

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, September 3, 2019, in the Council Chamber, Borough of Hillsdale, New Jersey.

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

**OPEN PUBLIC MEETING STATEMENT:**

This is a meeting of the Hillsdale Borough Council on this 3rd day of September, 2019. Notice of the time and place of this meeting has been provided to The Ridgewood News and The Record; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please notify the Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your left. Please silence all cell phones.

**ROLL CALL:**

Council Members DeRosa, Escobar, Horvath, Lundy, Segalas, Council President Pizzella, Mayor Ruocco, (Labor Attorney R. Wiss, CMFO DeJoseph, Borough Clerk Kohan)

**PROMOTIONS/PROCLAMATIONS/RECOGNITIONS -**

Life Saving Award – Joseph Dargan

Police Chief Robert Francaviglia

[Drive Sober or Get Pulled Over 2019 Statewide Crackdown](#)

Mayor John Ruocco

Police Chief Francaviglia welcomed the Dargan Family. He thanked Mrs. Dargan for sharing this story with the Hillsdale Police Department, it is probably the best story he has ever heard of in his entire 26 year career as a police officer. He introduced 13-year-old Joey Dargan for life saving tonight. A few weeks ago, Mrs. Dargan stopped by at police headquarters and wanted to thank Sergeant Camporeale and Officer Sayers as well as other members of the Police Department for teaching her son the Heimlich maneuver while he attended the Youth Leadership class back in June. She further explained that while her family was on vacation this past summer Joey and his cousin was hanging out like most other 13-year-old boys do. When Joe's cousin started to choke on a food item ultimately blocking his airway to the point where his cousin couldn't breathe anymore. Joe jumped into action and administered the Heimlich maneuver he was taught at the Leadership Academy. After several abdominal thrusts Joe dislodged the food item until his cousin started to breathe again. That said on behalf of the Borough of Hillsdale and the Hillsdale Police Department I would like to present Joe with a Life Saving Plaque and Sweet Tarts from Joey's former Teacher's Aid, Mrs. Francaviglia, who couldn't be here tonight. You stayed cool, calm and collected during this episode and we truly appreciate your being brave. As a final note I want to say I am very proud of these officers for what they accomplished at the Youth Leadership Academy; without these guys taking the time and effort they put into Hillsdale's youth something like this may never ever happened.

Officer Sayers said when he heard this news I started crying, I was so proud of him, this whole story really touched my heart. The second year of the Youth Leadership Academy and he was so on point every single time that half way through this year's Academy I had to start calling TV time, we yelled at everyone but never had to yell at him once. I call it TV time because he was on point, paid attention to everything he was supposed to do and it goes to show that I am so proud of you, thank you for everything.

Mayor Ruocco said Joe, you should be very proud of yourself, the fact that you got the recognition from the police, parents, from the Council. It is not every day that someone does what you've done. You will remember this and your cousin will remember this as well. Again, my hat is off to you.

A Proclamation from the Mayor a day or two late; Drive Sober or Get Pulled Over 2019 Statewide Crackdown from the second half of August until Labor Day. We get a grant from the government to help fund this effort; our police try to participate in this every year. This year again they were successful and they had a very successful campaign in driving home the message here in Hillsdale to drive sober or you are going to get pulled over. He thanked the police for their efforts here and I signed the Proclamation even though it was post fact. We were notified of the award at the beginning of August and we really didn't have a chance at the previous Council meeting to put together the Proclamation. I want to thank the police for implementing this.

**PRESENTATIONS:**

Fran Reiner – DMR Architects – Redevelopment

Francis Reiner, DMR Architects, 777 Terrace Avenue, Hasbrouck Heights, NJ. I am going to give you a brief overview of where we are in the redevelopment process. Back in January 2019, through Resolution 19039, Mayor and Council had referred to the Planning Board a request to determine whether or not certain properties met the criteria as an area in need of redevelopment without condemnation. We went through that process, we reviewed 23 properties essentially located in what is typically known as the industrial zone for the Borough. We presented those findings to the Planning Board over several months in the spring and early summer. The Planning Board had made recommendations that all of the properties with the exception of two be considered for designation for redevelopment without condemnation. Tonight, I will talk about what the next steps might be in this process. In the redevelopment law there are two essential steps in the process; the first is to determine whether or not properties meet the criteria, that would be investigation study, that is what we have concluded and presented to the Planning Board and recommendations have gone to the Mayor and Council. If adopted and when adopted, the next step in that process would be a redevelopment plan. The redevelopment plan essentially represents the zoning for the particular area that has been designated. There are two different options that the Mayor and Council will have when it comes to the redevelopment plan; the first would be an overlay zone meaning that the underlying zoning is still valid and legal but that you have placed new zoning on top of it allowing for developer's property, the owners to develop the property with either the overlay zone zoning or existing underlying zoning. That is one option that you would have. The other option would be to supersede the underlying zoning which means that the zoning that is in place currently would no longer be valid, it would only be the new zoning that would be in place. Just a couple of points of clarification; if you do it as superseding zoning, the existing businesses or people who operate will be able to continue to maintain, there is no requirement of anybody of changing their business or changing their use even if the new uses are not permitted. They are commonly referred to as existing non-conforming uses so you have two options as Mayor and Council. One, to do a redevelopment plan that supersedes, the other is to do a redevelopment plan that would be an overlay zone allowing both the underlying zoning and the overlay zone to be valid zoning. This is adopted as an ordinance since it is a zoning change and then there are two options for you to move forward with.

The first is you could refer the redevelopment plan to the Planning Board and essentially ask the Planning Board to put together the redevelopment plan on behalf of the Borough or as the Mayor and Council you could act as the redevelopment agency and you could put together the criteria for the redevelopment plan. Those are the options you will have before you in the next several weeks and I will be happy to answer any questions anyone might have. Just to be clear, this is non-condemnation, no properties can be taken, no property owner right be removed through this process, so it is just a matter of the municipality looking how it can determine how it can meet some of its obligations from an affordable housing standpoint and how it can have a vision for a future development and redevelopment in those particular areas.

Mayor Ruocco said just to be clear the Council has not yet passed the resolution that would allow us to even proceed to those next steps. We will discuss the matter tonight but we will probably take up the matter next week.

Mr. Reiner said this would be after the Mayor and Council were to move on determining the investigation and whether or not which properties they want to designate.

Mayor Ruocco said the redevelopment of the industrial zone is mentioned in affordable housing requirements and there is a connection between the two.

Mr. Reiner said yes and Mayor and Council has the right to consider the recommendations the Planning Board provided, they can designate all of the properties regardless of what the report says, they can designate a portion of those properties, it is really a Mayor and Council decision; the Planning Board is simply a recommendation based on the testimony that was provided to the Planning Board. The Mayor and Council has the authority to determine which, any, all or some of the properties to be designated.

Mayor Ruocco asked if he could clarify the two options; the overlay zone and then "supersede. "

Mr. Reiner said the redevelopment plan essentially represents new zoning if you were to adopt a redevelopment plan for that particular area that would be the new zoning for that particular area. The choices you have to make is that you can do the new zoning as superseding meaning that the underlying zoning would no longer be allowed. The uses that are currently there are called existing non-conforming uses meaning that the businesses could still operate, no change in operations, no change in uses, they are just understood as being non-conforming. The redevelopment plan can say that they could modify or it could say they cannot modify so you have some good flexibility with superseding. The overlay means that the existing underlying industrial zone would remain and you would have a new zoning placed on top of it which typically would allow for additional uses, additional heights, reduce the parking ratios, reduce some of the bulk standards. Those are the two options you have.

Council President Pizzella asked if you could explain say business A has been there forever, how is that affected after the overlay is designated. Can this business sell to another business?

Mr. Reiner said all of that would have to be detailed in the redevelopment plan. The language of the redevelopment plan could essentially vie for that option if the Mayor and Council, Planning Board, so choose to. It is not set in stone, the answer to that question is predicated on how the redevelopment plan is written. It can be written so that an existing property can sell to another owner, they can put the same use in or it could say they would have to come back for a variance or it could say that is not permitted. There are a wide range of options that the Mayor and Council, and I know the Planning Board have as they write the plan.

Council President Pizzella said with the overlay zone the only thing you can do is to increase the amount of uses. You are still allowed the old uses.

Mr. Reiner said yes, absolutely. If the existing use is permitted, then the bulk standards would require based on what they currently are; if a new use which is not permitted is requested, then bulk standards, height would be based on the new use. The overlay is a more flexible option.

Council President Pizzella said if we wanted to remove industrial uses, industrial manufacturing, any type of industrial use from that area without harming the people who are currently there, we wouldn't go to overlay, we would go to new redevelopment plan.

Mr. Reiner said you would be superseding the redevelopment plan which would allow the existing businesses to remain in operation until such time that they were either sold and/or the business was closed and it would no longer be an existing, non-conforming and they would have to meet the new requirements of the redevelopment plan.

Council President Pizzella asked if they were willed to their children, would that continue.

Mr. Reiner said as long as the use remains in effect then yes, it would continue indefinitely. Because it is non condemnation no one would have the authority to take anybody's property.

Council President Pizzella said in order to secure that area to continue as an industrial area past this generation and to make sure it becomes something new; we would probably want to go with the superseding zoning.

Mr. Reiner said if your objective is to ultimately over time to have the industrial uses no longer on those properties then you would want to supersede. That would be the recommendation I would make as a Planner.

Mayor Ruocco said we will have the opportunity in the future to discuss these questions.

Council President Pizzella asked if he could give us an idea how the process went with the Planning Board, just a quick summary so the public understands the Planning Board went through a detailed process to get this far.

Mr. Reiner said the report is 147 pages plus several hundred pages of appendix and supplemental information. Their redevelopment requires each property be determined whether or not it needs statutory criteria as laid out under the law. That means that each individual property has to be looked at as an individual property to determine whether or not that specific property meets the criteria. There are eight criteria but seven is what we look at as professionals. You have to meet at least one of those criteria, each property has to meet one criteria and if it meets that criteria then essentially you can make a recommendation that it be designated. As part of the process we ascertain all of the police records, tax assessor's records, we go and physically visit each site; I've been out to the industrial area probably a couple dozen times over the last several months, we photograph everything, we then scrutinize it in terms of how it meets or doesn't meet the criteria, we draft a draft report for each individual property to determine whether or not how it meets the criteria of the properties that we looked at. We looked at 23 properties; there were two properties we felt did not meet the statutory requirements and recommended would not be included; the other 21 we recommended would be included. We then go and present in front of the Planning Board, we had three separate meetings, several hours each meeting, where we would walk through each property and discuss the merits of why we recommended that the particular property did or did not meet the criteria, answered questions by the Board as the process was going through and over the course of three meetings we were able to get through all the properties, make our recommendations and provided the report to the Planning Board which now is in either a draft form of resolution for consideration by the Mayor and Council. There were objectors, attorneys that attended the meetings; that objector represented four individual properties; they had a Planner who had refuted some of the findings we had and we presented those findings after questions by the objector and his attorney. I don't know what the vote was from the Planning Board, it was not unanimous but it was a majority for the recommendations we put together but there was objectors and that is important for several reasons. The Borough's objective should be to how to move this process along and you have to take into

consideration whether or not a lengthy litigation or other issues could come up as a part of your assessment in determining which properties should or shouldn't be designated. It is not uncommon to take those into consideration and determine which properties are ultimately designated in order to allow the process to continue to move forward and allow the municipality to really do what it wants to do which is to determine how to create a vision for and ultimately see some change in that part of the Borough.

**OATH OF OFFICE/APPOINTMENTS:**

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

Mayor Ruocco opened the Initial Public Comment period at this time, seeing no one, the Initial Public Comment period was closed.

**APPROVAL OF MINUTES:**

Council Meeting July 16, 2019  
Council Meeting Minutes August 7, 2019  
Closed Session Minutes August 7, 2019

Motion by Council Member Lundy, Second by Council President Pizzella.

Roll Call Vote:

Ayes: Council Members Segalas, DeRosa, Escobar Horvath, Lundy, Council President Pizzella

Nays: None

**PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:**

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

[Hillsdale Police Department – August 2019](#)

Hillsdale Fire Department – July 2019  
Department of Public Works  
Borough Engineer – August 2019  
Tax Department Report August 2019

Police Chief Robert Francaviglia  
Fire Chief Thomas Kelley  
DPW Superintendent William Haffler  
Borough Engineer Christopher Statile  
Tax Collector Report

Police Chief Francaviglia said during the month of August there were 93 dispatching shifts, seven dispatch shifts covered by police officers, two shifts overtime; this past month 334 motor vehicle stops and 14 criminal arrests. We had National Night Out and we previously discussed that. This past month the department started the accreditation process and the Captain will be busy being the accreditation manager and will take approximately one year to complete and will bring us to the 21<sup>st</sup> century for updated policies and procedures which is a good thing to do. Schools are open, pay attention; he has seen disturbing video seeing cars going around school buses with their flashing stop lights, stop signs out and kids almost getting hit by cars and some getting hit by cars. He urged all motorists to pay attention to buses stopped in the street and crossing guards as well. We have had stolen cars in the area and people are continuing to leave their key fobs in vehicles. He suggested taking the key fob out even the spare in the glove box otherwise you are leaving your car out for theft. Remove all personal items from the vehicle, lap tops, etc. Parking restrictions on the west side of town are in effect from now until the end of October.

Borough Engineer Statile said it is very busy and will get busier in Hillsdale in the next month or two. The road program paving is completed and the contractor will be striping the streets probably tomorrow. The three RR crossings are completed except for a couple of puddles on Washington Avenue and the DOT will complete that work as soon as possible and was caused by the county road as opposed to the RR. They will fix it in any case. The 2018 Municipal Aid which is the pedestrian improvements on Piermont Avenue and if you go out by Meadowbrook School all sidewalks are completed which is nice because you can walk from Old Tappan down through Hillsdale because everything is now all connected by sidewalks. With the development of the country club all property is brand new and connected to the work we just did and all tied in together and worked out well. There is some work to finish up and from there the contractor is moving to Beechwood Park and the band shell and get some concrete work done before the Hillsdale Festival and then the DPW area with concrete work and then to Kinderkamack and Magnolia that section of Piermont. The big trees there will be taken down but devoting some of the town work first. He will be there the latter part of September to finish.

The Public Service substation upgrade work is one in the complex but now see them radiate out of the complex. They are before the Planning Board for Phase 4 improvements in the compound. They will be installing elevating

transformers with concrete blast walls in their building up on a platform. Those concrete walls will match the motif of the existing building and it will look nice. They are replacing fencing with metal fencing and that is what is going before the Planning Board in the next few months. If approved, the work will start in 2020. The elevations are because of the flooding. If there was an explosion it protects anything near it and that is required by federal law. Meanwhile they continue with the main hall, cleanup work as well. That would be completed by July 2020. As part of the whole program they are going to upgrade their service from Hillsdale substation down to Paramus and to Dumont, new utility poles and new wire work. The substations are going to be connected. They want to install 65 ft. to 70 ft. tall utility poles; mostly of the routing is on the county road system but some on the local roads in Hillsdale. He and the Administrator will be meeting with them tomorrow to keep them together and going on the county roads; all the existing poles will be replaced. That is the work planned for the overhead work which includes tree trimming and removal as well.

Mayor Ruocco asked if there was any negative reaction from other towns.

Engineer Statile was unaware of any. The poles are high voltage and have to go up high.

Mayor Ruocco said the poles in Paramus are on county roads so they are not on private property. Here they want to do some on both. Administrator DeJoseph said that is his concern.

Engineer Statile said our substation is fixed within our local street system whereas others are on county roads. Ours is stuck in the industrial zone. We are going to try to persuade them to keep them on Patterson Street and from there go down the county roads. The Administrator and I will meet with them at 1:00 PM tomorrow to see what we can work out.

On Saddlebrook Drive they are building a freeze pit; they will be doing this for splicing of their cables; they now have the underground system and this will be there for about a month and a half or two. The work will be quiet, there might be some noise during the daytime but they do not plan any night work. The police will be assisting them. It is a local street and you will be able to get around it. We will be notifying residents on September 4 and 5 by hang tags and knocking on doors. In addition, they are running new conduit from the substation down Prospect Place, Orchard Street by the school, onto Patterson Street all the way up to the substation. This is all new electrical work as well. This will affect the local schools as well. They are testing now with the man holes; once they are completed they will get the roads paved curb to curb. They pay for that. It is all part of the substation work. That is pretty much of the electrical side of what will be happening. It will be busy and a lot of confusion. They also plan to do a gas main replacement on Hillsdale Court, Ell Road. There are no other gas mains anticipated in town. That is where we are with Public Service.

Centennial Field monitoring, our sub-consultant submitted their air quality permit modifications report on August 16 and that addresses the violation notice on pipe sizes and methane thresholds. It also eliminates the other gases we have been detecting. It takes about 90 days for their approval and Lois will be working with the DEP to get that modification approved. We have the sensors coming shortly and they will be calibrated and working properly. Ramps are being constructed on Piermont Avenue behind where the contractor just finished and these ramps for the county, using the county's contractor, and they will be doing our Community Development block grant ramps throughout our town as well. There is a resolution on tonight to use the county's contractor for our ramps. That work is expected to start next week, those are for handicapped ramps. In terms of Veterans Park, War Memorial, the stones have been approved and the concrete color has been selected as well and the contractor is going to get that work shortly. Hopefully we will see action in a month or two. Open Space Grant, at Memorial Park our survey was completed on Friday; you don't have any survey for the entire park, drainage, dugouts, and that has all been done and we will have a survey of the entire park to see what we are doing there.

Mayor Ruocco said this is in anticipation of how we will be spending the grant plus our own contribution to improve that field.

Engineer Statile said we were guessing what would be done but now we have the information.

Council Member DeRosa said you will be making suggestions how to spend the grant money and we want to work on the baseball field. Hold off on the softball field because there is potential over time to elevate the height of the softball field and also remediating that and level it out.

Engineer Statile said if you are familiar with the field you will notice the field is about the field house. They have been adding clay every season and the fields are getting higher and higher and the dugouts lower and lower. That field was now tied into the football field and we will try to clear the field of excess material toward the football field and lower the football field as well. There is a plan but it takes time.

Council Member DeRosa said the money that we have from the grant would not support doing that work.

Engineer Statile said he did not know, my gut says probably not. There is a lot of excavation work and he can't determine that right now.

Council Member DeRosa asked if we can go out for bid to do the work on the baseball field and have it done before opening day.

Engineer Statile said we do it now, get it established over the fall and spring time and get it planned next spring.

Council Member DeRosa asked if we could go out for bid next meeting.

Engineer Statile said he hoped get working on it the next two weeks.

Council Member DeRosa said we could get it approved in October. Can a contractor start and get work done before it freezes?

Engineer Statile said yes, it has to be mostly earth work and we can put sod in right up to December plus the irrigation lines are in the field and we don't expect freezing temperatures until January, so we will be fine.

Council Member DeRosa wasn't aware of a drainage system under Memorial Field.

Engineer Statile said it comes down the parking lot to the field house and catch basin behind the baseball field and goes diagonally across the field to the gravel parking lot, picks up drainage along Hillsdale Avenue and together they go to the swamp. It is one big concrete pipe about 30 inch diameter. You are putting a lot of drainage across the field. It's been there since the field was created.

They can say they are not going to do it that way, we have other ways of telling them and get on our side. There is a deal that regulated Public Service and utilities and the last thing they want us to do and call the Secretary of the DEP and have a meeting with them and members of the Commission. They don't want anybody to do that because it affects their rates. We don't have any solar panels on utility poles because we threatened to go to the BPU. We don't have to look at all that stuff on the poles. We will see how our meeting goes.

#### **COMMITTEE REPORTS:**

Councilman - Anthony DeRosa

Councilman - John Escobar

Councilman – Zoltan Horvath

Councilwoman - Abby Lundy

Councilman – Steven Segalas

Council President – Frank Pizzella

Councilman DeRosa said Ambulance Service met last week and they expect to receive the new ambulance any day. They said the Borough has helped them as best we could and they will be purchasing new stretchers which are a high-ticket item and they are concerned about their funding. They are considering holding back on the annual installation dinner; that is great team building and gracious enough to invite Mayor and Council and other agencies but they are being extremely prudent with their spending. I give them a lot of credit for that, they had money in the bank but they have used it. Recreation will be meeting Thursday and having recognition of the team that won the regionals and they are working on that and everyone is looking to the Fall Festival in two weeks. He will reserve comments for next week.

Councilman Escobar said the Board of Health is meeting right now as it is the first meeting back from the summer break. The flu shot clinic is scheduled for October 2 from 5PM to 7PM and insurance will be accepted Part D; \$25 for regular vaccine and \$35 for other vaccine. Children under 17 can be vaccinated if a parent is present and residents from any town may attend. Rabies vaccination clinic is November 13 from 6PM to 8PM for dogs and cats at the DPW. The Fire Department is currently conducting a drill.

Mayor Ruocco asked if other towns offer reciprocity so if residents want to go to other towns offering these shots; we provide non-residents and hope they do the same. Councilman Escobar said he is not sure but will find out.

Councilman Horvath will delay his report until next week.

Councilwoman Lundy will delay her report until next week.

Councilman Segalas will delay as well.

Council President Pizzella will delay as well.

**NEW BUSINESS:**

**CORRESPONDENCE:**

1. [Email/Mail received August 19, 2019 from Benjamin Keren 156 Saddlewood Dr regarding disturbance on Prospect Place.](#)

Motion to receipt and file by Council Member Horvath, Second by Council Member DeRosa, and unanimously carried.

2. [Letter dated August 21, 2019 from the Borough of Lodi expressing gratitude to the Borough of Hillsdale for the donation of the 2006 Gulf Stream Trailer to the Lodi Office of Emergency Management.](#)

Motion to receipt and file by Council Member Segalas, Second by Council Member DeRosa, and unanimously carried.

**DISCUSSION:**

[PSE&G – Saddlewood Dr Project Email](#)

Borough Administrator Jonathan DeJoseph

Borough Administrator DeJoseph said we will find out the details of the Saddlewood Drive Project tomorrow. The concern he has is that they will be working 24 hours for a week at a time and we are not sure if they will be physically working at night.

Police Chief Francaviglia said he understood one week of 24 hours a day.

Mayor Ruocco said if it is 24 hours a day, he hopes that it is not noise filled for the entire time..

Police Chief Francaviglia said they will be working in a hole and that should be fine. Residents will be able to get to their homes.

**PUBLIC COMMENT:**

Mayor Ruocco opened the Public Comment period at this time.

Ian Askins, 87 Oaktrail Road –

He had a question for the Engineer. He understood from the presentation of the various project, the electric lines were the main thing, but he also mentioned solar panels ultimately on county roads, it is the county's decision, but behind the scenes we can express disapproval so our opinion is taken strongly into account. The way this was presented he wanted to ask because it seemed the way it is. If the county offered to put solar panels on various county roads in the past and if we had expressed our dislike for them, did they make this offer in the past and if so did we express our dislike.

Administrator DeJoseph said based on his knowledge in 2008 PSE&G started with solar panels as part of the economic stimulus package probably came from the Boroughs opposed to panels based on the aesthetics of them because a large utility being concerned with maintaining them; some municipalities have them up and some down, some broken and are not maintained well and a potential eye sore.

Mayor Ruocco asked if that was a Council decision, did it come before the Council.

Councilman DeRosa said before he was on Council Councilman Giancarlo objected to them. The Borough Administrator mentioned some of the reasons why, snow accumulating on them and when melted would fall down and an eye sore to most. He was glad they didn't have them because they are ugly.

Borough Engineer Statile said Public Service first proposed it and we were out of it. We were going to take an appeal to the BPU and have the Borough Attorney appeal the decision by the BPU. Public Service did not want that and came to a meeting here and they brought the BPU Secretary and Public Service high brass and we sat

across the table with them; myself, Max Arnowitz and members from River Vale. They negotiated a deal; either we take the formal appeal to the state or they don't put panels here. They said if we back off the appeal, we won't place those in Hillsdale or River Vale, we said fine, shook hands and they went away. They did not want any town in New Jersey to go to the BPU with an appeal because all the other towns could do the same thing. They told the Secretary of the BPU of the agreement and walked out. Every town in Bergen County has them, they are really an eyesore. He did not think it appropriate for the two towns.

Seeing no one, the public portion of the Public Comment period was closed.

**ORDINANCES: Adoptions/Introductions:**

**19-15 (Adoption)**

**AN ORDINANCE TO UPDATE ORDINANCE 19-08 THAT PROVIDES FOR AND DETERMINES THE RATE, AMOUNT, AND METHOD OF PAYMENT COMPENSATION TO PERSONS HOLDING CERTAIN OFFICE AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY (FOR THE ADDITION OF CLASS I & CLASS 2 POLICE OFFICER RATES FOR THE 2019—2020 SCHOOL YEAR)**

**BE IT ORDAINED** by the Borough Council of the Borough of Hillsdale, in the County of Bergen, and State of New Jersey as follows:

SECTION 1. The rate of compensation of persons holding any of the hereafter named offices and positions of employment, which compensation shall be on an annual basis unless otherwise specified, is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment. Whenever there shall be set forth a minimum and maximum rate of compensation the employee or officer shall be compensated at an annual rate within such range.

SECTION 2. Each employee set forth in this Section shall receive annual compensation as set forth below.

|     | <b>TITLE</b>                                   | <b>MAXIMUM</b>           |
|-----|--|--------------------------|
| 19a | Class I Police Officers<br>(2019-2020 Hourly)  | Not To Exceed \$15.00/hr |
| 19b | Class II Police Officers<br>(2019-2020 Hourly) | Not To Exceed \$25.00/hr |

SECTION 3. If an employee performed a unique assignment of exceptional value to the Borough requiring significant time and effort in addition to his/her usual responsibilities, the Borough Council may grant a bonus not to exceed \$5,000 to this employee.

SECTION 4. The compensation fixed and determined by this Ordinance for the persons holding the respective offices and positions of employment herein named, shall, except as otherwise provided by statute, ordinance or resolution, be in lieu of all other fees, costs and charges received and collected by such offices and employees shall remit such funds promptly to the Borough Treasurer.

SECTION 5. All ordinances and resolutions inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistencies.

SECTION 6. This Ordinance shall take effect immediately after final passage (in accordance with state law), approval (in accordance with state law), and publication of notice thereof as required by law, and the provisions of this Ordinance shall be retroactive to January 1, 2019, unless otherwise noted.

Motion to open public hearing on Ordinance 19-15 by Council Member DeRosa, Second by Council Member Lundy, and unanimously carried.

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 19-15, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record. Seeing no one, I will now entertain a motion that the public hearing on Ordinance No. 19-15 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 19-15 by Council Member Segalas, Second by Council Member Lundy, and unanimously carried.

Motion to adopt Ordinance No. 19-15 by Council Member DeRosa, Second by Council Member Lundy.

Roll Call Vote:

Ayes: Council Members Escobar, Lundy, Council President Pizzella, Segalas, Horvath, DeRosa

Nays: None

Now, therefore, be it resolved that this ordinance is adopted and the Borough Clerk is authorized to advertise the same according to law.

**RESOLUTIONS:(Consent Agenda): R19204 through R19220:**

[R19204](#) Resolution Authorizing the Mayor to Sign and Submit the Forestry Management Plan for the Borough of Hillsdale

**WHEREAS**, The Borough of Hillsdale, County of Bergen and State of New Jersey applied for and obtained a grant from the New Jersey Department of Environmental Protection, State Forest Service, Green Communities Grant in the amount of \$3,000.00 for the hiring of a certified arborist to assist in the development of a Community Forestry Plan; and

**WHEREAS**, John. D. Linson, a certified Forester was engaged by the Borough of Hillsdale to prepare the Community Forestry Management Plan; and

**WHEREAS**, the Council of the Borough of Hillsdale desires to authorize the Mayor to sign the Community Forestry Management Plan for the Borough of Hillsdale; and

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Hillsdale, that that they do hereby approve and authorize the Mayor to sign the Community Forestry Plan for the Borough of Hillsdale.

[Forestry Management Plan](#)

[R19205](#) Resolution to Authorize the Borough Clerk to Advertise Requests for Qualifications for Borough Professionals

**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 above-mentioned services for the following positions for year 2020:

- Borough Attorney
- Borough Auditor
- Borough Appraiser
- Borough Bond Counsel
- Borough Engineer
- Borough Labor Attorney
- Attorney for Tax Appeals
- Borough Prosecutor
- Alternate Borough Prosecutor
- Borough Planner

Borough Public Defender

Alternate Borough Public Defender

Risk Management Insurance Consultant

Grant Writer

Financial Advisor

Special Counsel – Pascack Valley Regional High School Withdrawal

Special Counsel – Waste Management Permit Renewal Opposition

[R19206](#) Authorizing the Bergen County Cooperative Pricing System #11-BCCPS; Contract Purchasing System Bid #19-34 – Service Commodity: Computer Equipment & Peripherals

**WHEREAS**, the Borough of Hillsdale is a member of the Bergen County Cooperative Pricing System and desires to use the Co-Op for the purchase of computer equipment and peripherals for various Departments in the Borough of Hillsdale; and

**WHEREAS**, the Bergen County Cooperative Pricing System (ID #11-BCCPS), awarded to various vendors under the Co-Op Bid #19-34 for the commodity of computer equipment and peripherals; and

**WHEREAS**, the Contract Period is June 5, 2019 through June 4, 2021; and

**NOW THEREFORE, BE IT RESOLVED**, that the Borough of Hillsdale authorizes the purchase of computer equipment and peripherals to various departments under the Bergen County Cooperative Pricing System ID #11-BCCPS, Bid #19-34 with a total amount not to exceed Fifty Thousand Dollars and No Cents (\$50,000.00).

[R19207](#) Resolution Pursuant to N.J.S.A. 40A:11-4.3 Authorizing the Use of Competitive Contracting for the Procurement of Borough IT Service and Maintenance of Desktop Computers within the Borough

**WHEREAS**, the Borough of Hillsdale (“Borough”) desires to contract with a vendor to provide IT Service and Maintenance of Desktop Computers; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Borough may use competitive contracting in lieu of public bidding for procurement of specialized goods and services, the price of which exceeds the bid threshold; and

**WHEREAS**, N.J.S.A. 40A:11-4.1(m) permits the use of competitive contracting for Consulting Services; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(b) permits the Borough Qualified Purchasing Agent (“QPA”) to administer the process for the purchase pursuant to the rules governing the competitive contracting process; and

**WHEREAS**, under the competitive contracting process, the contract for IT Service and Maintenance of Desktop Computers will be awarded to that entity submitting a proposal that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price; and

**WHEREAS**, the Borough desires to conduct the bidding process for the aforesaid goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale, in the County of Bergen, State of New Jersey, that the Borough QPA is hereby authorized to utilize and administer the competitive contracting process as set forth in N.J.S.A. 40A:11-4.1 et seq., to procure a contract with a vendor to provide IT Service and Maintenance of Desktop Computers, pursuant to the rules governing the competitive contracting process.

[R19208](#) Resolution Authorizing the Installation of ADA Ramps Through the Bergen County Cooperative Purchasing Program

**WHEREAS**, the Borough of Hillsdale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

**WHEREAS**, the Borough of Hillsdale is a member of the Bergen County Cooperative Contract Purchasing System of New Jersey, New Jersey State approved Cooperative Pricing System #11-BeCCP Purchasing Program; and

**WHEREAS**, the Borough wishes to install ADA Ramps on Piermont Avenue through the Bergen County Cooperative Purchasing System of New Jersey, New Jersey State approved Cooperative Pricing System #11-BeCCP Purchasing Program; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Borough Clerk are hereby authorized to execute an agreement for the installation of ADA Ramps along Piermont Avenue with P.A. Contractors, 90 Green Brook Road, Green Brook, NJ 08812, in an amount not to exceed \$45,000.00 and subject to reimbursement from Bergen County.

[R19209](#) Resolution to Update Previous Resolution 19111 - Establishing Policies and Procedures for the Payment of Claims, Claimant's Signature for Payment Pursuant to N.J.S.A. 40A:5-16, N.J.A.C. 5:30-9A.6 and N.J.A.C. 5:31-4.1

**WHEREAS**, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

**WHEREAS**, NJSA 40A:5-16 requires that the governing body of any local unit shall not pay out of its monies unless

(a) the person claiming or receiving payment first presents a detailed bill of items or demand, specifying particularly how the bill or demand is made up (the Invoice), with the certification of the party claiming payment that the bill or demand is correct (the Claimant Certification).

(b) the payment carries a written or electronic certification of some officer or duly designated employee of the local unit having knowledge of the facts that the goods have been received by, or the services rendered to, the local unit (certification of the user department).

**WHEREAS**, N.J.A.C. 5:30-9A.6(c), N.J.A.C. 5:31-4.1, and Local Finance Notice 2018-13 gives local units discretion to not require claimant certification by enacting a standard policy by resolution for vendors or claimants who do not provide such certification as part of its normal course of business; and

**WHEREAS**, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

**WHEREAS**, N.J.A.C. 5:30-9A.6 allows that municipalities may by resolution set forth the circumstances when they will or will not require a vendor (claimant) signature on a purchase order; and

**WHEREAS**, Subsection (a) of N.J.A.C. 5:30-9A.6 as well as 5:31-4.1 clarify that the certification may be executed by a vendor or claimant by signature stamp, facsimile signature, or by electronic signature in addition to a "wet" signature; and

**WHEREAS**, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

| <b>Vendor Signature Required (stamp, fax electronic or wet is acceptable)</b>           | <b>Vendor Signature not Required</b>   |
|---|--|
| Employee Reimbursements   | Vendors who are paid through EFT technologies  |
| For services provided exclusively and entirely by an individual or professional service | Vendors who do not provide certifications part of the normal course of business and/or Purchase orders \$5,000.00 or less. |
| Refund of municipal revenue   | Debt Service   |
| Retiree reimbursements  | Non-Municipal Taxes  |
| Individual /sole proprietor or single member LLC  | Utilities regulated by tariff  |
| Any situation deemed necessary by the CFO or his designee                               | Professional Development expenses  |

**NOW, THEREFORE BE IT RESOLVED** on the 3<sup>RD</sup> day of September, 2019, by the Council of the Borough of Hillsdale, State of New Jersey, that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective immediately.

[R19210](#) Resolution Rescinding the Bid Awarded for Janitorial Services in the Borough of Hillsdale as well as Authorizing a Resolution pursuant to N.S.S.A. 40A11-4.3 for the use of Competitive Contractive Services for the Procurement of Janitorial Services for the Borough of Hillsdale

**WHEREAS**, the Borough of Hillsdale solicited public bids for janitorial cleaning services for the periods of August 1, 2019 through July 31, 2020 and the bid was awarded to Divine Professional Cleaning Services, Inc (“Divine Professional”) located at 20253 Cincinnatus Avenue, Bronx, New York 10473 on July 16, 2019; and,

**WHEREAS**, Divine Professional did not comply with the terms of the previous bid award; and

**WHEREAS**, as of July 30, 2019, the Borough Administrator advised Divine Professional that the contract and purchase order therefore rescinded; and

**WHEREAS**, the Borough of Hillsdale (“Borough”) does have the need to contract with a vendor to provide Janitorial Services; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-4.1 et seq., the Borough may use competitive contracting in lieu of public bidding for procurement of specialized goods and services, the price of which exceeds the bid threshold; and

**WHEREAS**, N.J.S.A. 40A:11-4.1(1) permits the use of competitive contracting for Consulting Services; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(b) permits the Borough QPA to administer the process for the purchase pursuant to the rules governing the competitive contracting process; and

**WHEREAS**, under the competitive contracting process, the contract for Janitorial Services will be awarded to that entity submitting a proposal that, when evaluated, most successfully meets the stated criteria and, therefore, achieves the highest ranking, rather than based solely on the lowest price; and

**WHEREAS**, the Borough desires to conduct the bidding process for the aforesaid goods and services pursuant to the competitive contracting process as set forth by N.J.S.A. 40A:11-4.1 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale, in the County of Bergen, State of New Jersey, that the Borough QPA is hereby authorized to utilize and administer the

competitive contracting process as set forth in N.J.S.A 40A:11-4.1 et seq., to procure a contract with a vendor to provide Janitorial Services for the Borough of Hillsdale, pursuant to the rules governing the competitive contracting process.

[R19211](#) Resolution Authorizing the Use of the Borough of Hillsdale’s Community Transportation Van by the Borough of Old Tappan

**WHEREAS**, the Borough of Old Tappan has requested the use of Borough of Hillsdale’s Senior Van on October 19, 2019 for their Town Day/125<sup>th</sup> Anniversary Celebration; and

**WHEREAS**, the Borough of Hillsdale always seeks to assist neighboring Municipalities in any way possible, particularly as it relates to volunteer services; and

**WHEREAS**, the Borough Administrator recommends that this request be granted.

**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 request by the Borough of Old Tappan to borrow Borough of Hillsdale’s Senior Van is hereby granted.
2. This approval is conditioned upon confirmation by the Administrator that this agreement can be made with the Borough of Old Tappan without negatively affecting the Borough of Hillsdale or the services which the Borough provides.
3. This approval is further contingent upon confirmation from the Borough’s Risk Manager, Debra Ginetto, that both municipalities are protected from an insurance standpoint.

**NOW THEREFORE BE IT FURTHER RESOLVED** that the Borough Clerk be and she is hereby authorized and directed to forward certified copies of the within resolution to the Borough of Hillsdale, the Borough of Old Tappan, Debra Ginetto, Risk Manager for the Borough of Hillsdale, and the Borough Attorney.

[R19212](#) Recommendation of Hiring Probationary Police Officer Ryan Cottrell

**WHEREAS**, there exists a vacancy in the Hillsdale Police Department for a police officer; and,

**WHEREAS**, the Borough has gone through the process of applications and interviews to employ the services of a police officer; and,

**WHEREAS**, the Chief of Police has recommended the hiring of a probationary police officer for the Hillsdale Borough Police Department.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the recommendation of Chief Robert Francaviglia to employ Ryan Cottrell as a Probationary Police Officer with the Hillsdale Police Department is accepted and Ryan Cottrell is hereby appointed to a Probationary Police Officer with the Hillsdale Police Department, at a salary of \$31,500.00, effective September 4, 2019.

[R19213](#) Resolution Authorizing Bergen County Cooperative Pricing system #11-BeCCP; Contract Purchasing System #CK04 – Service Commodity: Diesel Fuel (1<sup>ST</sup> Option)

**WHEREAS**, the Borough of Hillsdale is a member of the Bergen County Cooperative Pricing System and desires to use the Co-Op for the purchase of diesel fuel; and

**WHEREAS**, the Bergen County Cooperative Pricing System (ID #11-BeCCP), awarded to various vendors under the Co-Op Bid #17-42 for the purchase of diesel fuel; and

**WHEREAS**, the Contract Period is September 21, 2019 through September 20, 2020; and

**NOW THEREFORE, BE IT RESOLVED**, that the Borough of Hillsdale authorizes the purchase of diesel fuel under the Bergen County Cooperative Pricing System ID #11-BeCCP, Bid #17-42 under the county contract prices with an additional amount not to exceed fifteen thousand dollars and no cents (\$15,000.00).

[R19214](#) Resolution Increasing the Price for the Architect Services of DMR Architecture for Additional Work – Change Order #1

**WHEREAS**, the Borough of Hillsdale (“Borough”), by Resolution dated April 3, 2018 awarded to DMR Architecture of Heights Plaza 777 Terrace Avenue, Suite 607 Hasbrouck Heights, New Jersey 07604 to prepare necessary studies and reports to determine if the Study Area constitutes an “Area in Need of Redevelopment” and to otherwise guide the Mayor and Council and the Planning Board in the redevelopment process, deliberations, and public hearing(s) in an amount not to exceed \$24,000.00; and

**WHEREAS**, the Borough Administrator has proposed Change Order #1 for an increase in the amount not to exceed of \$990.00 due to unforeseen additional prep outside the scope of services for the Planning Board; and

**WHEREAS**, the Borough Administrator is recommending the approval by the Governing Body of Change Order No. 1; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council do hereby authorize the execution by the Administrator of Change Order No. 1 pursuant to which the Contract Price will be increased in an amount not to exceed \$990.00.

[R19215](#) Resolution in Support of the New Jersey State League of Municipalities’ Petition for Rulemaking to Amend the Uniform Construction Code

**WHEREAS**, the State of New Jersey has adopted a Uniform Construction Code (“UCC”) with the purpose to provide for uniform construction standards to insure healthy, safe, and sanitary construction but also less expensive construction for the citizens of the State; and

**WHEREAS**, the Department of Community Affairs (“DCA”) has been granted authority to amend or alter provisions of the UCC to ensure the intent and purposes of the UCC continue to be fulfilled; and

**WHEREAS**, municipal construction officials act as the enforcing agency tasked with administering and enforcing all provisions of UCC for construction within municipal boundaries; and

**WHEREAS**, permits and inspections form the foundation for the safe building environment; and

**WHEREAS**, the DCA made amendments to N.J.A.C. 5:23-1.4, 2.7, 2.14, & 2.17A, commonly referred to as the “Minor Work” and “Ordinary Maintenance” provisions of the UCC that took effect on March 5, 2018, which undermine the UCC’s intent and purpose; and

**WHEREAS**, unless these amendments are retracted or further remedial amendments are made to the UCC, the health, safety, and welfare of the citizens of the State will be jeopardized and residents could see overall construction expenses increase if work is not properly performed; and

**WHEREAS**, the New Jersey State League of Municipalities along with New Jersey’s six professional code official associations has filed a petition for rulemaking with the DCA requesting necessary and appropriate amendments be made to ensure the intent and purpose of the UCC is reinforced and preserved.

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Hillsdale supports the rulemaking petition submitted by the League and the six professional code official associations and requests that the DCA work to expeditiously adopt the measures offered by the petition; and

**BE IT FURTHER RESOLVED**, that copies of this Resolution be forwarded to the Governor and Lieutenant Governor of New Jersey, the Commissioner of the New Jersey Department of Community Affairs, Division of Codes and Standards, and the New Jersey State League of Municipalities.

[R19216](#) Resolution Hiring Temporary Laborer Kenneth Kasper – Public Works

**WHEREAS**, there exists a need for a Temporary Laborer within the Borough of Hillsdale Department of Public Works; and,

**WHEREAS**, Kenneth Kasper meets the requirements to fill the position at the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council Borough that Kenneth Kasper is hereby appointed to the position of Temporary Laborer in the Department of Public Works, effective August 19, 2019, at the rate of \$15.00 per hour.

[R19217](#) Resolution Hiring Temporary Laborer Gregory Winsick- Soluri – Public Works

**WHEREAS**, there exists a need for a Temporary Laborer within the Borough of Hillsdale Department of Public Works; and,

**WHEREAS**, Gregory Winsick-Soluri meets the requirements to fill the position at the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council Borough that Gregory Winsick-Soluri is hereby appointed to the position of Temporary Laborer in the Department of Public Works, effective approximately August 26, 2019, at the rate of \$12.00 per hour.

[R19218](#) Resolution Authorizing the Amended Developers Agreement, 305 Patterson Street, LLC for Block 1212 Lots 15 & 16, Address of 305 Patterson Street

**WHEREAS**, the Hillsdale Planning Board, on May 9, 2017 entered into a Developer’s Agreement with 305 Patterson Street, LLC; and

**WHEREAS**, following the issuance of this agreement, Assembly Bill 1425/Senate Bill 3233, which implemented major reforms to the requirements for the posting of performance and maintenance guarantees under the Municipal Land Use Law, N.J.S.A 40:55D-1 was signed into law and became effective immediately; and

**WHEREAS**, the Borough of Hillsdale enacted an Ordinance to be consistent with the changes to the Municipal Land Use Law, including N.J.S.A. 40:55D-53; and

**WHEREAS**, the Borough Engineer in accordance with N.J.S.A. 40:55D-53 and Borough Ordinance, submitted a revised Performance Guarantee Estimate dated April 14, 2017 and revised it to January 21, 2019; and

**WHEREAS**, the form of the Amended Developer’s Agreement is satisfactory to the Mayor and Council for consideration; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is authorized to execute this agreement on behalf of the Borough.

[R19219](#) Resolution Authorizing the Execution of an Assignment and the Assumption of a Developers Agreement for Block 503 Lot 4, inclusive of Block 503, Lot 4.01 and 4.02 – 810 & 830 Hillsdale Avenue

**WHEREAS**, on July 26, 2019, Saddlewood Hills Properties entered into a Developer’s Agreement (the “Agreement”) with the Borough of Hillsdale and the Planning Board of the Borough of Hillsdale in connection with property located at 810 & 830 Hillsdale Avenue, Hillsdale, NJ (Block 503 Lot 4, inclusive of Block 503, Lot 4.01& 4.02) (the “Property”); and

**WHEREAS**, Saddlewood Hills Properties simultaneously entered into an Assignment and Assumption of Developer's Agreement with Borough of Hillsdale (the "Assignment") assigning the Developer's Agreement to Oceanside Developers, LLC; and

**WHEREAS**, representatives of the Saddlewood Hills Properties and Oceanside Developers, LLC have executed said Assignment; and

**WHEREAS**, in order to complete the assignment of the Developer's Agreement, the Assignment must be executed on behalf of the Borough of Hillsdale; and

**WHEREAS**, it is in the best interest of the Borough of Hillsdale to execute the Assignment in connection with the property located at 810 & 830 Hillsdale Avenue, Hillsdale, NJ.

**NOW THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes Mayor John Ruocco to sign said Assignment and Assumption of Developer's Agreement with Borough of Hillsdale, and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said document.

[R19220](#) Resolution Authorizing the Borough Clerk to Re-Advertise Bids Regarding Supplemental Garbage Truck Rental and Operator for the 2019 Leaf Season

**WHEREAS**, the Borough desires to utilize supplemental garbage truck(s) and operator(s) for leaf removal throughout the Borough during the leaf season; and

**WHEREAS**, in order to effectuate such use, the Borough desires to rent a supplemental garbage truck(s) and hire an operator(s) for the truck(s), which would serve this purpose; and

**WHEREAS**, there is a need to publicly advertise for bidders for the rental of an additional garbage truck(s) and operator(s) during the leaf season; and

**WHEREAS**, the Borough Clerk previously advertised for bids for Supplemental Garbage Truck Rentals to be received on August 28, 2019, however no bids were received; and

**WHEREAS**, the Borough still desires to utilize supplemental garbage truck(s) and operator(s) for leaf removal throughout the Borough during the leaf season; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that the Municipal Clerk is hereby authorized to re-advertise for bids regarding the rental of supplemental garbage truck(s) and operator(s) of truck(s) for the upcoming 2019 leaf season.

Council Member Segalas requested R19215 be removed from Consent Agenda.

Motion by Council Member Lundy, Second by Council Member DeRosa.

Roll Call Vote:

Ayes: Council Members Segalas, DeRosa, Escobar, Horvath, Lundy, Council President Pizzella

Nays: None

R19215 – Council Member Segalas said he would really want the benefit of speaking with Michelle Wood perhaps in closed session in a response to an email sent asking the government to sort of step aside from what the DCA asks for. He would feel more comfortable if we moved to table this resolution until we discussed this with her.

Mayor Ruocco said a motion to table a resolution takes precedence, seconded by Council Member DeRosa. Resolution to be on Agenda October 1.

Mayor Ruocco said we have a motion to table this resolution to October 1 to allow for Michelle Wood to answer questions and Council Member Segalas will discuss this with her.

Roll Call to table Resolution R19215.

Ayes: Council Members Escobar, Horvath, Lundy, Council President Pizzella, Segalas, DeRosa  
Nays: None

**OFF-CONSENT:**

Motion \_\_\_\_\_ Second \_\_\_\_\_

Council Members Escobar, Horvath, Lundy, Council President Pizzella, Segalas, DeRosa

**COUNCIL COMMENTARIES:**

Council Pizzella said he will have comments for the next meeting.

Council Member DeRosa said it was nice to drive through town and see all of the improvements at the RR station and the crossing done, the intersection at Ruckman and Piermont. It is a lot safer now. He encouraged everyone to turn out for the Fall Festival; we will have food trucks, dance teams, cheer leaders, beer garden and we will be honoring the 10U Baseball team. Congratulations to Joseph Dargan for saving his cousin's life.

Council Member Lundy said this Sunday Lou's Tavern is holding their own annual pig roast and every year they do it as a fund raiser to benefit local families.

Mayor Ruocco said Zoltan Horvath III graduated Marine boot camp in Paris Island on August 16, is a graduate of Pascack Valley High School, attended Bergen Community College before he decided to join the Marines. He is following in his dad's footsteps in joining the service. Now a Blue Star Banner hangs in your household which signifies there is someone in active service from that household. There are others in Hillsdale, Gina Dolson, Joseph Dolson, Aimee Feary, Dillon Heylinger, and Richard Jansen (both boys I coached in soccer; baseball) Jim Moriarty, Ji. Park, Dylan Reilly, and Robert Saul. All of these men and women are active in our branches of military. He congratulated Council Member Zoltan Horvath and members of his family.

**ADJOURN TO CLOSED SESSION:**

R19221 To provide for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act N.J.S.A. 10:4-12 – *Personnel, Contract Negotiations, Redevelopment Plan*

**WHEREAS**, the Borough Council of the Borough of Hillsdale is subject to certain requirements of the Open Public Meetings Act N.J.S.A. 10:4-6 et seq; and

**WHEREAS**, the Open Public Meetings Act, N.J.S.A. 10:4-12 provides that an Executive Session not open to the public may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Borough Council of the Borough of Hillsdale to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12(b) and designated below:

\_\_\_ (1) Matters required by law to be confidential.

\_\_\_ (2) Matters where the release of information would impair the right to receive funds.

\_\_\_ (3) Matters involving individual privacy –

\_\_\_(4) Matters relating to collective bargaining -

\_\_\_ (5) Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.

\_\_\_(6) Matters relating to public safety and property –

X (7) Matters relating to litigation, negotiations and the attorney-client privilege – *Contract Negotiations, Redevelopment Plan*

X (8) Matters relating to the employment relationship – *Personnel*

\_\_\_ (9) Matters relating to the potential imposition of a penalty.

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

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

**RECONVENE REGULAR MEETING:**

Motion to reconvene by Council Member DeRosa, Second by Council Member Segalas, and unanimously carried.

**ADJOURNMENT:**

Motion to adjourn by Council Member Escobar, Second by Council Member Lundy, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE**

**TUESDAY, SEPTEMBER 10, 2019**

Denise Kohan, Municipal Clerk

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APPROVED AS PRESENTED