

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, January 17, 2017, in the Council Chamber, Borough of Hillsdale, New Jersey.

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

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 17th day of January, 2017. 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 Acting 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, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco
(Mayor Frank, Borough Attorney Madaio, CMFO Jonathan DeJoseph, Acting Borough Clerk Kohan)
Absent: Borough Attorney Madaio

Mayor Frank said this evening we are recognizing a police officer who has been with us for 20 years and is getting a promotion.

PROMOTIONS: Chief Robert Francaviglia (R17031)

R17031 – Resolution Promoting Police Officer Tom Smith to Rank of Sergeant

WHEREAS, there exists a vacancy in the position of Sergeant in the Hillsdale Police Department; and,

WHEREAS, the Chief of Police and the Council Police Committee are recommending the promotion of Police Officer Tom Smith to the rank of Sergeant as he is the most qualified candidate for promotion to said position.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough Council does hereby appoint Police Officer Thomas Smith to the position of Sergeant, effective January 1, 2017. Sergeant Smith shall be compensated in his new rank as Sergeant at the base salary of \$136,772.00 and subject to all other benefits, terms and conditions of employment applicable under the current PBA Local No. 207 Collective Bargaining Agreement.

Motion by Council President Ruocco, Second by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

Police Chief Francaviglia commended all the member of the Police Department. In a small Police Department, promotions are rare. He is very proud of everyone who was a part of this process and to those who hopefully will achieve the rank of Sergeant some time in their career. He introduced Sergeant Tom Smith. He is a 20 year member of the Police Department; he is a proud father and husband. A very young Tom joined our department in April 1996 as Dispatcher; he was appointed as a regular police officer in January 1998. Tom served our department honorably as Domestic Violence Liaison, Traffic Officer, and member of the Bergen County Prosecutor’s Office Fatal Accident Team as well as the Department’s Delegate. He was a recipient of the Chief’s Association Honorable Service Award, Life Saving Medal, Apprehension Award as well as many letters of appreciation from the public. After working with Tom, I can say he has displayed professionalism, dedication and a commitment to this department and I know he will always have the best interest in this agency, the Borough and the men and women who will serve under him. I am proud and excited to announce Hillsdale’s Police Department next Sergeant Tom Smith.

Oath of Office administered to Sergeant Tom Smith

Chief Robert Francaviglia

Mayor Frank administered the Oath of Office to Sergeant Tom Smith.

FIRE DEPARTMENT OFFICERS:

Mayor Frank presents the names of the following 2017 Officers of the Hillsdale Fire Department:

2017 BOARD OF FIRE OFFICERS	
3 rd Lieutenant	George Lucia II

Mr. Lucia was not in attendance and will be sworn in at another time.

OATH OF OFFICE:

PROCLAMATIONS:

PRESENTATIONS:

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

Mayor Frank we will now have the Public Comment portion of the meeting, one topic only and one speaker per topic. Anyone wishing to address the Council, raise your hand and be recognized.

Kevin O’Brien, 61 Parkview Drive –

He is speaking on behalf of one of his neighbors who can’t be here today. On April 26, 2016, Mr. Benecke offered a written revitalization report to be completed within 30 to 45 days. That was eight months ago. Is there any idea when the public can expect that written revitalization report?

Mayor Frank said not at this time. When it is done, we will announce the date.

Mayor Frank said seeing no one, he closed the Public Comment portion.

APPROVAL OF MINUTES:

PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:

(The following correspondence on file in Borough Clerks Office)

Police Report – *End of the Year 2016*

Fire Department Report – *End of the Year 2016*

Borough Engineer Report - *End of Year 2016*

Chief Robert Francaviglia

Chief Patrick Doody

Christopher Statile

Police Chief Francaviglia welcomed Steven Segalas, Councilman, and said he looked forward to working with him. During the month of December, there were 93 dispatching shifts all covered by non-sworn personnel. There were 388 motor vehicle stops, 122 summonses and 19 criminal arrests. We had the grant that we were approved for, drive sober or get pulled over, which we received and conducted it from December 9 to January 1 where officers issued 112 summonses, 153 warnings and one arrest for DWI. We recently deployed our mobile radar sign which we put on Washington Avenue where we seem to get a couple of complaints. That will record all the data from speeding throughout the week and once we get that data we will do it in both directions for a week each time. Once we get that we will write a posting on our website and we plan to hit some targeting areas around the town and post it on our website since we have this tool. That completes my report. This will tell you exactly what the speed is and will give the highest speed, average speed and what time of day it occurred and all that information will be posted on our website. This is battery operated, it is portable and we deploy it from a utility pole.

Fire Chief Patrick Doody hopes this will be a great year for everybody. He thanked everyone who came to the Reorganization. In the month of December, the Fire Department responded to 12 calls, a total of 57 hours; we also spent four nights driving around with Santa Claus which was very successful. We handed out over 3000 candy canes. He also thanked James Domville for his service for the last two years at the Fire Department and the Borough; he is a great asset and will be missed as Chief. That concludes my report.

Chief Doody said the apron is good but the only thing he suggests is after it snows we try to remove the salt as quickly as possible because it is fresh concrete; rock salt is available near the doors. If the DPW could sweep it off that would be helpful and last longer.

COMMITTEE REPORTS:

Councilman - Anthony DeRosa

Councilman - Scott Karcich

Councilwoman - Abby Lundy

Councilman - Frank Pizzella

Councilman – Steven Segalas

Council President – John Ruocco

Councilman DeRosa said on Thursday we had a Recreation meeting and Steve Olson as President and Ann Cron.

Councilman Pizzella said the sign by Transit in the waiting room was scheduled from the County and we are having meetings with the Historic Society and are looking for an architect. Also we are going to be looking for a path in the Forest area and this is great because it integrates Hillsdale with the walkway with the other towns.

The Board of Ed recently sponsored a curriculum teaching adults and children to prevent child abuse. Hillsdale school district was the first school district to have lessons and teaching. This children's advocacy center was provided by the district, by Joan's Foundation distributing tutorials and the Superintendent likes the fact that the program includes children and parents. It is \$349. Also, the Environmental Commission is working on providing some information for emissions.

We received information today that we expect of a hearing date on Waste Management sometime before the middle of February. This will be a public hearing in Hillsdale possibly at the Borough Hall or perhaps George White.

Councilmember Karcich said we removed the snow quickly this weekend. The snow was slow in how it accumulated and we got it done and we are waiting for the next big storm. He thanked James Domville for his service and congratulated our new Fire Chief, Patrick Doody. He also thanked our fire officers that are so dedicated to our town; we have a volunteer force and they do a great job.

Councilmember Lundy the Library survey is on the Hillsdale website.

Councilmember Segalas did not have anything to report except he met with the organizations.

Council President Ruocco said the senior lunch is tomorrow at 11:30 at St. Johns. He started discussions about a potential new program called Shovel Out our Seniors. They have done this successfully in Rutherford. Basically it is a program where they assign students to shovel out the steps and walkways of seniors, driveways are off limits. In Rutherford, the DPW puts out buckets of salt; the first step would be to go to the school and talk to them about it because they would be the providers. The Rec Department would have to do the coordination. These are the early stages. The Finance Committee Budget Meetings are in process, we got an early start and on paper the schedule looks good. The deadline to introduce is officially March 17 or the next scheduled meeting thereafter which is April 11 and we have to adopt the budget officially by April 21, but we are allowed the next scheduled meeting of the governing body after that date. Those are the deadlines. Regarding the Office of Emergency Management, Bergen County became the first New Jersey County to be granted access to FEMA's emergency system and WEA. This is for serious emergencies in the County, local emergencies are to be handled by the 9-1-1 system.

DISCUSSION:

NEW BUSINESS:

CORRESPONDENCE:

1. Email received from Rosemarie D'Alessandro requesting use of the Hillsdale Train Station on September 23, 2017 from 12:00 pm – 5:00 pm.

Motion to approve, receipt and file – Motion by Council President Ruocco, Second by Councilmember DeRosa, and unanimously carried.

2. Letter received from Lauren Bacsik, PV Varsity Softball Coach requesting permission for a community 5k Run/Walk to be held Sunday, March 12, 2017.

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

3. Letter received from Evelyn Pachner, Sundial Garden Club requesting permission to use the Hillsdale Railroad Station for its Annual Plant Sale on May 13, 2017.

Motion to approve, receipt and file - Motion by Councilmember Karcich, Second by Councilmember DeRosa, and unanimously carried.

4. Message received from John Clark, requesting use of Veteran's Park for Art in the Park on Saturday June 17, 2017 with a rain date of Sunday June 18, 2017 from approximately 10:00 am – 4:00 pm.

Mayor Frank said anytime we allow anyone to use Veteran's Park, we will check it out. There is sufficient time for approval.

PUBLIC COMMENT:

Mayor Frank said if anyone wishes to address the Council, raise your hand and come forward and identify yourself.

Kevin O'Brien, 61 Parkview Drive –

With respect to the Benecke report, the Borough spent \$12,000 with Mr. Benecke and his report is not available yet. Is that \$12,000 to include the report or is that an additional expense for that report. This addresses the email he received while sitting in the back.

Council President Ruocco said Councilmember Pizzella made reference to a public hearing for Waste Management in mid-February with Washington Township to be included. Waste Management and New Jersey Department of Environmental Protection be present.

Mayor Frank said it is our understanding that they will.

Mr. O'Brien (Contd).

The Town Council approved a 1.4 million NJDOT grant application. In reviewing the agenda materials for tonight, it was on the website for tonight's meeting and it actually showed a map. What we are puzzled on is the apartment complex that was included in the application to the state which was not yet approved by the Planning Board for another three weeks. You approved an application for 1.4 million dollar grant, you referenced the apartment complex in support of justification for the application, yet the apartment complex had not yet been approved. How can that be?

Mayor Frank said our Borough Engineer addressed that at the Planning Board meeting.

Mr. O'Brien {Contd).

He asked him that and the Planning Board Attorney told him he was not there in that capacity and wouldn't be able to address it and this Town Council approved it. One of the questions he has with respect to the application and speaking with N.J. Department of Transportation, the majority of the grant appears to be something that can easily be resolved in a Developers Agreement. Since the Borough is looking to do a redevelopment of the

Waste Management area, does it really make sense to turn around mill the road, put in curbs, put in lights, put in sidewalks when all that work typically could be included in the redevelopment agreement as was the case with the apartment complex on Patterson Street.

Mayor Frank said if you pay attention you notice in the Pascack Valley some of these grow whiskers and are 10 years old. There is no way we can dictate what the time frame would be on the development project. Hillsdale can get a grant and I understand you may have approached it with a letter to County on the DOT grant; for us to get to beautify and upgrade our town that is something that we would go ahead despite what may or may not happen with redevelopment.

Mr. O'Brien (Contd).

One of the biggest concerns he did have over that grant application is the sidewalks that were proposed for Patterson Street stop at Parkview Drive. The application was done in part with respect to safety yet there is a two block link that fails to exist for sidewalks between the end of where that sidewalk would end at the top of Parkview Drive and taking people to Broadway. N.J. Transit would need to adjust the train tracks to support a safety barrier for pedestrians because the sidewalks would go there. They haven't been asked to support that. The train track would have to become ADA compliant for crossing, they haven't been asked for that either. The application talks about sidewalks on both sides of the street; if you turn around and look at the embankment on the east side, you would be cutting two feet for grass and five feet for a sidewalk, you would be cutting into the embankment next door to protect N.J. Transit train tracks, Pascack Valley line. From an engineering standpoint, that was a concern, Redevelopment is great; I have come before this Council several times questioning why the town doesn't support a New Jersey Transit DOT Transit Village oriented redevelopment. There is a lot of money available through N.J. Transit Village concept but this town has elected not to even consider evaluating that. With the grant money that is available why not?

With respect to a Code of Ethics for the Local Government Officers, under NJSA 40A9:225 which makes reference to personal involvement that may reasonably be expected to impair objectivity. Councilmember Pizzella ran on the same Republican ticket as Mr. McEwan. Mr. McEwan has an application before the Planning Board; it would appear personal involvement might reasonably be expected to impair his objectivity on the Planning Board for that given application. Board Member Fred Franco, a Hillsdale Republican County Committee Member, was part of the team responsible for supporting Mr. McEwan to run for office. The same concern holds true. Mayor, you were part of the Republican Committee who also hand-picked Doug McEwan to run. It comes back to an issue of concern of objectivity and impartiality. Joanne Miano was also pm the Republican County Committee who was responsible for picking Mr. McEwan to run for office. You would be best suited for the Borough of Hillsdale if the McEwan application if there aren't enough members on the Board to properly recuse themselves if that application was just heard in another town, whether it would be River Vale or Woodcliff Lake.

Mayor Frank closed the meeting to the public.

ORDINANCES:

17-01 – (Introduction)

Capital Ordinance to Appropriate The Sum of \$273,521 for Various Improvements to the Stonybrook Swim Club in, by and for the Swim Pool Utility of the Borough of Hillsdale, in the County of Bergen, New

Jersey and to Transfer an Unexpended Capital Ordinance Balance and Appropriate same to Finance such Appropriation.

WHEREAS, the Borough Council of the Borough of Hillsdale, in the County of Bergen, New Jersey now finds and determines that a \$273,521 funded appropriation balance in ordinance no. 11-15 adopted by the Borough Council on October 4, 2011 constituting unexpended Swim Pool Utility Capital Surplus is not necessary for the purpose authorized by said ordinance and that it is in the Borough's best interest to use said moneys for costs of various improvements to the Stonybrook Swim Club,

NOW, THEREFORE, BE IT ORDAINED by the Borough Council of the Borough of Hillsdale, in the County of Bergen, New Jersey (the Borough), as follows:

Section 1. It is hereby determined that the \$273,521 funded appropriation balance in ordinance no. 11-15 adopted by the Borough Council on October 4, 2011 (the "Prior Ordinance") constituting unexpended Swim Pool Utility Capital Surplus is no longer needed for the purpose authorized by the Prior Ordinance (construction of an addition to the Main Administration Building) and that it is in the best interest of the Borough to hereby transfer and reappropriate such funded appropriation for Swim Pool Utility capital purposes in accordance with Section 2 hereof.

Section 2. The Borough is hereby authorized to undertake the following at the Stonybrook Swim Club in, by and for the Swim Pool Utility of the Borough: (A) installation of a winter enclosure and related improvements (estimated cost - \$130,000); and (B) various facility upgrades and equipment acquisitions (estimated cost - \$143,521). Said improvements and acquisitions shall include all work, materials and appurtenances necessary and suitable therefor. The sum of \$273,521 is hereby appropriated from the funded appropriation balance transferred and reappropriated in accordance with Section 1 hereof to the payment of the cost of the improvements and acquisitions authorized in this Section 2.

Section 3. Said improvements and acquisitions are lawful capital improvements of the Borough having a period of usefulness of at least five years. Said improvements and acquisitions shall be made and undertaken as general improvements and no part of the cost thereof shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency therewith and the resolutions promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, is on file with the Borough Clerk and is available for public inspection.

Section 5. This ordinance shall take effect at the time and in the manner provided by law.

BE IT RESOLVED, that Ordinance No. 17-01 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on February 7, 2017 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Motion by Councilmember Lundy, Second by Council President Ruocco.

Roll Call Vote:

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

Nays: None

Abstain: Council Member Segalas

RESOLUTIONS:(Consent Agenda): R17032 through R17039:

R17032 Resolution Appointing Denise Kohan as Acting Borough Clerk

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

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

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Denise Kohan is hereby appointed Acting Municipal Clerk for the Borough of Hillsdale effective January 1, 2017 through December 31, 2017 with a salary of \$64,500.00 (Sixty-Four Thousand Five Hundred Dollars).

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

R17033 Resolution Appointing Dawn Wheeler as Tax Collector

WHEREAS, N.J.S.A. 40A:9-141 requires every municipality to have a tax collector appointed; and

WHEREAS, N.J.S.A. 40A:9-145.7 requires said appointed tax collector hold a tax collector certificate issued pursuant to sections three and four of this act; and

WHEREAS, Dawn Wheeler holds the required state certification to accept this appointment;

NOW, THEREFORE BE IT RESOLVED, by the Borough of Hillsdale that Dawn Wheeler be and hereby is appointed as Tax Collector for the State statutory minimum four year term expiring on December 31, 2020; and

BE IT FURTHER RESOLVED that Dawn Wheeler shall be paid the salary for the Tax Collector as Set forth in the existing salary ordinance.

R17034 Authorizing the Interlocal Services Agreement Between the Borough of Hillsdale and the Borough of Cresskill with Respect to the use of the Hillsdale Indoor Police Pistol Range

WHEREAS, the governing body of a municipality may enter into a contract with another municipality for the joint provisions within their jurisdictions of any service which either municipality is empowered to render within its own jurisdiction pursuant to N.J.S.A. 40:8A-1, et seq. known as the Interlocal Services Act; and

WHEREAS, the Borough of Cresskill is desirous of utilizing the Hillsdale Indoor Police Pistol Range to qualify their Police Officers; and

WHEREAS, The Borough of Hillsdale desires to set the fees and terms for the Cresskill Police for the use of the range.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that Mayor Frank is hereby authorized to sign said Interlocal Services Agreement, once said Agreement is in a format acceptable to the Borough Attorney, and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said Agreement.

R17035 Resolution Authorizing and Designating an Acting Municipal Court Administrator between the Borough of Hillsdale and the Township of River Vale

WHEREAS pursuant to N.J.S.A. 2B:12-10 the Municipality of Hillsdale and the Municipality of River Vale are required to provide for a Municipal Court Administrator; and

WHEREAS, N.J.S.A. 40A:65-1 et. seq., any municipality of the State of New Jersey may contract with any other municipality or municipalities to share services that any party to the agreement is empowered to provide within its own jurisdiction; and

WHEREAS, in accordance with N.J.S.A. 2B:12-1(c) the Municipality of Hillsdale and the Municipality of River Vale consent and agree to share the professional services of the Municipal Court Administrator on a provisional basis to undertake the duties of the absent Municipal Court Administrator during scheduled and/or unscheduled leaves, within the two respective municipalities; and

WHEREAS, the pay rate as required by N.J.S.A. 2B:12-10 (b) is not to exceed the established hourly rate of the Municipal Court Administrator; and

NOW THEREFORE BE IT RESOLVED, this 17th day of January 2017 that the Municipality of Hillsdale and the Municipality of River Vale consent to the above agreement.

R17036 Resolution Supporting Interlocal County of Bergen Police Mutual Aid

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

WHEREAS, Law Enforcement officials also have a responsibility to provide for preparedness against natural emergencies, such as floods, hurricanes, earthquakes, etc., manmade causes such as riots, strikes, jail or prison riots, train wrecks, aircraft crashes, major fires, ethnic disorders, terrorists incidents and bombings, State and National emergencies; and,

WHEREAS, the Bergen County Police Chief's Association has proposed a Mutual Aid Plan and Rapid Deployment Force to deal with these emergencies which is adopted in accordance with the Provisions of NJSA 40A:15-156, NJSA 40A-156.1, NJSA 40A:15-156.4 AND NJSSSA App. A:9-40.6; and,

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

WHEREAS, it is the desire of the Mayor and Council of the Borough of Hillsdale to participate in a Mutual Aid Plan and Rapid Deployment Force,

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

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

R17037 Resolution Authorizing Redemption & Premium for 63 Briarcliff Road

WHEREAS, The Tax Collector held a Tax Sale on October 19, 2016 and at the sale a lien was sold on Block 807 Lot 12, also known as 63 Briarcliff Road, Hillsdale, NJ 07642 for 2015 Delinquent taxes and,

WHEREAS, this lien, known as Tax Sale Certificate #15-00003 was sold to US Bank cust BV002 Trst & Crdt, 50 South 16th St., Suite 2050, Philadelphia, PA 19102-2513 for 0% redemption fee and a \$75,000.00 premium and,

WHEREAS, Denise Ireland, 63 Briarcliff Road, Hillsdale, NJ 07642, has effected redemption of Certificate #15-00003 in the amount of \$17,539.45.

NOW, THEREFORE, BE IT RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$17,539.45 payable to US Bank cust BV002 Trst & Crdt for the redemption of this certificate.

BE IT FURTHER RESOLVED, that the Tax Collector is authorized to issue a check in the amount of \$75,000.00 (Premium) to the aforementioned lienholder.

R17038 Resolution Appointing Community Development Representatives

WHEREAS, The Borough of Hillsdale has entered into a 3-year Cooperative Agreement for the Fiscal Years 2015, 2016, 2017 with the County of Bergen, Community Development Block Grant; and

WHEREAS, under Section a-1.b of said Agreement, there is the establishment of Committees consisting of two representatives from each participating municipality; and

WHEREAS, the Governing Body and the Chief Executive of each participating agency shall make one appointment each for the term January 1, 2017 to December 31, 2017; and

WHEREAS, alternates may be appointed in the same manner as set forth above and shall have the same powers in the absence of the designated representatives;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor hereby appoints:

Administrator _____ as Regular CD Committee Member; and

John Ruocco _____ as Alternate CD Committee Member

BE IT FURTHER RESOLVED, THAT THE GOVERNING Body hereby appoints:

Frank Pizzella _____ as Regular CD Committee Member; and

Steven Segalas _____ as Alternate CD Committee Member;

BE IT FURTHER RESOLVED, by the Borough Council of the Borough of Hillsdale that a certified copy of this resolution be forwarded to the County of Bergen, Community Development, One Bergen County Plaza, 4th Floor, Hackensack, NJ 07601.

R17039 Resolution Authorizing the Filing of a Complaint at the Bergen County Agriculture Development Board with Regard to Demarest Farms Parking Issues

WHEREAS, the traffic generated by Demarest Farms has increased significantly in the past several years, particularly on several weekends in the fall, and

WHEREAS, Demarest Farms has not increased its parking capacity sufficiently to meet the increased demand, causing patrons to park their vehicles on the surrounding residential streets, creating dangerous conditions to motorists and pedestrians; and

WHEREAS, In spite of actions taken earlier in 2015 & 2016 by the Borough to institute limited parking restrictions on the residential streets surrounding the farm, the unsafe conditions posed by the farm's operations during the fall have continued to become more severe, causing unsafe driving and walking conditions for our local residents, patrons and visitors; and

WHEREAS, despite almost a year of mediation between the farm and residents in the area, Fall 2016 demonstrated no discernible improvements made by the farm to resolve the basic issues of public safety and inadequate parking, and

WHEREAS, The Mayor and Council believe that Demarest Farms is not in compliance with basic agricultural management practices applicable to retail farm operations, as defined by the State's agricultural farm authority.

NOW, THEREFORE, BE IT RESOLVED by the governing body as follows:

1. The appropriate Borough Officials are hereby authorized and directed to prepare a Complaint with the Bergen County Agriculture Development Board.
2. Said Complaint shall be signed by the Hon. Douglas Frank, as required.

3 Mark D. Madaio, Esq. and all other appropriate Borough professionals, employees, elected, and appointed officials are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of this Resolution.

4. This Resolution shall take effect immediately.

R17040 Authorize the Borough Clerk to Advertise Bids Regarding the Stonybrook Pool Enclosure and Related Work

WHEREAS, the Borough desires to utilize the lap pool at the Stonybrook Swim Club to train swimmers during the winter months and to derive such income as possible for doing so; and

WHEREAS, in order to effectuate such winter use, the lap pool at Stonybrook Swim Club would need to be enclosed for the winter months, which enclosure could be removed and stored during summer months and reused in subsequent years; and

WHEREAS, the Borough desires that the party undertaking the installation of the enclosure also utilize the pool during the winter months for the training of various swim teams and pay a fee to the Borough for such use; and

WHEREAS, there is a need to publicly advertise for bidders for the construction of the enclosure and for the utilization of the pool during the winter months; and

WHEREAS, the work set forth above will require additional work and the additional advertisement for Public Bids for the following work related to this project: a generator installation; insulation work on the pool house; parking lot paving and parking lot lights; and

WHEREAS, bid specifications shall be prepared and utilized in connection with these matters.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that the Acting Municipal Clerk is hereby authorized to advertise for Bids regarding the following: the construction of the pool enclosure/utilization of pool for winter months; a generator installation; insulation work on the pool house; parking lot paving and parking lot lights, as referenced above.

R17041 Authorize the Borough Clerk to Advertise Bids Regarding the Rental of the Stonybrook Pool Enclosure

WHEREAS, the Borough desires to utilize the lap pool at the Stonybrook Swim Club to train swimmers during the winter months and to derive such income as possible for doing so; and

WHEREAS, in order to effectuate such winter use, the lap pool at Stonybrook Swim Club would need to be enclosed for the winter months, which enclosure could be removed and stored during summer months and reused in subsequent years (the "Project"); and

WHEREAS, the Borough may desire that the party undertaking the Project also utilize the pool during the winter months for the training of swim teams and pay a fee to the Borough for such use or may otherwise seek to bid the use of the Project in the manner most beneficial to the Borough; and

WHEREAS, there is a need to publicly advertise for bidders for the utilization of the pool during the winter months; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that the Acting Municipal Clerk is hereby authorized to advertise for Bids regarding the use of the Project for winter months.

Council President Ruocco requested separate votes of R17038 and R17039.

Motion by Councilmember Lundy, Second by Council President Ruocco.

Roll Call Vote:

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

Nays: None

R17038. Councilmember Pizzella was confused.

Mayor Frank said this is for the Community Development block grants that come through the County and we appoint the primary and secondary Council Members and the Administrator.

Motion by Councilmember DeRosa, Second by Council President Ruocco, and unanimously carried.

R17039. Council President Ruocco wanted the opportunity to discuss this in Closed Session when the Borough Attorney is present.

Mayor Frank asked the Council if they want to abstain.

Councilmember Pizzella asked if there was a time constraint to get this out?

Mayor Frank said due to the potential litigation concerns we have, time is of the essence.

Council President Ruocco said we should go forward with it; he has had discussions with the Borough Attorney about this. He knows this is on the Agenda.

Motion by Councilmember DeRosa, second by Council President Ruocco.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Pizzella, Council President Ruocco

Nays: Councilmember Segalas

Abstain: Councilmember Lundy

OFF-CONSENT:

R17042 Authorize Contract for CDL Random Drug & Alcohol Testing Services
This resolution is being pulled until the Borough Attorney gets back to us on the contract.

COUNCIL COMMENTARIES:

Councilmember Lundy did not have a report.

Councilmember Segalas did not have a report.

Council President Ruocco said a week ago, the Fire Department swore in Officers and congratulated them. He congratulated Sergeant Smith and an excellent choice was made. Condolences to family of Arlene Meier, Crossing Guard for many years. She passed away in December. At the 50+ meeting seniors inquired about the possibility of a community center in Hillsdale. He is committed to reviewing this proposal later in the year and see what paths might be open to us for some creative thinking.

Administrator DeJoseph said our next meeting will be held February 7 for a possible hearing on NJ DEP Green Acres Grant. The Safe Route to Transit Grant Application due shortly and the recommendation is based on the need for Piermont on the north side of the street, Magnolia, Kinderkamack for sidewalk. NJ DOT Application based on the engineer's report recommending Saddlewood Drive paving as well as Forest and the second application for Hillsdale Avenue into Everdell.

Borough Clerk Kohan said Saturday is Pancakes for Parkinson's at United Methodist, \$5.00 for parking. The money will go to the Energy Walk in New York City in April.

Councilmember DeRosa congratulated the new Fire Officers coming in.

Councilmember Pizzella congratulated everyone as well and congratulated Borough Clerk Kohan. Everyone knows he is opposed to the permit renewal for Waste Management and encouraged everyone to go on line and look at the sample letters we have and sign the petition at www.petition.com. This entity pays less than some property owners in taxes to our town, they left the property for two years in an unsafe condition and now they want to renew their permit to transfer tons of garbage through our streets. He hoped the residents of Hillsdale help fight this. He welcomed family members.

Councilmember Karcich is waiting for financial numbers but in 2015 we did 49 tons of electronic waste; last year we only did 40 tons. He is waiting to see the cost savings difference yet. DPW is working on the Environmental Committee on cohesive tree falls to get some clarity for the residents. They get complaints about trees and it is a complicated issue.

Mayor Frank congratulated Fire Chief Doody and the Fire Officers sworn in on January 8, He congratulated Sergeant Smith on his promotion and thanked the Chief for a very thorough process. The Library will have a collection of military history and biographies. We have infrastructure needs and paving. Fortunately Hillsdale has a low debt compared to most of the towns in the area and we want to be very wise as we approach this and make sure we keep ourselves financially viable.

With respect to the issue of redevelopment, we do not want to start on the wrong foot. We have to take as much time as necessary to make sure the Planning Board has something meaningful and whatever time they need, we will not rush them.

The Resolution on Demarest Farms there is potential litigation; people should realize we want 100 % public safety. When people say we are trying to put the farm out of business, it is totally untrue. This property cannot be developed, this is farm land. The farm is here to stay.

Hillsdale and local towns have many deer. Councilmember Pizzella mentioned Beechwood Park and the ash borer challenge for ash trees and it is serious. We must control the removal of trees on public property; information will be available for homeowners on the website. The Environmental Commission is on the case.

ADJOURNMENT:

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

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

Denise Kohan, Acting Municipal Clerk

APPROVED AS PRESENTED

Denise Kohan, Acting Municipal Clerk