$11,400.00.

R17153 Resolution Authorizing the Borough Clerk to Extend the Contract for Janitorial Services for the Borough of Hillsdale from August 1, 2017 through July 31, 2018

WHEREAS, there is a need for janitorial services in the Borough, specifically in Borough Hall, the Police Department, the Public Library, Stonybrook Swim Club, the Fire Department; and

WHEREAS, the Borough of Hillsdale is interested in extending their contract for Janitorial Services with Excellent Building Services, 70 South Jefferson Street, Orange, NJ 07050 in the amount of twenty six thousand two hundred ninety two dollars, \$26,292.00 for the period of August 1, 2017 through July 31, 2018; and

WHEREAS, the Mayor and Council at its sole discretion, in accordance with NJSA 40A 11-1 et seq., the Mayor and Council may, by adoption of resolution, extend the contract for one (1) one (1) year period if they determine; that the contract service is being performed in an effective and efficient manner; and if any price change included as part of an extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed and the terms and conditions of the contract remain substantially similar; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey as follows:

1. The contract for janitorial services as outlined in the bid proposal is hereby awarded to Excellent Building Services effective August 1, 2017 through July 31, 2018.
2. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
3. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.

R17154 Resolution Authorizing Somerset County Cooperative Pricing System Bid #2-SOCCP – Traffic Control Signs, Supports, Hardware & Safety Devices

SERVICE/COMMODITY: Traffic Control Signs, Supports, Hardware & Safety Devices

WHEREAS, the Borough of Hillsdale is a member of the Somerset County Cooperative Pricing System and desires to use the Co-Op for the purchase of Traffic Control Signs, Supports, Hardware & Safety Devices; and

WHEREAS, the Somerset County Cooperative Pricing System (BID #2-SOCCP), awarded to Garden State Highway Products, 1740 E Oak Road, Vineland, NJ 08361 for the purchase of said Traffic Control Signs, Supports, Hardware & Safety Devices; and

WHEREAS, the Contract Period is through September 22, 2017; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale authorizes the purchase of Traffic Control Signs, Supports, Hardware & Safety Devices under the Somerset County Cooperative Pricing System (BID #2-SOCCP) in the contract amount not to exceed \$30,000.00.

R17155 Resolution to Approve the Plenary Retail Distribution License Renewal for Hillsdale Bottle King (T/A Bottle King Discount Liquors) For 2017-2018

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Distribution License Renewal Application for renewal approval for the license renewal term of 2017-2018;

Lic# 0227-44-003-006 Hillsdale Bottle King, Inc. 377 Washington Avenue
t/a Bottle King Discount Liquors

WHEREAS, The Mayor and Council of the Borough of Hillsdale, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized to sign and deliver said license on behalf of the Borough of Hillsdale.

R17156 Resolution to Approve the Plenary Retail Distribution License Renewal for Dynasty Chinese Restaurant Corp (T/A Golden Dynasty) For 2017-2018

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Distribution License Renewal Application for renewal approval for the license renewal term of 2017-2018;

Lic# 0227-33-002-004 Dynasty Chinese Restaurant 295 Kinderkamack Road

WHEREAS, The Mayor and Council of the Borough of Hillsdale, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized to sign and deliver said license on behalf of the Borough of Hillsdale.

R17157 Resolution Authorizing Inclusion in the Bergen County Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, the current Interlocal Services Cooperative Agreement contains an automatic renewal clause to expedite the notification of the inclusion process; and

WHEREAS, by June 12, 2017, each Municipality must notify the Bergen County Division of Community Development of its intent to continue as a participant in the Urban County entitlement programs noted above; and

WHEREAS, it is in the best interest of the Municipality of the Borough of Hillsdale and its residents to participate in said Programs.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale hereby notifies the Bergen County Division of Community Development of its decision to be included as a participant Municipality in the Urban County entitlement programs being the Community Development Block Grant Program, the HOME Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, 2020 (July 1, 2018 – June 30, 2021); and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Bergen County Division of Community Development no later than June 12, 2017.

R17158 Resolution Authorizing Execution of an Agreement with the County of Bergen to Supersede the Cooperative Agreement Dated July 1, 2000 and Amendments Thereto Establishing the Bergen County Community Development Program

WHEREAS, certain Federal funds are potentially available to the County of Bergen under Title I of the Housing and Community Development Act of 1974, as amended; the HOME Investment Partnership Act of 1990, as amended; and the Emergency Solutions Grant of 2012; and

WHEREAS, it is necessary to supersede an existing Interlocal Services Cooperative Agreement for the County and its people to benefit from these Programs; and

WHEREAS, an Agreement has been proposed under which the Borough of Hillsdale and the County of Bergen in cooperation with other Municipalities, will modify an Interlocal Services Program pursuant to N.J.S.A. 40:8A-1 et seq.; and

WHEREAS, it is in the best interest of the Borough of Hillsdale to enter into such an Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Borough of Hillsdale that the Agreement entitled “Three Year Cooperative Agreement” (an Agreement superseding the Cooperative Agreement dated July 1, 2000 – June 30, 2003) to clarify the planning and implementation procedures and to enable the Municipality to make a Three Year irrevocable commitment to participate in the Community Development Block Grant Program, the Home Investment Partnership Program, and the Emergency Solutions Grant Program for the Program Years 2018, 2019, and 2020 (July 1, 2018 – June 30, 2021) be executed by the Mayor and Municipal Clerk in accordance with the provisions of law; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately in accordance with law.

R17159 Authorizing the Borough Clerk to Advertise for Bids to Provide a Non-Exclusive Lease to Permit Parking in the Borough Owned “West Lot” (Block 1105 Lot 2) on Saturdays and Sundays during the Month of September and October 2017 with No Minimum Bid Required

WHEREAS, the Borough of Hillsdale maintains a parking lot within the Borough which is more commonly known as the “West Lot” for public parking purposes: and

WHEREAS, The Governing Body desires to Lease the “West Lot” to persons interested in securing parking on Saturdays and Sundays in the months of September and October, 2017:

WHEREAS, any such Lease will require public bidding and full compliance with the Local Public Contract’s Law (NJSA 40A:11-1, et seq.)

NOW THEREFORE, BE IT RESOLVED, the Borough Clerk is authorized to prepare bid documents and advertise for bids for the non-exclusive use of the Borough owned “West Lot” located at 425 Hillsdale Avenue; Block 1105 Lot 2 for parking on Saturdays and Sundays only during the months of September and October, 2017.

NOW THEREFORE, BE IT RESOLVED, that all such bid documents shall specify that there is no minimum bid price per day, but other conditions that in the determination of the Borough Staff and Professionals is required.

R17160 Resolution to Urge Representatives from the State of New Jersey to Support the Legislative Action to Re-Authorize and Extend the National Flood Insurance Program (NFIP)

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program (“NFIP”); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Borough of Hillsdale’s Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Borough of Hillsdale’s Federal Legislators and Representatives.

R17161 Resolution Accepting the Proposal by the Environmental Group for the Protocol for Periodic Monitoring and Sampling of Landfill Gas at Centennial Recreational Field, Formerly the Hillsdale Borough Sanitary Landfill

WHEREAS, The Centennial Recreational Field in the Borough of Hillsdale is the location of the former Hillsdale Borough Sanitary Landfill.; and

WHEREAS, The landfill was subsequently converted to recreational ball fields and the New Jersey Department of Environmental Protection (“NJDEP”) required that the installed landfill gas collection system equipment be permitted through the NJDEP Bureau of Stationary Sources (i.e., air permit); and

WHEREAS, an Air Permit for the system was issued on July 27, 2015; and

WHEREAS, A requirement of the air permit indicates that the permittee shall submit a sampling protocol prior to sampling; and

WHEREAS, a sampling protocol was submitted to the NJDEP Emissions Measurement Section (formerly referred to as Bureau of Technical Services or BTS) on June 1, 2016, but same was deemed not complete and an extension to no later than June 30th was given to revise the protocol; and

WHEREAS, The Environmental Group submitted a proposal for the protocol for periodic monitoring and sampling of landfill gas at Centennial Field, including: Passive Landfill Gas Collection System Monitoring and Sampling; Surface and Ambient Air Methane Monitoring; Odor Threshold Monitoring; and Field House Methane Monitoring; and

WHEREAS, The cost for this protocol development is a one-time charge not to exceed Eight Thousand Nine Hundred Fifty three Dollars and Seventy Five Cents (\$8,953.75), and;

WHEREAS, the Borough of Hillsdale is desirous to hire The Environmental Group in accordance with said proposal, EI Project No. 16-056, dated June 28, 2016 and revised August 19, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that Mayor Douglas Frank is hereby authorized to sign the contract documents with The Environmental Group and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said proposal.

R17162 Resolution Authorizing a Shared Services Agreement Between the Borough of Hillsdale and County of Bergen for Floodplain Protection Planning Services

WHEREAS, N.J.S.A. 40A:65-1 et seq., the Uniform Shared Services and Consolidation Act authorizes contracts between municipalities and other local units for the joint provision of services within their respective jurisdictions; and

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund (“County Trust Fund”), provides grants to municipal governments for Technical Assistance involving Floodplain Protection planning; and

WHEREAS, these grants are made available to develop a Floodplain Acquisition Plan (“FAP”) for a municipality to document and map past flooding events, flooding impact, and identify areas of greatest need of assistance for the removal of existing structures and homes and develop conceptual design plans to restore and/or conserve the natural functions of floodplains once structures are removed; and

WHEREAS, services are made available through The Land Conservancy of New Jersey and The Rutgers Cooperative Extension Water Resources Program on a shared service contact basis at no cost to the municipality; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, Bergen County, New Jersey, pursuant to the provisions of N.J.S.A. 40A:65-1 et seq. that the Mayor is hereby authorized to execute, and the Borough Clerk to attest, a Shared Services Agreement between the Borough of

Hillsdale and County of Bergen, for the development of floodplain protection plans, a copy of which Agreement is annexed hereto and is on file in the office of the Borough Clerk, and available for public inspection; and

BE IT FURTHER RESOLVED that a copy of the aforesaid Agreement shall be filed with the Division of Local Government Services in the Department of Community Affairs.

R17163 Authorize the Borough Clerk to Advertise Requests for Qualifications for Public Defender

BE IT RESOLVED, that pursuant to N.J.S.A. 19:44A-20.4, et seq. that the Borough Clerk is hereby authorized to advertise for the service for the following open position for the remainder of the year 2017:

PUBLIC DEFENDER

R17164 Resolution Endorsing 2017 Community Development Projects for AAH of Bergen County, Inc.

WHEREAS, a 2017 Bergen County Community Development grant of \$26,100.00. has been proposed by AAH (Alliance Against Homelessness) of Bergen County, Inc. for permanent supportive housing for the homeless mentally ill in the municipality of Hillsdale; and

WHEREAS, pursuant to the State Interlocal Services Act, Community Development funds may not be spent in a municipality without authorization by the Governing Body; and

WHEREAS, the aforesaid project is in the best interest of the people of Hillsdale; and

WHEREAS, this resolution does not obligate the financial resources of the municipality and is intended solely to expedite expenditure of the aforesaid CDBG funds;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale hereby confirm endorsement of the aforesaid project; and

BE IT FURTHER RESOLVED, that a copy of this resolution shall be sent to the Director of the Bergen County Community Development Program so that implementation of the aforesaid project may be expedited.

R17165 Resolution Awarding Bus Transportation Contract for Summer Camp 2017 to First Student, Inc.

WHEREAS, the Borough of Hillsdale promulgated requests for proposals for bus transportation services for Summer Camp 2017; and,

WHEREAS, the proposals were promulgated by the Recreation Department; and,

WHEREAS, Five (5) companies were requested to provide quotes; and

WHEREAS, One (1) company responded and provided price quotes, they were First Student Inc.; and,

WHEREAS, the quote to include air conditioning service and after care was from First Student, Inc. in the total amount of Thirty Four Thousand Five Hundred Thirty Five Dollars and No Cents (\$34,535.00); and,

WHEREAS, First Student, Inc. has also met all of the specifications for the provision of municipal busing services.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the contract for air conditioned busing services for Summer Camp 2017 is hereby awarded to First Student, Inc. located at 53 Central Avenue, Rochelle Park, New Jersey 07662 and the Mayor and Acting Borough Clerk are hereby authorized, on behalf of the Borough, to execute any and all documents with First Student, Inc. for air conditioned busing services for Summer Camp 2017 in the total amount not to exceed Thirty Four Thousand Five Hundred Thirty Five Dollars and No Cents (\$34,535.00). A copy of the executed Agreement, if applicable, shall be on file in the office of the Borough Clerk.

R17166 Award of Contract – ADA Improvements – Hillsdale Railroad Station Restroom

WHEREAS, the Borough of Hillsdale is desirous of entering into a Service Agreement with Fire Med Grant Solutions, LLC, PO Box 9161, Allentown, Pennsylvania 18105, to provide assistance with grant writing for emergency services; and

WHEREAS, the Borough wishes to retain the services of Fire Med Grant Solutions, LLC for providing assistance with grant proposals and submitting all necessary documents to appropriate funding sources for Firefighter Operations & Safety related projects; and

WHEREAS, the Borough will fund the agreement for an amount not to exceed Two Thousand Dollars and No Cents (\$2000.00) for a single project and an amount not to exceed an additional Five Hundred Dollars and No Cents (\$500.00) for each additional project; and

NOW, THEREFORE, BE IT RESOLVED that the term of this Service Agreement shall be for a term of one (1) year commencing May 16, 2017.

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into such agreement with the Fire Med Grant Solutions, LLC, PO Box 9161, Allentown, Pennsylvania 18105.

R17167 Authorization to Enter into a Service Agreement for Grant Writing Services with Fire Med Grant Solutions, LLC.

WHEREAS, the Borough of Hillsdale is desirous of entering into a Service Agreement with Fire Med Grant Solutions, LLC, PO Box 9161, Allentown, Pennsylvania 18105, to provide assistance with grant writing for emergency services; and

WHEREAS, the Borough wishes to retain the services of Fire Med Grant Solutions, LLC for providing assistance with grant proposals and submitting all necessary documents to appropriate funding sources for Firefighter Operations & Safety related projects; and

WHEREAS, the Borough will fund the agreement for an amount not to exceed Two Thousand Dollars and No Cents (\$2000.00) for a single project and an amount not to exceed an additional Five Hundred Dollars and No Cents (\$500.00) for each additional project; and

NOW, THEREFORE, BE IT RESOLVED that the term of this Service Agreement shall be for a term of one (1) year commencing May 16, 2017.

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into such agreement with the Fire Med Grant Solutions, LLC, PO Box 9161, Allentown, Pennsylvania 18105.

R17168 Resolution to Approve the Plenary Retail Distribution License Renewal for Shop Rite Liquors of Hillsdale for 2017-2018

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Distribution License Renewal Application for renewal approval for the license renewal term of 2017-2018;

WHEREAS, The Mayor and Council of the Borough of Hillsdale, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized to sign and deliver said license on behalf of the Borough of Hillsdale.

R17169 Resolution to Approve the Plenary Retail Distribution License Renewal for Palisades Park Bar Liquor & Delicatessen Inc. (A/K/A Lou’s Tavern) for 2017-2018

WHEREAS, The Municipal Clerk is submitting the following Plenary Retail Distribution License Renewal Application for renewal approval for the license renewal term of 2017-2018;

Lic# 0227-33-008-002 Palisades Park Bar Liquor & Delicatessen Inc. 74 Broadway
(A/K/A Lou’s Tavern)

WHEREAS, The Mayor and Council of the Borough of Hillsdale, has no objection to the renewal of this license and is not aware of any circumstances that would prohibit the renewal of said license.

NOW, THEREFORE, BE IT RESOLVED, that the Borough Clerk is hereby authorized to sign and deliver said license on behalf of the Borough of Hillsdale.

R17170 Award of Contract – Year 2017 Road Program Base & Alternate Bids (Update Resolution 17134 to Include Alternate Bid)

WHEREAS, sealed bids were requested through advertisement pursuant to New Jersey Local Public Contracts Law for 2017 Borough Road Program; and

WHEREAS, nine (9) contractors returned the sealed bid documents on May 4, 2017; and

WHEREAS, Mike Fitzpatrick Equipment Co., Inc., 18 Cozy Lake Road, Oak Ridge, New Jersey 07438, was the lowest responsible bidder in the base bid amount of Four Hundred Forty Four Thousand Nine Hundred Twenty Seven Dollars and No Cents (\$444,927.00) and also for the Alternate Bid for Stonybrook Swim Club West Lot in the amount of Thirteen Thousand Five Hundred Dollars and No Cents (\$13,500.00);and

WHEREAS, the Borough Engineer recommends that the contract be awarded to the low bidder; and

WHEREAS, the Borough Attorney has reviewed the bid package and found it to be in order; and

WHEREAS, the Borough Administrator concurs with the recommendation of the Engineer.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Hillsdale as follows:

1. This award is made to Mike Fitzpatrick Equipment Co., Inc., the lowest responsible bidder, in the base bid amount of \$444,927.00 with the services to be provided in accordance with the bid package and specifications prepared by the Borough Engineer’s office which were used in the bidding process and are considered part of this award.
2. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
3. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.

Council Member Karcich asked that Resolution R17165 be pulled for a separate vote.

Council Member Lundy asked that Resolution R17151 and R17152 and R17161 and table it until next week.

Motion by Council Member Lundy, Second by Council Member Segalas, and unanimously carried.

Mayor Frank said we are voting on the entire list with the exception of R17151, R17152, R17161 and R17165.

Motion by Councilmember Karcich, Second Councilmember Lundy.

Roll Call Vote:

Ayes: Councilmembers Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

Nays: None

Absent: Councilmember DeRosa

R17165 – Resolution Awarding Bus Transportation Contract for Summer Camp 2017 to First Student, Inc.

Motion by Councilmember Segalas, Second by Councilmember Pizzella.

Roll Call Vote:

Ayes: Councilmembers Lundy, Pizzella, Segalas, Council President Ruocco

Nays: None

Abstain: Councilmember Karcich

Absent: Councilmember DeRosa

OFF-CONSENT:

Motion _____ Second _____

Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

COUNCIL COMMENTARIES:

Councilmember Lundy congratulated Denise Kohan on her position as Borough Clerk, very well deserved as well congratulating Ryan Franco on his appointment. She thanked the Police Department and Emergency Services for extending invitation to Project Crash today. It was a very powerful presentation. Councilmember DeRosa is not here this evening because his son is graduating and his son is at the Pascack Valley Senior Award Ceremony and it was my honor as President of PVSA to present his son with a scholarship this evening.

Councilmember Segalas said he attended the Cops and Bobbers event with his daughter and another family out of town and they were thoroughly impressed. They could not believe the comradery that they saw not only between the Council people and emergency services who were kind enough to give of their time and how kind everyone was to each other. Congratulations to Borough Clerk Denise Kohan, she has made my transition into my position a smooth one. Many thanks to the Police Department; his family had need for some help and the Police Department is a phone call away and accessible to us and is thankful for everything they provide.

Council President Ruocco expressed his congratulations to Denise Kohan for achieving this milestone; I know how hard she has worked and demands of the job and it is an accomplishment she deserves. He thanked all the EMS workers who put together Project Crash; last year the helicopter did not arrive, this year it did and made the whole event very significant but the most significant when Officer Smith talked about his own personal experience with his brother and how his brother was involved in an accident and ultimately passed away; he made it very personal for the students who were about to celebrate their graduation, go to their proms and brings home the importance of not drinking and driving, not texting and driving. Your whole life can change in an instant when you do something like that and have an accident.

He expressed great satisfaction for the Resolution that we passed on the flood acquisition plan tonight; this is something in which he put much effort in learning about it. It is a progressive way of looking at the town's problem with respect to the land in Glendale Park and some other spots where we can get free resources from Rutgers University and the land conservancy group to look at the area, come up with a plan for how this town can buy out through some sort of development process bring back that land to its fallow state to make it serve the purpose that originally was intended to absorb the flood waters. It is a first step and a free first step.

Councilmember Karcich thanked Denise Kohan and it is a pleasure working with her and he also congratulated Brian for Project Crash Team and will reserve his comments on the farm at the next meeting.

Councilmember Pizzella thanked everyone for coming out and he always encourages residents to get involved. No one here wants to see a farm go out of business regardless of what people may think. It is not political; it has to do with health and safety. He was offended by someone stating that what we are doing in Hillsdale is

like Nazi Germany. I don't think anything could possibly rise to that and it shows a lack of sensitivity. He thanked Officer Sean Smith for leading the new group, Historic Preservation; he has organized meetings and has been successful so far. There is a new committee that he was trying to get help with Access to All and that committee is working with the County and a woman on the committee who lost her leg in an accident and she is still getting involved in the community and is doing something very positive. He congratulated Denise Kohan who has always been a hard worker and consider a friend. He congratulated the new Borough Prosecutor. He hoped everyone would have stayed because he always asks to support the fight against Waste Management. You can sign the petition and come to any further hearings and appreciated everyone's support,

Borough Administrator DeJoseph congratulated Denise Kohan on her hard work and successfully passing her test. It's been over a year and it has been a pleasure working with her.

Council President Ruocco said what Councilmember Pizzella alluded to about the person who spoke about the actions the Police Chief and we took last year in terms of closing the streets for those weekends and how he said this was the equivalent of Nazi Germany. This is the type of rhetoric that doesn't do anybody any good and it isn't about politics, it is about safety. We can argue back and forth and those are tough decisions that have to be made, but when you have a speaker like that come up and accuse our Police Chief and the rest of us as being Nazi Germany, it is disconcerting; we are all subject to potential litigation personally as well as the Council. The farm intends to sue us and have made charges in terms of racial discrimination; I personally find that offensive because ~~he I have~~ has an inter-racial family and I find it very offensive to bring up points like that, ascribe them to us as Council people when we are trying to do the best job we can and weigh the pros and cons of both arguments and come up with the decision that makes sense, also when we are trying to extend ourselves to the farm to try to resolve the situation and bring the matter to a favorable conclusion. That type of rhetoric doesn't do us any good and designed to inflame and not bring us together.

Councilmember Lundy congratulated our Acting-DPW Superintendent for getting his certification and passing his exam.

Borough Clerk Denise Kohan thanked to the Mayor and Council and the Borough Administrator for having faith in her and giving her this opportunity. She will do the best she can and thanked her family and friends who have been supportive trying to get through the tests and classes; a special thanks to our previous Borough Clerk Bob Sandt who was her mentor.

Mayor Frank said she had a high score and it has been a pleasure to work with her. She made his work a lot easier as Mayor.

Mayor Frank said a couple of years ago we started the project about the FAA, the airplane noise coming over Hillsdale; it redirected some of the planes and he asked for some volunteers and two residents responded. There is a hearing June 15 in Hackensack with the FAA. Hackensack has a very serious problem because the planes that are very loud drop down so low when they go by Summit and Prospect in Hackensack and the people claim they can see the pilot's eyes and they are creating vibrations over the hospital. These gentlemen will help us along with Woodcliff Lake who has the same problem and the gentlemen will take turns going to these meetings for us and providing feedback to us. The people in Hackensack are up in arms and we are hoping to get the FAA to repeat their test of bringing the planes down over Route 17 which is a much less populated area and a lot safer.

He stopped by Beechwood Park last week when the Bible Church was there repairing the tables and putting down mulch. What a wonderful group of people and the work they did; we have a lot of work at Beechwood Park, the band shell in particular, we have grant money coming and need to dress it up. It is the largest open space we have in town, I believe 20 acres between the walkway and all the way down to the park and we need to pay more attention to it, we intend to pay more attention to it and make it a useful park for the town.

He sent out a note on PSE&G about the noise, they are driving 60 ft. pilings into the ground at the corner of Prospect and Knickerbocker and will go on probably through the 19th. You can hear it all over town but it is all part of the project and they are abiding by our noise ordinance so we should understand.

He said Councilmember Segalas mentioned the ordinance review process and he is moving ahead on the parts he has and he has a meeting scheduled for Tuesday and try to get these things finalized. We will have a tremendous impact talking about the floor area ratio, building heights and a few key items that create a lot of variance requirements and put our residents in front of the Planning Board instead of letting them do improvements to their home. That is what we are trying to accomplish.

Waste Management update. He spoke to the head of Waste Management's Solid Waste Division last week and asked him for an update. He said he hadn't received the transcripts from the stenographer and it is going to be a

while; they had a meeting with the head of DEP and this is not going to be a short term solution and it will take a while before we get anything back from the DEP.

For some of the people up here, this might have been the first time to have standing room only and have people who are not pleased with you; unfortunately I have had that happen to me before and it is not pleasant. We don't do it to create enemies and don't do things against the farm or the town or against anybody. We represent 10,200 residents and represent all their visitors that come and the people who shop in town. You may get 60 or 80 people in here but that is not everybody and we have to do what we think is right and not when you have 50 people staring you down and telling you that you are being political and doing this and things they allude to about Germany. I am part German; we are trying to work with the farm just like we try to work with anybody and the farm has been a good neighbor. He hasn't heard of anybody having problems with the traffic and parking and safety and hasn't heard anybody say they want the farm closed. People say we love the farm, we want it to be there but we are working with them; we have no control over Smith School and the Board of Education, we have a commuter lot, we passed that for them tonight and if Jason and the farm can get the Tandy Woods property, this Council will work with them to create an agricultural zoning to make it very simple for them to add another 300 cars. We would then have a total of about 800 to 900 cars at any one time to park between his lot, Smith School, Tandy Woods and the commuter lot, that is a lot of cars for a farm, 17 acres. We are going to help them as best we can but what we saw there in public safety with children and the street sharing them with cars; there are some wonderful statistics on distracted driving and the danger pedestrians are in today, I think this is something which we need to find a different solution than having kids walking down the street along with cars.

ADJOURN TO CLOSED SESSION:

Motion _____ Second _____

Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

RECONVENE REGULAR MEETING:

Motion to reconvene _____ Second _____

Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

ADJOURNMENT:

Motion to adjourn by Councilmember Karcich, Second by Council President Ruocco, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
June 13, 2017 7:30 PM**

Denise Kohan, Municipal Clerk

APPROVED AS PRESENTED

Denise Kohan, Municipal Clerk