

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:31 PM on Tuesday, January 20, 2015, in the Council Chamber, Borough of Hillsdale, 380 Hillsdale Avenue, Hillsdale, New Jersey.

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

**OPEN PUBLIC MEETING STATEMENT:**

This is a meeting of the Hillsdale Borough Council on this 20<sup>th</sup> day of January 2015. Notice of the time and place of this meeting has been provided to The Ridgewood News, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

**ROLL CALL:**

On a roll call those in attendance were Council Members DeGise, DeRosa, Looes, Ruocco, and Council President Pizzella. Also in attendance were Mayor Arnowitz, Borough Attorney Madaio, and Borough Clerk Witkowski. Council Member Meyerson was absent.

Mayor Arnowitz changed the order of business to introduce the CFO, Robert Benecke. There was a lot of discussion at the previous meeting about the hiring of the CFO. Council Member Ruocco prepared a presentation about Mr. Benecke, and Mr. Benecke is present this evening to take any questions.

Council Member Ruocco commented that as a result of the departure of the previous CFO in mid-December, it was decided to hire Benecke Economics to help with the CFO duties, as well as to perform work for the Borough that would focus on getting more out of the assets of Hillsdale for the purposes of economic growth and development. Mr. Benecke, who came to this meeting, will be available to help with CFO duties by providing a certain number of hours at a cost to the Borough, which is competitive, as long as the services are kept to a reasonable amount. It is not anticipated that Mr. Benecke will become the new CFO; in fact, he has stated that he does not want to do the job permanently. In the meantime, the Finance Committee decided to post a vacancy for a full-time or part-time CFO, but it will take some time to go through the application, interview, and hiring process. Until that is complete, Mr. Benecke will be the acting CFO for the next several months.

Council President Pizzella noted that Council Member Ruocco said he would make some clarifications regarding this issue, particularly regarding the hours to be worked and Mr. Benecke's availability. Council Member Ruocco responded that Benecke Economics was hired at a cost of \$2,400 per month, which includes 20 hours per month from Mr. Benecke to serve as CFO and to do other duties. If his hours exceed 20 per month, Mr. Benecke will be paid at an hourly rate. Council Member Ruocco estimated that Mr. Benecke could put in as much as 58 hours per month, and the Borough will still break even financially when comparing the cost of a part-time CFO had the previous CFO continued to be paid on that basis. It is hoped that Mr. Benecke's level of expertise will require fewer hours of his services as a CFO on a monthly basis. He is to be paid \$120 per hour once 20 hours per month have been exceeded. Council Member Ruocco was in Borough Hall this morning, and heard Mr. Benecke instructing Borough personnel on a better way to get things done, and he was very heartened to hear that exchange. It is hoped that this will help to improve the current situation, not only in terms of filling the immediate gap in Hillsdale, but an equally important benefit is having Mr. Benecke's expertise to help develop the assets available in Hillsdale to develop revenue in the difficult time ahead from a budgetary standpoint, due to the loss of certain revenues. It will be necessary to look elsewhere, in addition to the tax base, to try to recoup some of the revenue that will be lost.

Mr. Benecke came to the podium to take questions from the Council Members. Council Member Looes said that the concern she has heard from most people has to do with the potential hours to be worked. She understands that if the CFO works as much as 58 hours in a month, the Borough will still breakeven on a comparative basis, but it is not really a break-even situation, because the previous CFO worked 100 hours per month. It seems to Council Member Looes that it is a two-part position, although one person is doing the job. She views it as getting the Borough through the budget process as the

interim CFO, and the economic development side. However, because of the limited number of hours in the contract, Council Member Looes asked Mr. Benecke how many of those 20 hours per month he thinks will be used in doing CFO work versus working on economic development issues. Mr. Benecke answered that he will most likely not be charging for any hours spent working on economic development issues, even if he puts an additional hours for that, at least for the first several months. He pointed out that he wrote the book on municipal finance in New Jersey; the current chart of accounts that is used in the state accounting system was developed by him. Therefore, 50 hours worked by Mr. Benecke would equate to 120 hours worked by anyone else, according to him. He works fast, and he is willing to repeat things as often as necessary to help people learn. In addition, Mr. Benecke said he is not here to charge Hillsdale exorbitant fees for travel time, disbursements, and extra hours, because his reputation has been made in serving communities, and how well they have served the redevelopment and planning communities. Mr. Benecke noted that he would be willing to put in 30 hours per month, if necessary. He is very accessible. The books he has authored include *The Municipal Budget Process*; *Municipal Finance Administration in New Jersey*; and *The Flexible Chart of Accounts*, which includes an accounting system for New Jersey. Mr. Benecke will also make sure that Borough staff are trained as well as possible in the new regulations that have come out in the past year, both on the purchasing side and the financial side to ensure that the Borough is in full compliance and that the next CFO will find a job a bit easier.

In terms of economic development, once things have settled down, Mr. Benecke will do so evaluations on that. However, he must study some things in advance. Mr. Benecke mentioned that the pool is an issue; there are some other issues with respect to falling revenues; and an asset is falling off the charts and the gap must be closed. Mr. Benecke said he will not be charging for that type of work at this time. When he is in Hillsdale, he will be in contact with the Borough Administrator, the clerical staff, and any Council Members and Department supervisors who wish to meet with him. His goal is to make a smooth transition for the next CFO, to make sure that the systems are handled properly so that the next CFO will be able to enjoy a long tenure. It is essential to have stability in this type of job, and it also needs to be refocused toward the financial management side, not toward the day-to-day clerical issues. Council Member Looes commented that it seems that the initial focus will be on the CFO work rather than the economic advisory issues, and once the budget process is over and things are more settled, Mr. Benecke can concentrate on the economic advisory aspect of the job. Mr. Benecke answered that it is important to have the CFO, Borough Attorney, and Borough Clerk work as a team. He is also not interested in overcharging the Borough. His fees are competitive.

Council Member DeGise commented that he also asked around about Mr. Benecke, because he had not heard much about anything Mr. Benecke had done for other towns. Council Member DeGise asked for some background on specifics on what Mr. Benecke has done for other communities. Mr. Benecke responded that his firm worked for the Jersey City Redevelopment Agency, preparing the classic report for their canal crossing project in March. For the Hudson County Improvement Authority (HCIA), Mr. Benecke's firm finished an economic impact and land use analysis for Kearny, which is an old contaminated site that was contaminated by Diamond Shamrock Corporation, and the HCIA wants to repurpose it into various warehouse logistical centers. In addition, Mr. Benecke's firm worked on the Sayreville housing redevelopment contract, which was completed in September 2014. They have just completed the second phase of the Parkside redevelopment near the Haskell Town Center in Wanaque. In Woodcliff Lake, Mr. Benecke worked for the successful redevelopment of County Road and Pikes Place. Council Member DeGise asked if all of these municipalities issued recommendations for Mr. Benecke as a result of all this work. The report for the HCIA included a modeling system plan, which is something that Mr. Benecke's firm prepares for economic impacts and induced impacts. He invited Council Member DeGise to call any of the communities where he has previously worked to question them about the quality of the work provided. Mr. Benecke mentioned work he did in Rutherford as their COAH administrator, which was interesting due to the fact that half of the area falls within the New Jersey Meadowlands Commission area, while the other half is subject redevelopment around the railroad station. Council Member DeGise said his only other question was why is it so important to do an interlocal agreement through Lyndhurst for the hiring of Mr. Benecke's firm. Mr. Benecke answered that first, it works for Hillsdale's best practices checklist for the year, because the state wants every municipality to have at least one initiative every year in shared services. The second reason is because it is much easier for municipalities to deal with each other in terms of checks or logistics. Third, Mr. Benecke noted that if his contract should go beyond March 2015, he would provide an additional telephone number at which he can be reached anytime, day or night, in addition to his cell phone number. Currently, Lyndhurst is the only town in which Mr. Benecke makes use of the CFO licensing, which will end at the close of 2015. He mentioned that he is also the financial advisor for the town of

Montclair, and he managed to restructure their debt and performed a lot of other financial analysis, as well. Council Member DeGise noted that whenever interlocal agreements were considered with other municipalities, the other municipalities always wanted to get something out of it. Mr. Benecke commented that Lyndhurst will not get anything from Hillsdale out of the interlocal agreement; although they might get a discount on the fees charged by Mr. Benecke. They would also benefit from the best practices aspect of this.

Council Member DeRosa mentioned that he will be working with the swimming pool commission, and he wanted to know about Mr. Benecke's background as far as teaching and textbooks are concerned.

Mayor Arnowitz stated that he wanted to set the record straight about how this process took place, and why he took the actions that he did. Approximately six months ago, the Chairman of the Finance Committee, Council Member Meyerson, spoke to Mayor Arnowitz about some concerns at the Stonybrook Swim Club. Council Member Meyerson and former Council Member Frank wanted to bring in an economic advisor to review the entire operational situation at Stonybrook. Mayor Arnowitz started looking for such an advisor at that time. During that time, he reached out to an acquaintance who knows many people in the field, and when Mr. Benecke's name was mentioned as a potential CFO, the acquaintance told Mayor Arnowitz that he should consider Mr. Benecke for the situation at Stonybrook, too. The second reason why Mayor Arnowitz wanted to hire a temporary CFO is because, as Council Member Ruocco pointed out, the previous CFO left at the end of November 2014, which is a horrible time for a Borough to lose its CFO and have to find a new one. At that time, two new Council Members had been elected to the Borough Council, one of whom is experienced in financial matters, but due to rules governing municipalities, neither of them could join the interview process for the CFO. Mayor Arnowitz met two potential candidates who could have served as the CFO in Hillsdale. There has been one Borough Council meeting since the new Council Members were elected, and Mayor Arnowitz said he is expected to make a decision now. Hiring a temporary CFO is much easier for Mayor Arnowitz, as well as for the rest of the Borough Council. Contracting with someone who has no intention of becoming the next CFO, which will give the Council Members the time to define and find the right person for Hillsdale is a step in the right direction. The Borough Auditor has also highly recommended Mr. Benecke. Mayor Arnowitz's decision had nothing to do with money, although he did note that in today's society, you pay for what you get. The fee charged by Mr. Benecke is comparable or less than what was paid before in Hillsdale for similar services. However, it is more important to Mayor Arnowitz that Mr. Benecke brings a very high reputation to this job, and what Mr. Benecke can do for the community as far as getting through a very difficult budget process. There are many hurdles to be phased in the coming budget discussions, but there are a lot of gaps that need to be filled, and someone is needed who has the expertise to bring Hillsdale through that process, which is what Mr. Benecke has. Mr. Benecke brings a reputation for getting things done. If this had occurred 15 years ago, the Borough was simply have levied a 12-15% tax increase on the taxpayers, but because the Governor has instituted a 2% cap, that makes it extremely difficult for communities to find ways to make up for revenue decreases. Mayor Arnowitz said he appreciates Mr. Benecke agreeing to join the Borough, and he appreciates the process that found him. He thanked Mr. Benecke for coming on board, as well as for his future help, and for coming to this meeting.

**APPOINTMENTS/OATH OF OFFICE:**

Member to Environmental Commission – Vacancy (*Mayor appointment – no vote required*)

Ed Alter

Unexpired Term expiring 12/31/2016

Mayor Arnowitz explained that Mr. Alter left the Planning Board due to him.

Oath of Office

Max Arnowitz, Mayor

**COUNCIL LIAISON for the year 2015:**

Stonybrook Swimming Pool Commission: (*Mayor appointment with advice and consent*)

Frank Pizzella, Co-Liaison

Motion by Council Member DeRosa, second by Council Member Ruocco

Council Member Looes asked why it is necessary to have two liaisons, because it has always been one person in the past. Mayor Arnowitz responded that one of them work on the economics side, and the

other one will work on the advertising side. Council Member DeRosa has expertise in advertising, and Council President Pizzella believes he could add something to the economic side. Council Member Looes asked why there must be two liaisons, and why everyone could not work together. Mayor Arnowitz said he does not see any harm in having two people. Council Member Looes said her concern is that the liaison is usually the go-to person, and Mayor Arnowitz said that the go-to person is still Council Member DeRosa. Council President Pizzella said he is only going to be involved for a short period of time to deal with the economic development aspect of the commission. That led Council Member Looes to ask why it is necessary for him to have the title of the liaison. It is nice to know who should be contacted for each committee/commission in Hillsdale, and this might create confusion. Mayor Arnowitz believes that making the appointment official allows the Council Member to attend the meetings. Council Member Pizzella noted that the other reason is because when economic development is discussed, that naturally means that finances will be discussed, and he believes there is a level of confidentiality that goes along with those types of discussions that would not necessarily be discussed if members of the public were present. Making him a Co-Liaison, at least temporarily, will help them to better interact with people on the Stonybrook Pool Commission. Council Member DeGise pointed out that the Borough sees all financial information regarding Stonybrook in any case, and he added that he also does not understand the necessity of a Co-Liaison. Council President Pizzella is already serving on the Economic Development Committee, and would naturally see any economic development reports with respect to Stonybrook, and he would interact with the Commissioners as part of that. Council President Pizzella stated that he does not know how the EDC will interact with the pool, or how autonomous pool is. He thinks the reason it was decided to appoint a Co-Liaison for a temporary period of time was so that the Pool Commissioners would feel comfortable having a conversation with someone who is not just their liaison, and they would feel comfortable in revealing confidential information, if necessary.

Council Member DeRosa asked the Borough Attorney if there is any issue of confidentiality that would not require a liaison to work with the commission. Attorney Madaio responded that in that case, Council President Pizzella would be attending as a member of the public, and presumably, there are things that are not discussed in public. He thinks there is no prohibition against this, but it is a little unorthodox. However, everyone agrees that something needs to be done with respect to Stonybrook. Council President Pizzella said another option would be to have him work with the Commission as a member of the EDC. Council Member DeRosa said he has no problem with Council President Pizzella working with the Commission on the economic side, unless there is an issue with having Council President Pizzella being named as a Co-Liaison. Council President Pizzella pointed out another item that needs to be understood, which is that the Economic Growth Commission is part of the Business Affairs/Public Relations standing committee. However, if one looks at the ordinance, the purpose of the Business Affairs/Public Relations Committee is not economic growth. Therefore, it was thought that the ordinance should be updated to include that purpose. Until that is done, Council President Pizzella stated that he has no authority or justification for working with the Stonybrook Pool Commission through that committee. It was thought that appointing him as a Co-Liaison would allow him to do that, while also maintaining a level of confidentiality on any type of privilege-related item that might be discussed. He reiterated that the appointment is temporary. Council Member DeRosa stated that he is still the main point of contact for the Pool Commission.

Roll Call Vote:

Ayes: Council Members DeRosa, Ruocco, and Council President Pizzella

Nays: Council Members DeGise, Looes

Absent: Council Member Meyerson

**RECOGNITION:** *None*

**PROCLAMATIONS:** *None*

**PRESENTATIONS:**

**APPROVAL OF MINUTES:**

Work Session Meeting December 2, 2014; Regular Meeting December 9, 2014

Motion to approve by Council Member Looes; second by Council Member DeGise.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, and Council President Pizzella  
Abstain: Council Members DeRosa, Ruocco  
Absent: Council Member Meyerson

Closed Session Meeting of December 2, 2014

Motion to approve by Council Member Looes, second by Council Member DeGise.

Roll Call Vote:

Ayes: Council Members DeGise, Looes  
Abstain: Council Members DeRosa, Ruocco, and Council President Pizzella  
Absent: Council Member Meyerson

**PROFESSIONALS REPORTS:**

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

Borough Engineer – dated January 14, 2015

Greg Polyniak of Neglia and Associates presented the Engineer's Report for January 2015. The first item discussed was the Hillsdale Landfill/Centennial Field. Mr. Polyniak said he reviewed the agenda, and understands that there are two resolutions scheduled for consideration with respect to methane testing and groundwater testing to occur at the field during 2015. Mr. Polyniak said his firm highly recommends that the Borough remain compliant during the next year, and they recommend that the resolutions be adopted tonight.

The other item with respect to Centennial Field is related to the methane sensors that would go in the office and restroom building located at the field. Mr. Polyniak's firm, at the direction of the Borough Council, prepared an estimate for the sensors, which include an audible alarm, a strobe alarm, and an auto-dialer which would dial the Police Department. The estimate for that work is approximately \$33,000, and Mr. Polyniak requested authorization to prepare solicitations to solicit firms for that work. Mayor Arnowitz asked if that \$33,000 could come out of the temporary budget. Mr. Polyniak responded that he is not a financial advisor, it would not be considered an emergency item, but is something that he recommends considered moving forward.

The final item in his report relates to the Hillsdale Public Library, and the repair of the elevator. As discussed at the December meeting, portions of that project could be considered to be emergent with respect to public health and safety. The project has been divided into three separate tasks. The first two tasks could be considered as emergencies, while the third would have to be solicited for repair, or would be publicly bid. Tonight, the first task that Mr. Polyniak is recommending for consideration on an emergency basis would be to raise the elevator cab, addressing the existing shaft break, which is the reason why the elevator failed. His office received two quotes, one for \$30,200 to address the first phase of the project from Thyssen, the company that provided the elevator. Other phases of the project could potentially move forward depending upon the results of the initial phase, but the first phase must occur in order for the other phases to move forward. Other phases would include cutting the slab; addressing the slab repair with respect to the repair of the elevator; bringing in any Licensed Site Remediation Specialist, if necessary; and finally, the bid portion of the project, which would not be considered an emergency, per the Department of Community Affairs, which would be the repair of the elevator itself to bring in online so that it could be used by the public.

Councilmember DeRosa left the dais at 8:15 p.m., due to illness, and did not return for the remainder of the meeting.

Mayor Arnowitz noted that on Thursday, he spoke to the Borough insurance representative, as well as to former Council Member Frank, who is now a trustee for the Public Library, and the Borough Administrator. None of them remember or know if an insurance claim was ever filed on this matter, and Mayor Arnowitz wanted to know if Mr. Polyniak thinks insurance claim should be filed. The representative from the Burton Agency did not seem to think that it would be approved, but she did not think it would hurt to try and file a claim. Mr. Polyniak agreed with that assessment, and he thought it would be better to try to get as much contributions as possible to the repair to help the Borough financially. Mayor Arnowitz asked Ms. Witkowski to make sure that a claim gets filed, and he noted that Council Member Looes is now serving on the board of the Joint Insurance Fund (JIF), and he asked for her assistance, as well.

Council Member Looes reiterated that Phase I needs to be done, and asked for an explanation of what that is. Mr. Polyniak responded that the elevator cab must be raised, because it is in its lowest position right now, due to the fact that the hydraulic fluid cannot force the elevator cab to move up. The second part of that phase would be to address the shaft break, which is the reason why the cab cannot be raised and fall. That initial phase could be considered an emergency with discussions with the DCA.

Council President Pizzella asked about the contamination on the ground, and the costs associated with it, which cannot be known until an inspection of that area can be made. Mr. Polyniak confirmed this, saying that it is possible that all of the material is contained within the existing PVC casing surrounding the shaft, which means there will be no cost for any environmental remediation. However, if it is found that there are any spills related to it, those would have to be addressed, and the costs associated with them are unknown until Phase I is moving forward. Council President Pizzella asked if something is found after the shaft is opened, and based on the level of contamination that is found, would be possible to determine how long the contamination had been there, and how long the spillage was occurring. Furthermore, if that proves to be the case, he asked if there is any claim that could be made to the company that was monitoring it regarding why it was not caught earlier, and if Mr. Polyniak's firm is looking into that. Mr. Polyniak said his firm would definitely explore that possibility, and any oxidation that might be occurring would be obvious. However, the best case scenario means that no such contamination or oxidation exists. Council President Pizzella asked if that would involve the Borough Attorney, or if the Public Library has its own attorney. Mr. Polyniak believes it is probably the responsibility of the Borough Attorney.

Council Member Ruocco stated that he met with Mr. Frank and Mr. Polyniak, as well as Dave Franz, Director of the Public Library, earlier today to get the necessary information he needed as Chairman of the Finance Committee. He is concerned with the potential financial aspects of this issue, and Mr. Polyniak has given a pretty accurate assessment of the situation. The full costs are unknown at this time, because it is not possible to know what will be found when the shaft is opened, if anything. However, when Phase I is accomplished, involving raising the elevator and removing the PVC pipes, Council Member Ruocco believes it is important to ensure that someone from the DPW is available to take a look at the area to see what might be occurring. Mr. Polyniak also agreed to stop by at that time. Mr. Polyniak estimated that Phase I will only take a couple of days. Mayor Arnowitz stated that as far as the money is concerned, the Borough must move forward with Phase I. It can be discussed among the Finance Committee and the Borough Council how this will be handled. Hillsdale is still paying off the bond to purchase the elevator and refurbish the building, which was contentious at that time. At this time, there is no accessibility for handicapped people to the third floor, so this must be taken care of. The only way to do that is to put the process in motion, which means that the \$31,000 must be authorized. A claim should also be submitted to FEMA, because, as Mayor Arnowitz reminded everyone, the first floor was filled with floodwater during Hurricane Irene and Superstorm Sandy, so it is conceivable that floodwater would be in the elevator shaft, causing the problem. Mayor Arnowitz spoke with a representative from the NJDEP on another issue, and mentioned this at the same time, especially with respect to a statute of limitations, and the NJDEP representative informed him that it is "all arbitrary".

Council President Pizzella asked for an update on the historic preservation grant for the train station. Mr. Polyniak commented that his office contacted Angela Drake from the Bergen County Historic Preservation Commission to discuss the grant. At this time, no response to any municipality is expected until spring 2015. It is hoped that the response will be favorable.

Borough Attorney Madaio commented for the record that Council Member DeRosa left the dais at approximately 8:15 PM due to illness, and did not return. There was still a quorum to continue the meeting.

#### **MONTHLY DEPARTMENT REPORTS:**

Ambulance Corps –

DPW – Donald Russell, Superintendent of the Department of Public Works, presented the report for the month of January. Mayor Arnowitz thanked Mr. Russell for the signage for the front steps.

Regarding leaf season, Mr. Russell said he distributed a calendar to the council to review. There was one employee lost in November, which set back the schedule a bit. There was also a partial loss of

another employee, who cut his thumb, who was only able to work three days a week for 2½ hours each day while doing physical therapy. However, Mr. Russell said that they were able to complete many tasks, but it was not easy. Leaf cleanup began on October 7, which is a bit earlier than usual, and was completed on December 19, as planned. In 2013, leaf cleanup began on November 6 and ended on January 21, 2014, due to the weather, which is a large factor in leaf removal and cleanup. Another item that affects leaf removal is the number of breakdowns in the trucks, which happened quite often this year. Nevertheless, because they were able to start leaf removal earlier than in the past, his team was able to accomplish a lot. It is hoped that none of these occurrences repeat in 2015-2016. In 2013, 265 loads were taken to the dump; and 2014, 167 loads were dumped. It still cost the same amount money due to the compaction ratio with the leaves, but required fewer trips to the dump. Mr. Russell noted that if the equipment issues were addressed, it would help considerably in the future. He mentioned the possibility of getting a loader with a TINK claw. There are some major tire issues with the garbage trucks, some of which are very antiquated. With the right manpower, three crews could be dispatched instead of two. Currently, they operate with a loader crew and a backhoe crew.

In addition, the vehicles are not in the greatest shape. Three salters are currently used, but one of them, a flow body salter, had a problem with its hydraulic line 15 minutes into the recent storm. It was fixed immediately. It is a flow body system from 1997, we had two of these trucks, but one was replaced and updated also by a 1997. There is also a Mason dump truck that possibly needs replacing, from 1999. The garbage truck needs some updating, as well as the L1 loader that blew a piston must also be reassessed. In the recent ice storm, Mr. Russell stated that he was called at 7:30 a.m., and the men responded within approximately 15 minutes. Mr. Russell said it was by far one of the worst storms he is ever seen with respect to black ice. The trucks were sliding all over the roads, and they were moving so slowly that they had to go back up some streets to spread the salt. Piermont Avenue heading east toward River Vale was salted five times because of the ice. As the water fell to the ground, it froze immediately, making it very difficult for the DPW team to do their jobs. The Police Department called them back in at 7:00 p.m., and they did some spot-salting around town. They were called back in again at 12:30 a.m. Monday morning, when the majority of the town was salted. Mr. Russell estimated that approximately 100 tons of salt were used. Some hills had to be shut down instead of salted, because they were so slick with ice that the trucks could not get to them.

Mayor Arnowitz asked if Mr. Russell has enough salt to deal with any future storms. Mr. Russell answered that he ordered 100 tons of salt to replace what was used. He added that he has used approximately 125 tons of salt since November 2014. Mayor Arnowitz asked if the equipment is running as well as they can, which Mr. Russell confirmed. Mr. Russell is anticipating another storm this weekend, which is supposed to bring 3-5 inches of snow. Mayor Arnowitz asked if Mr. Russell heard Council Member Ruocco's comments about someone from the DPW being present at the Public Library to inspect the elevator shaft, and Mr. Russell said he would be there himself, if necessary.

Council Member DeGise thanked Mr. Russell for the excellent job he and his department always do. However, Council Member DeGise was concerned about two items. One of those was the status of the sidewalks in Hillsdale, because he acknowledged that no one bid on the contract to clear them, and the company that currently provides the services (Downes) cannot guarantee the man hours necessary to do the job, and no routes were laid out for them. Council Member DeGise's concern is that if a big snowstorm hits, he does not know how the DPW will be able to clear the sidewalks. Mr. Russell explained that he has routes laid out for his team, but the sidewalks are going to be an issue. He does have routes prepared for the contractor, and he will be able to make that call early if necessary. The routes are set, and Mr. Russell will make use of the personnel if he needs to. He is currently looking into paying some high school students to supplement the contractor to help the Borough. Mayor Arnowitz wanted Mr. Russell to understand that he has the approval to do whatever is necessary to get the sidewalks clear. Council Member Ruocco noted that the sidewalks are issue in the downtown area, which Mr. Russell confirmed, adding that the areas around the schools are also expected to be cleared if schools are open. Mayor Arnowitz explained that the DPW does not shovel sidewalks in the downtown area; as Council Member Looes pointed out, the shop owners are responsible for clearing their own sidewalks. Areas like Veterans Park are the responsibility of the Borough. Mr. Russell noted that "downtown" refers to Veterans Park, the train station, the firehouse, Borough Hall/Police Department, Stonybrook sidewalks, and the Public Library. There are also a couple of areas heading west on Hillsdale Avenue that also must be kept clear when schools are in session.

Council Member Looes asked about the equipment referenced by Mr. Russell, and whether he thinks it

will have an effect on the Borough during the snow season. Mr. Russell responded that he will be able to muddle through, but right now, he is “flying by the seat of his pants”. Complaints have been logged about the 1997 flow body salter, because when it puts the salt down, it leaves a streak in the roadway. The frame of the truck is rotted out, and the hydraulic lines are slowly eroding. The truck can be rebuilt, but it is a 1997 truck with a rotted frame, and rebuilding it will be very costly. There are a couple of other trucks that also need repairs. There is one truck from 1990 in the fleet. The mechanic cannot be blamed, because he has been doing everything he can think of to keep the trucks in working order. Mayor Arnowitz said he does not see a solution for this season, but he has spoken to one of the members of the Finance Committee, and he will be speaking to the rest of them tonight about a way of solving many of the problems. He will be proposing that the Borough flow to bond to do the roads and everything necessary at one time, but it will be up to Mr. Benecke to provide the figures before any decision can be made about whether to move forward with that proposal. Mayor Arnowitz noted that the Borough will be making a smart investment to get the paving done this year by paving the roads that need to be paved for the next 5-10 years (because the cost of oil is lower), and purchasing the trucks and loaders necessary to modernize the fleet – all of which will cost millions of dollars. However, Mayor Arnowitz noted that the current debt is a moderate problem, but ignoring problems with roads and equipment will come back to haunt us later. Purchasing the equipment has been postponed for so many years, and it can no longer be put off. He told Mr. Russell that approximate costs will have to be provided, which Mr. Russell said he has. At that point, it will be necessary to consult Mr. Benecke to evaluate the possibilities regarding a bond ordinance and payment plan.

Council Member Ruocco asked if Hillsdale had ever entered into an interlocal agreement with another community to share some of the responsibilities regarding snow removal. Mayor Arnowitz responded that the problem is that all of the towns are engaged in the same activities at the same time, which ties up the equipment for each town. Council Member Ruocco asked that the Mayor’s answer implies that none of the other towns has any excess capabilities that could buy. Mr. Russell explained that when he worked in Maywood, before a brining system was implemented, personnel from Hackensack would come in and spread brine on some of the Maywood streets. Hackensack no longer uses its brine system, which shocks Mr. Russell. And brine system helps tremendously in snow removal. Council Member Ruocco said he was to be honest in saying that there are also other alternatives in terms of going down a shared service route that we need to look at. Mr. Russell noted that a wood chipper, if purchased by Hillsdale, could be shared with another town. He does not understand why Hillsdale still does not have a wood chipper, but it would be useful in brush removal, as well as in Christmas tree removal. Mayor Arnowitz said that when he discusses getting through the season, he is talking about leaf and snow removal seasons. He would like to be able to give the DPW enough equipment to get them through those two seasons and any other emergencies, but a problem has arisen because the Mayors in this area have been discussing a regional system of snow in leaf removal. There is also a problem because if Hillsdale has a storm, the other towns are also experiencing the same storm, whether it involves snow or flooding, and they also have their leaf removal season at the same time as Hillsdale. The Borough Council needs to address the needs of the DPW with respect to equipment. The two garbage trucks currently used to pick up leaves were purchased used, and were not in good condition at that time. Mayor Arnowitz does not understand how they can still be working. The leaf vacuum currently in use is too small for the job, and it would help considerably to purchase a larger one. Mayor Arnowitz did not realize that the salter was in such bad shape, and he estimated the cost for a new one at approximately \$150,000-\$160,000 (according to Mr. Russell). That brings the cost of two vehicles, a loader and a salter, to approximately \$400,000, based on purchasing equipment similar to what is already being used. The tires cost approximately \$500 each, and there are 10 tires on the truck. Mr. Russell noted that the current tires are nearly bald. Mayor Arnowitz said if there is a safety issue, purchase whatever is needed. Because the trucks are only used for 6-12 weeks per year, Mayor Arnowitz does not think it would be feasible to buy a new truck, so he suggested that another used truck be purchased; one that is in better shape than the current one. Mayor Arnowitz asked about the status of a loader, and Mr. Russell noted that the combination backhoe has served us well. Mayor Arnowitz stated that it is necessary to think about 2016 and beyond. Council Member Ruocco agreed that it certainly is something that should be discussed with Mr. Benecke. He noted that the size of any bond is directly connected to any assumptions made about how independent the DPW needs to be in various functions. He suggested that some functions could be shared with other municipalities. All of that needs to be considered before any bond ordinance is acted upon. Mayor Arnowitz disagreed with Council Member Ruocco, saying that Mayor Arnowitz was only referring to getting through leaf and snow seasons. If it was decided that Hillsdale would enter into a shared services agreement with River Vale or any other municipality, Hillsdale would still need to bring a minimum of equipment for leaf and snow removal. Other equipment, such as wood chippers, rollers to pave macadam surfaces, and other similar pieces can be

shared, but garbage trucks, loaders, and salters are basic pieces that every municipality should have. In the past, it was possible to get assistance from other towns for leaf and/or snow removal, but fortunately, they had already finished doing their own streets and sidewalks. This year, the early pickup and leaf vacuuming was a great asset to the town. Mayor Arnowitz does not think shared service would solve the equipment problem and we need to look at replacing the equipment be it though bond/BANS/lease. He said it is certainly something that can be discussed with Mr. Benecke and the Finance Committee after all of the approximate costs and other associated figures are compiled to see the costs. Mayor Arnowitz instructed Mr. Russell to work on getting through 2015, and if there is anything required for safety purposes to get through the season, he should get it or do whatever is necessary to make sure there are no safety concerns, with the exception of replacing them.

Fire Department – No one present. Mayor Arnowitz congratulated the Fire Department and Jason Durie, the ex-Chief, who was honored for 20 years of service. Mayor Arnowitz also commended his entire family, who have served the Hillsdale Fire Department and volunteered in other ways for so many years.

Board of Health – No report.

Police Department – Chief Francaviglia presented the report. Regarding traffic, Traffic Sergeant Dan McLaughlin is working on an issue in the downtown area, on Park Avenue and Broadway, where a lighting situation is being investigated at the pedestrian crossing. A better solution is being sought. He is also investigating the new crosswalk on Broadway by Clinton Avenue; a complaint was received about the crosswalk. However, Broadway is a County road, so it will require some time. Regarding dispatching, last month had 93 shifts, all of which were covered by non-sworn personnel, meaning no overtime was necessary. The 12-hour shift scheduling has begun, and it seems to be working out satisfactorily so far.

A vehicle was stolen this past weekend on the west side of town, off of Pascack Road. The keys were left in the vehicle. Chief Francaviglia alerted residents to take all of their personal belongings out of their vehicles, such as computers, cash, licenses, cell phones, and anything other belongings. The thief was caught in Bernards Township today, and was taken into custody. The perpetrator had recently been released from the State prison system.

Finally, Chief Francaviglia reminded everyone that there is no overnight parking allowed at this time on any street. Anyone who needs to park on the streets for any reason should contact the Police Department. Mr. Russell asked Chief Francaviglia to ask residents to refrain from blowing or shoveling their snow into the streets, which violates a Borough ordinance. Snow should also not be plowed from the driveway into the street. Residents to do so will be issued tickets, because it is a hazard. It is especially frustrating for DPW personnel who are plowing snow. Mr. Russell also reminded everyone to keep their cars off the streets during snow season. Chief Francaviglia said that if there is a snow event during the night, and cars are parked in the streets, police officers will be knocking on doors to ask people to move their cars.

Recreation/Stonybrook – No report.

### **OLD BUSINESS:**

#### 1. Update Clarifications of Borough Auditor – Council President Pizzella

Council President Pizzella asked Council Member Ruocco for clarification of the questions from the last meeting. Council Member Ruocco responded that, in terms of the work done by the Borough Auditor over the past couple of days, close out work was done to ensure appropriate closing numbers from 2014 so that 2015 can be opened. It required a little more time than expected by Mr. Garbarini. Council Member Ruocco will be having a discussion with Mr. Garbarini tomorrow about how that affects the “special engagement” portion of the estimate, which was not included in the original RFQ. The RFQ mentioned by Council President Pizzella is the one submitted by Mr. Garbarini in the amount of \$52,600, compared to the prior Auditor, who had done the work for \$53,200. Council Member Ruocco said it is important to keep in mind the full work that the previous Auditor did in the beginning of 2014. He and Ms. Witkowski are discussing the work that is being finished by Mr. Garbarini at this time, and they met with Maria from Mr. Garbarini’s office. It was apparent that Mr. Garbarini was having some difficulty with the amount of work that was expected, because Hillsdale has been without a CFO for several weeks, whereas the previous Auditor worked with a CFO. Council Member Ruocco said he would like to withdraw the resolution included in tonight’s agenda to pay Garbarini for the special costs. Mayor Arnowitz said when the resolutions are

discussed, Council Member Ruocco could ask for it to be withdrawn at that time.

Mayor Arnowitz reminded everyone that the situation being faced by Mr. Garbarini this year was faced by the previous Auditor, because although the CFO had been hired, he was gone by that time. Council Member Ruocco agreed with that, but said that according to what Mr. Garbarini told him, it was much more difficult to work without a CFO, because many things had not been posted, especially in the fourth quarter. Mayor Arnowitz said what he meant was that in 2013, a payment was authorized to Lerch of approximately \$8,000 to get through 2013 and into 2014, and the \$53,200 fee was in addition to that. Council Member Ruocco pointed out that the estimate given by Garbarini's firm, which was initially below the \$8,000 paid before, will most likely go above \$8,000 due to the extra hours put in by his personnel to take care of the postings and get to a closing position.

2. Update Clarifications of Interim CFO and Economic Advisor – Council President Pizzella

This was previously discussed with Mr. Benecke. Council Member Looes asked if an ad has been posted in the newspapers for the new CFO. Ms. Witkowski responded that she wanted to make sure that everyone is still on the same page regarding part-time/full-time status, but she will start the paperwork immediately if everyone is in agreement.

3. Update Tandy/Allen – Open Space Grant – Council President Pizzella

Council President Pizzella stated that Bergen SWAN and the Open Space Institute have come to terms with the property owner of Tandy/Allen, who is also pursuing approval from the Planning Board as a separate issue. This past week, Council President Pizzella and a representative from the Open Space Institute met with the Bergen County Trust to go over a pre-presentation and answer some questions about the property. In the past, the town was very concerned about the macadam path that goes through the property. If the property is purchased by the two preservation groups and Hillsdale eventually takes ownership of the property, the path can be torn up. Mayor Arnowitz pointed out that many children use that path to walk to school. Council President Pizzella said he raised the issue because there have been numerous discussions about having to maintain that property. Mayor Arnowitz stated that many children get to Smith School that way, and if the path were torn up, the Board of Education might be forced to provide buses for children who live in the homes in that area. Council President Pizzella said the path does not have to be torn up, and Mayor Arnowitz said he would not even discuss that as a possibility. Council President Pizzella said he was not aware that children used to path to get to school. After the pre-presentation, Council President Pizzella explained that the next requirement will be on Monday, January 26, when Hillsdale must give a presentation to the Bergen County Trust at an open public meeting. The meeting will be at the Bergen County Planning and Development Office at One Bergen County Plaza at 7:30 PM.

4. Train Station – Historic Preservation Grant Application – Council President Pizzella

This was previously discussed.

5. Recreation Sports Agreements – Council President Pizzella

Council President Pizzella said he was going to ask Council Member DeRosa about this, but since he left the meeting, it will be tabled until February 3.

**NEW BUSINESS:**

1. Economic Growth Committee – Council President Pizzella

Council President Pizzella said he discussed this briefly with Council Member Meyerson, who also sits on this committee. As Council President Pizzella explained earlier, there is no true economic growth standing committee in Hillsdale. There is a Business Affairs/Public Relations Committee, which has no stated purpose in pursuing economic growth. Therefore, it is hoped that a purpose could be created dealing with economic growth within that committee so that the actions can be justified. It might also be necessary to update the ordinance, with that purpose included, so that when Mr. Benecke is ready to start to address economic growth, this committee could be there to be utilized by him, as well as to interface with him, and report back to the Borough Council.

Council Member Looes asked if that is the same committee that Mayor Arnowitz characterized as being sometimes active, and sometimes not. Mayor Arnowitz confirmed that. Council Member Looes asked if anyone is currently assigned to the committee. Council President Pizzella answered that he, Council Member Meyerson, and Council Member DeRosa are assigned to it. Councilman Ruocco noted that in addition to the committee, there is also a citizens' committee with the same purpose. Council President Pizzella stated that a citizens' economic growth committee was also going to be created comprised of

residents who will volunteer their time, and who have specific skills, to fulfill that purpose. Mayor Arnowitz said he is not yet formed that committee, and he does not plan on forming it until Council President Pizzella has established the direction in which the Council committee will go. Mayor Arnowitz added that there are many citizens' committees already in existence, with nothing to do, including a citizens' Finance Committee. Council Member Ruocco said he was unaware that there was a citizens' Finance Committee. Council Member Ruocco said they seem to have been pretty quiet, to which Mayor Arnowitz disagreed, saying that last year, they tried and were rebuffed in their efforts to give assistance. However, in prior years, they were very active. The members have a lot of ideas; for example, they recommended the fee structure for the parking. Council Member Ruocco said he would reach out to them.

Council Member Looes stated that she raises this issue approximately four (4) times a year, and every time, this committee is mentioned, but to her knowledge, no one has ever reached out to them. Council Member Ruocco said it is his understanding that they are a budget committee, but have played no role. Council President Pizzella said they have not played a role in the past two years, as far as he can remember. He and Mayor Arnowitz explained that they are a citizens' budget advisory committee, which was relied on prior to the change in government two years ago.

Attorney Madaio stated that the ordinance on the agenda for this evening, #15-01, does have a couple of blank spaces in it at this time. Information is needed regarding the number of Council Members to serve on the committee, as well as the number of citizen members, if any, to be included. Mayor Arnowitz commented that the only thing he intends to vote on tonight is what was discussed at the Reorganization Meeting. Ms. Witkowski explained that a couple of committees were changed at the Reorganization Meeting. Two of them were changed simply by adding them into the by-laws, which created the committees. However, if this new committee is desired, it must first be recognized by the Borough, requiring an ordinance to introduce it. Mayor Arnowitz said he would rather not do that at this time; he would rather just set up the committee consisting of Council Members and Mr. Benecke, and moving forward with that. Ms. Witkowski said it was explained to her that if any citizens are going to be joining a committee, it must be created by ordinance. Mayor Arnowitz said that was never done with the budget advisory committee, and Ms. Witkowski said it probably should have been done. Mayor Arnowitz stated that the Borough Attorney at that time said it was only necessary to create a committee, because it would be an ad hoc committee.

Council President Pizzella commented that one needs to be done now is to ensure that there is a standing committee comprised of Council Members that can pursue economic growth in Hillsdale. Mayor Arnowitz said that was set up at the Reorganization Meeting. Ms. Witkowski noted that committee mentioned in the ordinance is the one that will include citizens as members. Council President Pizzella suggested that if Mayor Arnowitz is not ready to address that, it should be tabled.

## 2. Environmental Commission – Town Cleanup Day Dates – Council President Pizzella

Mayor Arnowitz stated that the date chosen for the cleanup is the same date as the annual fishing contest, and the sponsors of the contest are unwilling to change their date.

Meredith Kates, 140 Sebastian Court, stated that it is always challenging, because Earth Week is usually around the time when the cleanup is held. Park Ridge organizes a bi-state cleanup, and the dates are chosen months in advance. The bi-state cleanup is scheduled for March 18, and Ms. Kates stated that she would like to hold the Hillsdale cleanup on the same day to support the larger one. However, sponsors of the fishing contest stated that they get trout delivered on a certain day for the contest. Rich Corrieri, who organizes the fishing contest, told Ms. Kates that they also organize a cleanup in preparation for the contest, to be held on March 28. Mr. Corrieri suggested that the town cleanup could be held on that day, although it would not be an Earth Day event. Ms. Kates explained Mr. Corrieri that the town cleanup does not involve cleaning the streams, and Mayor Arnowitz confirmed that the cleanup involves other areas around the town, such as the parks, and the area between the Fornazor building on the Public Library. Ms. Kates added that children who participate in the cleanup will be lost to the fishing contest, so they should not be held the same day. At this time, Ms. Kates said they are considering holding their cleanup in the Fall instead of in the Spring. Mayor Arnowitz noted that Mr. Corrieri explained to him that the hatchery that delivers the fish can only deliver on certain dates. Ms. Kates said she was aware of that, but she noted that last year, the event was held in May, and she suggested that perhaps in the future, they could request a similar date for the fishing contest.

Patty Hughes, Recreation Director, also noted that March 28 is the Opening Day for baseball in Hillsdale, and is also the day of the annual Easter Egg Hunt.

## 3. Environmental Commission – Earth Day Fair Dates – Council President Pizzella

Council Member Looes asked when the annual Earth Day Fair would be held. Ms. Kates responded that it is tentatively scheduled for April 26. Council President Pizzella suggested that the people who are running the Earth Day Fair should still obtain a permit through the Environmental Commission, as they did last year.

#### 4. Minutes 48-Hour Policy – Update Borough Attorney – Council President Pizzella

Attorney Madaio said that some issues were clarified that were of concern to some residents. The first of those issues is that there are two concepts of 48 hours. The first 48-hour concept is the sense that the agendas must be published or circulated 48 hours prior to a meeting, which is not what the law states. However, it is a nice policy, if the Borough Council would like to do that. Ms. Witkowski does try to do that on a regular basis. The other issue is the production of minutes, which leads to bigger question. Minutes should be available within 30 days, or by the next meeting (actually, a couple of days prior to the next meeting), whichever is sooner. That is the general interpretation of the law. Minutes cannot be produced between the first and second meetings of the month, because there is only one week in between meetings. Moreover, to have them completed 48 hours prior to the second meeting would require them to be finished by Friday. That is not a very realistic expectation. Attorney Madaio does not believe any court would require that. Attorney Madaio has discussed the matter with Ms. Witkowski, and he thinks it is reasonable to expect that the minutes from the two meetings in February should be distributed 48 hours prior to the first meeting in March; minutes from the two meetings in March should be distributed 48 hours prior to the first meeting in April, etc., even if they have to be stamped “draft” or have not yet been circulated. The goal is to get them to the public as quickly as possible within the 30-day period, and before the next Work Session, where people would be able to ask questions and discuss matters. That leads to the next question, which is the ability to have someone else prepare the minutes at the discretion of Ms. Witkowski.

Mayor Arnowitz asked a question about the agenda and the 48-hour window. He has gotten telephone calls, and a resident asked for the agenda through an OPRA request. Attorney Madaio explained that if the document has not yet been produced, there is nothing to gain from an OPRA request. Only documents that exist can be provided by an OPRA request. However, it can certainly be a goal to make the agenda available as soon as possible. Attorney Madaio also mentioned that when he was discussing the availability of minutes, he was referring to open and closed sessions. Closed session minutes can be adopted but not distributed, according to the same schedule as those for the open meetings.

Council Member Looes asked how soon are the videos of the Borough Council meetings posted on the website. Ms. Witkowski stated that she tries to get them on the website by the next morning. Attorney Madaio said that was a good point, because the law applies to the minutes of the meetings, and the law must be followed with respect to the minutes. He noted that no one is precluded from having access to the video the next day, with the entire meeting available online. It does not substitute for the minutes, nor does it change any obligations with respect to the minutes, but it does demonstrate the efforts of the Borough Council to get information to residents as soon as possible.

#### 5. Questions Re: Outside Typist Issue Re: Minutes – Council President Pizzella

Mayor Arnowitz explained that in the past, a typist prepared the minutes, but she has left the Borough employed. Ms. Witkowski asked another staff member to prepare the minutes, but it was very difficult and time-consuming. Ms. Witkowski found an outside person who prepares minutes, and discussed it with Mayor Arnowitz. Mayor Arnowitz asked Mr. Bernstein if this is something that must be put out for bid or voted on, and Mr. Bernstein answered no to both questions. Attorney Madaio said he agrees with Mr. Bernstein’s assessment. The bottom line is that the person preparing the minutes is a vendor, and the vendor is not a public employee of the Borough. The amount of the contract is approximately \$1,500 annually. It is not at all uncommon for municipalities to hire someone from the outside to prepare the minutes as best they can from tape, or in Hillsdale’s case, from tape and video. The person who prepares the minutes only works on the open sessions; Ms. Witkowski prepares the minutes for the closed sessions. After submitting the minutes, the person preparing them gets them back for correction, just as with the Planning Board, or any other documents taken from tape. Ms. Witkowski then spends a lot of time ensuring that what is included in the minutes matches what actually transpired during the meeting, and that the minutes are complete, statutory minutes. It is no different than having someone in Borough Hall preparing the minutes. Attorney Madaio added that minutes need to be reasonably comprehensible, not comprehensive or reasonably comprehensive. He pointed out that when in doubt, always include more information, rather than less. It would be nice to have verbatim minutes, but that requires more financial resources. Attorney Madaio commented that if the Council Members are willing to allocate the resources to produce verbatim minutes, Ms. Witkowski would have no problem having those prepared. However, in these tough economic times, with staff being cut, it is hard to find people who are willing to do such work. It is only necessary to comply

with the statutory standard, without comparing it to what used to be done eight years ago.

**CORRESPONDENCE:**

1. Letter Dated December 22, 2014, from Rover and Clover 5K Committee Asking Permission to Schedule 10<sup>th</sup> Annual 5K Run/Walk and Dog Walk for Sunday, March 15, 2015

Motion to accept, receive, and file by Council Member DeGise, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

2. Letter Dated January 16, 2015, from Andy Puller Requesting Permission to Hold Block Party, Large Avenue, May 2, 2015; 4:30 PM-11:00 PM

Motion to accept, receive, and file by Council Member DeGise, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

3. Electronic Message Dated December 10, 2014, Requesting Permission to Organize a Walk-A-Thon April 26, 2015 – TABLED
4. Letter Dated January 6, 2015, from Big Daddy's Pizza and Grill Requesting Permission for a Temporary Outdoor Vestibule for Winter Months

Motion to accept, receive, and file by Council President Pizzella, second by Council Member DeGise.

Mayor Arnowitz stated that he spoke to the Code Enforcement Officer, because he was concerned that there should be no impediment on the sidewalk or any fire exits. The CEO stated that there were no impediments. It seems that the restaurant is trying to block the cold air from blowing into the store every time the door is opened. The vestibule would only be there during the cold months. Council Member Ruocco said he went to the site this morning to see how far five feet would extend from the existing vestibule, and it comes out very close to where the tree is. Mayor Arnowitz noted that the CEO stated that it is still handicapped accessible. Council Member Ruocco stated that it seems to him that there is very little room for Pedestrian to get past the temporary vestibule.

Joseph Minuto, Owner Big Daddy's, 751 Orangeburg Road, River Vale, noted that there is a "bit of a squeeze" there. He pointed out that when he has his barbecue out there, or any of the other cafés have their tables out there, the space is approximately the same. Council Member Ruocco responded that he is sympathetic to what Mr. Minuto is trying to do, and if the sidewalk were wider, there would be no problem. Mayor Arnowitz explained that handicapped accessibility must be maintained, which means that a wheelchair must be able to pass through. If this vestibule is put up, and there is no room for a wheelchair to pass through, Mr. Minuto will be forced to take it down. Mayor Arnowitz suggested that the vestibule be made smaller. Handicapped requirements must meet federal law, and a certain width is specified, which is wider than a wheelchair. The pavers/stones in the pavement around the trees are included as part of the accessibility measurement. Mr. Minuto said he believes a wheelchair can pass through with the vestibule up. Council Member Ruocco pointed out that the wheelchair would have to pass over the area is covered by the cross bricks. Mayor Arnowitz reiterated that even if the Council Members approve this, if it is found that a wheelchair cannot pass through the opening, Mr. Minuto will be forced to remove the vestibule or redesign it.

Council Member Looes asked why this issue is not being brought to the CEO. Mayor Arnowitz responded that Mr. Minuto was sent to the Borough Council to get permission. Mayor Arnowitz said he spoke to Ms. Jeffery, who told him that it should not be a problem. However, Mayor Arnowitz has warned Mr. Minuto several times about the necessity of allowing wheelchairs to pass through, and the consequences he will face if that does not prove to be the case. Mayor Arnowitz said he does not understand why the Building Department is not handling this. Ms. Witkowski answered that Ms. Jeffery stated that the Borough Council must approve it. Attorney Madaio said he has not discussed this with Ms. Jeffery, but he assumes that the vestibule to be constructed will be on Borough property, and it is a temporary construction. That will not necessitate a site plan approval, an amendment to the site plan, or other Planning Board or Zoning Board interference. It is merely a question of getting permission to utilize the sidewalks for a temporary structure. Council Member Looes asked if Ms. Jeffery would go out to ensure that it is in compliance once it has been constructed. Mayor Arnowitz answered that he would make sure she does. Mayor Arnowitz suggested to Mr. Minuto that he explore the possibility of redesigning the vestibule to allow more access, if possible.

Council President Pizzella asked if the vestibule is as wide as the awning, which Mr. Minuto confirmed. Council President Pizzella asked how many feet that would cover, and Mr. Minuto responded that the footage is on the plans he submitted. Council President Pizzella stated that it seems like the vestibule is covering more ground than what is shown on the plan. Mr. Minuto said he measured it, and what is shown on the plan is what the measurements should be. Council President Pizzella noted that the structure will only be up during the winter months, which Mr. Minuto confirmed. Council President Pizzella asked if there is a specified period of time during which the vestibule would be in place, such as from September-March, or some other specification. Mr. Minuto estimated that it would be in place from December-March. Council President Pizzella pointed out that there are other vendors and impediments on the sidewalk already, such as the hotdog vendor, and the tables and chairs for the local cafés, and while he wants to help businesses in Hillsdale as much as possible, he wants to ensure that people can pass through on the sidewalks. However, if Ms. Jeffery has found the size to be acceptable, and Council President Pizzella said he sees no problem with it. Mayor Arnowitz reiterated that once the structure is in place, he will request someone from Code Enforcement to ensure that it meets all federal requirements for handicapped accessibility. Ms. Witkowski requested that Mr. Minuto meet with Ms. Jeffery before taking any action to ensure that everything is measured and meets all guidelines. She asked them to call Ms. Jeffery tomorrow morning about this. Mayor Arnowitz asked if a vote could be taken authorizing Mr. Minuto to use the sidewalk provided the structure meets the requirements.

Council Member Ruocco asked if, when Ms. Jeffery stated that she did not think there was any problem with it, she had already been out to see it. Ms. Witkowski said she believed that Ms. Jeffery had seen it, and Mayor Arnowitz noted that Mr. Minuto met with Ms. Jeffery, which Mr. Minuto confirmed, adding that he gave her drawings. Council Member Ruocco asked if Ms. Jeffery visited the site to look at the structure, and Mr. Minuto said he did not know. Ms. Witkowski said she believes that Ms. Jeffery did visit the site, but she would verify that with Ms. Jeffery.

Mayor Arnowitz asked what the Council Members felt about moving forward and allowing Mr. Minuto to proceed, pending final approval by Ms. Jeffery. Council Member Ruocco stated that he would like to give Mr. Minuto the option to do this, because he thought it was a good idea, but he wanted to make sure that it met with all federal guidelines and requirements. Council Member Looes agreed that if the CEO finds everything to be in order, there is no reason to delay Mr. Minuto's plans. Mayor Arnowitz suggested that Mr. Minuto accompany Ms. Jeffery at the site and use a piece of chalk to draw the measurements on the sidewalk so that she could envision what, if any, impediment might be caused by the vestibule. The Council Members agreed to approve the request, pending final approval by Ms. Jeffery.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

**PUBLIC COMMENT:**

Kurt Wolckenhauer, 19 Hopkins Street, stated that Mr. Minuto would not be able to put up his vestibule near the hot dog stand, because it takes up too much of the sidewalk. Mr. Wolckenhauer has complained about this before. The bricks are a tripping hazard for him. He does not understand why the hotdog stand and the bagel store are allowed to operate on the sidewalk. It forces people to walk on the pavers. He finds it very difficult to walk on the sidewalk when all of the other impediments are there. Mayor Arnowitz pointed out to Mr. Wolckenhauer that what he described at the bagel store is illegal. The bagel store actually puts out a table and two chairs, and customers bring the other chairs. The ordinance allows for tables and a specified number of seats. However, it is the responsibility of the CEO to police that situation. Mayor Arnowitz has complained, and has sent inspectors over to that area numerous times. Tickets have also been issued. Mr. Wolckenhauer asked why a line could not be painted designating the limit where items could be placed on the sidewalk, and Mayor Arnowitz agreed that he wanted that, too, but it was deemed to be unsightly. Mr. Wolckenhauer is concerned that if Mr. Minuto is allowed to put up his vestibule, it will allow others to erect similar impediments, making it more difficult to navigate the sidewalks. The idea is to try to strike a balance between the needs of the merchants and the needs of the residents, but Mayor Arnowitz said he did understand Mr. Wolckenhauer's concern. Mayor Arnowitz added that he would pass Mr. Wolckenhauer's concerns along to the CEO again.

Marissa Cefali, 6 Manson Place, said she knows that in other towns, gates were put up around tables on the sidewalks. Mayor Arnowitz stated that Hillsdale had those in the past, too, but problems arose when people started moving the tables. One of the problems in Hillsdale is that the sidewalks are very narrow. Table ordinance currently in existence is very nice, but is not effective for people who walk.

Next, Ms. Cefali stated that she lives adjacent to a piece of property that is currently vacant. On December 29, 2014, her son alerted her that there was a bulldozer next door, driving through the eight acres of woods on the property. Ms. Cefali is aware that issues concerning this piece of property have been presented to the Planning Board, and she immediately went to Borough Hall. She spoke with Ms. Jeffery, and when she told Ms. Jeffery what was going on, Ms. Jeffery said she was going out to the property. Ms. Cefali approached the gentleman on the property, who was the contractor, to ask what he was doing. He answered that they were taking dirt samples, and Ms. Cefali asked if it was necessary to do that with a bulldozer, and she asked him if he had any permits to do so. The man answered that he did not need a permit, and Ms. Cefali asked for confirmation that a permit was not required to drive a bulldozer through property. Man said it was not necessary, and that he was from the Division of Environmental Protection. Ms. Cefali asked if the man was aware that there are wetlands on that property, and some other questions. Within a half-hour, the man and the bulldozer were gone. By the time Ms. Jeffery got there, the man was preparing to leave. The bulldozer was driving across the paper street, under which there are pipes carrying water. That creates a question about the weight that the ground in that area can withstand. Ms. Cefali surmised that the man who said he was taking dirt samples must have called the potential new property owner. Apparently, there is someone who is interested in buying the property, who came and explained to Ms. Cefali and Ms. Jeffery (who was still on the site) that he was taking dirt samples, and that he was thinking of buying the property. Ms. Cefali asked if the man was aware that the property had some issues before the Planning Board, which he confirmed. Ms. Cefali asked why the man did not call anyone before putting a bulldozer on the property, especially if he was aware of the issues involving the property. The man and Ms. Jeffery simultaneously asked who would be called in that situation. Ms. Cefali stated that perhaps it is possible that no rules were broken, but there should be some kind of policing of this type of situation.

Mayor Arnowitz stated that after he received Ms. Cefali's email, he spoke to the Police Chief, the Borough Administrator, and Ms. Jeffery. All of them immediately responded, and Mayor Arnowitz forwarded their responses to Ms. Cefali. They explained that no permits are required. At the last Planning Board meeting, Mayor Arnowitz also discussed this property. He referred to it as the Walsky property, which is how it has been referred to in the past. The man with the bulldozer was digging test pits. Under federal law, no permits are required to take such samples, because they move across the property, and at certain points they stop and dig down a specified distance and take soil samples before filling the hole back up. They continue doing this across the property. The Planning Board Engineer confirmed to Mayor Arnowitz that permits are not necessary for these types of samples. Mayor Arnowitz was also the impression that Mr. Walsky was pulling his application to the Planning Board, but he was informed that Mr. Walsky is ill. The Planning Board Attorney assured Mayor Arnowitz that she spoke to the attorney representing Mr. Walsky, and she told Mayor Arnowitz that Mr. Walsky is not pulling his application. However, Mayor Arnowitz is aware that two people are looking at the property. One of them is the one who was doing the sampling, and there is someone else who is also interested. The bottom line is that this is a Planning Board issue. As far as the permitting process required for a bulldozer or digging, it is possible that crossing the Borough paper street could be some type of violation that requires a permit. Mayor Arnowitz said he does know that when crossing a Borough sidewalk, a permit is required, but there might be different requirements for crossing a paper street. According to Mr. Statile, for the type of work they claim to be doing, they did not need permits. There is also no notification required, unless they were to enter the wetlands or the wetland buffer, which requires approval from the DEP, which they also had, according to Mr. Statile.

Ms. Cefali stated that she heard the man say to Ms. Jeffery that he spoke to the Borough Engineer, and Ms. Jeffery told him that when these test bits are dug, the Borough Engineer is supposed to be on-site. Mayor Arnowitz said he asked Mr. Statile about that, and it seems that if they plan to introduce the test pits as evidence as part of a Planning Board application, the Borough Engineer would have to be present. If this person buys the property and goes before the Planning Board for any reason, all of those samples would have to be redone with the Borough Engineer and other individuals present. However, according to Mr. Statile, they were merely trying to make a determination about whether they wanted to buy the property by finding out what was under the ground.

Ms. Cefali stated that her concern is that, regardless of the property, whenever someone takes a large piece of machinery anywhere without notifying anyone about what they are doing, that should be policed in some way. Mayor Arnowitz responded that he is not aware of any law requiring such policing, and he asked the Borough Attorney for his opinion. Ms. Cefali noted that it held up traffic, and as a resident, she did not know who to call to complain about this. A flatbed trailer was parked on Lake Street to transport the bulldozer, and it created quite a bit of traffic to get around the flatbed truck. Mayor Arnowitz noted that that is another issue, and that would be a police matter. Ms. Cefali confirmed that Ms. Jeffery said the same

thing. Mayor Arnowitz stated that the Borough Attorney agreed that there is no law either in Hillsdale or in the State that prohibits a piece of equipment from being used on a property, and therefore, no notification is required. The only potential issue that Mayor Arnowitz could see is crossing the paper street, and he is not familiar with the laws regarding those. Ms. Cefali stated that she was not saying that they broke any rules, but as a citizen, she was very surprised that there is no policy established for the use of large machinery on properties. She believes there are safety issues involved. She noted that when her neighbor installed a new hot water heater, he had to obtain a permit for that.

Council President Pizzella stated that he agrees of Ms. Cefali, and after working on numerous similar projects, he believes permits should be required in such cases. Mayor Arnowitz stated that that could be addressed, but as it stands, that is not a requirement, and no laws were broken. Ms. Cefali reiterated that she was not complaining about any laws that might be broken, but she finds it unbelievable that a permit is required to get a hot water heater, but not to use heavy machinery on properties. She suggested that the Borough Council might want to consider such an ordinance. Attorney Madaio pointed out that water heaters require permits because they also require inspections due to the necessity of hooking up gas to the heaters. United Water usually requires permits for any of their work because a lot of their work requires opening roads, and police officers are required to guard those openings. There is generally no notice requirement when using equipment on private property, because property owners are entitled to bring equipment onto their property. If a certain amount of soil (1,500 cubic yards) is moved on the property, that would require a permit.

Mr. Polyniak agreed with Mayor Arnowitz that one of the considerations would be the DEP general permits, which are necessary to perform any test pits, or to drive over any wetland areas or wetland transition areas across any site. A standard test pit that is perhaps 1x3, and going down perhaps nine (9) feet, and given the fact that most towns have a threshold of approximately twenty (20) cubic yards before a permit is necessary, creates a small possibility that the threshold was exceeded. Mayor Arnowitz pointed out that they replaced the soil with the same dirt that was removed from the whole, and Mr. Polyniak acknowledged that, but stated that, based on the soil movement permit, and he soil that is excavated must be included as part of the threshold.

Ms. Cefali asked how anyone was supposed to know how much dirt was moved. Furthermore, it seemed to Ms. Cefali that it all came down to a decision by Mr. Statile, and she does not believe that a Borough Engineer has the authority to make such approvals by telephone.

Council Member DeGise asked why Mr. Statile was called that day, as opposed to the Borough Engineer. Mayor Arnowitz said he did not know, and he did not know that the Planning Board Engineer was called until he attended the Planning Board meeting where he raised the issue. Ms. Cefali was confused about who the Planning Board Engineer is (Mr. Statile), and who the Borough Engineer is (Mr. Polyniak). Mayor Arnowitz believes it was a decision made by Ms. Jeffery. Council Member DeGise pointed out that there is no way to know if any of the DEP regulations were violated. Mayor Arnowitz explained that the potential buyer of the property would have contacted Mr. Walsky, who has the necessary permits, according to Mr. Statile. Mayor Arnowitz said he does not understand the whole process, and he agrees with Ms. Cefali that it is very disconcerting when this type of thing happens, but apparently no laws have been broken. Council Member DeGise believes the Borough Engineer should go out to ensure that the work done not violate any wetland regulations. Mayor Arnowitz stated that it is now after the fact, and the point is moot. Ms. Cefali said her reason for coming to the meeting was to urge that something be done in the future to prevent it happening again. Mayor Arnowitz surmised that Ms. Jeffery called Mr. Statile because there is an active application before the Planning Board.

Kevin O'Brien, 61 Parkview Drive, commented with respect to the applications for the vestibule for the pizzeria that he would be delighted to borrow or rent a wheelchair for each one of the Council Members to attempt pass-through where the vestibule is proposed to be erected. He does not understand how the Code Enforcement Official would be able to approve that proposal. In the past, she has made decisions that were later overturned by the courts. Mr. O'Brien has challenged some of those decisions, including the one that allowed the restaurant Stickey's to open on a site that used to be a bank, which would require a change of use, as well as appearing before the Planning Board. However, Mr. O'Brien believes that was "rubber-stamped" for approval. In fact, decisions by the CEO have been questioned numerous times, according to Mr. O'Brien. Mr. O'Brien is concerned that the vestibule, the impediment to many handicapped people living in Hillsdale who frequent the downtown area. Mr. O'Brien went to the area with a ruler and measured it, and believes it will definitely be an impediment to people in wheelchairs.

With respect to the leaf vacuum, Mr. O'Brien asked if the Council Members had considered giving leaf bags to residents, instead of buying another piece of equipment. This is what the Borough of Emerson has done, and residents are required to bag their leaves.

Regarding the shared services agreement, Mr. O'Brien said he is not sure what was done in Montvale when they merged the Montvale DPW with River Vale, and whether each town was supposed to have its own equipment. Entering into a shared services agreement with Westwood or someone else might offset the costs.

Mr. O'Brien asked Council President Pizzella if the pass through the woods on the Tandy/Allen property was on private property. Council President Pizzella said he is not sure, but he thought it was. Mr. O'Brien said it is not an issue if it is on private property, other than the fact that the children are probably trespassing, and the property owner would be liable if somebody fell.

Next, Mr. O'Brien stated that he is more than happy to volunteer for any committee, or provide any service that might be necessary as a volunteer.

Regarding Mr. Wolckenhauer's comments, Mr. O'Brien noted that the Borough requires a five-foot path from the café area, and Mr. O'Brien assumes that would be all the way to the curb. However, when there is a tree in the way, Mr. O'Brien asked if the five feet should be measured from the tree to the curb for access. Before approving any request, Mr. O'Brien suggested that the Council Members see what the Americans with Disabilities Act requires.

With respect to meeting minutes, Mr. O'Brien stated that there is a challenge. The Borough Council made the decision to switch to a seven-day period between meetings. There was an option of going to a 15-day period between meetings, which was proposed by Council President Pizzella, and that would allow the Borough to create the minutes to support the requirements of State law. New Jersey case law provides seven days for minutes to be prepared. Attorney Madaio asked what seven days was Mr. O'Brien referring to. Mr. O'Brien answered that seven days are allowed for producing minutes. Attorney Madaio reiterated that he does not believe any judge would require the Borough Council to produce minutes between the first and second Tuesdays of any month. Moreover, there is no legal requirement to arrange meetings so that the production of minutes is faster. Mr. O'Brien pointed out that the Borough Council made the decision to keep the meeting schedule the way it has always been, so the responsibility falls on the Borough Council to meet the requirements of State law. Attorney Madaio reiterated that, while it is possible that a judge in Hackensack might force minutes to be produced within two days, he does not believe that would happen. Mr. O'Brien reminded Attorney Madaio of the number of times they had appeared before Judge Doyne in Woodcliff Lake.

Mayor Arnowitz interjected to ask Mr. O'Brien to stop making veiled threats, which Mr. O'Brien denied he was doing. Mayor Arnowitz also asked Mr. O'Brien to make his comments, and to address the Mayor when doing so, and not to address his comments to Attorney Madaio directly. If he had a question or comment for Attorney Madaio, Mayor Arnowitz would pass it along, and Attorney Madaio could respond or not as he chose. Mr. O'Brien reminded Mayor Arnowitz that he had previously stated that he would recuse himself from the meeting. Mayor Arnowitz denied that he ever said that, but that he did say that he would not utilize any of Mr. O'Brien's recommendations because they were outlandish. Mr. O'Brien said he thought it was funny that whenever he consulted the minutes about what was said by Mayor Arnowitz, they reflected something quite different from what Mayor Arnowitz admitted he said. Mr. O'Brien accused Mayor Arnowitz of having a selective memory, and Mayor Arnowitz said his memory is very selective. He added that he would probably read about his selective memory in the newspaper next week, and Mr. O'Brien stated that he was surprised that Mayor Arnowitz could read. Mayor Arnowitz asked the other Council Members and everyone else on the dais to refrain from responding to Mr. O'Brien.

Regarding the closed session minutes, according to Judge Doyne, closed session minutes are required to be released within 30 days if they are releasable. Attorney Madaio agreed that closed session minutes should be released as soon as possible after they can be released. To be more specific, he said that closed session minutes should be released as soon as the reason for their confidentiality elapses, whether that is 30 days, 50 days, or upon the expiration of a contract. There is no specified time for the release of closed session minutes. No one has disputed that closed session and open session minutes should be prepared with the same care, and adopted within the same timeframe, but closed session minutes cannot be released until the necessity for their confidentiality no longer exists.

Mr. Kurt Wolckenhauer, 19 Hopkins Street, noted that PSE&G has torn up the streets to work on the gas lines, and he asked if the streets will be repaved from curb to curb. Mayor Arnowitz responded that there is an ordinance requiring that, but whether the Borough will prevail is another matter. Mr. Wolckenhauer noted that for the past 30 years, residents in his street were promised storm drains, and he asked if there is any money to do that. There is no storm drain on his street. Mayor Arnowitz responded that there had been no discussions about that, and given the current financial condition in Hillsdale, it is doubtful whether it can be done this year. Mayor Arnowitz said he would ask the Borough Engineer to look into it, if the other Council Members agree. Mr. Wolckenhauer suggested that a storm drain could be run along Carlyle Place down to the Brook, which would help the residents in his area a great deal. Mayor Arnowitz said he could not guarantee anything, but he would ask the Borough Engineer to take a look. Mr. Wolckenhauer asked if the repaving would be done when the work is finished. Mayor Arnowitz answered that they must fill in the trench, and Hillsdale passed an ordinance requiring curb to curb repaving in such cases. However, neither PSE&G nor United Water agree that such repaving is necessary; they contend that they only need to patch the area where they have worked.

Meredith Kates, 140 Sebastian Court, asked if the Finance Committee still plans to meet with the various commissions, and if an email was sent about that. Ms. Witkowski answered that they will be meeting this week. Mayor Arnowitz noted that Council Member Ruocco assured him that he is trying to complete the budget in a timely fashion.

Marissa Cefali, 6 Manson Place, asked if anyone has heard from Waste Management since they closed down, because she was told that they are planning to reopen. Mayor Arnowitz stated that he has not heard anything like that, but that they have not yet made a decision on the matter. Nothing has been repaired, and Mayor Arnowitz wants to force them to take down the building. Ms. Cefali noted that her neighbor called WM, who told the neighbor that they plan to repair the roof and reopen the facility. Mayor Arnowitz noted that having the facility in Hillsdale was a mixed blessing, and that many people criticized him for allowing them to leave. Mayor Arnowitz does not believe such a facility belongs in the center of Hillsdale. Mayor Arnowitz pointed out that he spoke to someone at WM, who told him emphatically that they are not interested in selling the property, and that no decision has yet been made about what they will do with it. Ms. Witkowski has tried to contact them a number of times since then, and they tell her the same thing. Mayor Arnowitz stated that they must do something that the building, because it is dangerous, as well as an eyesore. Moreover, it is likely to be infested with rodents. Mayor Arnowitz has requested that bait be set around the building to prevent that.

Kevin O'Brien, 61 Parkview Drive, said he is the person who called Waste Management in Texas, and he spoke to a Senior Vice President, who said that they intend to repair the roof and reopen the facility.

Abby Lundy, 73 Colonial Boulevard, saw the resolution for the quarterly methane testing at Centennial Field, and wondered if it would interfere at all with any ball playing or other activities at the field. Mayor Arnowitz said it would not. He explained that the results of previous testing done at the field were acceptable, but the monitoring needs to be upgraded. There might be a problem at the field house, and that is why special testing has been authorized in the building itself. Ms. Lundy asked when that would be done, and Mayor Arnowitz answered that it would be done as soon as the ordinance is adopted. Ms. Witkowski noted that it is hoped it can be started by the end of the month.

At this time, Mayor Arnowitz closed the time for public comments.

**ORDINANCES:** *Adoption and Introduction*

**15-01 (Introduction) TABLED**

**AN ORDINANCE ADDING CHAPTER \_\_\_\_\_ OF THE REVISED GENERAL CODE OF BOROUGH OF HILLSDALE ENTITLED "ECONOMIC GROWTH AND REVENUE COMMITTEE" TO ESTABLISH A COMMITTEE TO INVESTIGATE POTENTIAL FOR REVENUE GENERATION AND DEBT REDUCTION IN THE BOROUGH**

**WHEREAS**, the Borough of Hillsdale desires to research possibilities within the Borough to increase Borough revenue and to reduce debt; and

**WHEREAS**, the Borough of Hillsdale desires to establish a committee, entitled the "Economic Growth and Revenue Committee" whose purposes include the investigation of revenue generation and debt reduction

within the Borough and making suggestions to the Mayor and Council directly or through the Business Affairs, Economic Growth and Public Relations Standing Committee with regard to revenue growth and debt reduction; and

**NOW BE IT ORDAINED, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:**

Chapter \_\_\_\_\_, entitled "ECONOMIC GROWTH AND REVENUE COMMITTEE" shall be added to the Borough Code, which shall read as follows:

**Section 1 Committee Established; Purpose**

- A. Committee to be known as the "Economic Growth and Revenue Committee" is hereby established.
- B. The purpose of the Committee is to assemble a group of residents with backgrounds in various areas, including but not limited to finance, economics, business management and real estate/land use, to research possibilities for increasing revenue and reducing debt within the Borough.

**Section 2 Membership; Appointment**

- A. The Committee shall consist of seven (7) to nine (9) members, each of whom shall be appointed by the Mayor, with the consent of the Council. All of the members shall be residents of the Borough and shall serve without compensation. \_\_\_\_\_ shall be members of the Council and \_\_\_\_\_ shall be residents of the Borough.
- B. One (1) of the members of the Committee shall, concurrently with his or her appointment, be designated Chairperson by the Mayor for a period of one (1) year. The individual selected may be reappointed each year by the Mayor. The Chairperson may, with the concurrence of a majority of Committee members, and subject to ratification by the Mayor, designate a Vice Chairperson to assist on reports and correspondence, and to act as Chairperson as needed.
- C. At his or her discretion, the Mayor may, by and with the consent of the Council, appoint alternate members to serve during the disability or prolonged absence of a regular member.
- D. While desirable that appointed members be representative of all geographic sections of the Borough, they shall be primarily selected on the basis of individual qualifications, without regard to area of residence.

**Section 3 Terms; Vacancies; Removal from Office**

- A. The full term of each regular member shall be two (2) years. The term of each alternate member shall be one (1) year.
- B. A vacancy occurring otherwise than by an expiration of a term shall be filled for the unexpired term only.
- C. The Borough Council may remove any member of the Committee for violation of the Committee's noncommercial, nonpartisan and nonpolitical purpose or for inability or unwillingness to accept assignments from the Chairperson for a period of ninety (90) days or more. Written charges are to be served upon the member who shall be entitled to a hearing in person before the Mayor and Council.

**Section 4 Council Liaison**

- A. One (1) Council member shall annually be appointed by the Mayor, by and with the consent of the Council, as Council liaison to the Our Town Committee.

**Section 5 Meetings; Minutes and Reports**

- A. Name assignments may be made by the Chairperson without convening a meeting. Meetings will be convened as deemed necessary by the Chairperson or as requested by a majority of members of the Committee, the Mayor or by a majority of the Borough Council. Advance notice of such meetings will be posted on the Borough Hall bulletin board and published for record in local newspapers as required by statute. Said meetings shall be open to the public.
- B. The Chairperson or Vice Chairperson shall keep and maintain minutes of such meetings and records of its activities. Copies of said minutes and records shall be provided to the Council liaison, who in turn shall report thereon to the Council and file said minutes and reports with the Borough Clerk.

**Section 6 Duties**

The Economic Growth and Revenue Committee shall have the following duties:

- A. To act as a “think tank” to investigate and analyze Borough assets and the potential for revenue generation and debt reduction.
- B. The Committee shall make recommendations to the Mayor and Council through the Business Affairs, Economic Growth and Public Relations Standing Committee.

**Section 7 Purchases and Expenses**

- A. All purchases of materials, supplies and services by the Committee in connection with the performance of its duties shall be made through the Borough Purchasing Agent.
- B. No expenditure by or on behalf of the Committee shall exceed the amount previously appropriated therefor by the Borough Council.
- C. All purchases of materials, supplies and services by the Committee in connection with the performance of its duties shall be made through the Borough Purchasing Agent.

**Section 8 Conflicts of Interest**

Neither the Committee nor any of its individual members shall, in the performance of their function and duties hereunder, act directly or indirectly in any commercial, partisan or politically-related manner.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

**This ordinance was tabled.**

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**15-02 (Introduction)**

**ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND CHAPTER 138 OF THE BOROUGH CODE ENTITLED “FEES” PERTAINING TO LAND USE**

**WHEREAS**, the Borough of Hillsdale has adopted §138-27, an ordinance to establish fees in the Borough; and

**WHEREAS**, §138-27 Chapter 310 pertains to Land Use Fees; and

**WHEREAS**, §138-9 Chapter 124 pertains to Uniform Construction Codes; and

**WHEREAS**, the Borough desires to amend §138-27 Chapter 310 regarding fees pertaining to Land Use and §138-9 Chapter 124 regarding fees pertaining to Construction Code.

**NOW BE IT ORDAINED**, BY THE MAYOR AND COUNCIL OF THE BOROUGH OF HILLSDALE AS FOLLOWS:

The following fees shall be removed from §138-27 Chapter 310, Land Use:

<u>Type of Use</u>	<u>Fee</u>
Photocopying of minutes:	
First 10 pages	\$0.75
11 <sup>th</sup> to 20 <sup>th</sup> pages, per page	\$0.50
21 <sup>st</sup> page and over, per page	\$0.25

The following fees shall be added to §138-27 Chapter 310, Land Use:

<u>Type of Use</u>	<u>Fee</u>
Appeal to Zoning Officer pursuant to N.J.S.A. 40:55D-70b	
Deposit for costs	\$600.00
Zoning permit application:	
New Structure – initial	\$150.00
New Structure – (each) re-submission	\$100.00
Addition/Alteration – initial	\$150.00
Addition/Alteration –(each) re-submission	\$100.00
Decks, patios, retaining walls, walkways, driveways, porticos, pergolas, A/C units, generators, all fences, all sheds, hot tubs, stanchions – initial review	\$75.00
All listed above - resubmission	\$50.00
Trees removal/replacement review	\$75.00
Signs – temporary or permanent – initial	\$75.00
Signs - temporary or permanent –(each) re-submission	\$50.00
Pools – above ground	\$75.00
Pools – In-ground – initial	\$100.00
Pools – In-ground – (each) re-submission	\$75.00
New Business CO Zoning review	\$80.00
General Zoning review – not listed above – initial	\$75.00
General Zoning review – re-submission	\$50.00
Miscellaneous certifications, each request for written clarification of any sort	\$100.00

The following fees shall be removed from §138-9 Chapter 124 Construction Codes - Uniform:

<u>Type of Use</u>	<u>Fee</u>
Zoning permit application review for addition/alterations and new structures of any use group.	\$75.00 per initial review \$50.00 per resubmission review

The remainder of §138-27 Chapter 310 and §138-9 Chapter 124 shall remain unchanged.

All Ordinances of parts of Ordinances inconsistent herewith are hereby repealed as to such inconsistencies only.

In the event that any word, phrase, clause, section or provision of this Ordinance is found by any Court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause or provision shall be severable from the balance of this Ordinance and the remainder of this Ordinance shall remain in full force and effect.

This Ordinance shall take effect upon passage and publication as provided by Law.

BE IT RESOLVED, that Ordinance No. 15-02 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 February 10, 2015, 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 Council Member DeGise, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

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**15-03 (Introduction)**

**AN ORDINANCE ESTABLISHING 2015 SALARIES FOR THE RECREATION DEPARTMENT**

**WHEREAS:** by the Borough Council of the Borough of Hillsdale as follows:

**SECTION 1.** The compensation of all personnel whose services are required as general staff for the operation of the Borough of Hillsdale – Summer Day Camp Program is as follows:

<u>Years worked, step guide</u>	<u>Hourly Wage range</u>	
	MINIMUM	MAXIMUM
HS Sophomore	6.75	8.25
HS junior	7.25	8.25
HS senior	7.75	8.25
College freshman	8.00	8.50
College sophomore	8.25	8.75
College junior	8.75	9.25
College Senior or 22+ years old	9.25	9.50
College Graduate, 1 <sup>st</sup> year	9.50	10.50
College Graduate, 2 <sup>nd</sup> year	10.50	11.50
College Graduate, 3 <sup>rd</sup> year	11.50	12.50
College Graduate, 4 <sup>th</sup> year	12.50	13.50
College Graduate, 5 <sup>th</sup> year	13.50	14.50
College Graduate, 6 <sup>th</sup> year	14.50	15.50

**Camp Hillsdale Experience Benefit**

A flat rate of \$25.00 will be applied for every paid year of Camp Hillsdale experience that each counselor has with the Borough of Hillsdale. This adjustable experience benefit will be paid at the completion of the summer day camp season in August.

**SECTION 2.** The range salary amount to be paid to a **Specialist** who must have an education degree/certification is \$1,000 to \$3,500 (based on the applicant’s related camp experience and camp time length). This is an appointed position.

**SECTION 3.** The range salary amount to be paid to a **Camp Director (one)-** \$10,000 and \$20,000 , **Assistant Director’s (each)** is \$3,000 to \$9,000 (based on applicant’s related camp experience and camp time length). This is an appointed position.

**SECTION 4.** Additional hourly increments on top of base rate may be earned for the following recognized certifications:

First Aid Certification	\$0.35
CPR: Adult and Child	\$0.50
Lifeguard Certification	\$0.75
Head Counselor	\$0.30

**SECTION 5.** The compensation of all personnel whose services are required as Program Supervisors for the Recreation Commission Programs is as follows:

<u>Program</u>	<u>Rate</u>
Men's Basketball	\$200/season
Duplicate Bridge	\$400/season
Indoor Soccer	\$400/season
Women's Volleyball	\$100/season
Girls' Volleyball Instructor	\$400/season
Youth Basketball: primary	\$2,000/season
Youth Basketball: secondary	\$2,000/season (2-3 people)
Men's 18+ Softball	\$400/season
Men's 35+ Softball	\$400/season
Women's 18+ Softball	\$400/season
Summer Concert Coordinator	\$n/a/season
PV Junior Wrestling	\$200/season
Pt Recreation Secretary	April-September \$3,000 - \$16,000

**SECTION 6.** The compensation fixed and determined by this ordinance for the person holding the respective office and position 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 office and employee shall be remitted promptly to the Borough Treasurer.

**SECTION 7.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 8.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law.

BE IT RESOLVED, that Ordinance No. 15-03 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 February 10, 2015, 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 Council Member DeGise, second by Council Member Looes.

Mayor Arnowitz asked if anyone had reviewed the budget of the Recreation Department to find out if it

covers everything. Ms. Witkowski asked Ms. Hughes if she changed the salaries of the Recreation Department from those of 2014. Ms. Hughes explained that she added a maximum because of the issue with minimum wage in case a change is made at the State level. Some of the fees charged have decreased, with some of the programs that are not making money or have minimal attendance have been changed, such as adding other towns to the program to try to build up the program and cut back on the coordinator fees. If money is not made from the program, it is dropped. Council Member Ruocco noted that the fees for women's basketball and volleyball were reduced. Ms. Hughes responded that women's volleyball was cut two years ago due to lack of attendance, so she enabled other towns to join the program. If enough people wanted to join the program, it would be reinstated. Council Member Ruocco noted that the maximum salary for the secretary increased from \$13,000 to \$16,000, which Ms. Hughes confirmed. She explained that the secretary helps with the camp, and her salary is paid out of fees, not out of Borough money or budgeted funds. Council Member Ruocco asked if there was a need to raise the salary, or was there another reason for increasing it. Ms. Hughes explained that it was in anticipation of the possibility of exceeding the number of hours the secretary usually works.

**Roll Call Vote:**

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

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**15-04 (Introduction)**

**AN ORDINANCE ESTABLISHING RECREATION DEPARTMENT PROGRAM AND SUMMER CAMP FEES FOR THE YEAR 2015 IN THE BOROUGH OF HILLSDALE**

**BE IT ORDAINED** by the Borough Council of the Borough of Hillsdale as follows:

**SECTION 1.** The Hillsdale Summer Camp season for children of Hillsdale and River Vale residents and for children attending Hillsdale schools shall operate continuously for 5 weeks.

**SECTION 2.** The **Summer Camp Fees** per registrant for the year 2015 are as follows:

	Hillsdale/ River Vale	St. John's Student/
	<u>Resident</u>	<u>Non-Resident</u>
Camp Pascack, Grades 1 – 4	\$790	\$840
Camp Adventure, Grades 5 – 6	\$840	\$890
Field Trip Camp, Grades 7 – 9	\$890	\$940
Late registration fee after May 7, 2013	\$50	\$50
Before Camp Program (8:00 – 9:00 am)		
Pre-Registered (all weeks)	\$180	\$185
Pre-Registered (per week)	\$60	\$60
Pre-Registered (per day)	\$20	\$20
No pre-registration (per day)	\$25	\$25
After Camp Program (3:00 – 6:00 pm)		
Pre-Registered (all weeks)	\$340	\$345
Pre-Registered (per week)	\$100	\$100
Pre-Registered (per day)	\$25	\$25
No pre-registration (per day)	\$30	\$30

Late pick-up (after 6:00 pm, \$15 \$15  
Per 15 minute increment.)

NO REFUNDS

**SECTION 3.** The **Recreation Program Fees** per registrant for the year 2015 are as follows:

	<u>Hillsdale Resident</u>	<u>Non-Resident</u>
Men's Basketball	\$75	\$75
Duplicate Bridge	\$20	\$40
Indoor Soccer	\$55	\$65
Youth Basketball (1,2,3 clinic Grade)	\$55	N/A
Youth Basketball (3 <sup>rd</sup> to 8th Grade)	\$80, 1 child	N/A
Youth Basketball (9th to 12 <sup>th</sup> Grade)	\$80, 2+ children each	\$80
Women's Volleyball	\$55	\$55
Girls Instructional Volleyball	\$50	\$50
Men's 18 & over Softball	\$400/per team	N/A
Men's 35 & over Softball	\$50	\$55
Women's 18 & over Softball	\$50	\$55
Wrestling	\$125	\$125
Rutgers Coaches Class	\$45	\$45
Art Program, per class (session)	\$95 - \$100	N/A
PGA Golf Program	\$100	N/A
Tennis Program	\$100	N/A
Ski Program	\$50-\$100	\$50-\$100
First Friends	\$5-10	\$5-10
Ice Skating	\$125-130	\$125-130
Returned Check Fee	\$20	\$20
Late Fee	\$25	\$25
Credit Card Convenience Fee	3%	3%
Use of Beechwood Park rental		
Band shell& picnic area	\$25	\$50
Use of Beechwood Park – Field Use	\$25	\$50
Use of Borough meeting rooms	\$25	\$25

**All programs are NON REFUNDS**

**SECTION 4.** All ordinances and resolutions inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistencies.

**SECTION 5.** This ordinance shall take effect immediately after final passage, approval and publication of notice thereof as required by law and shall be retroactive to January 1, 2015.

BE IT RESOLVED, that Ordinance No. 15-04 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 February 10, 2015, 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 Council Member DeGise, second by Council Member Looes.

Mayor Arnowitz noted that the fees support the programs, which Ms. Hughes confirmed.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

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**15-05 (Introduction)**

**AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 09-01, CHAPTER 138 “FEES,” AND CHAPTER 71 SWIMMING POOL COMMISSION**

**CHAPTER 71, Swimming Pool Commission**

RESIDENTS-		RESIDENTS discount 25%		PRICE	
TYPE	Before	After	TYPE	Before	After
	5-May	5-May		5-May	5-May
A. Family of Two	\$ 521.00	\$579.00	A. Family of Two	\$391.00	\$443.00
B. Family (3 persons)	\$ 534.00	\$593.00	B. Family (3 persons)	\$401.00	\$454.00
C. Family (4-5 persons)	\$ 586.00	\$651.00	C. Family (4-5 persons)	\$439.00	\$498.00
D. Family (6 + persons)	\$ 648.00	\$720.00	D. Family (6 + persons)	\$496.00	\$551.00
E. Individual (18+)	\$ 372.00	\$421.00	E. Individual (18+)	\$310.00	\$316.00
F. Senior Citizen (62+)	\$ 205.00	\$227.00	F. Senior Citizen (62+)	\$171.00	\$171.00
G. 2 Senior Citizen	\$ 306.00	\$339.00	G. 2 Senior Citizen	\$254.00	\$254.00

NON-RESIDENTS		NON-RESIDENTS discount 25%		PRICE	
TYPE	Before	After	TYPE	Before	After
	5-May	5-May		5-May	5--May
A. Family of Two	\$ 811.00	\$901.00	A. Family of Two	\$676.00	\$689.00
B. Family (3 persons)	\$ 866.00	\$981.00	B. Family (3 persons)	\$721.00	\$736.00
C. Family (4-5 persons)	\$903.00	\$1,023.00	C. Family (4-5 persons)	\$751.00	\$767.00

D. Family (6-7 persons)	\$913.00	\$1,034.00	D. Family (6-7 persons)	\$760.00	\$775.00
E. Family (8+ persons)	\$939.00	\$1,064.00	E. Family (8+ persons)	\$782.00	\$798.00
F. Individual (18+)	\$ 586.00	\$664.00	F. Individual (18+)	\$488.00	\$498.00
G. Senior Citizen (62+)	\$ 270.00	\$299.00	G. Senior Citizen (62+)	\$224.00	\$224.00
H. 2 Senior Citizen	\$ 423.00	\$470.00	H. 2 Senior Citizen	\$317.00	\$353.00

**Credit card convenience fee 3%**

Return check fee: \$20.00

**Credit card convenience fee 3%**

Return check fee: \$20.00

**SECTION II:**

**MEMBERS:**

**SECTION III:**

Guest Pass Discount Book		\$75.00
Daily Guest Pass Adult (weekdays)		\$18.00
Daily Guest Pass Child (weekdays) Under 17		\$10.00
Daily Guest Pass Adult (weekends)		\$20.00
Daily Guest Pass Child (weekends) Under 17		\$12.00
Group Swim Lessons-members		\$72.00
Group lessons non members		\$110.00
Private Swim Lessons members		\$30.00
Mommy & Me-members		\$45.00
Mommy & Me non members		\$55.00
Fab Four Lesson-non Members		\$50.00
Adult Swim Lesson all		\$50.00
Private Swim Lesson-Non member		\$50.00
Swim Team Membership		\$60.00
Dive Team Membership		\$55.00
Dive Lessons-members Only		\$45.00
Dive Lessons-Non Members		\$75.00
Private Lesson for 2 kids		\$50.00
Private lesson for 2 kids non member		\$65.00
Babysitter – 1 sitter		\$130.00
Babysitter 2 for summer		\$210.00
I. Grand Parent Fee (1)*	I	\$150.00
J. Grandparents Fee (2)*	I	\$335.00
Parties under 100+ people -private		\$850.00
School Parties		\$750.00
Corporate Parties	\$500 to	\$7,500.00

Swim Team Rental (outside)	\$500 to	\$25,000.00
Ping Pong balls		\$0.25
Camp Fees - per camper		\$35.00
ID Card Replacement Fee		\$13.00
Chair Storage - per chair		\$20.00
Yoga members		\$5-\$35
Yoga non members		\$10-\$60
Aqua Aerobics		\$5-\$40
Aqua Aerobic non members		\$10-\$50
Birthday Parties (children under 16) 2 hours		\$80.00
Camp rentals outside hillsdale/rv		\$300-\$2000
Parties - Family (2 hours)		\$100.00
Spirit Wear clothing		\$5 to \$100

**\*NO REFUNDS AFTER May 25th, 2015**

**SECTION IV:**

BE IT RESOLVED, that Ordinance No. 15-05 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 February 10, 2015, 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 Council Member Looes, second by Council President Pizzella.

Council Member Ruocco asked if the residents' discount is 25%. Ms. Hughes noted that the discount shown on the right-hand side of the sheet, and that discount is for volunteers, such as members of the Fire Department, etc., and not just for any resident who wants a discount. Council Member Ruocco also noted that the fee structure was reduced by 11% across-the-board. Ms. Hughes responded that the reduction was supposed to be 10%. Council Member Ruocco stated that he did the calculations, and they were approximately 11.1% lower, and he asked if the reason was to attract more members, which Ms. Hughes confirmed.

**Roll Call Vote:**

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

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**15-06 (Introduction)**

**AN ORDINANCE ESTABLISHING SALARIES FOR THE STAFF OF THE HILLSDALE SWIMMING POOL COMMISSION FOR THE CURRENT YEAR, 2015, IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY**

**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 I:**

The compensation of all personnel whose services are required for the operation, maintenance and regulation of the Facility as approved by the Swimming Pool Commission is as follows:

TITLE	<u>2015 SALARY RANGE</u>			
	<u>Min.</u>		<u>Max.</u>	
A. Manager/Director	\$32,000.00		\$43,000.00	
B. First Assistant	\$5,800.00		\$10,000.00	
C. Second Assistant	\$5,800.00		\$10,000.00	
D. Third Assistant	\$4,800.00		\$8,000.00	
E. Fourth Assistant	\$4,800.00		\$6,000.00	
F. Secretary's	\$4,000.00		\$7,300.00	
G. Maintenance/Handyman	Hourly	\$7.05	Hourly	\$15.00
H. Pre-Season Maintenance			Hourly	\$ 8.00
I. Secretary-Hourly	Hourly	\$9.00	Hourly	\$15.00
J. Maintenance Manager	\$3,000.00		\$5,000.00	

**SECTION II:**

Trained Lifeguards: Part-time minimum age 15 years, Full-time 16 years, Gate Recreation and Minimum 14 years, Maintenance staff age 17 years

<u>YEARS WORKED</u>	<u>HOURLY RANGE</u>		<u>HOURLY RANGE</u>		
<u>LIFEGUARDS</u>	<u>MIN.</u>	<u>MAX.</u>	<u>GATE &amp; REC.</u>	<u>MIN.</u>	<u>MAX.</u>
<b>1</b>	\$7.15	\$7.41	<b>1</b>	\$6.95	\$7.21
<b>2</b>	\$7.41	\$7.87	<b>2</b>	\$7.21	\$7.51
<b>3</b>	\$7.88	\$8.21	<b>3</b>	\$7.51	\$7.98
<b>4</b>	\$8.22	\$8.94	<b>4</b>	\$7.98	\$8.24
<b>5</b>	\$8.95	\$9.42	<b>5</b>	\$8.25	\$8.60
<b>6</b>	\$9.42	\$9.68	<b>6</b>	\$8.60	\$9.27
<b>7</b>	\$9.68	\$10.35	<b>7</b>	\$9.27	\$9.78
<b>8</b>	\$10.35	\$11.58	<b>8</b>	\$9.78	\$10.50
<b>9</b>	\$11.58	\$12.36	<b>9</b>	\$10.50	\$11.50
<b>10</b>	\$12.37	\$13.20	<b>10</b>	\$11.51	\$12.00
<b>11</b>	\$13.21	\$14.05	<b>11</b>	\$12.01	\$12.50
<b>12</b>	\$14.06	\$14.95	<b>12</b>	\$12.50	\$13.00

Coordinator of Group Swim Lessons	\$1,400 or (\$700 each 2 people)
Guard Safety Training Instructor	\$500 - \$800
Head Guard - Lifeguard	\$500 to \$900
Business manager of Swim/Dive Team	\$1,100 or (\$550 each 2 people)
Managing Lifeguard	\$800-\$1,000
Kid's Korner Coordinator (2)	\$4,000 to \$9,000
Gate Manager	\$200-\$800

**SECTION III:**

A part-time /substitute Guard must earn at least \$3,000 the previous season to advance a step.

**ADDITIONAL RATES:**

Water Safety Instructor assistant	\$.050 hr
Certifies Water Safety Instructor	\$1.25 hr
CPR Instructor	\$1.00 hr
EMT Certification	\$1.25 hr
Teach Private Swim Lessons	\$16/half hour
Teach Private Swim Lessons (2 kids)	\$20/ half hour
Certified Pool Operator Hourly emp.	\$2.00 hr

**RANGE**

	<b><u>Min</u></b>	<b><u>Max</u></b>
Swim Team Coach	\$1,600	\$4,000
Assistant Swim/Dive Coaches	\$5,000	
Diving Team Coach	\$1,200	\$3,500
Aqua Aerobics Instructor	\$500.00	\$1,000
Yoga Instructor	\$500.00	\$1,000
Certified Pool Operator Salary employee	\$1,000	
Fall/Winter Help-Hourly	\$13.00	\$15.00
Fall/Winter Secretary-Hourly	\$13.00	\$15.00

Any full time guard who is scheduled 80 hours per pay period (2 weeks) will be guaranteed a minimum of 20

hours per pay period (2 weeks) (i.e. early closing-rain). When club is open full time only for the months of July and August.

**SECTION IV:**

The Compensation fixed and determined by this ordinance for the persons holding the respective offices and position of employment herein named, shall be in lieu of all other fees, costs and charges received and collected by such officers and employees shall be remitted promptly to the Borough of Treasurer.

**SECTION V:**

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

**SECTION VI:**

This ordinance shall take effect immediately after final passage, approval and publications of notice Thereof as required by law, and the provisions of this Ordinance shall be retroactive to January 1, 2015.

BE IT RESOLVED, that Ordinance No. 15-06 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 February 10, 2015, 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 Council President Pizzella, second by Council Member Looes.

**Roll Call Vote:**

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

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**15-07 (Introduction)**

**AN ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, ADOPTING REGULATIONS FOR THE PLANTING, GROWING, AND/OR CULTIVATING OF BAMBOO**

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

**SECTION 1. Purpose.**

This Ordinance is adopted to control the planting, cultivating and/or growing of bamboo in the Borough of Hillsdale and to require barriers to prevent the spread of existing bamboo into other areas of the Borough.

**SECTION 2. Regulation of the Planting, Growing or Cultivating of Bamboo.**

Subject to certain exemptions set forth in this Ordinance, no persons, residents, citizens, property owners and/or tenants of the Borough shall plant, cultivate, or cause to grow, any bamboo on any lot and/or parcel of ground anywhere within the geographic boundaries of the Borough of Hillsdale, except for:

1. Where the root system of such bamboo plants is entirely contained within an above ground level planter, barrel, or other vessel of such design, material and location as to entirely prevent

the spread of growth of the bamboo plants' root system beyond the container beyond which it is planted,

2. Whether planted or growing in a container, as described herein, all bamboo plants shall be located, trimmed and maintained so that no part of the plant shall be closer than ten (10) feet from any property line.

### **SECTION 3. Exemptions.**

This Ordinance shall not apply to any land owner or possessor of said land who, prior to the effective date of this Ordinance, has planted or caused to grow any bamboo on any property within the Borough limits unless the code enforcement officer determines on his/her own, or upon complaint from any abutting or nearby property owner, that any portion of such bamboo has been allowed to grow upon, extend roots across, or extend branches, stalks or leaves over any public way or any private property not owned by or in the possession of such land owner or any possessor of said land. If such occurs, the provisions of Section 4 shall apply.

### **SECTION 4. Complaint Notice, Order for Removal and Compliance.**

Whenever a complaint is received by the Borough regarding the encroachment of any bamboo plant or root, or whenever the Borough, on its own observations and inspections, determines that there is an encroachment of bamboo plants or roots on to the property of another land owner, or tenant in possession of the property, or both, the Borough shall cause Notice to be served and the following actions occur:

1. The Notice shall be mailed by Certified Mail, Return Receipt Requested, properly addressed and with sufficient postage, and also by First Class mail. Notice by Certified Mail shall be deemed complete on the date of personal delivery, or the date the Certified Mail is marked refused or unclaimed or otherwise undeliverable by the United States Post Office. First Class mail shall be deemed delivered within five (5) calendar days of its being mailed by the Borough.
2. The Notice shall specify the nature of the violation(s).
3. The Notice shall state that the violation(s) must be corrected within twenty (20) calendar days from the date of the received or returned mailing.
4. The Notice shall state specifically what must be done by the responsible party to correct the violation(s).

### **SECTION 5. Repealer.**

All Ordinances of the Borough of Hillsdale which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

### **SECTION 6. Penalties.**

- A. Any person determined by any court of competent jurisdiction to have violated this Ordinance shall be subject to pay a fine of not less than Twenty-Five (\$25.00) Dollars per day nor more than One Hundred (\$100.00) Dollars per day, for each day the violation exists after the date for removal as set forth in the Notice which was sent to violator and received by the violator as defined above. Each day of a continuing violation shall constitute a separate offense, for which an additional fine can be levied. The per day fine will be in addition to a penalty for failure to comply with the Bamboo Ordinance. This fine can be up to the maximum penalty set by the State of New Jersey.
- B. If the violation is not remedied within the time set forth in the aforesaid Notice, the Borough is hereby authorized to remove or have removed any encroaching bamboo and to take all reasonable steps to eradicate the re-growth of the bamboo on the public rights of way, including sidewalks, and to restore such land to its normal condition, prior to such removal and eradication.

C. The cost of the corrective action together with any civil penalties, legal fees and other costs shall be recoverable from the responsible party.

#### **SECTION 7. Unlawful**

If any section, subsection, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of this Ordinance.

#### **SECTION 8. Effective Date.**

This Ordinance, if adopted by the Borough Council shall, within five (5) days after its passage, Sundays excepted, be presented to the Mayor and Borough Clerk. The Mayor shall, within ten (10) days after receiving the ordinance, Sundays excepted, either approve this Ordinance by affixing his signature thereto or return it to the Council by delivering it to the Borough Clerk together with a statement setting forth his objections thereto or any item or part thereof. This Ordinance or any item or part thereof shall not take effect without the Mayor's approval, unless the Mayor fails to return this Ordinance to the Borough Council, as prescribed above, or unless the Borough Council, upon consideration of this Ordinance following its return shall, by a vote of two thirds (2/3rds) of all of the members of the Borough Council, resolve to override the veto.

BE IT RESOLVED, that Ordinance No. 15-07 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 February 10, 2015, 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 Council Member DeGise, second by Council Member Looes.

#### Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco  
Abstain: Council President Pizzella  
Absent: Council Member DeRosa, Meyerson

#### **RESOLUTIONS/CONSENT AGENDA: R15035-15047; 15051; 15052:**

R15035 Authorize Release of Maintenance Bond, Block 503, Lot 5.01, Pascack Properties, LLC, in the Amount of \$10,299.45

**WHEREAS**, Richard Stabile, Pascack Hills Properties, LLC entered into a Developers Agreement with the Borough of Hillsdale; and

**WHEREAS**, after the completion of the improvements and the issuance of a Certificate of Occupancy, the above property owners posted a required two (2) year Maintenance Guarantee in the amount of \$81,570.00 on January 31, 2007; and

**WHEREAS**, the Borough Engineers office has conducted a site inspection to ensure all improvements and construction elements have been successfully maintained; and

**WHEREAS**, the Borough Engineers office has found that all improvements have been properly upheld and recommends the release of the Maintenance Guarantee; and

**WHEREAS**, the Borough Engineers office has requested the balance of \$10,299.45 be available in the Engineering Escrow account prior to release of the bond.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Hillsdale authorize the release of the Maintenance Guarantee in the amount of \$10,299.45.

R15036 Authorize Release of Performance Guarantee, Block 802, Lot 19, Thomas & Xanthi Kesoglou, in the Amount of \$21,996.18

**WHEREAS**, a Developers Agreement was entered into between 50 Windham Road, Thomas and Xanthi Kesoglou and the Borough of Hillsdale; and

**WHEREAS**, Thomas and Xanthi Kesoglou has requested the refund of the Performance Guarantee for this site improvement; and

**WHEREAS**, the Planning Board Engineer recommends release of the Performance Guarantee; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Hillsdale hereby authorize a refund of the cash portion of the Performance Bond for Block 802/Lot 19, in the amount of \$21,996.18 in cash, and

**BE IT FURTHER RESOLVED**, that the Chief Financial Officer is hereby instructed to refund \$21,996.18 to Thomas and Xanthi Kesoglou.

R15037 Authorize Transfer 2014 Senior Citizen Deduction, Block 1205, Lot 2, Qual C0042

**WHEREAS**, the Hillsdale Tax Assessor has reviewed the senior citizen deduction application on the aforementioned property and found same to be qualified for the senior citizen deduction; and

**WHEREAS**, Biserka Zurich, 42 Colonial Village Drive, Block 1205 Lot 2 Qual C0042, has applied for the deduction and 4<sup>th</sup> qtr 2014 taxes are paid in full,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor & Council authorize the Tax Collector to transfer the 2014 senior citizen deduction in the amount of \$250.00 to the 1<sup>st</sup> quarter 2015 taxes.

R15038 Authorize Quarterly Testing for Methane Gas Survey Services at Hillsdale Landfill, a/k/a Centennial Field, for a Total Amount of NTE \$10,600

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

**WHEREAS**, quotes were solicited by Neglia Associates for Methane Gas Survey; and

**WHEREAS**, two (2) quotes were received in response to the solicitation, Partners Engineering and Science Inc., Ramsey, NJ, (\$10,600.), ten thousand six hundred dollars and no cents, and Environmental Compliance Monitoring, Inc., Hillsborough, NJ, (\$11,000.), eleven thousand dollars and no cents; and

**WHEREAS**, methane delineation sampling is required to be performed at the Landfill;

**THEREFORE, BE IT RESOLVED** that the recommendation to award the Base Bid and Alternate Bid contract for methane delineation sampling to PARTNERS ENGINEERING AND SCIENCE, INC. 145 North Franklin Turnpike, Suite 309, Ramsey, NJ 07446, for four sampling events (Year 2015) in the total amount NTE \$10,600.00

R15039 Authorize Hourly Rate of Pay for Certain Employees for Snowplowing Season

**WHEREAS**, the governing body of the Borough of Hillsdale have adopted Borough Ordinance No. 14-13, which sets salary ranges for certain municipal positions for the year 2014.

**WHEREAS**, there is a need to employ supplemental workers during the 2015 winter season; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Hillsdale that the following officials shall receive the annual salaries designated in this resolution and salaries being within the ranges set by ordinance No. 14-13. All salaries shall be effective immediately upon adoption of such resolution.

**OFFICIALS SALARIES**

DPW snow plow drivers with CDL Class B License-per hour	35.00
DPW snow plow drivers without CDL Class B License-per hour	25.00

R15040 Authorize Execution of Recycling Container Proposal for E-Recycling, in the Amount of \$775 per Container

**WHEREAS**, the Borough of Hillsdale wishes to discard various electronic equipment for the residents of the Borough at the Borough’s recycling center and to pay the Borough for such.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough shall enter into a contract for electronic waste recycling with SAMR, Inc., 1950 Rutgers University Blvd., Lakewood, NJ 08701 for calendar year 2015, in the amount of \$775.00 per switch out of containers for removal as per proposal dated 12/9/2014.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Mayor and Borough Clerk are hereby authorized to execute any and all documents necessary on behalf of the Borough to carry out the provisions of this Agreement.

R15041 Authorize the Borough Clerk to Advertise for the Receipt of Bids for the Seasonal Opening Enclosure at Stonybrook Pool for a 24-Month Term

**WHEREAS**, there is a need for seasonal opening and closure of the pool(s) Stonybrook Swim Club, and;

**THEREFORE, BE IT RESOLVED**, the Borough Clerk is duly authorized to advertise for such services.

R15042 Authorize Borough Clerk to advertise for the receipt of bids for the Food Concession Stand at Stonybrook Pool for a thirty six (36) month term-pulled

**WHEREAS**, there is a need for a concession stand at Stonybrook Swim Club, and;

**WHEREAS**, the purpose of the contract is to open and operate for, and close after, the full summer operation for retail food services within a concession stand located inside the Administration Building, and;

**THEREFORE**, BE IT RESOLVED, the Borough Clerk is duly authorized to advertise for such services.

R15043 Authorize Execution of Request for Bus Shelter on Pascack Road – Separately (TABLED)

**WHEREAS**, NJ TRANSIT has funds for the purchase of bus shelters throughout the State of New Jersey; and

**WHEREAS**, the governing body of a municipality in New Jersey or the Board of Chosen Freeholders of a county may apply to the New Jersey Transit Corporation for the purchase and installation of bus shelters at legally designated bus stops; and

**WHEREAS**, the **Borough of Hillsdale**, in the interest of promoting public transportation, conservation of energy, traffic safety, and for the convenience of the public, endorses the concept of providing bus shelters within its jurisdiction.

**NOW, THEREFORE**, be it resolved, that the application is hereby made by the **Borough of Hillsdale** the New Jersey Transit Corporation for the purchase and installation of 1 bus shelter(s) as set forth in Exhibit A, made a part hereof.

**FURTHER**, be it resolved that the Mayor \_\_\_\_\_ and  
(Mayor, Manager or Executive)

The Municipal Clerk \_\_\_\_\_ be authorized to execute an agreement or  
(Municipal Clerk, Clerk of the Board, E.T.)

agreements with NJ Transit to arrange for the purchase and installation of the shelters.

R15044 Authorize Mayor and Borough Clerk to Execute Shared Services Agreement with Township of Lyndhurst to Provide Financial Services of CMFO Separately

**WHEREAS**, the New Jersey State Legislature enacted the Uniformed Shared Services and Consolidation Act so local units of government may achieve economies of scale by consolidating services and sharing services, specifically such as the provision of chief financial officer services; and

**WHEREAS**, the Borough of Hillsdale solicited advertisements for a Chief Financial Officer which the township responded to consistent with the best financial practices of the State of New Jersey; and

**WHEREAS**, the township proposed a financial service fee in the approximate amount of \$2,400 monthly to be paid by the Borough of Hillsdale, as the receiver of the services to the Township of Lyndhurst, as the provider of the services, subject to hourly billing and specifically including the services of a licensed CFO as well as certain other financial services as specified in the interlocal services agreement; and

**WHEREAS**, the Borough of Hillsdale accepted the fee proposal for a maximum term of one year, but most probably no greater than six (6) months; and

**WHEREAS**, the Lyndhurst Board of Commissioners finds that it is the public interest to enter a shared service agreement, pursuant to the provisions of N.J.S.A. 40A:65-1 et seq., the Uniformed Shared Services and Consolidation Act, and consistent with state best financial practices, for the provision of financial services to the Borough of Hillsdale.

**NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF the Township of Lyndhurst that the Commissioner of Revenue and Finance is hereby authorized to execute an agreement with the Borough of Hillsdale for the provision of financial services by the Chief Financial Officer.**

**R15045 Authorize Mutual Aid to Fire Departments**

**WHEREAS**, the Borough of Hillsdale recognizes the necessity for the sharing of emergency services to communities or districts inside and outside of the presently established Pascack Valley, Tri-Boro and Northwest Bergen Mutual Aid groups for the purpose of providing of personnel and fire rescue equipment; and

**WHEREAS**, the Borough of Hillsdale's Fire Chief or the Fire Chief's designated representative will be making decisions to provide mutual aid to area communities with brief notice; and

**WHEREAS**, the Borough of Hillsdale's Fire Chief or the Fire Chief's designated representative will insure that arrangements are made, prior to providing such mutual aid to other communities, for appropriate emergency protection for the Borough of Hillsdale and its residents; and

**WHEREAS**, Worker's Compensation will be provided by the Borough of Hillsdale (employer), General Liability is assumed by the participant of the service and Automobile Liability/Physical Damage and Property Insurance stays with the owner of the property (Borough of Hillsdale); and

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale that it authorizes the Fire Chief and/or the Fire Chief's designated representative to provide mutual aid services to any community or district the Fire Chief or his designated representative deems necessary.

**BE IT FURTHER RESOLVED**, that the Borough of Hillsdale will provide its insurance carriers and its agents with copies of this resolution to insure that insurance coverage, in the manner as provided on an everyday basis, is provided to the Borough of Hillsdale and its representatives during the time period mutual aid is provided to another community or district.

**R15046 Authorize Mutual Aid Plan and Rapid Deployment Force**

**WHEREAS**, the police departments in Bergen County have a day-to-day responsibility to provide for the security of lives and property, for the maintenance and preservation of the public peace and order; and

**WHEREAS**, Law Enforcement Officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, major storms, etc., man made causes, civil unrest, and civil disobedience such as riot, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, riots, terrorist incidents and bombings, state and national emergencies; and

**WHEREAS**, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies; and

**WHEREAS**, this Plan is adopted in accordance with the provisions of N.J.S.A. 40A:14-156, N.J.S.A. 40A:14-156.1, N.J.S.A. 40A:14-156.4 and N.J.S.A. App. A:9-40.6; and

**WHEREAS**, this Plan will provide a uniform procedure for the coordination of the requesting, dispatching, and utilization of law enforcement personnel and equipment whenever a local law enforcement agency requires mutual aid assistance from any other jurisdiction, both contiguous and non-contiguous, in the event of an emergency, riot or disorder, in order to protect life and property; and

**WHEREAS**, it is the desire of the Mayor and Council of the Borough of Hillsdale to participate in a Mutual Aid Plan and Rapid Deployment Force in accordance with the Plan as submitted by the Bergen County Police Chief's Association.

**NOW, THEREFORE, BE IT RESOLVED**, the Mayor and Council of the Borough of Hillsdale, that the Police Department of the Borough of Hillsdale, under the direction of the Chief of Police, cooperate with the Bergen County Police Chief's Association to create an Interlocal Services Agreement with all municipalities in the County of Bergen in order to put into place the Mutual Aid Plan and Rapid Deployment Force; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to the County Executive, the Board of Chosen Freeholders, the County Prosecutor, and all municipalities in the County of Bergen

R15047 Authorize Garbarini & Co. PC to perform accounting services end of year 2014- hold over to February 3, 2015 meeting.

**WHEREAS**, the governing body of the Borough of Hillsdale has appointed Garbarini & Co., PC as the Auditor for year 2015; and

**WHEREAS**, there is a necessity for accounting services in connection with close-out of the Borough's accounts and records for the year ending December 2014; and

**WHEREAS**, the Borough Administrator has requested a proposal from the firm Garbarini & Co., PC to perform such service; and

**THEREFORE, BE IT RESOLVED**, the governing body of the Borough of Hillsdale, authorize the firm of Garbarini & Co., PC, 285 Division Avenue & Rte. 17 S, Carlstadt, NJ 07072, to prepare said documents as per the proposal dated January 19, 2015, at a rate not to exceed \$9,500.00.

R15051 Authorize Designated Drivers of Borough Vehicles

**WHEREAS**, by the Borough Council of the Borough of Hillsdale, that the persons named on Schedule A, filed in the Office of the Borough Clerk, being a volunteer firefighter of the Fire Department of the Borough of Hillsdale, are hereby designated and appointed as drivers of fire vehicles of the Fire Department of the Borough of Hillsdale; and

**WHEREAS**, that in the event of an emergency requiring the driving and operation of any fire vehicle of the Borough of Hillsdale in the absence or disability of any of the aforementioned persons every other firefighter of the Fire Department of the Borough of Hillsdale in good standing and active, be and the same is hereby authorized and appointed as a driver of said fire vehicle for and during the duration of such emergency and for and during the absence of other disability of the foregoing named persons; and

**WHEREAS**, by the Borough Council of the Borough of Hillsdale, that the persons named on Schedule B, filed in the office of the Borough Clerk, being a member of the Hillsdale Police Department, including Special Officers and Police Matron, are hereby designated and appointed as drivers of police vehicles of the Police Department of the Borough of Hillsdale; and

**WHEREAS**, by the Borough Council of the Borough of Hillsdale, that the persons named on Schedule C, filed in the office of the Borough Clerk, being a member of the Hillsdale Department of Public Works, are hereby designated and appointed as drivers of vehicles of the Department of Public Works of the Borough of Hillsdale; and

**WHEREAS**, by the Borough Council of the Borough of Hillsdale, that the persons named on Schedule D, filed in the office of the Borough Clerk, being employees of the Borough of Hillsdale, are hereby designated and appointed as drivers of vehicles of the Borough of Hillsdale; and

**BE IT RESOLVED**, that this resolution may, from time to time hereafter, be amended and supplemented by resolution or resolutions amending or supplementing the schedules filed in the office of the Borough Clerk and that this resolution shall hereupon be effective with respect to the persons named upon such amendatory and supplementary resolutions; and

**BE IT FURTHER RESOLVED**, that the persons hereinbefore designated as drivers of motor vehicles be instructed that in the event they have been convicted of a motor violation, had their license suspended or revoked, they shall not drive Borough Vehicles and they shall immediately give written notice of said suspension or revocation to the Department Head and the Borough Council of the Borough of Hillsdale; and

**NOW, THEREFORE BE IT RESOLVED**, said appointments to be for the period commencing as of the date hereof and terminating on December 31, 2015, and thereafter until their successors shall be appointed and qualify.

R15052 Authorize Quarterly Testing for Groundwater Monitoring at Hillsdale Landfill, a/K/A Centennial Field, for a Total Amount of NTE \$6,858

**WHEREAS**, there is a DEP requirement for the Hillsdale Landfill to perform certain tests semi-annually; and

**WHEREAS**, quotes were solicited by Neglia Associates for Groundwater Monitoring; and

**WHEREAS**, two (2) quotes were received in response to the solicitation, Partner Engineering and Science, Inc., Ramsey, NJ. (\$12,000.), twelve thousand no cents and Aqua Pro-Tech Laboratories, Fairfield, N.J. (\$6,858.00) six thousand eight hundred fifty eight dollars and fifty cents; and

**THEREFORE, BE IT RESOLVED** that the recommendation to award the Base Bid and Alternate Bid contract for groundwater monitoring to AQUA PRO-TECH LABORATORIES, 1275 Bloomfield Avenue, Bldg. 6, Fairfield, NJ 07004 for semi-annual sampling event in the total amount NTE of \$6,858.00.

Motion by Council Member DeGise, second by Council Member Looes

Council President Pizzella asked to discuss R15043 separately.  
Council Member Looes asked to pull R15044.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Member DeRosa, Meyerson

Regarding R15043, which authorizes the execution of a request for bus shelter on Pascack Road:  
Motion by Council President Pizzella, second by Council Member DeGise

Council President Pizzella asked if anyone could tell him more about this resolution. Mayor Arnowitz noted that bus shelters are provided by the bus company. Normally, when residents who take a bus move to an area and they are required to walk a specific distance, they usually come to the Borough Council and ask for a bus shelter. It must be approved by the Police Department and the DPW, and the bus company must agree to it. This is simply approving the request if the bus company agrees. However, it is unsure whether the Police Department and DPW have given their approval, so **this resolution was tabled until next month**. Ms. Witkowski noted that there is a resident who has been calling her on a regular basis, which brought this matter to light. There is another bus shelter on the other side of Pascack Road, but all of the buses do not stop there. The resident told Ms. Witkowski that there is already a slab at this location. The County has done everything necessary before Hillsdale agrees to pass a resolution to move forward. Mayor Arnowitz pointed out that it must be approved by the Police Department and DPW before the Borough Council can agree to it, and the last deciding factor will be the decision by the bus company. Council Member Ruocco asked for verification that the bus company will erect the shelter, but the Borough is responsible for maintaining it. Mayor Arnowitz confirmed this, although he noted that the Borough does not repair the shelters; we are responsible for cleaning it.

Regarding R15044, which authorizes the shared services agreement with the Township of Lyndhurst:  
Motion by Council President Pizzella, second by Council Member Ruocco

Council Member Looes said she spoke to the Borough Attorney about this, because she noted that the resolution discusses Mr. Benecke's capacity as the interim CFO, and under "Miscellaneous," it

mentions continuing the arrangement. Council Member Looes wanted to know if, once the issues are resolved regarding the CFO and the direction the Borough Council wishes to take on that matter and Mr. Benecke is no longer serving as CFO, if the Borough Council chooses at that point to continue the relationship, and they elect to go with Mr. Benecke, will it be under the same terms of service retained as an economic advisor. Mayor Arnowitz stated that when his name was brought up, it was as a CFO and an economic advisor, and based on everything he has heard so far, Mayor Arnowitz sees no reason why the Borough Council would not want to use his services as an economic advisor in the future. However, the shared services agreement with Lyndhurst is for the CFO position. Once the budget process is over, Mr. Benecke will no longer be the CFO. If the Borough Council elects to hire him as an economic advisor at that time, he will have to be re-hired. Council Member Looes asked for clarification that the interlocal agreement with Lyndhurst is for Mr. Benecke's services as a CFO, not as an economic advisor. Council President Pizzella stated it is his understanding that the agreement covers both, with two phases: the first phase is as the CFO; and the second is as an economic advisor. Council President Pizzella pointed out that the Borough could potentially have a CFO when Mr. Benecke moves into the position as economic advisor on the economic development issues. Council Member Looes explained that it seemed to her that the shared services agreement was being executed to obtain Mr. Benecke's services as a CFO, and Mayor Arnowitz corrected her by saying that it is for both positions. However, once the CFO position is finished, Mr. Benecke will resign, and the Borough Council will have to decide whether to re-hire him as an economic advisor. Mayor Arnowitz assumes that the Council Members will want to move forward with the economic aspect of it, and Mr. Benecke would continue to be paid an hourly rate. Council Member Ruocco pointed out that the \$2,400 is a flat fee to be paid for his services for a specified number of hours as either a CFO or an economic advisor. If Mr. Benecke exceeds 20 hours per month in either capacity, he must be paid an hourly rate of \$120. When his CFO duties are assumed by the CFO yet to be hired, he will be paid the \$2,400 per month for 20 hours of work as an economic consultant until that work is finished. Council Member Looes asked whether the Borough was being locked into the 20 hours per month, when it is feasible that he might only work 10 hours (or less than 20 hours) in any given month for the Borough. Attorney Madaio stated that Council Member Looes seem to be saying that when his tenure as CFO ends, the Council Members must consider whether a financial advisor is needed, or if that position should be put out as an RFQ, which Council Member Looes confirmed. She noted that that would separate what he does as CFO from what he does as an economic advisor. Council Member DeGise pointed out that the interlocal agreement is good for Hillsdale, and if Mr. Benecke is getting \$120 per hour through an interlocal agreements, and it is understood that Lyndhurst is not entering into the agreement for free, might it not be cheaper to hire Mr. Benecke outright, instead of entering into the shared services agreement. Council Member Looes pointed out that Mr. Benecke said that would not be the case. Council President Pizzella asked if Lyndhurst is getting any money from this agreement. Attorney Madaio pointed out that the agreement is set up as almost the same financial deal whether Mr. Benecke has hired directly or indirectly.

Attorney Madaio perceives the goal of the interlocal agreement as being related to the fact that both Lyndhurst and Hillsdale get the benefit of the best practices component, and that by working through an Interlocal, it is hoped that he could leverage some of the work done in Lyndhurst with work done in Hillsdale. Council President Pizzella said it is his understanding that Lyndhurst gets no financial benefit from sharing Mr. Benecke with Hillsdale. He believes one of the reasons they are willing to do this is because of the best practices aspect, but he also thinks that they want to keep Mr. Benecke on as long as possible, although he does not want to stay as CFO. Council Member DeGise said it has been his experience that no municipality enters into an interlocal agreement without considering the benefit to themselves first. Mayor Arnowitz said he asked that question, and it seems to be the best practices component that is the biggest reason behind it. Every year, municipalities must come up with some kind of shared services agreement to meet the best practices requirements, which also means money for any municipality. Council Member Looes said she is fine with that, but it seemed to her that there are two separate issues to be considered. Council Member Ruocco pointed out that the bottom line is that Mr. Benecke is being hired to provide financial services, which are broken down in the agreement. Council Member Ruocco anticipates that by the end of March, the budget process will be over, and Mr. Benecke will have been the advisor in that process, so his work as the CFO should be winding down. By then, he will most likely be advising the Borough Council in terms of how best to implement the budget, and his workload will shift to economic consulting. Council Member Ruocco believes that Hillsdale will need at least 20 hours per month for economic consulting, as well as the hours needed for the CFO. It is important to remember that the contract can be terminated at any time if it is not working. Council Member Looes said she does not understand why the clause regarding continuation of his services is needed. Council President Pizzella stated that the intent of clause 5(a) seems to be that his remuneration will switch to an hourly rate once his services as CFO are no longer needed. Even so, that hourly rate

will be paid to Lyndhurst, and Hillsdale will still be a party to the interlocal agreement. Council President Pizzella asked Attorney Madaio to contact the attorney for Lyndhurst to obtain written confirmation that there is no financial gain for Lyndhurst on this matter.

Mayor Arnowitz asked if the paragraph mentioned by Council Member Looes is necessary, and he believes that it is. Council President Pizzella agreed. Council Member Ruocco pointed out that in section 4, it clarifies that Hillsdale will pay to Lyndhurst the sum of \$2,400 per month for financial services for 20 hours of work at \$120 per hour, with no travel or disbursements being paid. Should the hours worked by Mr. Benecke be less than 20, the next month's payment shall be reduced by the number of hours multiplied by \$120. That is a safeguard that should address the concerns mentioned by Council Member Looes.

Mayor Arnowitz mentioned that if Hillsdale had lost its CFO in May, this would not be so urgent. However, because the CFO left at the beginning of the budget process, there is some urgency.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

Regarding R15047, Mayor Arnowitz asked if that was being pulled, or voted on separately. Council member Ruocco answered that it should be pulled, because he needs to discuss it with Mr. Garbarini.

**OFF CONSENT AGENDA: R15048; 15049; 15053; and 15054**

R15048 Bill List

**BE IT RESOLVED**, by the Borough Council of the Borough of Hillsdale that the following bills in the sum of \$2,718,201.10 as authorized by the Department Head and approved by a Council member liaison, be paid; and that the Mayor, Clerk and Chief Financial Officer be and they are hereby authorized and directed to issue warrants in payment of same.

2015 PAYMENT OF BILLS - 1/20/15

<u>VENDOR</u>	<u>PO</u>	<u>CK #</u>	<u>DATE</u>	<u>AMT</u>
HILLSDALE BOE	15-00001	24414	1/5/15	\$1,651,006.00
PASCACK VALLEY BOE	15-00002	24415	1/14/15	\$900,758.50
UNUM LIFE INSURANCE - REG	15-00003	24410	1/2/15	\$155.40
UNUM LIFE INSURANCE - STONYBROOK	15-00004	5148	1/2/15	\$4.20
BOROUGH OF HILLSDALE AGENCY	15-00005	2822	1/2/15	\$26.46
BOROUGH OF HILLSDALE PAYROLL	15-00006	2823	1/2/15	\$297.54
BERGEN MUNICIPAL - DENTAL - REG	15-00007	24411	1/2/15	\$5,513.00
BERGEN MUNICIPAL - DENTAL - STONYBROOK	15-00008	5149	1/2/15	\$52.00
BOROUGH OF HILLSDALE - MED ACTIVE - REG	15-00009	24413	1/2/15	\$60,678.64
BOROUGH OF HILLSDALE - MED ACTIVE - STBRK	15-00010	5150	1/2/15	\$954.25
BOROUGH OF HILLSDALE - RETIRED	15-00011	24413	1/2/15	\$49,191.05
CMS - MEDICARE - F SCHRAMM	15-00016	24420	1/14/15	\$615.50
CMS - MEDICARE - R SCHRAMM	15-00017	24420	1/14/15	\$636.50
EMBLEM ENTERPRISES INC	14-02739	24423	1/20/15	\$449.21
GSA ACCESS GROUP LLC	14-02626	24426	1/20/15	\$500.00
HILLSDALE BOARD OF ED (OTHER)	14-02756	3319	1/14/15	\$1,667.96
KESOGLOU, THOMAS	15-00019	2825	1/20/15	\$21,996.18
NICKAR LLC	15-00027	2824	1/20/15	\$4,647.12
NJ FAMILY SUPPORT PAYMENT CTR	15-00012	2555	1/2/15	\$429.66
NJSML - ORIENTATION NEWLY ELECTED OFFICIALS	15-00013	24427	1/20/15	\$460.00
NJSML - BUDGETING FOR ELECTED OFFICIALS	15-00014	24427	1/20/15	\$225.00
PASCACK HILLS PROPERTIES LLC	15-00020	2826	1/20/15	\$10,299.45
RICOH	15-00018	24416	1/14/15	\$303.65
TOTAL TEE'S & SIGNS	14-02403	24422	1/14/15	\$75.00
VERIZON - REG	14-02857	24419	1/14/15	\$349.77
VERIZON - LAPTOPS	14-02856	24418	1/14/15	\$267.12
VERIZON - FIOS	15-00022	24417	1/14/15	\$141.52
UNITED WATER - REG	14-02854	24421	1/14/15	\$116.56
UNITED WATER - REG	14-02854	24428	1/20/15	\$776.81
USPS	15-00015	24412	1/2/15	\$2,000.00
WOODRUFF ENERGY	14-02855	24429	1/20/15	\$3,607.05
<b>TOTAL</b>				<b><u>\$2,718,201.10</u></b>

Motion to approve by Council Member Looes, second by Council President Pizzella.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

(Council Member DeGise votes aye except for Fire Department bills).

R15049 Bill List – Allstate Technology

Motion to approve by Council Member Looes, second by Council President Pizzella.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

R15053 Authorize Raffle License #712; Hillsdale Volunteer Fire Department, Casino Night, February 27, 2015

**WHEREAS**, Hillsdale Volunteer Fire Department has made proper application for the following Raffle License to be held, February 27, 2015; and

**WHEREAS**, said application contains the number of designation furnished by the Legalized Games of Chance Control Commission; and

**WHEREAS**, THE Police Department of the Borough of Hillsdale has reported to this Borough Council in writing that the statements contained in said application are in order, that the place wherein said Raffle(s) is to be held complies with the rules and regulations pertaining to the application.

**NOW, THEREFORE, BE IT RESOLVED**, that upon payment of the licensing fees, as provided by Statute, and upon filing with the Borough Clerk be and he is hereby authorized to issue a license for Raffles in accordance with said application:

Raffle License No.  
RL: 712

Type of License  
Casino Night

**BE IT FURTHER RESOLVED**, by the Borough Council that the fees for the aforesaid license are hereby waived.

R15054 Authorize Raffle License #713; Hillsdale Volunteer Fire Department, On-Premise 50/50 Cash Raffle, February 27, 2015

**WHEREAS**, Hillsdale Volunteer Fire Department has made proper application for the following Raffle License to be held, February 27, 2015; and

**WHEREAS**, said application contains the number of designation furnished by the Legalized Games of Chance Control Commission; and

**WHEREAS**, THE Police Department of the Borough of Hillsdale has reported to this Borough Council in writing that the statements contained in said application are in order, that the place wherein said Raffle(s) is to be held complies with the rules and regulations pertaining to the application.

**NOW, THEREFORE, BE IT RESOLVED**, that upon payment of the licensing fees, as provided by Statute, and upon filing with the Borough Clerk be and he is hereby authorized to issue a license for Raffles in accordance with said application:

Raffle License No.  
RL: 713

Type of License  
On-Premise 50/50 Cash Raffle

**BE IT FURTHER RESOLVED**, by the Borough Council that the fees for the aforesaid license are hereby waived.

Motion to approve by Council President Pizzella, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members Looes, Ruocco, and Council President Pizzella  
Abstain: Council Member DeGise  
Absent: Council Members DeRosa, Meyerson

**COUNCIL COMMENTARIES:**

Council Member Looes congratulated Jason Durie for 20 years of service to the Hillsdale Fire Department. She also congratulated Stephen LaFrance for being named Firefighter of the Year. In addition, Council Member Looes noted that volunteers give so much, and she is impressed with the amount of education and continuing courses taken by the volunteer firefighters in Hillsdale, as well as the time spent away from their families. The benefit to Hillsdale Avenue in having a volunteer Fire Department, Ambulance Corps, and Police Auxiliary and OEM, is unbelievable. Council member Looes also looks forward to serving on the JIF fund commission for this year.

Councilmember DeGise mentioned to Mr. Polyniak that there is a sign on the new bridge where there is a flood gauge, and the gates apparently rose this week. OEM was called out because the rope rose. However, the sign is on the wrong side of the bridge, because it is on the downstream side, where the water will hit the bridge faster. The site should be relocated to the upstream side of the bridge. Mayor Arnowitz said he is not sure if that is something should be taken care of by the DPW, or by the Borough Engineer. He asked Ms. Witkowski to look into it and follow up on February 3.

Councilmember DeGise also mentioned what a remarkable man Martin Luther King, Jr., was, and how many of the things he said long ago are still true today.

Councilmember Ruocco asked question about the Public Library elevator. It was his understanding that Mr. Frank wanted to move ahead with that to get authorization to spend the \$30,000, and he noticed that there was no resolution covering that. Attorney Madaio said that a resolution could be added. Mayor Arnowitz asked if it could be done now, and Attorney Madaio said it could.

Mayor Arnowitz advised Council member Ruocco to make a motion to move forward with Phase I of the elevator repair at a price NTE \$30,200.

Attorney Madaio added that there may be people, such as insurance representatives, who need to be notified, and it might also be necessary to file a claim on this matter. All of those parties should be notified so that they can observe the whole process and ensure that evidence is not destroyed. Ms. Witkowski commented that the representative from Burton Agency said she would pull out some of her records with respect to the Public Library. Attorney Madaio pointed out that if the Borough hopes to be able to assemble a claim, evidence cannot be destroyed while the investigation is underway. Certified letters should be sent to all responsible parties, and they should be given the opportunity to be present during the investigation. Mayor Arnowitz suggested that David Franz would have information about the manufacturer, installer, and contractor. Councilmember Ruocco and Ms. Witkowski would get that information to Mr. Polyniak.

Motion by councilmember Ruocco, second by Council Member Looes.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella

Absent: Council Members DeRosa, Meyerson

Next, Council Member Ruocco mentioned that the Finance Committee met last week; it was a productive meeting. They will be meeting with the various Department heads, and with Ms. Witkowski's help, they are coming up with an agenda for those meetings. Council member Ruocco was heartened by the support shown by Council Member Meyerson and Council President Pizzella. It is planned that the budget will be introduced by March 13, or the next council meeting after that, which will be on April 7. Mr. Benecke has advised that the best thing to do would probably be to create a special budget meeting sometime around March 24 to formally introduce the budget. It will then be sent to Trenton, with adoption set for April 24, 2015, as specified by law. Mayor Arnowitz noted that adoption cannot take place until the State approves the budget. The Finance Committee also agreed to move ahead with the posting for a new CFO, which was already discussed. Council member Ruocco will also be attending a budget seminar at the end of February sponsored by the League of Municipalities.

As the liaison to the senior citizens, Council member Ruocco noted that there was an amicable resolution to the use of the American Legion hut for the seniors' Tuesday luncheons. Council member Ruocco thanked Mr. Frank, Patty Hughes, and Marie Hanlon for their efforts in that matter. Councilmember Ruocco also attended a 50+ lunch last week, at which there was a wonderful speaker from the State Health Insurance Assistance Program on Social Security Part D, and your rights to change or part D election. Anyone who needs more information can call 1-800-792-8820. Tomorrow the town-wide senior luncheon will be held at St. John's church at 11:30 AM. Councilmember Ruocco also met with the Chief and Lieutenant of the Police and Fire Departments to understand their concerns and issues, and to set expectations for future communications and involvement. He also thanked Lt. Sean Smith for inviting him to come with him and other members of the Police Auxiliary on a nightly visit to the Bergen County Jail. It was a fascinating experience.

Council President Pizzella welcomed Mr. Alter to the Environmental Commission. He also noted that Hillsdale is faced with many of the same problems facing most towns in this area. The difference is in how the problems are approached, and Council President Pizzella believes that the Mayor and Borough Council are trying to approach things in a very creative way. Everyone on the dais asks many questions, and Council President Pizzella welcomes all of the questions. He believes that the town needs to better utilize all the towns in this area, as well as the residents, and by working together, everyone can make it through this year.

Mayor Arnowitz stated that he has received communications from the Public Library. The Pascack Junior Women's Club donated to the Public Library a maker space, which is a silhouette cameo cutting tool that can cut paper, card stock, vinyl, heat transfer sheets, and fabric. Training is available on this device. In addition, the Zinio magazine program will expand from 120 magazines to 250 magazines.

**ADJOURNMENT:** @10:38 p.m.

Motion to adjourn was made by Council Member Looes, second by Council Member Ruocco.

Roll Call Vote:

Ayes: Council Members DeGise, Looes, Ruocco, and Council President Pizzella  
Absent: Council Members DeRosa, Meyerson

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE  
TUESDAY, FEBRUARY 3, 2015 – BEGINNING AT 7:30 P.M.**

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Susan Witkowski, Municipal Clerk

APPROVED AS PRESENTED  
FEBRUARY 10, 2015

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Susan Witkowski, Municipal Clerk