

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:32 PM on Tuesday, October 7, 2014, in the Council Chamber, Borough of Hillsdale, Hillsdale, New Jersey.

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

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 7th day of October 2014. Notice of the time and place of this meeting has been provided to The Ridgewood News, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

ROLL CALL:

On a roll call those in attendance were Council Members DeGise, Frank, Kelley, Looes, Meyerson and Pizzella. Also in attendance were Mayor Arnowitz and Borough Clerk Witkowski. Attorney Dominic Diyanni was present representing Borough Attorney Eric Bernstein.

OATHS OF OFFICE:

None.

APPOINTMENTS: *October 14, 2014*

Membership application for Mark Savino, Jr., Hillsdale Volunteer Fire Department

Membership application for Matthew Dinnell, Hillsdale Fire Cadet

Membership application for Samantha Cooke, Hillsdale Fire Cadet

OATH OF OFFICE:

None.

RECOGNITION: *October 14, 2014*

Police Department life savings

Beechwood Park cleanup volunteers

PROCLAMATIONS: *October 7, 2014*

Supporting Mental Illness Awareness Week, October 5-11, 2014 – Mayor Arnowitz read the proclamation

PROCLAMATION

Supporting Mental Illness Awareness Week

October 5-11, 2014

WHEREAS, mental illness is a term used for a group of disorders causing severe disturbances of thinking, feeling and relating;

WHEREAS, mental illness can affect persons of any age, sex, race, religion, social and economic background;

WHEREAS, during the course of any given year, 5.5 million Americans are disabled by severe mental illnesses;

WHEREAS, nearly two-thirds of all people with diagnosable mental disorders do not seek treatment because of stigma, ignorance, and lack of appropriate service and treatment options;

WHEREAS, mental illness impacts 1 in 4 individuals;

THEREFORE, be it resolved that the Borough of Hillsdale recognizes and proclaims the week of October 5-11, 2014 as Mental Illness Awareness Week, as I have set forth my hand and seal this 7th day of October, in the year of 2014.

APPROVAL OF MINUTES: October 14, 2014

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

Closed Session Meetings of September 2, 2014, and September 9, 2014

8:00 PM – PUBLIC HEARING ON 2014 BERGEN COUNTY OPEN SPACE HISTORICAL PRESERVATION TRUST FUND GRANT APPLICATION:

Motion to open the Public Hearing by Council President Kelley, Second by Council Member DeGise, and unanimously carried.

Mayor Arnowitz asked Ms. Witkowski to explain what the Borough is trying to accomplish for the benefit of everyone. Council Member Pizzella said that he would explain the situation. He mentioned that he is working with Peter Hard, who could not be here tonight, on this matter. Mr. Hard has been instrumental in preserving the history of Hillsdale. The situation is that the Hillsdale train station has sustained substantial damage to the roof, siding, and the soffits. Council Member Pizzella considers the train station and the police booth to be two important Hillsdale icons. There is an Open Space grant that is available for which the Borough can apply, but time is growing short. Ms. Witkowski asked Council Member Pizzella to complete a revised letter of intent to apply to the County, which is due on Thursday, October 9. If Council Member Pizzella prepares the letter of intent, it would save the Borough the application fees, and would not require the services of the Borough Engineer to the extent that would be necessary otherwise. Thus, there are no outside costs to the Borough. Tonight, the Borough Council must decide if the letter of intent should be filed to apply and support a resolution to endorse the application, which is due on October 31, 2014, along with the necessary certifications. Submitting the application does not bind the Borough in any way; it only allows the application to move forward. If the application is completed by Council Member Pizzella with the assistance of Neglia Engineering, the costs will be reduced. Those costs could be anywhere from \$1,500-\$5,000, although Council Member Pizzella believes the cost will be closer to \$1,500. If the grant is offered to Hillsdale, the matching amount is approximately \$100,000. The Hillsdale train station is listed in the Federal Register as a National Historic Site. Hillsdale would have to come up with \$100,000 to match the grant, which is a conservative estimate, and includes professional fees, such as those for the historic preservationist who will instruct as to which materials should be used, among other things. If the Borough Council decides to reject the offer at that time, there would be no further obligation to the Borough. The grant will be offered sometime in March 2015, and if the Borough accepts the grant, Hillsdale will have 18 months to prove that the \$100,000 is available, and would also be allowed up to two years to begin construction. Council Member Pizzella points out that that gives the Borough two complete budget cycles to raise the money, lessening the effect on the budget. In the meantime, Ms. Witkowski has been working with New Jersey Transit. Representatives from New Jersey Transit will be coming to Hillsdale on Thursday, October 9, to assess the damage. Hillsdale has a lease agreement with New Jersey Transit. If, based on that lease agreement, New Jersey Transit finds that it is their obligation to fix the roof, Hillsdale can withdraw its application for the grant, and New Jersey Transit would pay. However, if New Jersey Transit decides that Hillsdale is obligated for the damages, the grant application could move forward. Council Member Pizzella is urging the Council Members to take action at this time because the letter is due on Thursday, October 9, and the application is due by Friday, October 31. He added that New Jersey Transit does not always move quickly.

Mayor Arnowitz explained that this is something he had been complaining about for years, and the damage was not a result of any accident, but was due to wear and tear on the building. He requested that the DPW assess the damage over the years, and it was finally determined that the damage is above the scope of the DPW's capabilities. The building has serious problems, and Mayor Arnowitz believes the town has obligation to repair it, because it is a landmark. In addition, Mayor Arnowitz believes that, under the agreement that exists with New Jersey Transit, it creates an additional obligation to maintain the building. He is not sure the extent of that obligation, but he feels that something must be done, and the \$100,000 must be found. Mayor Arnowitz recommends that this be passed tonight.

Council Member Frank believes that the train station as an icon in Hillsdale, and must be repaired. Council President Kelley believes that the money should be spent if the grant applications going to be made. Council Member Meyerson asked if the application could be rejected, and Council Member Pizzella answered that it could be. Council Member Meyerson asked if there is a requirement for matching funds, if those funds could come from another grant. Council Member Pizzella said he would find out. Mayor Arnowitz added that Mr. Polyniak had indicated that there might be another grant for

100% of the funds available, although the chances of getting it are very slim. Mr. Polyniak explained that Mayor Arnowitz was referring to the TAP grant, which is the Transportation Alternatives Project grant, which is filed in May of every year. If the grant currently under discussion does not come to fruition, Mr. Polyniak said the Borough could apply for that grant. Mayor Arnowitz asked if an application could be made for the Open Space grant, as well as for the TAP grant. Mr. Polyniak responded that the current grant application would be made now, and the TAP grant application would not be made until May 2015. It is anticipated that there would be a response from Bergen County before the TAP grant application would be due. Mayor Arnowitz asked if Hillsdale receives the current grant, does that preclude any application being made for a TAP grant, which Mr. Polyniak said it does not.

Council Member Pizzella asked Mr. Polyniak the question posed by Council Member Meyerson about whether grant money from a different grant as the matching funds for this grant. Mr. Polyniak responded that he has reviewed the Open Space grant, and it states that it could consist of a matching share that is raised by the municipality, but that does not mean it has to be Borough funds. Mr. Polyniak said he could get more information about that.

I will now open the meeting to the public. Notice of public hearing on 2014 Bergen County Open Space Historical Preservation Trust Fund Grant Application was advertised fifteen (15) days before the date set therefore, on September 22, 2014. If anyone desires to be heard regarding the application, please raise your hand to be recognized, come forward to the microphone, and state your name and address for the record.

Seeing no one, I entertain a motion that the public hearing on 2014 Bergen County Open Space Historical Preservation Trust Fund Grant Application be closed, and that it be resolved that the legal advertisement was posted on the bulletin board on which public notices are customarily posted and published in The Record.

Motion to close the Public Hearing by Council Member Meyerson, Second by Council Member DeGise, and unanimously carried.

R14208 Endorsing Municipal Trust Fund Application for 2014 Open Space Application

Motion by Council Member Pizzella, Second by Council President Kelley, and unanimously carried.

R14209 Authorizing Revision of Letter of Intent and Certification for Pre-Application of 2014 Open Space Grant

Motion by Council Member DeGise, Second by Council Member Meyerson, and unanimously carried.

PRESENTATIONS: *for October 14, 2014*

Girl Scouts: Their Hillsdale

PROFESSIONALS REPORTS/MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

Borough Engineer – dated September 30, 2014

Greg Polyniak of Neglia and Associates presented the Engineer's Report for September 2014. The second phase of the Saddlewood Drive DOT grant application was submitted to DOT on September 29, 2014, as directed by the Borough Council. A pre-construction meeting was held at Borough Hall on Friday, October 3, 2014, for Kent Road, Baylor Avenue, and Saddlewood Drive. The anticipated start date for this project is within the next two weeks.

Neglia Engineering provided materials related to the Kraycinovich matter to the Borough for consideration, and they have completed all tasks related to that matter.

The Hillsdale Landfill gas and groundwater testing will occur this month, as required by the landfill closure document issued by the DEP.

The train station historic grant will be discussed tonight at the Public Hearing.

Regarding 321 Broadway, Mr. Polyniak said his office issued a report for review by the Borough. He updated the report by stating that the property owners' engineer submitted a package to his office today relating to some of the improvements that are to occur on the site. Temporary shoring is to proceed rapidly on-site, but a full site inspection with respect to the structural stability of the building needs to be completed prior to permitting anyone to enter any of the buildings and utilizing them. Mr. Polyniak said

his office is working diligently with the owners' engineer to schedule that.

Mayor Arnowitz thanked Mr. Polyniak and his firm for responding on Friday. Mayor Arnowitz recalled that he was the only one who was on the Borough Council at the time that the building was constructed 25 years ago, and the question arose about what would happen, because there was a concern as to whether it should have been built at ground level, or the way it was built. According to the testimony of the Borough Engineers, as well as the applicants' engineers at that time, the parking lot is separate from the building. Mayor Arnowitz asked at the time what would happen to the building if the parking lot were to collapse for any reason, and he was assured that the building is on completely separate pilings. The only way the building would be affected is if something were to collapse and knock the pilings out from under the building, which did not happen. Mr. Polyniak agreed, and added that it was noticed during the inspection the next day that some water was leaking in the vicinity of the building, which created concerns about the structural stability of the building. That is why his firm is requiring the property owners' engineer to review the structural stability of the building prior to allowing anyone into the building, to ensure public safety and the safety of the property owners. Mayor Arnowitz said he would like to move as quickly as possible on this matter, but within the scope of the law. He also noted that the bills for services provided by Neglia Engineering in this matter are being sent to the owner, and Mayor Arnowitz informed the owner of that on Friday.

Council Member Meyerson asked if anyone is aware of the time frame as to when the businesses might be able to reopen. Mr. Polyniak said he did not know, and that it was now up to the property owners' engineer to make that happen. As soon as the documents are submitted, Mr. Polyniak said they would be reviewed immediately by his office, so that the tenants could get back to their businesses. Council Member Meyerson asked if Mr. Polyniak thought that might take weeks, or months. Mr. Polyniak responded that it could be less than several weeks, depending on the results of the inspection. If the building is stable, it is possible that the tenants would be allowed to reopen their businesses.

Mayor Arnowitz pointed out that he does not believe anyone will be allowed to park in the upper parking lot anytime soon. Mr. Polyniak confirmed this.

Ambulance Corps –

Construction Department –

DPW – Donald Russell, Superintendent of the Department of Public Works

Regarding 65 Forest Drive, Mr. Russell said there was an easement problem, where the property is eroding. He said that it will have to be investigated with the County in the spring. Some of the backyard has washed away.

The DPW has a 2007 Ford truck with possibly five injectors blown; however, Mr. Russell said they will get a second opinion, because they are not sure if that is true. Mayor Arnowitz asked if that truck is involved in the leaf pickup program, and Mr. Russell said it is not, but is used for snowplowing.

DPW employees have been trimming block by block, which is something that needs to be done, because the snow pushes branches down, creating problems with plowing. They have also started vacuuming the leaves. They have also started doing tree work, including taking down some trees, to save the Borough \$600-\$800 by avoiding going through the contractor. The black tops will be finished by the end of the month. In addition, approximately 15 storm drains have been rebuilt, which would cost approximately \$2,500 each if an outside contractor were used to rebuild them. Mr. Russell commended his men for the great job they did with the storm drains.

Finally, Mr. Russell thanked his mechanic for working so diligently on the 42 vehicles in the department. The mechanic was able to have all of the leaf equipment ready, as well as swapping tires on the garbage trucks, and doing whatever else was necessary to have all the equipment ready.

Fire Department – through August 2014

Board of Health –

Hillsdale Library –

Police Department – October 2014 Chief Francaviglia reported that the new RMS system is currently underway, and today was the first day with that in service. Chief Francaviglia invited the Council Members to come and take a look at the system once it has been running for a few weeks. Detective

Adam Hampton was thanked for his time and effort in this project; he has put in time at night, as well as during weekends. The new traffic pattern at George White School is running smoothly. One concern will be addressed this week.

Mayor Arnowitz thanked Chief Francaviglia for the response of the Police Department on Friday. It was a concerted effort by a lot of people from a lot of departments, and they all do their jobs very well. Chief Francaviglia explained that the promotional process for the executive officers is complete, and his recommendation has been forwarded to the Police Committee and the Borough Administrator. Several programs were held this month, including a pedestrian crossing detail in the downtown area, during which warnings were issued. Detective Sergeant Sean Smith assisted with facilitating the Officer Bill program, which was completed at Meadowbrook, Smith, and St. John's Schools. The theme of the program was respect, and it was well-received.

Detective Sergeant Smith, along with Travis Woods and Brian Considine, provided training for the Hillsdale Police Auxiliary in conjunction with the Westwood Police Auxiliary. They conducted motor vehicle stops. Some of the stops they went over included basic stops, Re: motorists, felony stops, and DUIs, which give the Police Auxiliary a sense of what it is like to be a real police officer.

To follow up from the previous Borough Council meeting, the Police Committee spoke about investigating and receiving military grade equipment. The Police Department is also been registered with Fort Dix, and they were approved, so the next thing that is needed is the approval of the Borough Council. Chief Francaviglia would like to get Mr. Russell and the Borough Mechanic involved in this process, because there are other items such as generators and other types of equipment that the Borough could utilize for free. The Deuce and a half could be used in flood zones, because it can travel in 4.5 feet of water, and could be used by the Fire Department and OEM, as well as the Police Department. Mayor Arnowitz asked when a vote is needed for that, and Chief Francaviglia responded that as soon as possible would be best. Mayor Arnowitz said it would be put on the agenda for next week.

Regarding traffic-related issues, there was a complaint from a North Ramapo Lane resident. The resident noticed that his neighbors travel at a high rate of speed around the neighborhood, and the resident would like the Police Department to remind residents in that area to pay attention to the posted speed limits, especially with Halloween coming soon. The Lafayette traffic count is complete, and Chief Francaviglia said he has not seen much of a change since 2004. There have been numerous complaints about west side parking, and Sergeant McLaughlin and the rest of the Police Department have been extremely diligent about making sure that temporary signs are properly posted. However, there have been several instances in which residents and motorists have moved the signs from where they were placed to different locations. Therefore, Sergeant McLaughlin has proposed permanent "No Parking" signs in the affected areas.

Finally, Chief Francaviglia said he spoke with a farm representative about the parking issue, and he is investigating having off-site parking for next year's seasonal activities. The off-site parking would be somewhere in Woodcliff Lake; possibly at the church near the Galaxy Gardens.

Recreation/Stonybrook – Patti Hughes, Recreation/Stonybrook Director gave the report. Mayor Arnowitz asked Ms. Hughes if she would talk about the summer camp, especially with respect to the problems they have encountered, and the location. He explained for the benefit of everyone else that it appears that the summer camp might be in jeopardy, due to a problem with the location. Ms. Hughes responded that she sent her annual letter to the Hillsdale Board of Education requesting permission to hold the 2015 summer camp at the George White School. The response from the Board of Education was no schools will be available, due to roofing work that is to be done over the summer. Ms. Hughes then sent letters to the towns of River Vale, Washington Township, Westwood, Park Ridge, and Pascack Valley and Pascack Hills High Schools, as well as to St. John's Academy and all of the other surrounding churches and schools, and no location has yet been found for 2015. Approximately 252 children are enrolled in the camp, and they will have no place to go. Their parents work, so this is a big issue. Smith School is not scheduled for any work this summer, but Ms. Hughes was told that the gym would not be available. Even though she agreed to that, the Board of Education still said no. Council President Kelley asked if Ms. Hughes knew why she was told no, and she responded that it was suggested that perhaps River Vale could host the camp this summer, since Hillsdale has hosted it for the last several years. However, River Vale has also said no. Council Member Pizzella asked if Ms. Hughes spoke to the Superintendent, or if it was the Board of Education that she contacted. Ms. Hughes answered that the Superintendent gave her the answer. Council Member Pizzella suggested that it might be worth going before the Board of Education to ask their permission. Ms. Hughes responded that she spoke to Ms. Witkowski today about asking the Board of Education for permission, and she also went online to look into renting school trailers for the camp.

Ms. Hughes explained that during the summer camp, most of the children go on trips, so during the 1.5 months of camp, there are only seven days when the children are actually in the school. The rest of the trips involve going to Stonybrook. Ms. Hughes does not understand why the camp cannot be accommodated at Smith School. Council Member Pizzella said that, as the liaison to the Board of Education, he does not have a problem with asking the Board of Education about that possibility. Council President Kelley thought that might be necessary at this point. Mayor Arnowitz explained that he gave Ms. Hughes some options. One of them is to explore the feasibility of putting trailers at Stonybrook Field. Another option is to explore the possibility of not allowing children from River Vale to attend the camp, and keeping it open only to Hillsdale residents, and if there is any facility in Hillsdale that could accommodate those children. One location, the Pascack Bible Church, is willing to accommodate Hillsdale children, but it cannot due to its size. Ms. Hughes added that the Pascack Bible Church was also not available until the second week in July, because they host their own bible camp. The Hillsdale recreation camp starts when school ends, and is geared toward working parents, from 8:00 AM-6:00 PM. Mayor Arnowitz noted that the Hillsdale Methodist Church holds its own day camp during the summer; St. John's Academy uses its gym during the summer; and Ms. Hughes added that all of the surrounding schools host camps for their own towns during the summer. Mayor Arnowitz pointed out that this must be finalized by January 2015 at the latest, so that if the camp has to be canceled, the parents of those children have the opportunity to make other arrangements. Mayor Arnowitz asked if anyone had any other suggestions about what to do.

Council Member Frank asked if River Vale has a full-time Recreation Director, and Ms. Hughes responded that they do not have a full-time Director, but two part-time Directors. Council Member Frank then asked if they are aware that the camp might be canceled for their residents, as well, and Ms. Hughes explained that one of their camp directors is a Hillsdale resident, and is also a Hillsdale Recreation Director, so he is aware of the situation. Council Member Meyerson asked if there is any sense of urgency on the part of the River Vale Council regarding this issue. Ms. Hughes said she had not contacted their Mayor and Council. Council Member Meyerson asked if the people at Smith School are aware that it would only be necessary to host the camp for seven days during the summer. Ms. Hughes responded that the Hillsdale camp has been held for 30 years, and George White School has been used for most of that time. Council Member Meyerson asked again if the people at Smith School are aware that the camp would only be in the school for seven days, and Ms. Hughes answered that the contact was made with the Superintendent. The principals do not handle those things; the Board of Education does. Mayor Arnowitz said that Council Member Pizzella would raise the issue at the next Board of Education meeting, and Ms. Hughes offered to accompany him. Council Member Pizzella asked if any thought was given to using the building at the back of Stonybrook for the children, and Ms. Hughes explained that it is a storage building with very little ventilation, and it will not hold 100+ children. Council Member Pizzella asked how much the trailers would cost, and Ms. Hughes responded that she is waiting for response regarding the prices. She said that she is investigating the use of tents and/or trailers, although she thought trailers would be better, because they include air-conditioning and are handicapped accessible. Council Member Frank asked where the trailers would be placed. Ms. Hughes answered that she was thinking that perhaps they could be placed at Smith School, near the upper parking area. That would allow the children to use the field and the fieldhouse bathroom. Another alternative would be to place the trailers on the Stonybrook Field, which would interfere with summer sports.

Mayor Arnowitz said that the use of Smith School would be pursued, and he would talk to the Mayor of River Vale and explain the situation. He asked Ms. Witkowski to put this item on the next meeting agenda for discussion as old business.

OLD BUSINESS:

1. Status of Sports Association Agreements

Ms. Hughes stated that she received the agreement on August 27, 2014, and she left for vacation August 28. She reviewed the agreements after her return, and gave her notes to Council Member Looes. Council Member Looes said there is a meeting this Thursday, and she will give the Recreation Commission the notes to review. She anticipates getting the agreements back quickly from the Recreation Commission, after which time it could go to the individual associations, and then brought back to the Borough Council. Council Member Frank asked if any of the associations have seen the agreements yet, and Council Member Looes said that the Soccer Association is seen them, but she does not believe that HBSA and the Football Association have seen that. Ms. Hughes said she does not believe the Recreation Commission has seen the agreement yet.

Council Member Frank explained that three years ago, when he was on the Borough Council, he reviewed the recreation program, which is very important to the children in Hillsdale. Council Member Frank read the ordinance that created the Recreation Commission, and noticed that it outlined the powers and duties of the Recreation Commission. According to the ordinance, one of the duties of the Recreation Commission is to

propose plans for the development and improvement of public parks, playgrounds, and lands owned or leased by the Borough; propose methods or arrange for the proper maintenance of such land and the improvements thereon; propose rules and regulations for the public use of such lands and improvements; submit all plans, methods/arrangements, rules, and regulations to the Mayor and Council for their consideration and action thereon; and finally, they do not have the power to incur any obligations in the name or for the account of the Borough, except as authorized from time to time by the Mayor and Council. Council Member Frank later discovered that the Borough does not run football, baseball, lacrosse, and soccer, but those sports are run by separate non-profit organizations. Those organizations have never been approved by the Mayor and Council to run those programs. Apparently, no one ever paid attention to that fact before. Council Member Frank started asking questions about the situation, and his main concern was that, as non-profit organizations, the groups are collecting hundreds of thousands of dollars from the residents for their children to play sports, with no oversight. Council Member Frank made it his mission to begin implementing some kind of oversight, including effecting some kind of agreements with those organizations indicating they had the approval of the Mayor and Council to operate. Council Member Pizzella began writing the agreements in 2012, but for various reasons, nothing happened with them until early in 2014, when the Borough Attorney wrote the agreements. However, it is a problem that the agreements are not yet available, because these organizations are not authorized by anything other than precedent to run the sports programs. The problem arose when Council Member Frank investigated the Recreation Department IRS filings. Each of the non-profit organizations is required by law in order to maintain their non-profit status to file forms with the IRS every year. All of the organizations do file such documents, except for the Football Association. The IRS regulation basically states that if nothing is filed for three consecutive years, the organization loses its accreditation as a non-profit organization. Council Member Frank said it is not known whether the Football Association still maintains its 501(c)3 status, or if they have lost their deductibility, and those are questions that need to be answered.

Council Member Looes stated that she tried to find out from the Football Association about its current status, and the latest information she had was that they have hired an accountant to investigate the matter. The accountant has advised them that there are New Jersey State filings have been filed, and they are now in good standing in New Jersey. Their federal filings have lapsed, and the accountant is now in the process of getting those filings current. No penalties are expected. Council Member Frank asked what effect that would have on the insurance for 2014, because the Recreation Commission paid for insurance for the sports associations, including the Football Association. Council Member Frank asked if it would be possible to get in writing the opinion by the accountant, which Council Member Looes said she would request.

Ms. Witkowski said she had also been in contact with BGIA about this matter, and she asked again this morning. According to the JIF, she does not believe it affects Hillsdale as far as insurance is concerned, but there has been no definitive answer as yet.

2. Employee Handbook Update

Ms. Witkowski stated that a Personnel meeting was held last week, and the handbook was given to the Personnel Committee for review and input, along with some negotiations that will begin shortly. It is hoped that all of this can be done by the end of the year.

3. Recreation IRS Filing

This was discussed with the sports associations.

4. Letter from Maser Consulting, PA, dated September 17, 2014, re: COAH Status & Synopsis – Block 1106, Lots 1401, 1402, 1403, and 1404

Mayor Arnowitz explained that this is the property that has been discussed that is situated between the Public Library and the old church, known as the Fornazor property. Council Member Meyerson believes that the Borough can basically do anything it wants with that property. Mayor Arnowitz pointed out that on October 17, the State will give a ruling, with the final approval on COAH due in November. Therefore, the whole COAH situation could change. Council Member Meyerson points out that the situation is anticipated in the letter, which states that in order for Hillsdale to give up the property as COAH units, it would be necessary for the Borough to find another location for the number of units that would have been built on that property (which is estimated to be 36). Mayor Arnowitz noted that the problem is that coming up with that property for COAH use was very innovative, although Mayor Arnowitz questions the ability to build on the property. However, that is a matter for the Planning and Zoning Boards to decide. Hillsdale lost four COAH units that were designated in the original plan, which was approved and later challenged in Trenton. Mayor Arnowitz said he has no idea where another location could be found for these units. Council Member Meyerson said he is not sure that he would be in favor of selling the property unless another location is designated for COAH use. Council Member Frank pointed out that the property is also located in a flood zone, and it seems to him that it is very impractical to build those types of units there. Council Member Meyerson suggested that once the new laws or regulations are passed, this could be re-evaluated, and perhaps another location

could be found for COAH units. At that time, the Fornazor property could be given further consideration.

Mayor Arnowitz stated that this matter will be kept on meeting agendas for future old business.

NEW BUSINESS:

DISCUSSION:

BUDGET:

1. Train Station Repairs Update
Discussed earlier.
2. Resolution for Lawn Maintenance – 15 Wilts Avenue, Block 1524, Lot 9
Mayor Arnowitz explained that a resolution will be considered to pay landscaper clean up the property, which will be added to the tax assessment. He asked if any penalties or interest will be assessed in addition to the \$450 to be paid to the landscaper. Ms. Witkowski said she did not see any penalties either, and she would ask the Tax Assessor. Mayor Arnowitz noted that, due to someone's failure to do their due diligence, it has affected the neighborhood, and the property needs to be cleaned up. However, there should be some type of penalty assessed. Council Member Frank asked if it was a foreclosed property, and the answer was it is not. Mayor Arnowitz asked for information before the next Council meeting.
3. Resolution for Transfer Overpayment 2014 Taxes on Various Blocks and Lots
4. Carryover from Last Meeting R14192 Tax Lien Sale, 647 Hillsdale Avenue
5. Carryover from Last Meeting R14193 Lien Sale, 100 West Street
6. Carryover from Last Meeting R14197 Lien Sale, 101 West Street
7. ASCAP License Agreement Copyright Music
Council Member Meyerson explained that this was discussed in the Finance Committee meeting, and it is a matter of a few hundred dollars. He noted that when music is played during the summer concert series, or even in the Council chambers for whatever reason, it is a violation of copyright law. ASCAP, which controls music copyrights, has demanded that the Borough sign the appropriate contract and pay them for the right to play the music. Mr. Diyanni explained that other municipalities have executed the same agreement. The cost is approximately \$330.
8. Resolution to Submit Grant Application and Execute Grant Contract with NJDOT for 2015 Road Program, Saddlewood Drive – Section II Project
9. Recommendation for Supplemental Snow Plowing Services 2014-2015
Council Member DeGise said he reviewed this, and he did not see anything about the sidewalk services. Ms. Witkowski said that would be coming out, but it was not incorporated into this agreement. Council Member DeGise also noted that the winning bidder last year kept the base bid the same for extra trucks, and he would like to review that. Ms. Witkowski pointed out that in 2013, the price was \$140 and \$180 per truck, and this year, the base bids are \$125 and \$165 and \$189. Council Member DeGise said he just wanted to ensure that the Borough is paying the same base bid for the same truck.
10. Resolution to Confirm Endorsement of 2014 Community Development Projects, Senior Citizens Activities in the Amount of \$4,500
11. Resolution Endorsing Community Development Block Grant, Bridge Haven Housing (Fair Lawn & Hillsdale) in the Amount of \$13,903
12. Floodplain Grant, Bergen County and State DEP Green Acres
13. Resolution Authorizing Interlocal Agreement with River Vale for the Usage of the Indoor Pistol Range
14. Authorize Borough Clerk to Advertise for Sidewalk Snow Shoveling 2014-2015 Season
15. Authorize Borough Clerk to Advertise for Information Technology Consulting, Support, and Installation of Hardware

POLICY:

1. Renewal of Two-Year Membership with Bergen Municipal Employee Benefits Fund
2. Memo from Sergeant McLaughlin Amending Traffic Ordinance – George White School and Demarest Farms

Mayor Arnowitz asked Sergeant McLaughlin to answer questions about this. Mayor Arnowitz wanted to assure the public that if signs are erected, they will be placed on people's lawns. If a "No Parking" sign is put up, it affects the residents of that area, and they are denied parking, as well. There are no special privileges for the residents in that area. Sergeant McLaughlin agreed, saying that this issue has arisen in other parts of the town.

Council Members DeGise and Meyerson remove themselves from the dais, because they have conflicts with this issue.

Sergeant McLaughlin continued by saying that this is not a new issue, and it is not specific to DF. (following known as Demarest Farm) The signs prohibiting parking will apply only on weekends in that area, and the signs will be put up with a temporary signs currently are. Approximately 7-8 years ago, this was a problem during football season at Memorial Field. The signs were constantly being put up and taken down, and they were being moved. The ordinance was approved by the Mayor and Council prohibiting parking on one side of his street, and there have been no issues since that time. The residents are aware of the situation, and the signs are on their properties. The same type of issue was encountered around the high school approximately 5-6 years ago, at Cottage Place and Cathy Road. Students were constantly parking in that area. Sergeant McLaughlin proposed that parking be prohibited on school days on one side of the street, and parking would be limited to one hour on the other side of the street. That seems to have solved the problem there. The residents also seem to be happy with the situation. Residents also understand that they cannot park on the streets in front of their homes on school days. This ordinance is meant for peak seasons, such as football seasons. During non-peak seasons, residents can call and get permission for parking in those areas. It is a major problem by DF. Sergeant McLaughlin has been forced to push traffic further and further out in order to allow emergency vehicles to get through. Both sides of the street cannot be no parking zones. This plan has worked in the past, but the problem arises when the signs are moved. Sergeant McLaughlin has checked on Thursday night, and the signs are in place, but the next morning, the signs are often moved or knocked down. Summonses cannot be written unless the signs are up. It is necessary to keep INTERSECTIONS open and keep vehicles flowing, so Sergeant McLaughlin said it is essential for one side to get up as fast as possible. It is a public roadway, and this has worked in other areas of town. Mayor Arnowitz asked if it is possible to put up fewer permanent signs than the current temporary signs. Sergeant McLaughlin answered that when less signs are put up, people claim that they cannot see them. He added that they could try to spread them out as much as possible, but many people come to court and tell the judge that they did not see the signs.

Council Member Frank asked if the signs are put up permanently, they will be in effect all year round, which Sergeant McLaughlin confirmed. It means that residents will give up the right to park in front of their homes, which Sergeant McLaughlin also confirmed. However, Sergeant McLaughlin pointed out that they can get permission during non-peak seasons to park in front of their homes, as long as it will not affect emergency vehicles or other necessary access. It is done at the discretion of the Chief of Police. Council Member Frank reiterated that the main reason for doing this is for the safety of emergency vehicles to have access. Sergeant McLaughlin responded that public roadways cannot be closed, but access must be allowed, as well as parking. This makes for the fastest line of traffic through that area.

Mayor Arnowitz pointed out that this will not be done this year, and by the time the ordinance is passed, the season will be over. Sergeant McLaughlin agreed, but pointed out that it could be in place for next year. Temporary signage can be placed if necessary, at the discretion of the Chief of Police. Sergeant McLaughlin said he would try to place the signs near telephone poles, so they would not be in the middle of someone's lawn. However, it might be slightly inconvenient at the intersections, but there should never be parking near the intersections, anyway. Parking will be restricted on Paul Court from about 500 feet in, and Hunter Lane and Lesa Lane would have parking about 200 feet in, due to the angle and the curve. On Bedford Lane, the signs will go up on the residents' side, which they have requested. Gene Court and Fairhaven Avenue will also have one side available. Standish Court and Winthrop Road will have parking allowed in the first 200 feet. Sergeant McLaughlin said he has the measurements ready, and they will be put in the ordinance. Mayor Arnowitz asked if Sergeant McLaughlin has any idea of the cost of the signs. Sergeant McLaughlin responded that he thinks it will be a bit of an expense, and there is a possibility of getting help to get the signs covered. DF has indicated that they will help purchase signage. They purchased 200 signs last year, and have just ordered another 100 signs. They have also purchased stakes for the signs. Mayor Arnowitz asked Mr. Russell to provide some kind of estimate of costs for the signs for the Finance Committee so that

this can be ready for next year.

At George White School, Sergeant McLaughlin noted that temporary traffic restrictions have been enacted, working very closely with the Chief of Police, Superintendent of Schools, and the Interim Principal at George White. It has been operating very smoothly, with no complaints. The traffic flow in the morning and afternoon has been very smooth, and the same success has been found at the high school. The drop-off and pickup zones are clearly marked. Magnolia Avenue southbound is shut down at Hillsdale Avenue, and traffic is no longer backed up from Kinderkamack Road to Broadway. The idea is to keep traffic away from the front of George White School, and no one is allowed to pull into the driveway in front of the school. Parking is no longer allowed against the building; spaces have been marked for teachers to use on the other side of the street. Parking slots have also been marked on Magnolia Avenue, as well as on a section of Trinity Place. Sergeant McLaughlin has also designated two-hour parking zones on Liberty Avenue from Trinity Place to Grove Street, with no parking from 7:30 AM-9:00 AM and 2:30 PM-3:15 PM.

Mayor Arnowitz pointed out that the area on Trinity Place between Washington Avenue and Hillsdale Avenue can be problematic, especially if there are drop-offs and pickups for George White School and the Methodist Church is having an event. It is not possible for car go through that street at such times. That would be especially unfortunate for an emergency vehicle, and must be addressed. Sergeant McLaughlin said that he would put similar language in the ordinance to take care of that problem by making the street a no parking zone.

Council Member Frank asked how the new traffic pattern was working at George White School. He said that he heard a lot of stories about the problems adjusting to the new pattern. Sergeant McLaughlin answered that it did take a bit of adjustment for everyone, but the principal has informed him that the teachers have become accustomed to it. Dropping off and picking up students now lasts approximately 8 minutes, and backups have been avoided. The students are also accustomed to it. The buses have encountered no problems getting in and out of the school driveways. Educating everyone about the new pattern was the most difficult aspect, and the bus company had to change its routes a bit to accommodate the new traffic patterns. Council Member Frank and Council President Kelley thanked Sergeant McLaughlin, adding that he did a very good job. Mayor Arnowitz noted that the cost for the signs should be forwarded to the Finance Committee.

3. Amendment to the Recreation Ordinance

Council Member Frank explained that recommendations have been made to put in stricter requirements for the members of the Recreation Committee regarding attendance at meetings, as well as considering putting some of the principles of the non-profit organizations on the Committee.

Council Member Looes added that the situation regarding student representatives has been discussed, including the fact that they are usually appointed in January, which means that they only attend meetings from January-June. It would be smarter to appoint the students in September, to align with the school year, so that the students can attend all of the meetings during the year.

Council Member Frank pointed out that he would like for the Recreation Committee to have oversight of the non-profit organizations. Council Member Looes agreed, saying that at this point, the Recreation Commission has no oversight over anything besides the usage of the fields.

Council Member Pizzella noted that the ordinance itself needs to be clarified, because it is difficult to understand what the Recreation Commission can do, which does seem to be very limited at this time. The members of the Commission need to understand their own obligations.

Council Member Meyerson asked for clarification that one of the things that was proposed is that the ordinance require certain representation from the principles of the non-profit organizations to be on the Recreation Commission. The answer is that that recommendation was made by the Recreation Commission, and Council Member Meyerson said he is concerned about the concept of people overseeing themselves.

Mayor Arnowitz pointed out that there is an opening on the Recreation Commission, due to the resignation of Bob Darcey. Abby Lundy has been nominated as his replacement. The appointment is made pending the approval of the Borough Council.

MISCELLANEOUS:

1. Letter Dated September 29, 2014, Resignation of Bob Darcey from the Hillsdale Recreation Commission, Mayor Appointment with Advise and Consent
2. Letter Dated September 29, 2014, 49 Oak Street, Block 702, Lot 11 – Donation of Property to

Borough

Mayor Arnowitz noted that Mr. Russell or the Borough Engineer will have to give a recommendation as to whether this is something that the Borough should acquire.

3. Letter Dated September 15, 2014, from Hillsdale Library Requesting Moving of Fence
Council Member Frank commented that the Borough Administrator was going to check with the Borough Attorney to see if any approvals are necessary. This relates to locating the fence that is currently across the back of the Library parking lot, on Hazelwood Avenue, to open that up to be a small park area running by the brook. Mayor Arnowitz noted that it is a public street, and it is necessary to determine if that would be allowed there. Ms. Witkowski explained that the recommendation from the Borough Attorney is to get a letter from the Public Library Board of Trustees of their intent, which she now has, and will have the Borough Attorney review upon his return. Mayor Arnowitz also asked for a recommendation from the Chief of Police.

4. Electronic Message from Abby Lundy, 9/29/2014 – Conversion of Field to Multi-Use Field
Mayor Arnowitz said this is been very confusing, and there has been a lot of misinformation regarding this issue. He spoke to Ms. Lundy about the situation, and she explained that all they are trying to do is to extend the infield. The dimensions of the field will not be changed, nor will the outfield. This will allow the HBSA to accommodate other leagues at the field. Council Member Frank clarified that the HBSA will pay for the work to be done. Council President Kelley clarified that it adopts the national youth baseball association's recommendations for field sizes for specific age groups. Council Member Looes added that it accommodates those organizations, because currently, there is no field of that size in Hillsdale. It allows the field to become a multi-use field, instead of strictly a baseball field. Mayor Arnowitz said his concern stemmed from the fact that it was explained to him that the diameters of the outfield were to be increased, and the property in question is County property, and it is in Woodcliff Lake. However, after speaking to Ms. Lundy, he does not believe a problem exists. Ms. Witkowski noted that she spoke to the Borough Attorney about this, and he urged that the Borough Council get a letter stating that it has to be done, as well as the fact that it costs approximately \$9,000, and will be going out to public bid, because it is public property.

5. Demarest Farm (DF) Traffic Issues

6. Lafayette Avenue Traffic Study

Mayor Arnowitz explained that this pertains to keeping the street in question a two-way street. Council President Kelley stated that he spoke to Chief Francaviglia and Sergeant McLaughlin about this, and they noted that the street was just reopened a month ago. The process is ongoing, and reports will continue to be received to see if anything changes. Mayor Arnowitz noted that the the original plan shown to him had a barrier across Sycamore Avenue, and he was opposed to that. Council President Kelley pointed out that the barrier was only for the study; all traffic was filtered down Lafayette Avenue in order to obtain an accurate count of all traffic coming through that area. The street will remain the same for the near future, and another discussion will be held in 2015 about the situation. Sergeant McLaughlin stated that the study will be done approximately every three months, with the results furnished to the Council Members.

7. Letter Dated September 5, 2014, from Hillsdale Public Schools regarding 2015 Summer Recreation Program

8. Letter Dated September 25, 2014, from Bergen County Executive regarding Bakken Oil Crisis (Freight Train Safety Matters)/Board of Chosen Freeholders Resolution

9. Letter Dated September 9, 2014, from Bo Petkovich, Hillsdale Holiday 5K, December 8, 2014, 8:00 AM

Mayor Arnowitz asked if this was approved by Chief Francaviglia, the DPW, and anyone else. Ms. Witkowski said she wanted to see if the Council Members were interested in allowing this, and the letter could be sent tomorrow. Mayor Arnowitz asked if this was a new event, which Ms. Witkowski confirmed. Council Member Pizzella noted that this is a great event for Hillsdale, especially in the winter time. Mayor Arnowitz agreed that it is a great event, but he wanted everyone to understand that other groups have been denied such requests due to the inability to police these events. There is simply not enough manpower to do so. That is why such requests have to be approved by Chief Francaviglia and Mr. Russell before they can be discussed by the Borough Council. Mayor Arnowitz said he would need a recommendation from Chief Francaviglia and Mr. Russell as soon as possible. Council Member Meyerson asked how much time is necessary to advertise this event, so that the Council Members know how much time they have to discuss it. And Council Member Meyerson pointed out that more lead time is necessary to prepare for these types of events, due to the amount of preparations that have to be made by the various Borough departments. Approximately one month is required for registration.

ORDINANCES: Adoption October 14, 2014

14-15 (Adoption)

AN ORDINANCE TO AMEND ORDINANCE NUMBER 14-13, PROVIDE FOR AND DETERMINE THE RATE, AMOUNT, AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICE AND POSITIONS OF EMPLOYMENT 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 1. The rate of compensation of persons holding any of the hereafter named offices and positions of employment, which compensation shall be on an annual basis unless otherwise specified, is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment. Whenever there shall be set forth a minimum and maximum rate of compensation the employee or officer shall be compensated at an annual rate within such range.

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

	<u>MINIMUM</u>	<u>MAXIMUM</u>
Police Lieutenant	\$135,000	\$152,000

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

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

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

SECTION 6. This ordinance shall take effect immediately after final passage (adoption), approval and publication of notice thereof as required by law, and the provisions of this Ordinance shall be retroactive to January 1, 2014.

PUBLIC COMMENT:

Mayor Arnowitz asked for statements regarding Demarest Farms (hereinafter "DF"). Council Member Meyerson and Council Member DeGise recused themselves from these comments.

Blake Marcus, six Douglas Drive, said she did not know that the Council Members were considering putting up permanent signs about the parking, and she was not sure what the benefit would be to the residents of that area. She is also not sure where the permanent signs are to be placed, and she wondered if the signs are not put on her side of the street, would cars always be allowed to park there, especially during the picking seasons. Mayor Arnowitz responded that the new signs will go where the signs are presently located, so if no signs are on her side of the street, there will be no new signs placed there. Ms. Marcus said that there are no signs around her property (which is a corner property, on the corner of Craig Road and Douglas Drive), and many people parked by her house and walk down to DF. Mayor Arnowitz reiterated that, as Sergeant McLaughlin pointed out, the new signs will go where the present signs are located. Ms. Marcus noted that means that she will always have the DF overflow by her house. Sergeant McLaughlin commented that the signs have already been placed on the east side of Craig Road, as well as the west side at the intersections of Glen Hook Road, Douglas Drive, and Melville Road. Ms. Marcus commented that she and her husband have watched as people fight over parking spaces in front of her house. Her driveway is on Craig Road, and there are no signs in front of her house, or on the Creek Road side. There also no signs on the opposite side of Craig Road. People are parking on both sides of Craig Road. Ms. Marcus stressed that she and her neighbors love the farm, and they are the ones who keep the farm in business when it is not picking season, but they do have concerns. One of his concerns is that their children cannot ride their bikes through the area, or go out and walk around, due to the constant stream of traffic. Residents cannot have guests visit their homes because there is no room for

those guests to park. She added that the problem is not so much with the people who park their cars in the area, but the people who drive around looking for parking spaces when the streets are packed with cars parked there. Ms. Marcus said she does not know how the Borough can work with the farm, or what can be done by DF to alleviate the situation.

Mayor Arnowitz asked if there is anything that can be done to alleviate Ms. Marcus's problem. Sergeant McLaughlin explained that it is a public roadway, as he stated before, and he cannot tell people they cannot park there. Ms. Marcus reiterated that she has a problem with people parking, although it is not a great situation, but she would like to see if there are "little" things that can be done to help the situation. She suggested that, as is done at Temple Emanuel, perhaps shuttle buses could be implemented to reduce parking in the streets around the neighborhood. Mayor Arnowitz recalled that Sergeant McLaughlin had suggested that could be considered for next year, but Mayor Arnowitz and the Police Department could not force DF to do that. Ms. Marcus pointed out that the situation is encountered during all of September, all October, and the first half of November. Mayor Arnowitz commented that he does not believe the use of shuttle buses will prevent people from driving around to look for parking spaces, because it would be easier for them to park in that neighborhood, rather than to park in the center of town and take a shuttle bus.

Mayor Arnowitz reiterated that, because of the conflicts with the two Council Members regarding DF, at this time, only speakers who want to discuss the situation at DF would be allowed to speak, and any other topics would be addressed later on in the public comments.

Larry Sperber, 27 Glen Hook Road, said he has lived in Hillsdale for 25 years, and he believes the issue is that the responsibility of where people park is taken away from DF and put on the residents who live in that area. He does not want signs to be placed that will only be useful for 6-10 weeks out of the year, while he has to call to get permission to allow his guests to park in front of his own house. Mr. Sperber thinks the responsibility is in the wrong place, and that the Borough should not be looking to the residents to take that responsibility. Their children cannot play in the streets; debris and litter are left all over the streets and the residents' lawns; and people walk down the middle of the streets to go to DF, which is very dangerous. Mr. Sperber believes the Council Members should look somewhere else to fix the problem, rather than asking the residents to deal with it by putting signs on their properties. He reiterated that he cannot ask family and friends to visit because they cannot park on his side of the street. Mayor Arnowitz pointed out that the Borough Council is in a quandary. Under the Farm Act, it is a preserved property. The property can only be used as farmland. They are allowed to operate their apple, peach, and pumpkin orchards, and everything they do is covered under the auspices of the County. The Borough really has no jurisdiction over this. The streets are public; anyone can use them. Mr. Sperber suggested that perhaps permits could be issued to allow parking in those areas. Mayor Arnowitz said that is prohibited, and Mr. Sperber pointed out that it is done in many other municipalities. Mr. Sperber noted that he purposely did not buy a house on a main street because he did not want to have to deal with such traffic problems, but his street becomes a main street during the picking season. Mayor Arnowitz said he commiserates with the residents, but there is nothing he can do about the parking situation. Mr. Sperber asked again why permits cannot be issued to residents on both sides of the streets to restrict parking in that area. Council Member Pizzella explained that both sides of the street cannot be restricted or prohibited; legally, parking can only be restricted or prohibited on one side of the street. Mayor Arnowitz said this issue was fully researched and discussed in a similar situation involving commuter parking some years ago in another part of town, and he does not believe there is any difference between that situation and this one. Sergeant McLaughlin noted that he did some research on parking restrictions in Hoboken, and found that they get away with their parking restrictions because of the number of residents in the apartment buildings. That practice is technically illegal.

Mr. Sperber commented that he does not believe a solution is to inconvenience the residents for 12 months of the year so that DF can make money for 6-10 weeks. Mayor Arnowitz reiterated that he is trying to come up with a solution that is fair to the business, although he does not really think it is essential to be fair to the business, but rather to adhere to the laws that have been established under the Farm Act. Mr. Sperber asked if anyone had spoken to the owners of DF about the possibility of taking some of their other available property and converting it to parking spaces. Mayor Arnowitz responded that he cannot force DF to take such actions, and parking on the orchards is not allowed because he believes it is protected property.

Council Member Frank asked Sergeant McLaughlin if it would be permissible to put up a sign that says no parking for the three month period in which it would be effective. Sergeant McLaughlin said that would be allowed. Council Member Frank suggested that the sign could read "No Parking 9:00 AM-5:00 PM Saturdays and Sundays, September-November". It could be placed on one side of each street.

Joanne Seiff, 80 Melville Road, said she has people parking in the front of her house, as well as behind her house (on the road that borders the orchard). She does not shop at DF, because she is angry at the impact it has had on her residence. When she rides around Hillsdale, and goes on Bedford Road, there are parking

signs on both sides of the street. There are permanent signs that say “No Parking,” and there are signs on the ground that say “No Parking” on both sides of the street. She asked why such signs are allowed in that area, but not in her neighborhood. Sergeant McLaughlin explained that all of Bedford Road is not restricted parking, and the only time signs are on both sides of the street there is at the intersections, such as the intersection with Jane Court, and the corner of Fairhaven Road and Bedford Road, where people were parking up to the corner, where there is no stop sign. Ms. Seiff asked about towns that hold special events, and no parking signs are put up for the special events, and she assumes that is with the authority of the Police Department. She wondered why that cannot be done in Hillsdale. Ms. Seiff asked why there could not be signs prohibiting parking throughout the area on the weekends, as if it were a special event. Sergeant McLaughlin noted that the signs are put up in early September, and they remain until the end of November, but they cannot be put on both sides of the road. That is a State statute. Mayor Arnowitz asked why that is permissible at the Memorial Day parade, and Sergeant McLaughlin explained it is because people are walking down the streets during the parade, which is a safety concern. Ms. Seiff pointed out that people walk in the roadways during picking season. Sergeant McLaughlin said there is a difference between a parade and picking season. Ms. Seiff noted that the residents are very resentful because the onus is on them to “police” the parking situation. Sergeant McLaughlin reiterated that he has to follow State statutes and laws. Mayor Arnowitz stated that the Council Members would most likely agree to restricting parking during that window of time during the picking season. Sergeant McLaughlin pointed out that there are also wine tastings and car shows, and he has been told that the Thursday night barbecues are causing parking issues, as well.

Mike Verdicchio, 26 Douglas Drive, noted that the issue of emergency vehicles was raised, and he pointed out that many people are making K-turns in the residents’ driveways; parallel parking; and speeding. Although the residents pay taxes to the Borough and fees to the sports associations, it is impossible to find parking while their children play sports. Mr. Verdicchio raised the issue of the problem of finding parking at Smith School, and Mayor Arnowitz said he would have to raise that issue with the Board of Education. Mr. ? suggested that perhaps signs and/or speed bumps could be used to deal with the aggressive drivers. He said his first concern is the safety of his children.

Jeff Siegel, 88 Melville Road, believes that the only thing that will end the current problem is a tragedy that will occur, or if it is deemed to be a safety issue that is beyond the realm of acceptance. Mr. Siegel said he understands that DF is covered under the Farm Act for many activities and business practices which might be illegal yet are certainly unsafe, and subject to being shut down by the Borough were it not for the Farm Act. However, while the running of that business might be within the law, it is outside the bounds of what could be considered being a good neighbor, upstanding citizen, caring Hillsdale resident, and most of all, a business owner concerned with the safety and well-being of town residents, who are your patrons, and the rest of the Borough. Mr. Siegel said he can only imagine the size of the insurance claim against Hillsdale after the inevitable accident of a child being hit by a car. Mr. Siegel said he met with Council Member DeGise this past weekend with a proposal that he wants to have recorded. The first item on the proposal is that all visitors to DF should be permitted to park only in the two DF lots, as stipulated in the 1988 resolution, which gave the Farm the right to move to the east side of Van Emburgh Avenue. That move was made due to the decision that parking was unsafe on the western side of the street. Mr. Siegel wondered if Chief Francaviglia had seen the parking situation, which Chief Francaviglia said he had, and he is also not happy with the situation. However, Chief Francaviglia said he is not seen the cars backing up onto Van Emburgh Avenue. He also noted that many summonses have been issued to vehicles who park too close to Van Emburgh Avenue. Mr. Siegel stated that is because DF allows people to park there. He continued by saying that, in addition to the two parking lots owned by DF, which contain approximately 80 parking spaces, he suggested that perhaps a parking lot somewhere else could be rented and shuttle people in from that location. Mayor Arnowitz noted that this comments could not be addressed directly to Council Member DeGise, because Council Member DeGise could not answer.

Mr. Siegel said he also has another safety issue to raise, because he would not discuss the quality of life, which he feels has deteriorated considerably. The tractor path runs adjacent to all of the properties on Melville Road, along the property line. Mr. Siegel and other property owners have trees along the property lines, and the tractor brushes against many of those trees, which could cause injury to people riding in the back. He suggested that perhaps the tractor path could be moved to the center of the orchard.

The third piece of his proposal was to have DF add the residents on the western side of Craig Road as additional insureds on their insurance policies, due to the fact that the tractor path cannot be moved from that area.

Finally, Mr. Siegel said he is curious about why the Police Department sends many patrol cars up in that neighborhood on the weekends, and he asked if the police officers are getting over time for that work. Chief Francaviglia said they are not. In addition, Mr. Siegel noted that on the evening of September 26, he was walking his dog on Craig Road, past the pumpkin patch, and he saw signs for a Sweet 16 party that was

occurring in the pumpkin patch. Cars were parked along the entryway, and there were some fireworks going off. Mayor Arnowitz asked if Mr. Siegel called the police, and Mr. Siegel said he did not. Mr. Siegel wondered if the Farm Act covers such events and fireworks. Mayor Arnowitz pointed out that fireworks in Hillsdale are illegal, and if anyone sees fireworks going off, the police should be called. However, parties on the property are legal under the Farm Act. Mayor Arnowitz was on the Borough Council when the Farm Act was implemented, and he questioned these things. Mayor Arnowitz specifically asked of the attorneys representing DF, as well as the attorneys representing Hillsdale and those representing the County what was prohibited by the Farm Act. The answer is that there is nothing they cannot do, because the Farm Act is so broad and obscure that it allows them to run practically any event, as well as allowing them to sell nearly any item that is not physically manufactured by them and unrelated to farming. They can sell farm products that are not grown on that farm. The law has not changed since that time, except to make it or beneficial to farmers to maintain farms. Mayor Arnowitz added that he cannot force DF to move the tractor path, but they can take it under consideration. He noted that people have problems in every neighborhood, and the problems in this neighborhood seem to be limited to approximately 12 weekends per year. Mr. Siegel pointed out that it will be everyone's problem when someone gets hit by a car and the Borough is sued. Mayor Arnowitz said he could not make suppositions about what may or may not happen. The Borough has insurance, and DF has insurance. Homeowners also have insurance. He reiterated that the Borough is limited as to what can be done, and he hopes that the representatives from DF who are present at this meeting are taking notes of the residents' concerns, and taking those concerns into consideration.

Council Member Pizzella asked if DF is subject to any parking ordinances, and Mayor Arnowitz said they are not. They were required to provide a certain number of parking spaces, the number of which was predicated on the size and structure of the farm building at the time it was built. The parking spaces available are ample for the farm building, but obviously not for the picking season events.

Richard Napolitano, 35 Glen Hook Road, said that he and his neighbors came to the meeting tonight because, although they love DF, the parking situation has gotten out of control over the past two years, and most of the residents believe that it will only worsen now that DePiero's Farm is closing. Mayor Arnowitz asked for clarification on the point made by Mr. Napolitano that the situation has worsened over the past two years, what he means by that. Mayor Arnowitz pointed out that DePiero's Farm has not yet closed, and their actual closing will create more concern. He asked if there is something that was done by DF that the Borough Council can address. Mr. Napolitano pointed out that DF is now under new management, and they have changed the policies, and he believes they should address the residents in that area so that management can have an understanding of their concerns. They should listen to the residents and their concerns, and be a good neighbor to them. They should consider the impact their policies have on the neighborhood, and who supports them during the off-season. Mr. Napolitano is concerned that the young children in the area want to play in the streets on the weekends, and he cannot let his children play outside on the weekends. His house sits on the corner of Glen Hook Road and Craig Road, and cars constantly enter his driveway. The issue that concerns everyone is safety. Quality of life is a secondary concern. Mr. Napolitano strongly believes that the management of DF should talk to the residents, and not shut them down. Mayor Arnowitz again pointed out that he cannot force them to do so, that he will offer the use of Borough Hall for the DF owners to meet with the residents of that area. Finally, Mr. Napolitano pointed out that the properties in that area are "a mess" after the weekends. As a good neighbor, he believes that the owners of DF should offer to clean up those properties. Mayor Arnowitz said he knows that they maintain the property belonging to Smith School, and he was also told that DF cleans up the streets around the school. If that is not true, Mayor Arnowitz said he would discuss that with the owners. Mr. Napolitano mentioned that apples, doughnuts, and other debris are found all over the residents' lawns after the weekends are over. Mayor Arnowitz said well he could not enforce the cleanup issue, he could certainly address it. He asked Mr. Napolitano what his opinion is of the permanent signs as opposed to the temporary signs. Mr. Napolitano does not like the idea, because he believes it puts the burden on the residents.

Shane Svorac, 52 Brook View Terrace, said she did not come to speak about DF, but because the discussion had started, she wanted to give input. Ms. Svorac believes that most of the people in the room would agree that DF is a wonderful establishment, and because of her location, she is fortunate that she does not have to deal with the parking and safety concerns that have been mentioned. However, Ms. Svorac said she has seen them, and she can empathize with the property owners in that area. She suggested that if the owners of DF would enforce the rule the patrons must park in the two lots that are available by giving tickets to patrons to come back at another time, it might help. In addition, she suggested that DF request that their patrons respect the neighbors in the area on the parking on the streets in front of their homes. Ms. Svorac said she and her family moved here five years ago, and they love Hillsdale. Many things drew them to Hillsdale, including the schools. As the Smith School PTA President, Ms. Svorac said she could confirm that 100 students would not fit in the gym. Council Member Pizzella pointed out that the gym is not needed, but four classrooms would suffice. Ms. Svorac said that DF is a wonderful establishment and is one of the things that makes Hillsdale a special place, but she is also concerned about the safety issues.

Jeff Laufhutte, 55 Melville Road, supported everything that had already been said, and summarized some points that were not made. Over the past weekends, in addition to the garbage and quality of life issues that were raised, people have opened his mailbox and removed his mail. One parent scolded his/her child and put the mail back, but in another case, the parents did not see what happened, and the mail was thrown on the ground. Luckily, Mr. Laufhutte was home and was able to retrieve his mail. There have also been instances in which the temporary signs were taken down and thrown into the trunks of cars or tossed into the bushes, so the temporary signs are not a very good solution to the problem. DF has become a victim of its own success, according to Mr. Laufhutte, and in the past several years, the problem has worsened considerably. He believes that it would be an excellent idea for the representatives of DF to have a town meeting. In addition, Mr. Laufhutte challenges the Borough Council to stop relying on what the law says and repeating that it must be left that way. He noted that Mayor Arnowitz stated that he would challenge the Finance Committee to find \$100,000 to match some grant funds. One of the neighbors mentioned that the burden is being put on the residents to fix the situation, and Mr. Laufhutte believes that the residents, as the ones who have elected the Mayor and Council, are challenging the elected officials to put the onus on themselves to try to work together to come up with a solution. The neighborhood cannot be turned into a parking garage for business establishment, regardless of what the Farm Act states. The residents will speak with their votes, and if it becomes necessary for them to organize as a neighborhood organization, they will also explore that possibility. Mr. Laufhutte challenges the Mayor and Council, as well as the owners of DF, to work this out. The Council Members cannot just wash their hands of the situation, but everyone must be active participants in finding a solution.

John Ciravolo, 95 Melville Road, commended the Police Department because when Mr. Ciravolo had to call them, they responded immediately. Mr. Ciravolo noted that he has owned his property for approximately six years, and he is a part-time resident. He commented that last weekend, there were six children playing soccer on his front lawn, and the parents were fighting in the street. Mr. Ciravolo said his house and lawn (which sit on a corner lot) are well-maintained, and the children were destroying his lawn. Food was strewn across his lawn. Mr. Ciravolo does not understand why the residents must bear the burden of dealing with parking in a residential area for a commercial establishment, which is being visited on a Sunday. He also pointed out that there is a cul-de-sac off of Melville Road which has "No Parking" signs on both sides of the street, and he asked why that was allowed. Sergeant McLaughlin said he has gone around taking signs down that are not supposed to be up. It seems that people are obtaining signs from an unknown source and putting them up. Mr. Ciravolo said he does not know what the Farm Act specifically says, but he will have his attorney review it to find out exactly what it allows. However, he said that as a good neighbor, Council Member DeGise and the other owners of DF should meet with the residents of the area.

Justin Fox, 64 Melville Road, said he just moved to Hillsdale in May, and he praised Chief Francaviglia and Sergeant McLaughlin for showing a great presence on his street and on the other streets in the neighborhood. Mr. Fox said he personally observed them enforcing the traffic laws, and they seem to be doing the best they can. Obviously, there is an inordinate number of people going through that area to visit DF. Mr. Fox said he spoke with Council Member DeGise, who is willing to meet with the residents of that area to try to work out a solution. Moreover, Council Member DeGise stated that he is meeting with Landscapers an effort to have the lawns in the area cleaned. Mr. Fox is also a law enforcement officer, and he stated that as far as permit parking is concerned, the Borough could set a time frame in which an ordinance could be enforced, such as August 1-November 1. Mayor Arnowitz confirmed that Mr. Fox is not opposed to putting up permanent signs, and Mr. Fox said he does not want them in front of his house, but if they are next to the polls, as indicated by Sergeant McLaughlin, or along the property lines, that might not be so bad.

Bruce Seiff, 80 Melville Road, said that the other speakers have covered most of the points he wanted to make, but he did ask what would happen next year if DF was successful in its efforts to have overflow parking in the center of town. Mayor Arnowitz responded that that was something that Sergeant McLaughlin said was being explored, and Mayor Arnowitz did not know anything about it. That is something that DF would have to do on its own. However, he has been informed by the Mayor of Montvale that DePiero's Farms will no longer be open next year. The concern is where will all the people who used to patronize DePiero's Farm going to go when it closes, and many people believe they will start coming to DF. That makes this problem for everyone, although the residents living close to DF are affected the most by it. But it is a problem that affects all of Hillsdale, and Mayor Arnowitz wants to address it now and see what can be done. He likes the idea of holding a town meeting with the owners of DF, and while Mayor Arnowitz is limited as to what he can do, he promises to do the maximum that he is allowed to do to help. Sergeant McLaughlin is going to review the ordinance in question, and the Borough Council will have to decide whether permanent parking signs are to be put up. There are benefits and drawbacks to putting up permanent parking signs, all of which have to be considered. Even if the question is voted on tonight, the signage will not be in place for this season. That gives the Borough time to decide how it will be accomplished. Mayor Arnowitz said he just does not know what the solution is to the problems associated with parking on the

public streets but he will try to work toward a solution. The issue of all of the garbage and debris on the residents' lawns is a serious one, as well as the attitudes of the people who are parking their cars around there. Mr. Seiff said he has turned his sprinklers on to discourage people who are trying to hold a picnic on his lawn. Mayor Arnowitz said he found that an innovative solution. Mr. Seiff also suggested that, as MetLife Stadium did during the Super Bowl, perhaps buses could shuttle people back and forth to private lots to handle the overflow parking. He wondered if that could be a possible solution for this year. Mayor Arnowitz said that would have to be a decision made by the owners of DF, and he could not force them to do that. Mr. Seiff is also concerned that someone will get hurt in the current situation. He has been forced to move his own car to the end of his driveway due to the number of people who are using his driveway for turning around. Another suggestion Mr. Seiff made was that, as is done by many corporations, perhaps DF could hire their own security staff to watch the traffic in the event. The Hillsdale Police Department is usually overtaxed on Saturdays and Sundays with the work that is necessary for DF, and they cannot control the rest of the Borough. Perhaps DF could pay for the services of security personnel during its hours of operation on the weekends to patrol the area.

Blake Marcus, 6 Douglas Drive, asked what the benefit of having permanent signs is; she asked if it is simply to allow the town to avoid putting up temporary signs. Mayor Arnowitz pointed out that people are taking down the temporary signs. Ms. Marcus said she lives in the area, and the majority of the signs are still there, and if taxpayer dollars are paying for this ordinance and the permanent signs, she would rather save the money and put it toward her children's education. Sergeant McLaughlin responded that the signs are put up, but people move them. Ms. Marcus may not care if the signs are moved, but someone else does. In addition, at the signs are moved to the other side of the street, it creates a situation in which there is no parking on both sides of the street, which is against the law. Ms. Marcus commented that any of her neighbors that have temporary signs in front of their houses are happy to have them there, and would not move them. Sergeant McLaughlin said it has been documented that signs are being moved, and they are most likely be moved by the people who are parking in that area. He started out with 200 signs at the beginning of the year, and now, only 40 remain.

Bo Petkovich, 115 Everdell Avenue, asked if shoppers could be bused from the west side parking lot in Hillsdale out to DF. Mayor Arnowitz said that the proposal outlining that could be presented to the Borough and action could be taken. Research has been done regarding utilizing that lot for the businesses downtown, and it was discovered that it is legal to do so, and similar arrangements could be made to accommodate DF. However, a certain number of spaces are needed for commuter parking because of the obligation to the train station. Mr. Petkovich noted that he is a commuter, and no one uses the lot on the west side on weekends. Mayor Arnowitz responded that, according to the agreement with New Jersey Transit, parking on the weekends must be provided in those lots. An agreement could be reached, but a proposal must be made first. Mr. Petkovich said that when he takes his children Apple picking at DF, he holds onto them, because there are many cars pulling in and out, many people from out of town, and it is very dangerous.

Finally, Mr. Petkovich thanked Sergeant McLaughlin for the new traffic pattern at George White School, which has finally made it possible for him to be on time for his train to work.

Howard Rosenbaum, 817 Hillsdale Avenue, asked if it would be possible to consider valet parking. That would eliminate people driving around the neighborhood, because people could drop off their families, and the valet employees would then park the car at some off-site parking lot that would be rented or reserved for that purpose, and the residents of the neighborhood do not have to be disturbed.

Jason DeGise, 23 Sherwood Drive, spoke as the business owner of DF. He said he is happy that the neighbors came out tonight, and many of the letters that had been received about the problem were not signed, so it is nice to know who to speak to about the problem. Mr. DeGise said he would be happy to meet with the residents of that area on Saturday, November 8, which would be run by the Right to Farm Act Mediation Group. This would help to open the discussion. Mr. DeGise is aware that farms are closing at an alarming rate in every state, and every state from North Carolina to Maine has its problems in September and October. The closing of DePiero's Farm has been anticipated, and a lot of the traffic that is been encountered this year is a result of the loss of business at DePiero's, because people seem to think that they are already closed. This has resulted in an approximately 20% increase in traffic in Hillsdale. Mr. DeGise has been meeting with Chief Francaviglia and Sergeant McLaughlin every Monday in an effort to be proactive on this issue, and he has paid for as much signage as is necessary. For 2015, Mr. DeGise said that they have tentatively made arrangements to reserve the parking lot at the Catholic Church in Woodcliff Lake, next to Galaxy Gardens, which would hold approximately 125 cars. That will help the situation somewhat. This past weekend and the weekend before where the two peak weekends for the picking season; there are normally eight weekends in the picking season. Mr. DeGise said it would be wonderful if the meeting could be held at Borough Hall, and Mayor Arnowitz said he is sure that it will be available on a Saturday. He also asked Mr. DeGise how the residents would be notified that the meeting will be held, and if the date is definite. Mr.

DeGise said he has not made a final confirmation yet, and he will set up an email list of people to be notified. Anyone who wants to be notified should calm out to DF to add his/her email address to the list. For people who do not have email, they should leave a telephone number and they will be contacted. People can also email *DemarestFarms@Gmail.com* to be added to the email list. Mayor Arnowitz said he appreciates Mr. DeGise's willingness to work with the residents.

Mayor Arnowitz invited anyone wishing to speak on any topic to address the Mayor and Council.

Steve Buxbaum, 45 Crestwood Place, said he has lived in Hillsdale for approximately 25 years. He said he wanted to address the Mayor and Council about Block 503, Lot 4, or is it has become known, Tandy Woods (hereinafter referred to as "TW"). Mr. Buxbaum noted that a rare alignment of circumstances has arisen that gives Hillsdale the opportunity to maintain something that makes it a special place to live. A large parcel of land, consisting mainly of wetlands, is now available, and is the largest undeveloped space in Hillsdale in private hands. Funds are available to buy the land for the Borough at zero cost to the taxpayers for the land. Mr. Buxbaum commented that making this work would be farsighted and statesmanlike, and would demonstrate that Hillsdale is up to the task of providing for the future, and not letting the day-to-day problems distract us from ensuring that the character of the town remains intact for the long-term. Tonight, while the Mayor and Council review what makes this land so special, Mr. Buxbaum distributed document describing the flora and fauna that thrive on the land. Various speakers will discuss the issues that need to be addressed in order for this great opportunity to be realized. Hillsdale residents will be fully informed about the issue.

Lori Charkey, 141 Demarest Avenue, noted that this is not the most difficult land acquisition she has ever worked on professionally, but it is the most difficult to her personally. She reminded everyone that her partner, Mark Becker, was killed in a car accident in February 2014. Mr. Becker worked very hard at improving himself and others, and was instrumental in assisting many foreign countries with earthquake planning. He helped governments in Africa and dealing with arsenic poisoning of the rivers.

Ms. Charkey commented that there is no time like the present to preserve the largest open space in Hillsdale. She and Mr. Becker started working on this project more than a year ago in earnest, and they were working on this property for the previous 10 years or more. At this time, there is an incredible overlap of funding at the County and State levels. Bergen SWAN created a fund through a 2009 settlement of more than \$1 million that is available at Green Acres. If Hillsdale does not take the money, someone else will take it for another purpose. Ms. Charkey has been assured by the people at Green Acres that this project fits entirely within their goals, and they are ready to spend that money. At the County level, there is approximately \$10 million available on open space, which is unprecedented. Hillsdale has a flooding problem, and wetlands help to mitigate floods. They also help to purify water by biochemically cleaning it before it moves on. The Tandy Brook runs through the property that flows right into the Pascack Brook, and what has happened to the Pascack Brook in the last several large floods is well known. In their last conversation, Ms. Charkey remembered that she and Mr. Becker discussed the preservation of this acreage. Ms. Charkey stated that the property is beautiful; it helps to raise the value of the properties surrounding it; and there is plenty of funding available. An offer was received from Terrence Nolan, who was here earlier; Mr. Nolan is the Senior Vice President of Conservation Transactions for the Open Space Institute, and is willing to help. He has performed similar transactions in Ridgewood, Riverdale, and Ramapo, and is an expert in these matters. An offer is also been received from MMarlene Casey to do free grant writing. Ms. Charkey said she does not know how to get more help to make this possible. She is aware that lack of funds and maintenance costs are two concerns that are facing Hillsdale, and there may be a creative way to cover maintenance costs. If Hillsdale is not interested in owning this preserve, there might be someone else who is and who will step up.

Barton Lee, 130 Carriage Court, Allendale, said the reason he came to the meeting tonight was because he and his wife frequent the Starbucks on Broadway in Hillsdale. They always cross in the crosswalk, but for some reason, there is a blatant disregard by motorists of the pedestrians crossing in the crosswalks. Mr. Lee asked the Police Department if they plan to do anything regarding increasing enforcement at the crosswalks, or perhaps putting a blinking beacon in the middle of the roadway to allow pedestrians to cross the streets. Mr. Lee is very angry that pedestrians must fend for their lives when crossing in the crosswalks. Chief Francaviglia said that several warnings were issued in the past month regarding pedestrian crossings, and pedestrian crossing signs have been placed in the roadways. He does plan to issue summonses for such violations, as well. Mr. Lee asked if he or his wife encounter someone who is blatantly disobeying the law, should they simply call 911 with the license plate number of the vehicle, and Chief Francaviglia said that would be a good idea.

Bonnie Tandy Leblang, 226 Sandquist Circle, Hamden, Connecticut, formerly of 61 Brook View Terrace, with Meredith Tandy Spangenberg, Rue Jules Lejeune 19, Brussels, Belgium, and Alan Tandy via telephone, said that they, along with her sister, Shelley, who could not be here this time, are the owners of the property

referred to as Tandy Woods. Their father built the Tandy and Allen houses, and they presented a letter signed by the four of them. The letter states that the property was acquired by Tandy and Allen when the company was building houses in the early 1950s. In the 1960s, ownership passed to their father, Norman Tandy, who created Saddlewood Hills Properties, Limited Partnership, in the 1980s to own the land. Mr. Tandy passed away in 2010, and since that time, the children have partnered in Saddlewood Properties, LLP, handling the property to settle his estate. Over the years, Mr. Tandy and the Borough of Hillsdale had different ideas about what should be done with the property. The children were not privy to the discussions, and have tried to reconstruct some of the activities found in Mr. Tandy's files. A large portion of the property has been designated as wetlands by the NJDEP. However, the property is currently zoned as R-2 for single-family homes, and there is enough land to accommodate several houses and still maintain the wetlands. The Saddlewood Hills Properties Partnership now needs to sell the property, and has been working toward that goal. When the Partnership began to market the property, the siblings learned that in order to sell it, they needed to determine the best development of the site. To that end, they made an application to Hillsdale for a minor subdivision. The application does not require variances, and in the subdivision, the wetland portion is divided among three lots. After this process was started, Bergen SWAN approached the siblings with an offer to facilitate the sale of the property that would allow it to remain as open space for the Borough's use, rather than be developed. The Tandy siblings would prefer to have that happen, and urge the Borough to accept ownership of the property for that purpose.

Council President Kelley asked for clarification on several points. The first thing he asked was how many acres is included in the property, and the answer is 12 acres. Council President Kelley asked how much of that 12-acre property can be developed, and how much is wetlands that cannot be used. Ms. Leblang responded that three acres can be developed, and the other nine acres is wetlands. Council President Kelley also asked what is meant by the statement in the letter that the property could remain as open space "for the town's use". The siblings explained that they hope it will become an open space; a park. Council President Kelley noted that when this initially came before the Council, one of the questions was whether this is open space that will remain open space, or can it be made into parkland for residents' use. They were told that they could not turn it into parkland. The siblings pointed out that they have no authority regarding how it can be used, but they have been told that it would be green space, open for the public to enjoy in whatever capacity might be allowed.

Arthur Maihack, 690 Edward Street, River Vale, commented that when there is a piece of property that is a gem, like the Tandy Woods area, and there are willing sellers, it is a no-brainer to him. In River Vale, the town fought for several years in order to purchase a piece of land that should have been turned over by the water company. Hillsdale has willing sellers, and available funds, and Mr. Maihack believes this is a gift that could be left for the residents' grandchildren's grandchildren.

Next, Mr. Maihack address the comments made earlier about the pedestrian crosswalks. Mr. Maihack notices that, in Hillsdale, he has seen something that has never been done before, where a policeman in plainclothes with his badge around his neck crossed the crosswalk. The policeman would step into the street, and if the cars proceeded to drive through the crosswalk, they would be stopped farther down the street. Mr. Maihack finds this commendable, and he wishes more towns would do that.

Bill Drummond, 840 Hillsdale Avenue, has lived in Hillsdale for 31 years, and he lives adjacent to the Tandy Woods. His children have had the opportunity to grow up next to this "suburban oasis," and he pointed out that it is home to salamanders, garter snakes, green frogs, uncommon birds that are not normally seen, foxes, and other wildlife that will either disappear or be threatened by development. If this land is disturbed, wildlife in this area will lose a significant habitat. Mr. Drummond also mentioned the issue of flooding, noting that he gets water in his basement, and if houses are built adjacent to the property, he will have more water in his basement. Traffic is also a concern on Hillsdale Avenue, and adding three more driveways on Hillsdale Avenue, at the bend coming around the turn going west on Hillsdale Avenue, which is a blind spot, it will increase safety concerns. Finally, Mr. Drummond finds it hard to believe that the Council would not take advantage of this opportunity. There is funding available to save this property, and Mr. Drummond cannot believe that the Council Members would let it slip through their hands. To let this property go indicates that the Council Members are not looking to the future, and that they are not supportive of open space.

Rosemary Draeger Kerry, 698 Alexander Court, River Vale, is the Chairperson of the Pascack Sustainability Group, which has many members living in Hillsdale. She commented that policymakers and land conservationists alike have known for decades that open space is an investment with both health and economic benefits to communities. It is also known that developing open space with the hope of increasing ratables quite often fails to deliver the economic gains expected by the towns. Ms. Kerry believes that developing TW will increase demands on Hillsdale's tax-supported infrastructure, including roads, schools, sanitation, and fire, and she wondered if those costs had been fully calculated. However, there are some

things that cannot be measured in terms of dollars and cents, and Ms. Kerry pointed out that developing the woods would result in the loss of quality of life in the immediate neighborhood. The addition of three new, large homes would allow the neighbors to reasonably expect more noise from leaf blowers; more dirty air from leaf blowers and other lawn equipment; more pesticide runoff from new lawns; more lights to compete with the stars; and increased traffic in the area. Development of this environmentally important parcel will also result in the destruction of a diverse ecosystem; loss of habitat for the many species known to live there; and loss of the flood mitigation that is so important to Hillsdale homeowners. That is why Ms. Kerry urges the Mayor and Council to invest in the quality of life for Hillsdale residents and preserve this valuable natural asset for future generations.

Julie Askins, 87 Oak Trail Road, said she has been a resident of Hillsdale for 30+ years, and her family has enjoyed the benefits of TW for most of those years. She lives across the street from the path that connects Oak Trail Road to Beechwood Lane, and everyone in the neighborhood uses the path for walks, riding bikes, and other outdoor activities. The path was created to give children in the neighborhood a path to get to Hillsdale Avenue when they walked to Smith School. Ms. Askins uses the path every day in her commute to New York City, when she walks to Hillsdale Avenue to get to the bus stop. In the course of walking the path, Ms. Askins said she has had the joy of observing approximately 40 different wildflowers in the past three months as they have bloomed, and it breaks her heart to think that large portions of the woods that she so enjoys are possibly going to be turned into more fertilized lawns and more housing. It is a piece of land that has been there for so many years in such a beautiful state, and Ms. Askins hopes that the Mayor and Council will do everything they can to keep it that way. This chance will not come again. Furthermore, Ms. Askins pointed out that this will be a major voting issue for her this year.

Kevin O'Brien, 61 Parkview Drive, said he had the pleasure of working with Ms. Charkey and Mr. Becker for more than a decade, and they have done outstanding work in their various efforts to preserve nature. This is an opportunity to look at the long-term picture, and the effects it will have on our children's children.

Mr. O'Brien noted that in the April 3, 2012, Closed Session meeting, there was a discussion about a piece of property that was adjacent to the Gassib property. The minutes from that meeting make reference to a benefit to the town in keeping the property undeveloped and untouched. Mr. O'Brien commented that if the Council had that opinion in a Closed Session meeting of 2012, this is a beautiful opportunity to take a piece of pristine property and preserve it for the future. As other people have noted, such opportunities do not come very often. In 2010, River Vale used grant funds to secure a piece of property which is approximately the same size as TW, and they have found a way to manage and work the property on the other hand, in 2014, Westwood acquired 10 homes with more than \$2.3 million in grant funds, and made it work in their community. However, looking at it from the other side, Mr. O'Brien noted that there is a loss of tax revenue, which is a consideration. That is reality. Considering the trade-off of the number of children that would live in any of those homes built on that property, and the overall costs of educating those children, against the cost/benefit analysis of keeping the property preserved as is, they probably offset each other.

Jerry Pincus, 86 Oak Trail Road, said he has lived in Hillsdale for 42 years. His house is next to the easement. Mr. Pincus recalled that an earlier discussion dealt with coming up with \$100,000 to fund repairs at the train station, yet this property is older than the train station, and he gets the sense from some of the Council Members that they do not care about the property. Mr. Pincus emphatically stated that the property, left as it is, is what is best for the town. The owners of the property are willing to make it available to the town if they can come up with the funds, which are available, yet the Council Members seem to be taking a cavalier attitude toward it.

Abby Lundy, 73 Colonial Boulevard, brought a message from the children of Ms. Svorac, who had to leave the meeting. They said that TW is in their neighborhood, they happily enjoy walking, exploring, and watching wildlife there. They walk through the woods to get to and from school, and appreciate all the wildlife and free space the land represents to Hillsdale. As Girl Scouts and Boy Scouts, they believe the building on this land would be a crime against nature, and would deprive the youth of this community the opportunity to see and experience space such as this and all that it offers.

Tim Clemenson, 5 Beechnut Street, said that he lives on the cusp of the property in question. Mr. Clemenson does not believe he could add anything to the passionate voices that have already been heard. Mr. Clemenson also stated that, according to the Internet, the tax basis and the costs for education in Hillsdale and Bergen County and the surrounding areas would provide a 9% return to the taxpayer with no variable costs, which is not a great investment. However, Mr. Clemenson believes that the investment is in the people who are involved in the discussion. He asked a question about what the process will entail in owning the property, from the Council and other government departments, and what type of communications will be shared with the public to know what the process is. Although this is not a Planning Board meeting, Mr. Clemenson is worried that this opportunity will get away from Hillsdale, for whatever reason. Mayor

Arnowitz explained that the process involves an application that is currently in front of the Planning Board, which will proceed, unless the applicant pulls the application. The Borough Council will have to decide what they want to do with the property, whether in total or in part. If the Council votes to move forward, application will have to be made to the Bergen County Open Space Commission, and if they approve the application, everyone can move forward to acquire the property. The first step is for the Borough Council to take a vote on their intentions regarding the property. The Council must agree to take the property, and there are still many questions to be answered, including the one asked by Council President Kelley earlier about how the property could be used, which was not satisfactorily answered. Mayor Arnowitz said that the Borough Attorney has advised that when space is acquired under the Open Space Act, there are certain uses that are allowed. Mayor Arnowitz believes that Council President Kelley was looking for an answer to whether a ball field could be put in that space, and the law says that that cannot be done. It can be used for parkland, but nothing can be built on it. However, that is something on which the Borough Attorney will have to advise the Council further. Mr. Clemenson noted that sometimes the property, in and of itself, can represent the image of the whole community. Mr. Clemenson asked how the residents can be notified of any action is taken, and how can they participate in the process. Mayor Arnowitz noted that Council agendas are public information, and are posted on the Borough website. He anticipates that all of the Council Members will present questions on this issue, and if the Borough Attorney can give answers, or any of the other experts/professionals, including the Borough Engineer, a discussion will follow, and a decision can be made after that.

Council Member Pizzella wants the public to understand that the Council has been discussing this property since the summer of 2014. He was asked to bring this issue to the Council Members to see what they wanted to do with the property. A public meeting was held regarding the property, at which Council Member Pizzella explained about the application process and who would raise the money, and at that public meeting, the Borough Council was supportive of moving forward. Council Member Pizzella relay that information to the residents' group. After that, it was necessary to complete the application. The Borough had to sign the application, and Council Member Pizzella needed a confirmation that the Council Members supported moving forward. All of this was discussed and relayed to Mr. Buxbaum's group, although Council Member Pizzella is not sure whether everyone understands that, which is why he is explaining it again. During a Borough Council Closed Session discussion, which was necessary because Council Member Pizzella was not at liberty to discuss the price or the negotiations, the majority of the Council Members did not support moving forward. At that time, Council Member Pizzella pointed out that nothing can be done with the property, including putting a ball field there. When funds are obtained for this purpose, the property must remain as open space. Council Member Pizzella believes this discussion now being held is a result of his conveying to Mr. Buxbaum's group the information that the majority of the Council Members have changed their opinions. The discussions did not begin tonight. Council Member Pizzella said he feels uncomfortable as a Council Member that the public does not seem to understand what happened.

Mr. Clemenson said he could plead ignorance due to the fact that he did not pay attention to the Council agendas. However, having appeared before the Planning Board, and having gone through a zoning issue any building process, he was required to notify neighbors and post signs during that process. Mr. Clemenson noted that he has received one notification as an adjacent property owner, and that was approximately one year ago. Nothing has been received subsequent to that time. Council Member Pizzella explained that that was because the property is not owned or managed by the town, but is a piece of property that the property owners are hoping to sell to the town. However, they are exploring all their options, and the entities that were interested in purchasing the property were the Land Conservancy of New Jersey and Bergen SWAN, who are willing to negotiate with the property owners and come up with a price to see if they could purchase it. At that time, when the property was eventually purchased, the new owners would complete an application, which the Borough would sign. That was the question Council Member Pizzella asked the other Council Members: if they would be willing to support the project. There is really no cost to the town, except for the maintenance. There is also the matter of the tax revenue that is lost. Toward the end of the summer, negotiations with the property owners were completed, and the property owners expressed their desire that the property would be designated as open space. The time came for the application to be completed, and Council Member Pizzella had to come back to the Borough Council and explain their position, and asked if the Council Members were still willing to take ownership of the property. At that time, the majority of the Council Members were not willing to do so. Council Member Pizzella relayed that message to the interested parties. He is the liaison for this project, and he supports keeping the property as open space. Mr. Clemenson said he appreciates all of that, but his question is what can be done going forward from this point. Council Member Pizzella pointed out that, as Mayor Arnowitz explained, if the Council Members have changed their minds and wish to vote on it again, they can do so.

Mikey Drummond, 840 Hillsdale Avenue, said she has lived in Hillsdale for 31 years, and has had the pleasure raising a family next to TW. She believes that should be an open discussion, but she has a terrible feeling that a decision has already been made. That is why Ms. Drummond is requesting true openness and

an opportunity to make sure that what was set tonight is heard by the Council Members, and taken into consideration. Council President Kelley said there has been no official vote on this; only a straw vote was taken to assess the opinions of the Council Members. Any votes have to be taken in public. Mayor Arnowitz stated that he is sure there will be another discussion in public on this matter, as long as no negotiations are being held. Ms. Drummond believes that the town has a very beautiful, natural open space, and a very unique opportunity to take advantage of preserving that space. TW is known in town, and Ms. Drummond feels that this opportunity should not be squandered. The property should be taken gracefully, and used and preserved. A dedication could be held to honor Mark Becker, who put so much into making this happen. Ms. Drummond also pointed out that, as a resident living on Hillsdale Avenue, the traffic congestion in the mornings and afternoons has steadily worsened. There is a bend in the road that has created a blind spot. She would like to have those safety and traffic concerns recognized. In addition, flooding in Hillsdale is an issue that must be considered, and any reconfiguration of that land will push the water that is there into someone's home, whether that is Ms. Drummond's home, or someone else's. It will affect Hillsdale, as well as other towns along that water flow.

Sachiko Goodyear, 164 Saddlewood Drive, said that her backyard is the Pascack Brook and the woods that surround it. When Ms. Goodyear heard what might become of the Tandy Woods and the possibility of development there, she panicked because she could not imagine someone putting a house in her backyard. She also asked why anyone would want to fill in a wetland area. Mayor Arnowitz said that is not possible. Ms. Goodyear asked if there is anything that would sway the Council Members' decision toward preserving the open space there, and what might help them decide to support it. Mayor Arnowitz responded that the Council Members will have to assess the impact it will have on taxes and maintenance. Nine out of the 13 acres is preserved in perpetuity because it is wetlands. Some residents on Pascack Road have advised Mayor Arnowitz that they have a problem with the town taking over the property due to maintenance issues. All of that has to be discussed and taken into consideration by the Council Members before a decision can be made. As Council Member Pizzella pointed out, several discussions have already been held, although no vote has been taken at this time. Mayor Arnowitz also pointed out that Council Member Meyerson recused himself because he has a business conflict with this issue.

Council Member Frank stated that one of his concerns is that he has felt for a long time that Hillsdale needs a community center. Some years ago, consideration was given to moving the Public Library to the TW property. Council Member Frank thought at the time that, if a community center were to be built, which is something that most towns have, that property might be the ideal location for it. However, he was persuaded otherwise, because he found out that the regulations have changed since the time that was proposed, and it would not be possible to develop as much of the land as they had originally thought. Mayor Arnowitz recalled that, at that time, an offer was made to the property owners which would allow the Borough to maintain the nine acres, and build on the remaining three acres. The Borough would have made the purchase, without using Open Space grant funds, but using Public Library grant money to build a library at that location. There was a referendum on that issue, which failed. Council Member Frank said his point was that he was told in the Closed Session meeting that the regulations and State requirements that existed when they were discussing moving the library to that location had changed since that time. Council President Kelley noted that they have strengthened since that time. Council Member Frank said he simply wanted to know if it would be feasible to build on the front three acres of the property. Mayor Arnowitz said that would be possible, and that is what is currently before the Planning Board. Council Member Frank does not believe the three acres would be significant enough for the Borough to be able to make use of the property, and Mayor Arnowitz agreed.

Finally, Ms. Goodyear spoke on behalf of her son, who asked the Council Members that they refrain from cutting down "his" trees, where he loves to play. She added that she and her family moved to Hillsdale four years ago from Jersey City to escape the city. They were tired of being overcrowded, and the main attraction for them was the woods and the Pascack Brook. The open spaces of Hillsdale offer to families like the Goodyears a sanctuary from the overdeveloped world, and they are always delighted when animals come into their yard. Out of town friends consider them lucky to live here. However, the animals' habitat is shrinking, and Ms. Goodyear and her family wonder where they will go when the woods are gone. The animals have as much of a right to live here as the humans do, even though they do not pay taxes. Ms. Goodyear understands that tax revenue is necessary to pay the bills, but she asked that the Council Members not underestimate the inherent value of green spaces, which raise the value of the surrounding real estate. The Tandy Woods are priceless and irreplaceable, and are worth more than any money that could be gained from its destruction by development. Even if it is maintained simply as open space, without any park, money is saved by not having to build and maintain a park.

Meredith Kates, 140 Sebastian Court, said she was not speaking as the Chairperson of the Environmental Commission, although their stance on this issue should be rather obvious. Ms. Kates stated that every time she comes into the room for the past eight months, she looks at the seat where Mark Becker sat. The last line

of his life, he was at a Council meeting, fighting and caring about Hillsdale, and his last conversation was about TW. Ms. Kates said she was surprised that there has been no tribute to Mark Becker, although she understands that, while the Council Members might not have known him well, he was renowned as a conservationist. Many people are grieving his loss, and the brilliance an education he brought to many of these issues. Mark Becker was a hero, and Ms. Kates finds it appalling that his contributions to Hillsdale have not been recognized, although that may be unintentional. These woods need to be preserved if at all possible, and if the family is open to it, they should be dedicated to the memory of Mark Becker. Ms. Kates believes the Council Members have been very open-minded, and she has found that a pleasure to work with all of them. They have been fair and willing to listen, and disagreements are always handled courteously, with very important questions asked. It has made the process very enjoyable for Ms. Kates. The questions that have already been asked about TW can be addressed, because Ms. Kates knows that Ms. Charkey and her colleagues have a history of working these issues out. She noted that this process started in June, and it was believed that the Council Members supported this issue, and they only found out in a “closed” way that that was not the case. Now there is a deadline of October 31, and Ms. Kates is now concerned that this will fall through the cracks. It will be hard, but if everyone is willing to do it, it can be done.

Laura Calabria, 250 Everdell Avenue, is the Chairperson of the Hillsdale Planning and Zoning Board, and she wanted to respectfully correct something that Mayor Arnowitz said. When an application is deemed to be complete, that is when Ms. Calabria and the Planning Board know about it. If someone is interested in seeking relief from the Planning or Zoning Board, the appropriate paperwork must be completed and submitted with the appropriate plans. It is up to Christopher Statile, the Planning Board Engineer, to decide if the application is complete. When that occurs, it goes on the Planning and Zoning Board agenda. That is when the members of the Planning and Zoning Board review the application and schedule it for a future date. To Ms. Calabria’s knowledge, the TW property has not yet been deemed complete, so the Planning Board does not yet know about it, and it has not been assigned an application date. Mayor Arnowitz stated that he said that the planning board knew about the issue because a resident indicated that he had received notification, so Mayor Arnowitz assumed that the process is moving forward. Ms. Calabria said she was not speaking in support or in denial of the TW property. Council President Kelley recalled that there seem to be something going on with respect to plans for three houses. Ms. Calabria explained that approximately eight months ago, on a Planning Board agenda for an evening, there were three applications that were listed as being complete. However, when it came to assigning a date for TW, Mr. Statile said that its inclusion in the list was an error, and it had not been deemed complete. He gave the reasons why it was not complete, which Ms. Calabria did not recall. Mayor Arnowitz noted that the applicants said that they were moving forward, and whatever the Planning Board process is, that is their process, and once an application is deemed complete, there is a time frame in which the Planning Board must, by law, move forward, unless the applicant changes something or delays the process in some way.

Howard Rosenbaum, 817 Hillsdale Avenue, said he lives across the street from TW. Mr. Rosenbaum was actively involved approximately 13 years ago, when there was consideration given to a senior center and moving the Public Library. He thanked the Mayor and Council for listening to everyone tonight, and he encouraged them to take the opportunity that was not truly provided 13 years ago and is now being provided to the Council. Mr. Rosenbaum also reminded everyone that 13 years ago, the voters in Hillsdale voted on whether they want to development on that property, and they voted against it. Mr. Rosenbaum urged the Council Members to remember that decision when they consider their decision about whether to accept the property as open space, as was discussed back then.

Steve Buxbaum, 45 Crestwood Place, responded to a question asked by Council President Kelley about what types of uses could be made of the property. Mr. Buxbaum thinks it might be possibilities for creating a wooden walkway through the wooded area, as well as possibilities to opening it up for passive enjoyment of the nine acres. There is not enough room for a ball field, because there is not enough space for parking and other necessary areas associated with ball fields. Council President Kelley said the concern is about all 12 acres, not just the nine acres. Council President Kelley added that he is not the only one who has a lot of questions about this, and he finds it necessary to do his due diligence so that he knows what he is voting for. All of the members of the Council must do the same. One of the questions asked by Council President Kelley when this subject arose was that, if the Conservancy purchases the property and gives it to the Borough, what can be done with it. Can it be used for passive recreation, and what are the restrictions on use of the property? Council President Kelley said it was his understanding from the discussion held that evening that nothing could be done with it. He was also concerned about what is on the property, and whether it would create any other liabilities for the Borough. Council President Kelley said he is not against acquiring the property, but there are many questions that have to be answered. He would prefer to have more open space in Hillsdale, but the questions have to be answered first. All of this is necessary to do what is best for the Borough, as well as the budget. Mr. Buxbaum noted that Ms. Charkey might be the best person to answer many of the questions, although this might not be the best forum for airing the questions and getting the answers.

Lori Charkey, 141 Demarest Avenue, addressed the point raised by Council Member Frank regarding the change of regulations. She noted that he might be referring to Category 1, dealing with waterways. Council Member Frank said he is not sure what he was referring to, and he was just repeating what he had been told. Ms. Charkey pointed out that the Tandy Brook goes into the Pascack Brook, making it a Category 1 waterway, and it is buffered with a 300-foot buffer because it is an undeveloped area. That limits what can go on the upland. Council Member Frank asked if that had changed since the time that the library proposal was made. Ms. Charkey answered that right around that time is when those regulations went into effect, which was around 2002. Council Member Frank pointed out that her answer means it is basically not feasible to consider putting the community center there. He added that there is not a lot of land in town that can be developed, which is unfortunate, so it is necessary to look at whatever is available. Ms. Charkey believes that historically, that property may have been all wetland, and it might be feasible to “nudge” it back in that direction. That would provide a better habitat, flood storage, and water cleansing properties. Mayor Arnowitz stated that he has been told that since the initial conversation about this property 13 years ago, the wetlands delineations back then are much different than those of today. They are now bigger, and there is less land. At one time, there was a discussion about putting 15-16 townhouses, which means that there must have been more than three acres available for development back then, based on the wetlands delineation. Now, the discussion is about three houses, which allows for about three acres of land that can be developed, based on the current zoning. As it stands, nine acres cannot be developed because of the wetlands or wetland buffers. Ms. Charkey added that it is also due to the fact that it would not be feasible to displace the ability to sop up the flood water, which would cause more flooding in the surrounding homes and downstream. She also mentioned that a different vision of that upland would be to use it as a meadow, which could attract and help pollinators that are struggling these days.

Ms. Charkey stated that she also wanted to mention the looming deadline, because she has been on the Open Space Advisory Committee almost since the beginning, and the deadline is October 31, 2014; the clock is ticking. She asked if the Council Members would consider allowing some of the members of Bergen SWAN to start an application, which the Council Members could pull, in view of the timing. Mayor Arnowitz responded to one of the questions that came up before, which was a deciding factor, was just mentioned by Council President Kelley. Unfortunately, the Borough Attorney was not present at this meeting, but he had presented concerns previously. Ms. Charkey commented that the Borough Attorney noted that a Phase 1 investigation had to be completed, and possibly a Phase 2 investigation, also. Mayor Arnowitz asked Ms. Charkey how the Open Space Committee at the County would feel if the Council elected to take over the nine acre parcel, to ensure that nothing happens to that land, and allow the front three acres to be developed. Ms. Charkey explained that the 2009 settlement from the water company which generated the \$1 million at the Green Acres level involved looking into all of their properties and finding out how they were being sorted, and where the violations were occurring. This is an ongoing struggle with the water company, which occurs every quarter. Unfortunately, some people who live adjacent to these properties take advantage, and they do not consider the fact that the wetlands are wetlands. They extend their lawns and shrubbery, as well as dumping, building clubhouses, swimming pools, garages, parking lots, and many other things on protected wetlands. The TW wetland is toward the back of the property, and not many people can see what goes on back there. Ideally, Ms. Charkey noted that 12 acres is a lot better than nine if open space can be saved, and it is much closer to 15 acres, which is the limit that the County can acquire. Mayor Arnowitz said he was just throwing out an idea to try to maintain something versus nothing. The Council Members will have to edit benefits of the town taking over the property being responsible for it against a private entity taking it over, with all of that responsibility. He added that he is only trying to consider the alternatives. Mayor Arnowitz also stated that if the town takes over the property, he would insist on a means of access, so that some type of pathways could be put on the property. Ms. Charkey responded that as long as the wetlands are respected, and they continue to function, that should not be a problem. Mayor Arnowitz noted that the town will have no choice but to respect the wetlands, because the laws very specific about that. If the town takes over the wetlands, the State and Federal laws must be followed. If a private individual takes it over, it is quite a different matter. As far as the deadline is concerned, Mayor Arnowitz said he could not move that forward, and he needs input from the Borough Attorney before decision can be made. Ms. Charkey pointed out that the public meeting could be held after the application is submitted. Mayor Arnowitz said it would be put on the agenda for next week, and he would ask the Borough Attorney for his opinion.

Council President Kelley asked what would happen if the deadline is missed; can the application be re-submitted next year, or does the opportunity go away by October 31, 2014. Ms. Charkey believes there is a timing issue. Council Member Pizzella also believes that the Borough would have to wait one year, and the money from the water company settlement could be used for other purposes in the meantime. Ms. Charkey confirmed this. Council President Kelley said he believes that it might be necessary to have a special meeting for just this issue. Mayor Arnowitz said he would put this matter on the agenda for next week, and Ms. Charkey also encouraged the Council Members to get in touch with Terrence Nolan at the Open Space

Institute, who might be able to come up with some very creative solutions to the problem.

Council Member Frank asked how long and how involved is the process to prepare the application. Ms. Charkey noted that Mr. Nolan's firm has offered to do that, as has Marlene Casey, who is a professional grant writer. Council Member Frank asked how long that would take, and Ms. Charkey answered that it would take one week if they did nothing else. Council Member Frank suggested that they might want to start preparing the application in anticipation that the Council Members might vote to move forward, so that no one runs out of time.

Council Member DeGise asked when there is talk about maintaining the property, would it just go back to its natural site, or is there any actual maintenance that the Borough is required to do on the property. Ms. Charkey responded that that would depend on what the Borough wants on the property. The front of the property has been mowed. Council Member DeGise noted that the big issue seems to be who maintains the property, and many of the people on Pascack Road are not supportive of the Borough maintaining properties due to its track record in the past. Ms. Charkey said she would solicit help from the people in attendance at this meeting, and suggested that perhaps a "Friends Group" could be created to help maintain the property. Mayor Arnowitz noted that the problem in the past had to do with dumping. Telephone poles were put up to try to stop trucks from going back there, yet the trucks were still going back there. Ms. Charkey noted that fencing does work, but it should be as unobtrusive as possible. Mayor Arnowitz stated that the Borough would be responsible for the sidewalks, including maintaining and shoveling them. Ms. Charkey stated that there might be a way of setting up some sort of fund to help with maintenance costs. Mr. Nolan has experience with that.

Council Member Pizzella said it is his understanding that if the property is accepted by the Borough after Bergen SWAN and the Conservancy purchased it, the Borough would have to accept it on the condition that it be designated as open space forever. That means that people could walk through it, but nothing else could be done to it. Ms. Charkey confirmed that it would be a passive park for nature observation. Mayor Arnowitz noted that Beechwood Park was acquired years ago in the same manner. The Borough is restricted by the Wetlands Act, and no buildings can be put on the property. The property cannot be cleared. Ms. Charkey noted that an information kiosk can be put on the property. Mayor Arnowitz added that the property could be cleaned up to put in a walking path or a bench, but the function of the property cannot be changed; for example, it could not be made into an amphitheater.

Ms. Witkowski asked if there will be a requirement for a public hearing on this. Ms. Charkey said she believes there is such a requirement, and Ms. Witkowski noted that what the timeframe involved, and the 15-day requirement, that might create a problem. Ms. Charkey added that the public hearing to be held after the application has been submitted, which has been done by many other applicants. Council President Kelley asked if the application is allowed to be submitted, what is the final date by which the Council Members can vote yes on this project. Ms. Charkey estimated that there might be as much as a one-month grace period at the most. Mayor Arnowitz asked if he were to give Ms. Charkey authorization to move forward with the application, there would be no cost or obligation on the part of the Borough Council in the short-term. Ms. Charkey responded that the application could be pulled. Mayor Arnowitz asked for clarification that once the process starts, a decision would have to be made by the Borough Council by the first or second week of November. Ms. Charkey advised that they reference the fact that the "session is upcoming" in their application. Council President Kelley asked how long the Phase 1 and Phase 2 investigations take. Council Member Frank asked who would be purchasing the property.

Meredith Tandy Spangenberg, Rue Jules Lejeune 19, Brussels, Belgium, said that her brother, Allen, has been listening to the meeting via telephone, and he noted that the topic of maintenance kept coming up. Ms. Spangenberg mentioned that the only maintenance that she and her siblings were required to do on the property was to clear the snow whenever there was a snowfall, and cut the grass 10 feet in to meet Borough regulations. A sign was put up several years ago prohibiting trespassing on the property, and it was taken down within 24 hours. She estimated that the maintenance might cost \$1,000 annually, at the most. Ms. Spangenberg asked if the Borough Council makes the decision about accepting the land, which Mayor Arnowitz confirmed. He added that because there is one recusal, three out of the remaining five Council Members must vote in favor in order for it to pass. Ms. Spangenberg asked what types of issues would go beyond the Borough Council to a referendum. Mayor Arnowitz explained that that would not happen unless the residents want to do that, and by law, a binding referendum cannot be put on the ballot. The vote on moving the Public Library was not a binding referendum.

Kevin O'Brien, 61 Parkview Drive, thanked Mayor Arnowitz and Council President Kelley for recognizing the short timeframe available for this issue. Mr. O'Brien asked for clarification that October 31 is when the application is due, which Council Member Pizzella confirmed. Mr. O'Brien then asked if the approval is already in place for them to submit the application, and Mayor Arnowitz responded that nothing is in place,

but he has asked that this matter be put on the agenda for next week to be discussed further. Mr. O'Brien stated that in an effort to expedite the process, would be possible to collect the questions and funnel them to Council Member Pizzella. Mayor Arnowitz said that would not be possible, because he wants it to be discussed at a public meeting. He does not want anyone to think that any of this is being done behind closed doors, including people like Mr. O'Brien, who closely follow the Borough Council's activities. Mr. O'Brien stated that summing the questions to Council Member Pizzella in advance is not doing anything behind closed doors, nor is it keeping any discussion out of the public domain; it is simply giving this questions to Council Member Pizzella in advance so that answers can be prepared and discussed at the meeting.

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

COUNCIL COMMENTARIES:

Council Member Frank mentioned that he hopes that the sign ordinance can be put back on the agenda. It has been more than a year since the issue was put on a "short hold". That situation needs to be addressed. Mayor Arnowitz had asked Council Member Frank about the gazebo in Veterans Park, and after looking at a couple of times, Council Member Frank thinks it needs to be sanded and resealed. He does not believe it needs to be painted at this time. Mayor Arnowitz commented that Mr. Russell had looked at it several times, and recommended painting it, because he said that it could only be sanded and resealed so many times. There are gouges in it. Another thing that Council Member Frank believes should be put on the agenda is harassment training. There have been big settlements in some other municipalities in Bergen County, and Council Member Frank believes it is due to the fact that many people do not seem to understand what they should or should not be doing or saying. The JIF offers such training for free, and Council Member Frank thinks it is very important that the Fire and Police Departments, all of the employees in Borough Hall, and other Borough departments to undergo such training. Mayor Arnowitz said it would have to be scheduled on a night when there is no meeting, and Council Member Frank noted that more than one session could be held. Finally, Council Member Frank said he was disappointed in the response of Council Member Looes; he does not think things are going as they should. He suggested that maybe she should recuse herself if she could not get a straight answer from the Hillsdale Football Association about what is going on. Council Member Frank said he would be looking for more answers next week, and it would be on the agenda again.

Council Member Pizzella said this was one of the most interesting meetings he had ever attended. For those who did not already know, the Superintendent of Hillsdale Schools resigned. Mr. Spirito is moving on to become the Superintendent of Hawthorne Schools. Next, Council Member Pizzella reminded everyone that Cub Scout pack 81 and pack 331 are holding their annual Fright Night on October 18 at Beechwood Park.

Council President Kelley stated that the Hillsdale Football Association is a wonderful organization, allowing many kids to participate in a lot of activities. He believes that the current situation is probably due to an oversight by a volunteer who missed something that should have been done. Many children depend on the program, and Council President Kelley is sure that they will work hard to fix the problem. Next, Council President Kelley mentioned the collapse at 321 Broadway this past Friday. The call went out at 12:58 PM, and the last Fire Department and Police Department units left the scene at approximately 1:20 AM Saturday morning. It was a very long day, with all of the emergency services departments in attendance, as well as the Borough Engineer, Borough Administrator, the Ladies Auxiliary, and collapse teams from as far away as Newark and Paterson, as well as other municipalities' collapse teams. Those teams are specially-trained units who respond to collapses such as this one; they have special equipment that is not available in Hillsdale, as well as training that Hillsdale responders currently do not have. EMS and paramedic units from many other municipalities also responded. Council President Kelley said it was incredible to see all of the organizations working together. He complemented all of the department heads in Hillsdale, who helped to organize the response to the situation. There were no injuries, and Hillsdale can move on. Council President Kelley thanked everyone involved in hopes that such a response will not be necessary again anytime soon.

Council Member Meyerson reiterated the comments made by Council President Kelley regarding the response to the collapse at 321 Broadway. He understands that while safety is the prime concern, Council Member Meyerson is also concerned about the financial losses being suffered by the businesses in that shopping center. It is an integral part of Hillsdale, and he would like to see the Remediation move forward as quickly as possible so that the businesses can re-open and do what they need to do. Mayor Arnowitz noted that some of the owners/renters spoke to Ms. Witkowski today, and she is working tirelessly to get those businesses opened. Council Member Meyerson hopes that no one will be forced out of business because of the collapse.

Council Member Looes reminded everyone that the senior lunch is scheduled for Wednesday, October 15, at St. John's. She also commended Sergeant McLaughlin for the new traffic pattern at George White School. It has really alleviated the congestion there.

Council Member DeGise told everyone to have a good night.

Ms. Witkowski stated that the online auction is now ongoing; it has been ongoing since last week. There have been a couple of bids on a couple of items, but the cars are not moving at all. After speaking with someone at GovDeals.com, it was suggested that it is best to wait until the end of the auction, because many people do not come out to bid until close to the end. If that does not prove to be the case, the cars can be re-auctioned, and the prices can be lowered. October 14 is the last day to register to vote for the upcoming General Election on November 4. Ms. Witkowski also referred to a previous meeting in which she mentioned that the State was gathering information to reimburse all the municipalities for special election costs in 2013, and she heard last week that Hillsdale will be receiving a check. There is a DPW worker who is out on a Worker's Compensation claim, and will be out for six weeks. Ms. Witkowski reminded everyone that the budget process will be beginning shortly. The CFO today emailed to all of the department heads, asking them to get all of their budget printouts off-line. The meetings will be scheduled at the end of October to start preliminary discussions before meeting with the Finance Committee. Tomorrow night the Volunteer of the Year Award will be given, honoring Elizabeth Ward and John Beatty as the two candidates from Hillsdale. The ceremony will be at the Bergen County Technical School at 6:30 PM. Finally, Ms. Witkowski mentioned the parking lot collapse last Friday. Many of the business owners have been in contact with her to ask when they could re-open, and it is hoped that they will be able to open as soon as possible. However, there are certain things that have to be done before the Certificate of Occupancy

Mayor Arnowitz mentioned that the Ragamuffin Parade, which is now the Halloween Parade, will be held on Saturday, October 25, at 9:15 AM, at Borough Hall. He also spoke about something that he asked the Planning Board, but they could not give an answer. The Borough went to court with United Water, because the new Borough tree ordinance was challenged by them. The Borough lost that case. Mayor Arnowitz said it is his understanding that United Water is responsible under the old tree ordinance, which requires two trees for each one that is taken down. Many trees have been taken down due to the work being done along Church Road, and Mayor Arnowitz noted that neither he nor anyone at the Planning Board has seen any plans for planting new trees. When Mayor Arnowitz questioned the Planning Board Engineer and the Planning Board Attorney, they did not have an answer. Mayor Arnowitz asked Mr. Diyanni the same question. Council Member Meyerson asked if Mayor Arnowitz knew why the tree ordinance was struck down. Mayor Arnowitz said the judge mentioned that it was excessive. Council Member Pizzella said that the ruling also stated that it was retaliatory, or responsive to the project. Council Member Meyerson asked if it was not pre-empted by the State by finding that the Borough tree ordinance cannot apply to United Water, and Mayor Arnowitz said that might have been part of the reasoning. Council Member Meyerson noted that such a finding would not reinstate the old tree ordinance; it would simply say that the current tree ordinance did not apply to United Water. Mayor Arnowitz recalled that when this issue first arose, United Water was willing to negotiate, and that is all he is asking for. Council Member Meyerson said he is not sure that they are subject to any tree ordinance, and that could be the issue. Council Member Pizzella said the ordinance was struck down because it was implemented after the project began. Mayor Arnowitz asked Mr. Diyanni to look into it, and to ask Borough Attorney Bernstein if he had any information. Mayor Arnowitz reminded everyone that all of the emergency services, including Police, Fire, and Ambulance, are holding their annual Open House on Sunday, October 12, at 11:00 AM, at the Fire Department Headquarters. He also congratulated Elizabeth Ward and John Beatty for their volunteer awards. Mayor Arnowitz will not be able to attend the ceremony tomorrow night, and he asked Ms. Ward if she would bring her award to a Borough Council meeting, so that another presentation can be made to her and Mr. Beatty. Mayor Arnowitz asked when the dead trees are to be replaced, and Ms. Witkowski responded that it would be done on November 1.

Finally, Mayor Arnowitz mentioned that this past Friday, it was "crazy" at the side of the collapse. He said he panicked when he was told that the Borough would be responsible for all of the trucks and other equipment that came from other municipalities in response to the situation. Mayor Arnowitz called Ms. Witkowski and asked her to come immediately, and she said she was on her way. Mayor Arnowitz congratulated all of the emergency services departments for their smooth handling of the situation, averting a disaster. Although there were a lot of trucks on the scene, every truck had a reason to be there. He also thanked the engineering firm. Most of all, Mayor Arnowitz thanked Ms. Witkowski, because he dropped all of his concerns on her shoulders and her response was that she had everything under control. Ms. Witkowski spoke to everyone in all of the departments to keep everything under control, and Mayor Arnowitz said he wanted it on the record that he appreciated all of her efforts. He also thanked Michelle Wood, the Construction Official, who responded immediately. She made safety her primary concern, and she also concerned itself with the expenses to the Borough, making suggestions right away about escrow accounts, and who would be responsible for paying for certain things.

ADJOURNMENT: @11:41 PM

Motion to adjourn was made by Council Member Frank, Second by Council Member Meyerson, and unanimously carried.

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, OCTOBER 14, 2014 – BEGINNING AT 7:30 P.M.

Susan Witkowski, Municipal Clerk

APPROVED AS PRESENTED

November 12, 2014

Susan Witkowski, Borough Clerk