

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, February 4, 2020, in the Council Chamber, Borough of Hillsdale, New Jersey.

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

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 4th day of February 2020. Notice of the time and place of this meeting has been provided to The Ridgewood News and The Record; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

ROLL CALL:

Council Members DeRosa, Escobar, Council President Horvath, Lundy, Pizzella, Trochimiuk, Mayor Ruocco, (Borough Attorney Mark Madio, BA Christopher Tietjen, Borough Clerk Denise Kohan)

PROMOTIONS/PROCLAMATIONS/RECOGNITIONS -

Sandra Makhoul – 20 Years of Service Mayor John Ruocco

Mayor Ruocco expressed his thanks to Sandra Makhoul on behalf of the Borough Council and read the Proclamation.

WHEREAS, Sandra started at the Borough of Hillsdale on February 7, 2000, in the Interlocal Construction Department that was headed by George Hispea;

WHEREAS, Sandra’s involvement in the Construction Department was not just limited to Hillsdale’s Construction Code but also to those of Westwood, Allendale, and Upper Saddle River; and

WHEREAS, in 2002, Sandra made the change to the Department of Public Works as Secretary to Keith Durie, Superintendent at the Department at the time; and

WHEREAS, Sandra has been named in that position as an integral part of the daily activities of the Department of Public Works; and

WHEREAS, Sandra has handled everything from complaints to accounts payable to all different types of requests from residents to maintain order and support and to other employees in that department;

WHEREAS, Sandra’s dedication to her positions throughout many staff changes has been a key element in the day to day flow in one of the most difficult departments;

WHEREAS, Sandra has been and continues to be a vital part of the Borough of Hillsdale’s Department of Public Works;

NOW, THEREFORE, BE IT RESOLVED, that I, John Ruocco, Mayor of the Borough of Hillsdale commend Sandra Makhoul for her 20 years of dedication, tenacity and hard work to ensure that the citizens of Hillsdale and surrounding areas were well served.

DPW Superintendent said Sandra is the backbone of the Department, you do everything for us and make sure we have everything we need. He said thank you and we couldn’t do without you.

Mayor Ruocco presented Sandra with a small token of appreciation.

PRESENTATIONS:

OATH OF OFFICE/APPOINTMENTS:

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

Mayor Ruocco opened the Initial Public Comment Period at this time.

(Name is inaudible)

He wished to discuss water cleanliness. He started to hear about New Jersey having water problems originally with the Suez Water Co. with lead. He found a map and said we have a couple of contaminates close to us and started to think if his water was safe to drink. He found a non-profit company that reports so many carcinogens found in New Jersey water, Bergen County waterways and Morris County. After I was looking at that I found out that New Jersey has stronger rules for water than the federal government but still this non-profit company says they are still too high. The common ones are chloroform, arsenic found in Atlantic City; they have 40 times the amount of chloroform level that this company, EWG, recommended and that was making me more concerned and when I looked into what was reported at United they found 10 different chemicals exceeding the health guidelines, one of those being arsenic. There is another chemical that he is not going to try to pronounce causes cancer and he listed additional chemicals. He became worried and asked if the Council would address something like this. Are we talking to United Water, are they addressing these concerns?

Mayor Ruocco said the Borough isn't responsible for testing the water on a regular basis, Suez Water is. I know there are levels that are above standards and at some levels the Federal Government does step in. Often times companies like the one you are citing will talk about levels which exceed what they recommend or what is advisable not to exceed the federal standards. I don't know the report you are referring to but if you want to leave the report with us, we can send it to Suez and ask them to comment on it. Borough Officials have met with Suez with regard to the lead issue, they are pretty satisfied. When we met with them regarding the lead issue and what they told us is on their website now. That seems to be their focus right now.

The individual said my concern is that if it is as simple as water; there is a chemical that is not able to be filtered out; this is in Bergen County.

Mayor Ruocco said you as a concerned citizen should send that report to Suez and ask them to respond to you. That report doesn't cover Hillsdale per se, it covers the entire Bergen County, the area serviced by Suez. You should ask them to answer those questions.

The individual said I understand the Borough doesn't cover these things so it is pretty much talk to Suez and hope that they return comments to me.

Mayor Ruocco said they have a public response area that is fairly responsive.

The individual said do you not find it concerning that the federal standards aren't high enough for New Jersey? These groups are saying they are dangerous especially for young children and pregnant women and affect our community.

Mayor Ruocco said his concern is how it affects Hillsdale; five years ago, schools tested the water and made appropriate changes. He suggested he take his report and comments to Suez.

Councilmember Pizzella said we reached out to Suez to make sure they did testing; I am more interested if you want to leave them for me and for the Environmental Commission.

Not seeing anyone else, Mayor Ruocco closed the Initial Public portion of the meeting.

APPROVAL OF MINUTES:

Council Meeting Minutes December 17, 2019

Motion by Councilmember Lundy, Second by Council President Horvath.

Roll Call Vote:

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

Nays: None

Mayor Ruocco said our meetings are getting longer, and in order to shorten the normal pattern of our meetings which have been getting long recently, the Council, Mayor, Borough Administrator could get reports prior to the meeting; if there is a reason for the various departments to make a report they will do so, we will ask them. I am looking to the Borough Administrator for guidance on this.

Borough Administrator Tietjen said it would be his recommendation to eliminate the oral reports. In advance of this meeting if there are any questions they can be directed to his office and answered timely and save the Department Head from coming to this meeting.

Mayor Ruocco asked if there is anything about the Engineer's report or Police report.

Councilmember DeRosa said there was no discussion prior to this meeting about this, this reporting process has been done a long time. It gives the opportunity for the professionals to review what they have done for the Borough. There are circumstances when I am willing to skip them but am in favor of keeping them.

Mayor Ruocco said we can take a straw poll of the Council; it is the Council's decision how they wish to proceed. This is a recommendation made by the Interim Borough Administrator and this Borough Administrator. They asked my opinion, I said fine, but if the Council feels there is some loss of information or loss of familiarity, keep the oral reports.

Councilmember DeRosa wished to keep the reports as is; Councilmember Escobar concurred, Council President Horvath said keep as is; Councilmember Lundy agreed.

Fire Department did not know the Council agreed on this, the Fire Chief was asked not to give his report so I was not prepared to give a report because I thought he was going to do it.

Councilmember Trochimiuk agreed that the reports should continue to come.

Councilmember Pizzella said we don't need all the reports, some reports are not pertinent to what we are discussing at that meeting but I do agree that we need to have the reports, it is important--- not only does it keep us informed but informs the public. I do understand where the BA would want the reports not pertinent to that Council meeting, maybe that wouldn't be necessary, but if I had to pick one or the other I would prefer the report. In a way of compromise maybe we can say the reports that are relevant that those professionals come to the meeting and those that are not relevant that they don't. Maybe the BA is thinking his report will have more meat than the past reports so that may be the case. In other towns, the BA gives substantial reports.

Mayor Ruocco said that is in the line of what Christopher discussed with me.

BA Tietjen said traditionally what I am used to is provide the Mayor and Council an extensive report from every Department Head for the second meeting of the month. I don't necessarily find it fair that certain Department Heads come to public meetings but if it the pleasure of the Council to have these Department Heads present that is fine with me and I will still submit the more extensive report to the Council from every department.

Mayor Ruocco said we will adhere to the way we have been doing it. If there is a reason to change either Chris or I will notify the Council. You always get the Engineer's report in advance, the Police Department reports comes out in advance, sometimes the Fire Department does, DPW sometimes.

Councilmember Pizzella said the understanding is that the BA is going to submit a more substantial report than they have had in the past.

Mayor Ruocco said if the Department Head is going to come to report then Chris would say he is going to do it, but if the Department Head is not going to come and has something important to say then I think the Borough Administrator would deliver that.

Councilmember Pizzella said he will defer to the will of Council but sometimes I think a Business Administrator's report is going to be different than the Department Head. I think we should still require a detailed report; I would like to see a detailed report from the BA, something I have never seen before. If other professionals want to give a report, I think that is great too; more information is better.

PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:

(The following correspondence on file in Borough Clerks Office)

[Hillsdale Police Department – January 2020](#)
[Borough Engineer Report – January 2020](#)

Police Chief Robert Francaviglia
Christopher Statile

Police Chief Francaviglia gave his report. This past month we had 93 dispatching shifts, there were two shifts covered by a Police Officer, however, no overtime involved with that. This past month we had 310 motor vehicle stops and 12 criminal arrests. I am proud to report that Officer Wellness Program being scheduled, that is for officers mandated at the Finance Meeting where they will meet with Psychologists; it is mandatory that

they have to go; it is for good of the officer as you heard over the past couple of weeks a Dumont police officer committed suicide, he had six months to his retirement, and this is an unfortunate act. The mind is a very powerful thing and I believe this program is coming at the right time and I am happy to say Hillsdale is taking forefront in this state. We are one of the first agencies in Bergen County to do this. Another Bergen County Prosecutor's Office is looking to do this as well but Hillsdale is the first. It is an innovative program and I am happy that our officers in Bergen County are starting the program. We have successfully found a candidate to replace the officer on loan, that being said the officer on loan has been with the federal agency since January 2; it has been just about a month and I am pleased to report he has been on some substantial cases which should be generating significant revenue for the Borough. I will discuss this further in closed with you and that concludes my report.

Borough Engineer Statile said we will be meeting with Habitat for Humanity with concerned citizens; I met with concerned citizens on January 7 and we will address those issues as well. Mayor Ruocco and I have met with Suez and Public Service to extend utilities for free to the property course. Public Service has graciously agreed to extend their gas services at no cost to the Borough. This will save substantial money. Suez said they match Public Service deal. On the road program, we started our survey on Hillsdale Avenue and a group of streets at the east end of town, and the design will be sent to the state for their approval. At Centennial Field the air quality permit modification has been approved by the state as of January 30; the state provided us with two drafts where I put comments and the state has been very cooperative which has substantially reduced our testing there. We just have to check the vents for any reportable problems and we have never had any and that is very good news; they have agreed to shutting down the system at the field house. It is much simpler than it has been, the laboratory work has all been cut out. Public Service upgrades; they are bringing in 69 transformers to tie our substation to Dumont and Paramus. In doing so they want to stream wire to all the substations with the utility poles we talked about before. In terms of coming up Kinderkamack Road from Dumont going down Washington Avenue making a turn on Patterson Street but they decided they wanted Kinderkamack Road and across Piermont right to their substation. We objected to that when they started taking trees down and we had a meeting with them last week where I suggested they use the NJ Transit track bed for their wires. They can keep their lines down the transit corridor. They are going to get back to me. He is going to review the draft for the community center. The Administrator would like to re-advertise the Memorial Field improvements, the ball field, we will try to get the bid price lower and gather some more bidders in the process to get a more competitive price for that. With regard to water quality, your water comes from the Passaic, northwest Jersey supply system; the water from the Passaic system is pumped up to the Wanaque reservoir and then piped over to the system so the water is being shifted all over New Jersey.

Mayor Ruocco asked if Woodcliff Lake water ever makes it way to Hillsdale.

Borough Engineer Statile said yes, it comes through Oradell. I was shocked when I found about this.

Councilmember Lundy said with regard to Centennial Field testing, the frequency is not changing it's the requirements and what is being tested.

Engineer Statile said yes, that is correct.

Councilmember Lundy asked when will he have an estimate what the cost would be.

Engineer Statile said he expects we save about \$75,000 a year. We can do it ourselves but he prefers a third party. Ground water monitoring used to be quarterly, semi-annually, not it is going to go to annually. That will save \$6000 a year.

Mayor Ruocco thanked the Engineer and he said you and along with your consultant worked very hard to get the NJDEP to make the change and we got someone to listen to us and understood and in the past couple of months we made great strides.

COMMITTEE REPORTS:

Councilman - Anthony DeRosa

Councilman - John Escobar

Council President – Zoltan Horvath

Councilwoman - Abby Lundy

Councilman – Frank Pizzella

Councilman Pizzella said Access for All everyone has been sworn in. They will be reaching out to the BA and ask if they can provide a budget. They put on a spectacular last year and all of that was done through donations but they want to do that event and a couple of other events s well; they did that all on their own last year and

didn't ask for any money so this year they are asking for a budget. He believes the Finance Committee has come through and is there an opportunity for them to arrange a meeting with the Finance Committee.

Borough Administrator Tietjen said he would be open to discussing that with the Finance Committee.

Councilman Pizzella said Access for All will reach out to the BA and Finance Chair and see if they can schedule a meeting and he will attend if needed. Regarding the Economic Development meeting report he will defer as we meet this Monday and this will be a substantial meeting. They are working on a test concept and the test concept draft will be used with the Finance Consultant to determine how much things would cost or how much revenue they generated and how much revenue can be generated based on the uses they propose; residential, commercial, senior living facilities, age restricted residential vs. market. We have a lot of good things coming up and I think that within the next couple of weeks we will start to solicit input. We also need to reach out to the Planning Board and there will be meetings set up along the way. We will not have a report for another couple of meetings; we are working on a Gant chart and the chart is going to schedule what we anticipate the process to be. I am going to bring the chart to the next meeting and hopefully by next meeting I will be able to give you a better idea of what we estimate the schedule to be. He may also be able to hand out this Gant chart and input from our attorney and will also include lots different things and whether we are going to hire a Redevelopment Counsel and when we are going to have public meetings with owners in the area and public meetings for residents. We are moving along and after the next meeting we will have some concepts to look at. We need to reach out to the Planning Board and see if we can have two members of the Planning Board to come and join our sub-committee.

Mayor Ruocco said the attorney from the Planning Board had objections of having members of the Planning Board so there is no agreement on that. The Borough Attorney is aware that you feel that way.

Councilman Pizzella said he believes it is important and he will do everything that is necessary; I don't want to stop the process. We have time constraints for fair share housing and time constraints regarding the appeal so I need to move forward. He would leave it to our attorney to reach out to the Planning Board attorney and see if there is any issue and if there is, he will leave it to Mark to resolve it. Last year we talked about how we were involved with Planning Board so I don't want to go back on my word with that.

Mayor Ruocco said we are willing to have cooperation with Waste Management.

Councilman Pizzella said Waste Management and I have reached out and what we asked for was a conference call which we would let you know and we would also ask them to come in for a meeting to schedule out the 120 days. He hasn't heard back on the dates and he is working with the Engineer on this as well. So that is Economic Development. Also, with the Environmental Commission he hasn't been to a meeting because he had something for his son but with his meeting with the DPW there is a process in place when you are dealing with dead or dangerous trees on public property. You would call the DPW if a tree poses a problem and they would put you on a list for a certain period of time; DPW takes down smaller trees and if a tree is on a county road then the DPW will reach out to the county. He asked the DPW to put that list on their website so that the residents know that the DPW will come out and determine if it is a dangerous tree and they know where they stand. The DPW has taken down over 100 trees and has a lot more to go; residents don't realize how many of those situations are going on across the town and having that list will help residents understand. He reported that we have 88 ash trees in Hillsdale on public property and he believed all of them have been taken down. He said ash trees are bad, they contaminate other trees.

William Haffler, DPW Superintendent, said the ash bore is a disease that actually bores holes in the center of the tree and makes the tree weak and the tree can fall. If it is not taken care of properly by a tree expert then it will also affect other trees; we have another disease coming in from the west to us and it should hold off for 5 or 10 years before it gets here so it is a circle that never ends.

Councilman Pizzella said the other tree he is talking about is the Asian Lantern but there aren't any reports of that in Hillsdale yet.

William Haffler said with regard to the risk we have to work it out and we will get some sort of tree spray and we are going to do it.

Mayor Ruocco said when you plan to use the spray notify the Clerk so she can send out some sort of notice.

Councilman Pizzella said the Borough Attorney and I are working on the tree ordinance and hope to get that done by the first meeting next month. If anyone has any questions on the committees please let him know. We have reached out to NJ Transit to let them know we are looking for an answer; the Engineer has been reaching out to them but we haven't heard back and we are still attempting to get an extension on the grant regarding the

transit of the RR station and it looks positive and more than likely we will get the grant but it will probably come with conditions. Conditions are good because conditions tell you what you need to do to keep the ball rolling so they continue to acknowledge your grant. The Engineer has been nothing but a joy and a huge help.

Councilmember Lundy said she will defer her report to the next meeting.

Councilmember Horvath will present his report at the next meeting.

Councilmember Escobar will present his report to the next meeting.

Councilmember DeRosa said the Regional Board of Ed received conditions for both the high school, within the district and for the outside and they will have a good pool of people interviewed. The new music wing at PV will be dedicated in a couple of days, that is the last section of the high school to be remodeled. They are also resurfacing the PV track and the (inaudible) is scheduled for May and will no longer be an overnight event. They are also testing a wellness app and it is for anxiety and is for stress relief through medication, music to help calm you down. You have to be a PV student. I missed the last Ambulance Service meeting but they are having an online dialogue with neighboring towns in an effort to bridge the gap, people available to man crews and cover the gap. The Rec Commission meets this Thursday and his concern is the bid came in so much higher and there would not be money left over to do other improvements. The Borough Engineer and Borough Administrator have had discussions and the Engineer should have a plan shortly for possible improvements to Centennial Field and he would like to work with the Borough Administrator and discuss financing and then talk to the Mayor and Council about possibilities.

NEW BUSINESS:

CORRESPONDENCE:

DISCUSSION:

Council Committee/Liaison Assignments
Stonybrook Pool Budget

Mayor John Ruocco
David Sireci, CMFO

Mayor Ruocco wanted to follow up on what we discussed at the last meeting and wasn't appropriate from a morale perspective and resulted in one Council person not having anything to report on and indicates to him that there is an over concentration of responsibility and is not a healthy situation. Let me ask the Council what I said I would ask you: have any of you reconsidered making minor changes to your assignments so that Janetta can have one or two committee reporting responsibilities? John Escobar, I believe you have offered the Board of Health role?

Councilmember Escobar said that is fine with me and that is only one of three I was asked to report on.

Mayor Ruocco said Councilmember Horvath talked to him about DPW.

Councilmember Horvath said he would pass that on to Janetta.

Mayor Ruocco said Councilmember Lundy has a very senior responsibility of having two chair positions as well as liaison to the pool and to the library, would you consider giving up anything?

Councilmember Lundy said she would not consider anything.

Mayor Ruocco said why don't I just ask for a motion to add Janetta as Liaison to the Board of Health. Even if you are not in favor, Council has to take responsibility even if it is not of their liking. He did not wish to have a Councilmember sit here and not be expected to give a report. The motion would be to have Janetta act as Liaison to the Board of Health.

Motion by Councilmember Escobar, Second by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

Mayor Ruocco also asked for a motion to accept Council President Horvath's offer to put Janetta on the DPW Committee as the chair, with Councilmembers DeRosa and Pizzella. The Council President would be dropped from that committee.

Motion by Councilmember Pizzella, Second by Councilmember DeRosa.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Escobar, Council President Horvath, Lundy, Pizzella, Trochimiuk

Nays: None

Stonybrook Pool Budget. Mayor Ruocco said he understands the Borough Administrator and CMFO would be addressing the Council and Mayor at this point.

Borough Administrator Tietjen said in budget process of the 2020 municipal budget the CMFO and Director of (inaudible) have an issue with the pool utility which I believe requires Council direction. We thought the pool was in a worse-off financial situation yesterday but upon contacting Division of Local Government Services they issued the opinion which puts the pool in not so much a financial hardship this year however will put the pool utility in a stretch of their finances in the 2021 budget cycle. The CFO will provide a brief overview to the governing body at this point and if there are any questions, I ask that they be directed to him.

David Sireci, CMFO, Tax Collector for the Borough. You both have two sheets of paper that I will be addressing. I will take you through the time line that Chris basically just brought up. We received our annual financial statement from the auditor, upon that the request for a meeting to sit down and go through the pool budget a little more in detail because of some limitations that we can and cannot budget in general terms. If you take the sheet that is horizontal, the revenues, we are permitted to anticipate in the budget normally up to the amount you realized in the prior year. That being said the \$830,000 you see on the schedule is permitted for us to anticipate, absent a circumstance to budget next year.

Mayor Ruocco said \$830,000 is the maximum that can be anticipated.

David Sireci said absent anything special we will get to that in a few minutes. Their budget appropriations as submitted to the Finance Committee are pretty stagnant and flat from last year, \$990,605, so simple math shows that there is a budgeted deficit of \$159,395. During the meeting with Patty Hughes we sat down and had a discussion, and the budget as presented is cut as much as could be cut. There were no other places to shave off any other additional appropriations. We are left with this deficit number. We sat down last night and put the pencil to paper and asked what can we do to try to resolve this problem for at least 2020. The opinion Chris mentioned from the DLGS states that before any help that can be assisted from the current fund which is an option, you must utilize any remaining surplus that the pool has in an effort to offset the deficit. That amount is \$65,550. That will be addressed in more detail with the other sheet of paper. That is all that is available to offset the deficit.

Mayor Ruocco said this surplus is basically like capital.

David Sireci said it is an accumulation of what was left and hasn't been utilized to offset other budgets and is available for use. Tonight, you will be voting on an ordinance to increase the rates to the pool. That is an allowable additional revenue above the matter I spoke of before, so that it approximates \$16,845 presuming all else stays the same as far as attendance, weather. We are going to include that in the budget document as an offset. Patty identified four or five additional revenues that also can be anticipated because they are supported by contractual agreements or plans that are put in place now during the budget process. Those are \$3000 for an additional swim team contract, \$5000 for additional diving team, she anticipates renting out the lounge chairs for the season and we took a survey of only half the time they could possibly be rented to not overstate the revenue, that is \$800,000. The fee the pool charges the Recreation camp for using the facility has an increase in their contract of \$2500 and charge the high school students to park their car which they do now anyway my generate \$500. That is a number up in the air. The last thing we came up with is the operating budget included in the \$997; there is a \$60,000 appropriation similar to what we do in the current fund for the capital improvement fund to pay for capital improvements with cash, not to borrow the money but to pay for capital outright. Any large-scale long-term asset and replacements, equipment that normally paid out of the capital fund and not borrow the money; we are now going to run that through the capital fund. There are two older ordinances that haven't been used in several years. They are very generic and basically address pool improvements, equipment so we are going to take that out of her \$ 997 and move it to capital eliminating the need for that appropriation. All of that will bring her to a balanced budget, however, it leaves them with zero surplus. The hope is to regenerate surplus in the 2020 operations but that is a question mark on weather and as we said before. We now get to the point as to how we got to the surplus at this low amount. That is on the paper; what it says that over the course at least 15 years and even prior to that we didn't have a lot of good data. The current fund has taken as a revenue from the pool in excess of 2.4 million dollars which was surplus dollars

sitting at the pool and the pool balance sheet. Basically, the governing body at the time said we are taking it as revenue, write us a check and turn the money over to us. In doing so the first column fund balance utilized the very fact that that money had to be appropriated back to the current budget increased the pool's budget so much that it offset any increase for any budgeted excess that the pool had and made them take more surplus. If you look at the 2004 budget as presented at that time, the pool budgeted \$92,000 surplus meaning their revenues would exceed their appropriations by \$92,000. At that time the Council added another \$140,000 appropriation to the budget to turn over to its own current budget so they could offset our tax levy on the municipal side. In doing so that increase in the budget ate up the \$92,000 and swung it in the opposite direction to a \$48,000 deficit thus requiring the pool to take \$48,000 more to balance their budget. It was a double whammy to pool in that one year of \$188,000. You will see down the line how many times that has happened. By virtue of taking the money and pulling it out of the pool and bringing it to the Borough's current fund, it created a deficit that didn't exist when the budget was originally presented forcing them to use even more. The sum of over \$3.5 million dollars and that really doesn't include all the years that goes back; Patty had this knowledge in her head. All of that lead to them not having any surplus left over in this point in time when they needed it and it puts the pool in a very bad situation hinging on the 2020 operation to see where it lands in 2021. All the things we use in the past to offset that will not be available to be used next year as a bail out. There aren't any additional revenues; they won't be able to anticipate any more than this year. If their revenues continue to decline, that is less and less that you are able to anticipate based on the rule I mentioned earlier. It all hinges on how well the pool does this year to decide what will be available to assist them in 2021. One of the options is to get the money back from the Borough's current fund; the current fund appropriates money in its budget to turn over and write a check back to the pool to help them balance their budget. That is the most common scenario for other towns and there are others that can be addressed but that is the one most commonly done. That is the crux of what we discovered in a deeper evaluation of the pool's budget at this point of time. We were anticipating not to use their surplus and leave it there and having the Borough's current fund possibly bail out the pool. However, the requirement is they have to use it all before the pool can ask for help from the Borough's current fund; we have no choice but to basically use it all. In 2019 budget \$134,957 was used to balance the pool's budget and that represented 91% of the pool's surplus at the time. They left themselves \$13,000 at the beginning of 2019; the pool regenerated \$50,000 in operations during the year. Over time they are using their piggy bank and now it is gone. This is the point that needs to be addressed; for 2021 the strategy is to try to keep the pool's budget balanced and not have the Borough's current fund have the burden of giving any money back to the pool. Quite a lot of money has been taken from the pool and it is the decision of the governing body if they want to give the money back.

Mayor Ruocco said what you are saying is the pool for the past couple of years didn't generate enough to replenish its capital.

David Sireci said in the last two years you see that the governing body didn't take any money from the pool but the pool needed its surplus to balance the budget and that is basically because of a reduction in membership and weather issues and we have to see why the pool is not performing as it used to when it did generate profits that were able taken from them and utilized as revenue. That has since not been the case, the rainy days are coming but the utilization of the surplus was not slowing down.

Councilmember DeRosa said going back to 2004 no one realized that taking that \$185,000 each year was going to put us where we are now.

David Sireci said it is a combination of both. They realized that what they were doing made them use more because it was creating a deficit which didn't exist. Apparently, the pool was very profitable back then and regenerating this amount of money but every year it was there for the taking; it was able to sustain itself and slowly over time they were not regenerating what was taken and it was just narrowing down. We hope to regenerate what we use.

Councilmember Pizzella said from a legal perspective, when you have a utility you can ask them to make a payment in lieu of taxes which is what I think is or acts like a payment in lieu of taxes. Is that appropriate?

David Sireci said it is permissible to utilize surplus and take it in as a revenue and the same thing can be done with our general capital fund. There is a line in our current fund budget that we haven't used in several years and it is called anticipated utility surplus. You can take it in as revenue and use it to offset the tax levy on the municipal side or the use of surplus you need to do on the current fund side as well. It is permissible. It is permissible to go the opposite way and appropriate money from current as a revenue for the pool.

Mayor Ruocco said looking at 2006 the pool did not generate enough because it had to plug its revenues of \$82,000 from its fund balance; it had to draw on that, the same thing in 2011, where it had to take in \$349,000 fund balance utilization. In other years it just transferred significant amounts of money to the municipal side without having to draw down its fund balance.

David Sireci said those two years had special projects planned according to what Patty told me and a portion of that \$282,500 and \$249,500 is related to the fact that the \$155,000 and \$185,000 were taken from it because the pool was in a deficit; \$155,000 and \$185,000 of it was because that other money was taken. A piece of it is related to the additional appropriation to the pool.

Mayor Ruocco said if you look at 2019 the town did not take any money.

David Sireci said that is a different circumstance, that extra piece wasn't there to cause the problem, that is a function of the issues the pool was having with membership.

Mayor Ruocco said this is telling us the pool needed \$135,000 in 2019 to make its revenues equal its expenses.

David Sireci said this year the number was \$159,000 if it had not been for those changes.

Councilmember Lundy said in 2019 they generated \$50,000 and went into their fund so \$135,000 came out and \$50,000 went back in.

David Sireci said there was only \$13,000 left at the time because the \$13,000 gave them the \$63,000 they are now using. Whatever gets regenerated in 2020's operations will fall back into fund balance and utilized against next year's budget but it appears their fixed cost runs around a million dollars without any major changes to the pool. If the revenues don't catch up there is consistently going to be this difference to be plugged.

Mayor Ruocco said the message here is pretty serious.

David Sireci said it is serious for 2020 because the pool needs to get to a balanced budget for 2021 and there is a lot of unknowns at this point. It certainly can be quite serious.

Mayor Ruocco said he was under the impression from the reports we were getting from the pool was that they were making money. This year we heard they were making \$40,000; but it included the \$134,000 taken from surplus.

David Sireci said it is permissible for them to include the surplus and utilize it as a revenue and that is the whole idea why it is allowed and that is why it is brought in as the savior. That is the way municipal planning works. If you look at it as a cash basis business, it is not profitable.

Councilmember Lundy said the previous CMFO told the pool commission that they made money in 2019 and money given to the Borough.

Councilmember DeRosa said we heard the pool was doing better and now we find ourselves in a couple of years how we are going to end up.

David Sireci said the financial statements are there, fund balance is there, the results of how you got there.

Mayor Ruocco said two weeks ago I got the numbers that were generated for 2019 from our auditor. and it took me a while to realize that when the numbers showed a profit, they were not actually a profit..

David Sireci said it is true that a profit was being made only when you take the draw down from capital into account..

Councilmember Lundy said what she finds disturbing is we were never given the balance of that surplus to know that as they were drawing against it what was left. I am talking of the monthly finance meetings which you attended we were never told that.

Mayor Ruocco said the picture was always more positive, we are making money. We are making less money than needed.

Borough Administrator said there are several avenues the Borough can take based on how slow government moves. Dave and I decided to give the governing body the information at this point and be prepared in a few months to address this and the commission and finance committee can meet and explore avenues and pick which one is best for the Council to explore so that the pool which is a trademark on the municipality be maintained.

Councilmember Pizzella said several months ago when he was on the finance committee, we talked about bringing in a consultant that would show us how we can generate revenue at the pool. From an economic

development standpoint what we could do there, there are some of the aspects of the pool that can become commercialized. There are consultants out there that are specific to pools that show you what you can do to generate revenue. We really need to get someone like that. We may be able to have the pool open longer into the evening or rent the pool for things that cost more than \$100; there are consultants we can look to who are sports related to come in and tell us what we can do to generate revenue at the pool. Raising rates is not going to sit well with residents who feel the pool is too expensive. There are other things that are more creative, it is not as dismal as it sounds and these consultants would show us how we can have the pool make some money. It is the nicest pool in Bergen County and people look forward to it, I cannot imagine Hillsdale without the pool. I would offer my help in finding specific consultants because I feel we need to speak to experts. It is an asset that we have and before it fails, we need to figure out how to turn it around.

Mayor Ruocco said we need to know what we are going to be doing; the message is a very serious one and we will have to work with the BA to determine how we form a structure, a special committee to get together to solve the problem.

David Sireci said there is a light to the tunnel; in 2022 the debt service drops off; \$70,000 included in this 2020 number, another \$70,000 in a small amount of interest for 2021 and then the bond is paid off. In two years from now that will be a little relief. Until then this issue has to be addressed.

Councilmember Trochimiuk asked what happens if these items that have been used as offsets don't come to fruition such as \$8,000 for lounge chair rental.

David Sireci said if they don't, it makes the operations for 2020 that much worse. According to Patty these are solid numbers.

Councilmember Lundy said when they see what their revenues are, they can control their expenses.

David Sireci said the lounge chair was a very conservative one, probably almost double that and she only gives 40 days rather than 80 days; the swim team, the dive team, those are contractual, they are already set in stone. Parking lot fee was tossed around and now need to be put in place.

Councilmember Lundy said our DPW clears that lot.

David Sireci said that could increase; out of all of those the rate increase should be realized. The majority of these will be realized this year; \$60,000 will not be charged to budget, it will go to capital. What you see here should be realized, coming to fruition. Whether they are available next year at the same levels or at all remain to be seen. It all hinges on 2020 results and how it pans out to be used next year, additional revenues or additional losses.

Mayor Ruocco said if some of this doesn't come, \$63,000 from surplus, that is a given, \$60,000 from capital outlay that is a given, if these smaller items don't come into effect, it is left up to the town to transfer funds to cover a deficit.

David Sireci said the Borough is not going to cover a deficit at this point; if it doesn't the results of the operation will be much less that will go back into the fund balance in 2020.

Mayor Ruocco said if the pool doesn't have a great year what happens in November and December?. Is the Borough on the hook?

David Sireci said Patty would have to detail her expenses, if she doesn't have the money she doesn't spend. You will face the reality in the 2021 budget when those are not realized as revenues and you won't be able to anticipate them in the next year. 2020 is important because it sets the stage for what is available to be budgeted in 2021; unless they have a spectacular year and generate at least \$160,000 that seems to be number of the difference they fall short. Some newer revenues might come out with a consultant's idea.

Councilmember Pizzella said when you have a development in the town and you were to have someone build an apartment unit sometimes you can negotiate with that developer and we have a pool. The developer can purchase a certain amount and have a benefit renting a membership to the pool and it becomes part of the developer's pilot program. That is a way of generating income. Sometime when you have a senior developer, they like to build their own pools within their facility you may give that developer a bonus and enclose one of our pools and then have the pool for seniors at that facility. There are lots of things to negotiate when you are dealing with developers. It is important that we think of all of these things as one big project, taking all of our projects and mapping them all out and see and this might be a reason to start thinking about that.

Councilmember Horvath asked from 2004 to 2015-- who came up with these numbers, \$140,000, \$150,000?

Borough Administrator said those numbers would have come from administration, Council and the staff.

Councilmember Pizzella said when he was on Council the first time there was 80% and one of the Mayors had negotiated this percentage with the pool but we can never find anything.

David Sireci said this percentage was negotiated, how was the money taken when the pool wasn't making it.

Councilmember Pizzella said I remember that at one point in time there was an 80% or 60% negotiated and when it started to drop and the pool wasn't making as much money then there was further negotiation where it went down. They accepted a smaller percent. I came on Council after the pool started to lose money or not make money and this discussion kept coming up and Council asked where there is anything in writing and we couldn't find anything, no written contract, he didn't remember the exact amount 80% or 60%.

David Sireci said they didn't realize at the time that adding that additional appropriation for that amount; that is literally cash that is turned over. That originally appropriation was not in the budget and they didn't realize adding that and that would not have been necessary to utilize. There were years they took \$175,000 and the pool didn't need to use any surplus, they were probably budgeting an even larger surplus than \$175,000 and even giving that back they still didn't swing into the deficit. Those were the really good years. They never said if we take this from you will it hurt you more because we are going from a profit to a loss.

Councilmember Pizzella said the justification for taking it was they didn't pay taxes.

Councilmember Lundy said it went into the current fund. The tax increase on the municipal side down.

David Sireci said what it does, say the pool has 2000 members, the fee they paid out of their own pocket, it is a fee, it gives it back to the town because that money that came from surplus from the pool is not being turned over to the fund and used to lower the tax burden on everyone in the town.

Mayor Ruocco said the purpose of this was to inform us of this problem and we will have a lot of time to discuss it. We have other things on the agenda and this is very important.

Borough Administrator said this is what I wanted to present and if there are any question, he can discuss this.

Councilmember Trochimiuk said the reason the pool is in this situation is because the money was taken but that is not true. The extra money was to rely on more years.

Borough Administrator said the years it was generating a lot it was a rainy-day fund for when things like now happen, membership drops. It took away their ability to survive longer by taking 3 million dollars from them. They were generating a lot of excess money in those years.

Councilmember Trochimiuk said it is just to survive period. You need to run it the right way.

Borough Administrator asked if there has ever been an analysis when we are not getting the same revenue, is it because of increase in membership fees especially since there have been a number of pools that closed down in the area.

David Sireci said Patty has a lot of that information but membership has been the biggest problem.

Mayor Ruocco said the Borough Administrator and I have a lot to talk about and we will consult the Council to try to get us out of this problem.

PUBLIC COMMENT:

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

ORDINANCES: Adoptions/Introductions:

[20-01 – \(Adoption\)](#)

An Ordinance Establishing Recreation Department Program and Summer Camp Fees for the Year 2020 in the Borough of Hillsdale

Motion to open public hearing on Ordinance 20-01 by Council Member DeRosa, Second by Council Member Lundy, and unanimously carried.

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 20-01, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I will now entertain a motion that the public hearing on Ordinance No. 20-01 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 20-01 by Council Member DeRosa, Second by Council Member Lundy, and unanimously carried.

Motion to adopt Ordinance No. 20-01 by Council Member DeRosa, Second by Council Member Lundy.

Roll Call Vote:

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

Nays: None

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

20-02 – (Adoption)

An Ordinance Establishing Salaries for the Recreation Department

Motion to open public hearing on Ordinance 20-02 by Council Member DeRosa, Second by Council Member Pizzella, and unanimously carried.

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 20-02, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I will now entertain a motion that the public hearing on Ordinance No. 20-02 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 20-02 by Council Member Escobar, Second by Council Member Lundy, and unanimously carried.

Motion to adopt Ordinance No. 20-02 by Council Member Lundy, Second by Council Member Horvath.

Roll Call Vote:

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

Nays: None

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

20-03 – (Adoption)

An Ordinance Amending and Supplementing Chapter 63 of the Code of the Borough of Hillsdale, County of Bergen, State of New Jersey, In Order to Revise the Table of Organization of the Police Department

Motion to open public hearing on Ordinance 20-03 by Council Member Lundy, Second by Council Member DeRosa, and unanimously carried.

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 20-03, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I will now entertain a motion that the public hearing on Ordinance No. 20-03 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 20-03 by Council Member Pizzella, Second by Council Member Lundy, and unanimously carried.

Motion to adopt Ordinance No. 20-03 by Council Member DeRosa, Second by Council Member Lundy. Council Member Lundy said there is one part in the ordinance that talked about should we go back to the 19 officers. She asked if anything could be put in there about attrition or having someone retiring who would be reducing the force.

Mayor Ruocco said it doesn't say that. The Borough will bring back the level of the force to 19 as quickly as reasonably possible as decided by the BA in consultation with the Police Chief.

Council Member Lundy said could it say by attrition. I don't want to discourage a new officer.

Mayor Ruocco would rather not tie the hands of the BA or Chief on this but that is a decision for Council. I remember what we had originally in the resolution and this is significantly more liberal. It gives more discretion to the Chief and the BA. In the resolution that was passed on Dec 31, , it will bring back the level of the police force to 19 as quickly as possible at the retirement of an officer or the reduction of the staff within a reasonable time determined by the Police Chief and the Borough Administrator. In subsequent discussion with the attorney it was decided best to make it shorter and discretionary, we don't know the situation or if we will ever want the officer back. As a body we are saying we will trust our BA and Chief to decide this. There are whereas clauses that require the BA to get together with the Chief to be sure it is an integral program and makes sense for us to be in. The agreement the Chief signed and I signed is for two years and allows for renegotiation. You can pull it any time.

Roll Call Vote:

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

Nays: None

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

20-04 – (Introduction)

An Ordinance to Amend and Supplement Ordinance 09-01 Chapter 138 “Fees” and Chapter 71 Swimming Pool Commission

BE IT RESOLVED, that Ordinance No. 20-04 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillside Avenue, Hillside, New Jersey, on March 3, 2020 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

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

Roll Call Vote:

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

Nays: None

20-05 – (Introduction)

An Ordinance Establishing Salary Ranges for the Staff of the Hillside Swimming Pool Commission in the Borough of Hillside, county of Bergen, State of New Jersey

BE IT RESOLVED, that Ordinance No. 20-05 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillside Avenue, Hillside, New Jersey, on March 3, 2020 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

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

Mayor Ruocco said this is a different process than we have used in the past, it goes back to the original process we were using, then we changed it. This publishes salary ranges, not actual salaries. He asked if it was possible to put in this ordinance the actual salary, keeping the ranges but putting the salary in as well.

Borough Administrator said he is accustomed to salaries adopted, salary ranges adopted by ordinance and actual salaries with the person's name and title are done through resolution. Once the Recreation Director has the employees and their rate of pay I'll have them bring it to the Clerk for Council approval in a resolution.

Roll Call Vote:

Ayes: Council Members Council President Horvath, Pizzella, Trochimiuk, DeRosa, Escobar

Nays: None

Abstain: Council Member Lundy

RESOLUTIONS:(Consent Agenda): R20036 through R20042:

[R20036](#) Resolution Authorizing a Tax Sale

WHEREAS, the Mayor and Council of the Borough of Hillsdale finds and declares that N.J.S.A. 54:5-19 requires that the Borough of Hillsdale conduct a public tax sale to enforce delinquent municipal liens by selling said liens in accordance with the Tax Sale Law; and

WHEREAS, "delinquency" means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years per N.J.S.A. 54:4-67, and

WHEREAS, the Mayor & Council further finds and declares that the Municipal Tax Collector is qualified to hold said Tax Sale in the calendar year 2020 for municipal delinquent charges; and

WHEREAS, the Mayor & Council further finds and declares that the annual Tax Sale may be at the discretion of the Municipal Tax Collector;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hillsdale that the Municipal Tax Collector, is hereby authorized to conduct the Annual Tax Sale during the calendar year 2020 in accordance with N.J.S.A. 54:5-19.

BE IT FURTHER RESOLVED, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector for his/her records.

[R20037](#) Resolution Authorizing the Execution and Award of a Fair and Open Contract for Special Counsel – Waste Management Permit Renewal Opposition

WHEREAS, the Borough of Hillsdale has a need to retain Special Counsel for Waste Management Permit Renewal Opposition as a Fair and Open contract pursuant to the provisions of N.J.S.A. 19:44A-20.7; and,

WHEREAS, funds will be available by way of budget and bond ordinances to compensate said Professional; and

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

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

WHEREAS, the Borough Council has determined that Chasen Lamparello Mallo & Cappuzzo, PC located at 300 Lightning Way, Secaucus, NJ 07094 as be the most advantageous to the Borough; and

WHEREAS, the firm Chasen Lamparello Mallo & Cappuzzo, PC has completed and submitted a "Contribution Statement by Professional Business Entity" as required by Hillsdale Borough Ordinance No. 04-14, entitled, "An Ordinance Establishing a Borough Policy for the Awarding of Public Professional Service Contracts"; and

Ordinance No. 11-19 “Amending Chapter 12, Contracts, Public Professional Service and Chapter 305, Contribution Disclosure Statements”

BE IT RESOLVED THAT, the Mayor and Borough Clerk are authorized to execute such contract with Chasen Lamparello Mallo & Cappuzzo, PC at the rate of \$150.00 per hours plus expenses as specified in their proposal submitted October 24, 2019.

NOW, THEREFORE, BE IT RESOLVED, that the Hillsdale Borough Council hereby award a contract to Chasen Lamparello Mallo & Cappuzzo, PC as Special Counsel – Waste Management Permit Renewal Opposition through December 31, 2020 or until a successor is qualified or appointed.

[R20038](#) Approval to submit a grant application and execute a grant agreement with the New Jersey Department of Transportation for the Reconstruction of Craig Road, Melville Road, Glen Hook Road and Douglas Drive

WHEREAS, the Borough of Hillsdale desires to receive \$285,050.00 in funds from the New Jersey Department of Transportation Local Aid Infrastructure Fund for the purpose of resurfacing, making safety improvements and traffic calming measures along Craig Road, Melville Road, Glen Hook Road and Douglas Drive; and

WHEREAS, the Borough Engineer has developed a plan of action and cost estimate to improve Craig Road, Melville Road, Glen Hook Road and Douglas Drive and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

WHEREAS, the project will also improve safety to the local schools and commuter lines, thus leveraging the requested funds;

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

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application LAIF-2020-Craig Road and Melville Road-00039 to the New Jersey Department of Transportation on behalf of the Borough of Hillsdale.

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

[R20039](#) Resolution Authorizing the Mayor and Borough Clerk to Extend the Award for the Operation of the Concession Stand at Stonybrook Swim Club for the 2020 Season

WHEREAS, Stonybrook Swim Club has a need for the operation of a concession stand on premise; and

WHEREAS, the Borough of Hillsdale is interested in extending their contract for the operation of the concession stand at Stonybrook Swim Club with Mellsworth Foods, LLC 102 E Main Street, Ramsey, NJ 07446 for the first extension of a one-year contract expiring December 31, 2020 in the amount of Twenty-Three Thousand Three Hundred Dollars (\$23,300.00); and

WHEREAS, the Mayor and Council at its sole discretion, in accordance with NJSA 40A 11-1 et seq., may, by adoption of resolution, extend the contract for one (1) one (1) year period if they determine; that the contract service is being performed in an effective and efficient manner; and if any price change included as part of an extension shall be based upon the price of the original contract; and

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

1. The contract for operation of the concession stand at Stonybrook Swim Club as outlined in the bid proposal is hereby awarded to Mellsworth Foods, LLC effective January 1, 2020 through December 31, 2020.
2. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
3. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.
4. The Mayor and Council will have the option to extend the contract for one additional one-year term for the 2020-2021.

[R20040](#) Resolution Designating Drivers of Borough Vehicles

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

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

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

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

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

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

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

NOW, THEREFORE BE IT RESOLVED, said appointments to be for the period commencing as of the date hereof and terminating on December 31, 2020, and thereafter until their successors shall be appointed and qualify.

[R20041](#) Resolution Approving to Submit a Grant Application with the State of New Jersey, Department of Law and Public Safety, Division of Highway Traffic Safety for the 2020 UDRIVE, UTEXT, UPAY Distracted Driving Crackdown April 6-13-2020.

WHEREAS, the Mayor and Council of the Borough of Hillsdale wishes to submit a grant application with the State of New Jersey, Department of Law and Public Safety for the 2020 UDRIVE, UTEXT, UPAY Grant utilizing the system for Administering Grants Electronically (SAGE); and

WHEREAS, the Mayor and Council hereby authorizes the Mayor, the Chief Municipal Finance Officer and the Project director to be a signatory for the aforesaid grant agreement; and

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2017 alone distracted driving-related crashes resulted in 3,166 deaths and 431,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in more than 800,000 crashes between 2010-2014; and

WHEREAS, the State of New Jersey will participate in the nationwide Distracted Driving 2020 Crackdown from April 6 – 13, 2020 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

THEREFORE, be it resolved that the Borough of Hillsdale declares its support for the Distracted Driving 2019 Crackdown both locally and nationally from April 6 – 13, 2020 and pledges to increase awareness of the dangers of distracted driving.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Borough of Hillsdale hereby confirms endorsement of the aforesaid grant up to the grant amount of 120 hours at an hourly rate of \$55.00 per hour for a total amount not to exceed \$6,600.00.

[R20042](#) Recommendation of Hiring a Probationary Police Officer Filip Bajovic

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

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the recommendation of Chief Robert Francaviglia to employ Filip Bajovic as a Probationary Police Officer with the Hillsdale Police Department is accepted and Filip Bajovic is hereby appointed to a Probationary Police Officer with the Hillsdale Police Department, at a salary of \$31,500.00, effective approximately February 18, 2020.

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

Council Member Pizzella asked that Resolution R20039 be pulled.

Roll Call Vote:

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

Nays: None

Council Member Pizzella said his question on R20039 is could we table this and possibly bring in one of those consultants or someone that can show us how we may be able to earn more revenue for the pool. The pool closes at 8PM, how about afterwards the pool was allowed to have a beer and wine bar there. I am sure that would create revenue. This is a sample of something that can generate revenue; maybe it is not just a snack bar and I think everyone here who goes to the pool can say year after year it doesn't matter who has that pool concession the food is not very good and the food is very expensive. Maybe there is a different way of doing this and we could earn more money from the concession stand. Is there something legal I am not thinking about? Maybe it is too late to think about something like that for the concession stand.

Borough Attorney Madaio said this was bid and this was the highest bidder. Based on constraints of the bid document may expand the bid document that says even after the pool closes.

Council Member Pizzella said maybe the pool closes and there is a restaurant that would do it or a **BYOB** or a pool side dining place.

Attorney Madaio said even after you are closed there is more opportunity. If that were bid on we would have the opportunity to do that. You could redraft the bid specs and do whatever you want; I suspect there are time constraints on this and may mean it can't happen this year and would defer to Council Member Lundy.

Council Member Lundy said this has been discussed at the pool commission and ready to keep the pool open longer and later you have to have additional staff; they don't run the concession and you would have to talk about bringing in outside persons but if the pool remains open then it stops.

Council Member Pizzella said an outside individual.

Mayor Ruocco asked the Borough Administrator's view on this.

Borough Administrator said based on timing of the resolution and the opening of the pool and re-advertising it would be cutting it close. He would prefer Council to act on this.

Council Member Pizzella asked if we could agree to this during the day and table the issue of after-hours and put a group together like a think tank how we might be able to generate money after hours because it doesn't have to be a bar and then put out a new bid for it.

Attorney Madaio said you are only awarding a bid for food concession during the operation hours at defined in the bid document. If you later want to do after hours you want to do bacon and cheese sandwiches you could certainly bid those out.

Council Member Pizzella is trying to think of a way to generate revenue. Even if we passed this we could later put out a bid for outside the scope of this bid. He is not asking for a table but is asking everyone here to be creative and think about how we can make money.

Mayor Ruocco said we have a resolution in front of us and we need a motion and second.

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

Roll Call Vote:

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

Nays: None

OFF-CONSENT:

COUNCIL COMMENTARIES:

Council Member Lundy congratulated Sandra on her 20 years.

Council Member DeRosa said there will be a fund raiser on February 28. The Borough is hosting a Rutgers safety clinic on Thursday at Borough Hall and if you have the desire to coach any sport in Hillsdale or State of New Jersey you have to get certified. This is an opportunity in our town and take advantage. He congratulated Sandra.

Council Member Pizzella thanked Sandra. This was an interesting meeting for him and the idea of revenue generation is important. He thanked David for bringing this up for our attention, we didn't understand. We have to learn to be creative and will be interesting going forward.

Mayor Ruocco mentioned the passing of Mary Higgins Clark at the age of 92, the mother of our Municipal Judge Warren Clark. She is the daughter of Irish immigrants who boot strapped herself up from a Secretary, Airline Stewardess, she started to write. It is a case of perseverance and I don't know how many books she wrote, 50+. I was able to procure her latest book and she signed it for me. She will be missed and rest in peace.

ADJOURN TO CLOSED SESSION:

[R20043](#) To provide for a meeting not open to the public in accordance with the provisions of the New

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

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

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

(1) Matters required by law to be confidential.

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

(3) Matters involving individual privacy –

(4) Matters relating to collective bargaining -

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

(6) Matters relating to public safety and property –

(7) Matters relating to litigation, negotiations and the attorney-client privilege – *Personnel, Memorial Field, PBA Negotiations*

(8) Matters relating to the employment relationship –

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

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

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

Mayor Ruocco had a question for the Borough Attorney; the Memorial Field issue and asked why that is in for Closed.

Attorney Madaio had no idea why it is in closed, and asked if it is in regard to the bid or potential rejection of the bid. If so we would discuss bid amounts which may help a subsequent bidder. That is why it may be in closed

Mayor Ruocco said we know the results of the bid.

Attorney Madaio said usually it is a specific bid exemption; any discussion which would assist a potential bidder can be done in closed. If that is what we are talking about, the most we would pay. What we would be willing to cut out and if the bidder were watching this on TV that bidder might have an advantage over another bidder. It is whether the Council believes it is that exemption.

Roll Call Vote:

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

Nays: None

RECONVENE REGULAR MEETING:

Motion to reconvene by Council Member Pizzella, Second by Council Member Escobar, and unanimously carried.

ADJOURNMENT:

Motion to adjourn by Council Member Pizzella, Second by Council Member DeRosa, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
TUESDAY, FEBRUARY 11, 2020**

Denise Kohan, Municipal Clerk

APPROVED AS PRESENTED