

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, October 10, 2017, 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 10th day of October, 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 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 Horvath, Karcich, Lundy, Segalas, Council President Pizzella (Borough Attorney Madaio, CMFO DeJoseph, Borough Clerk Kohan). Absent: Council Member DeRosa.

PRESENTATIONS:

Eagle Scout Project

Myron Theilmeier

Myron Theilmeier, 39 Wierimus Lane –

He is a member of Boy Scout Troop 109, Chartered to the Episcopal Church. His project involves a lot that is behind the Hillsdale Public Library; it is his understanding it is under the control of both the state and the town. He plans to mow the lot and put a mulch trail running through the lot, plant a few shrubs and flowering plants that are native to northern New Jersey and a tree or two. He believed this would be helpful to the town because we don't have many native species in the town and we don't have a lot of public awareness of species that come from northern New Jersey. Possibly it will be very helpful to Environmental groups and is something they can branch off of. Mr. David Franz of the Hillsdale Public Library is his sponsor.

David Franz was in agreement with this; he believed it would be a wonderful project as a house was torn down in that lot. We have a strong Environmental Commission and there will be no permanent structures there. We have worked with Myron on trees, plants, shrubs native to New Jersey.

Councilmember Segalas asked what sort of indigenous trees were being considered.

Myron said an oak tree because that is a very popular tree and many people know what an Oak is and it is a nice tree and will grow for many years. He said this will be a single path; he will install flower beds along with brush and trees. He plans to finish this project regardless of whether he attains Eagle Scout.

Mayor Ruocco said the Council is in total agreement with your plan.

RECOGNITION:

PROMOTIONS: Chief Robert Francaviglia (R17254 & R17255)

R17254 Resolution Promoting Daniel McLaughlin as Lieutenant for the Hillsdale Police Department and Authorizing the Mayor and Borough Clerk to Execute an Employment Agreement with Daniel McLaughlin on Behalf of the Borough of Hillsdale

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

WHEREAS, the Borough wishes to fill the position with Sergeant Daniel McLaughlin.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Daniel McLaughlin is hereby appointed Lieutenant of the Hillsdale Borough Police Department effective October 12, 2017. Daniel McLaughlin shall be compensated in his new rank as Lieutenant at the base salary of \$153,000 and subject to all other benefits, terms and conditions of his employment agreement. The Mayor and Borough Clerk are hereby authorized, on behalf of the Borough, to execute an employment agreement with Daniel McLaughlin to serve as Lieutenant of the Hillsdale Police Department.

R17255 Resolution Promoting Liz Zimmerman 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 Liz Zimmerman to the rank of Sergeant as she 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 Liz Zimmerman to the position of Sergeant, effective October 12, 2017. Sergeant Zimmerman shall be compensated in her new rank as Sergeant at the base salary of \$136,722.00 and subject to all other benefits, terms and conditions of employment applicable under the current PBA Local No. 207 Collective Bargaining Agreement.

Motion by Councilmember Karcich, Second by Councilmember Lundy.

Roll Call Vote:

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

Nays: None

Absent: Council Member DeRosa

Mayor Ruocco said the Oath of Office will be administered on Thursday, at 7:00 P.M. at the Fire Department.

APPOINTMENTS/OATH OF OFFICE:

PLANNING BOARD: Mayor Appointment

Ed Alter – Class IV

Term Expiring 12/31/18

Scott Raymond – Alt #1

Term Expiring 12/31/17

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

Roll Call Vote:

Ayes: Council Members Horvath, Karcich, Lundy, Segalas, Council President Pizzella

Nays: None

Absent: Council Member DeRosa

Oaths of Office administered by Mayor Ruocco.

COUNCIL COMMITTEES (4th Quarter 2017):

Mayor Ruocco announces the proposed **COUNCIL STANDING COMMITTEES** for the remainder of 2017.

(With advice and consent of Council)

	Chairperson		
Ambulance	Anthony DeRosa	Steven Segalas	Zoltan Horvath
Building/Zoning	Steven Segalas	Frank Pizzella	Scott Karcich
Economic Growth & Business Development	Frank Pizzella	Steven Segalas	Zoltan Horvath
Finance	Abby Lundy	Frank Pizzella	Scott Karcich
Fire Department	Scott Karcich	Anthony DeRosa	Zoltan Horvath
Police Department/OEM	Scott Karcich	Steven Segalas	Zoltan Horvath
Public Works	Scott Karcich	Abby Lundy	Steven Segalas

Real Estate/Open Space	Frank Pizzella	Steven Segalas	Abby Lundy
Shared Services	Steven Segalas	Anthony DeRosa	Abby Lundy

Motion by Councilmember Karcich, Second by Zoltan Horvath.

Roll Call Vote:

Ayes: Council Members Horvath, Karcich

Nays: Council Member Lundy

Abstain: Council Member Segalas

Absent: Council Member DeRosa

Motion to table by Council Member Segalas second to table Council President Pizzella.

We will get Roberts Rules on the matter and there would have to be a call of the vote to table by the Clerk and we will see if it gets tabled. We now have a motion and a second to table. The obligation would be for the Clerk to call the role on that motion as it supersedes the original motion.

Roll Call Vote:

Ayes: Council Member Lundy, Segalas, Council President Pizzella

Nays: Council Member Karcich, Horvath

Absent: Council Member DeRosa

Council Member Segalas said this will be tabled until the next meeting, it should remain on the Agenda and take it from the table or not.

Mayor Ruocco announces the proposed **SPECIAL COMMITTEES** for the remainder of 2017.

Public Relations & Social Media	Abby Lundy, Anthony DeRosa
Flood and Disaster Committee ~ (OEM)	Mayor, Police Chief, Fire Chief, Ambulance Captain, OEM Director, Board of Health President, Environmental Chair, Red Cross
Historic Preservation	Frank Pizzella
Insurance Fund Commissioner	Chris Looes
	Alternate: Borough Administrator
Insurance Liaison	Administrator/Steven Segalas
Liaison to Government Agencies	Mayor
Negotiation Committee	Mayor, John Ruocco, Scott Karcich, Administrator and another Council Member to be determined after the November election
Power and Energy	Administrator, Scott Karcich
Ordinance Review	Frank Pizzella, Steven Segalas

Motion to record by Council Member Karcich, Second by Council Member Horvath.

Roll Call Vote:

Ayes: Council Members Horvath, Karcich, Lundy, Segalas, Council President Pizzella

Nays: None

Absent: Council Member DeRosa

Mayor Ruocco announces the proposed **COUNCIL LIAISONS** for the remainder of 2017.
(with advice and consent of Council)

Board of Education: <i>Regional</i>	Anthony DeRosa
<i>Local</i>	Frank Pizzella
Board of Health	Steven Segalas
Environmental Commission	Frank Pizzella
Library	Abby Lundy
Planning Board	Frank Pizzella
Recreation	Anthony DeRosa
Senior Citizens	Zoltan Horvath
Swimming Pool Commission	Abby Lundy

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

Roll Call Vote:

Ayes: Council Members Horvath, Karcich, Lundy, Segalas, Council President Pizzella

Nays: None

Absent: Council Member DeRosa

PROCLAMATIONS:

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

Mayor Ruocco opened the time limited, new topics only, initial public comment.

Dr. Howard Rosenbaum, 817 Hillsdale Avenue –

He is here representing himself and his wife Donna Rosenbaum who is a Smith School Teacher for over 20 years and unable to attend tonight. We have been residents of Hillsdale over 36 years and came to speak about Block 503, Lot 4, Tandy Allen property and the suggestion by the Bergen County Agriculture Development Board to change the zoning which precipitated Resolution 17248 at the September 12 Council Meeting,. This is a very serious matter that questions the integrity of the Borough of Hillsdale as a highly desirable suburban community which we all enjoy. Our residential neighborhoods need to be protected and preserved as a safe haven to raise our families. We have fresh air and enjoy our Hillsdale lifestyle and is revered and reflected in our property values. Demarest Farms has been an integral part of this community for many years but I feel the owners are inappropriately seeking commercial expansion that is threatening to change the quality of life for every Hillsdale resident. As you may recall, the citizens of Hillsdale in a prior referendum voted to maintain this property as residential when they voted down moving the Library to this location. The “contract purchaser” Demarest Farms is now seeking to reverse the will of the people you represent. The concept of purchasing property as farmland for the sole purpose of converting it to a parking lot is not only outrageous but premature in its conception for many reasons. The New Jersey Right to Farm Act NJSA4:1C protects farms from “unduly restrictive municipal regulations.” Should we then assume that placing a 300 car parking lot in a purely residential neighborhood is “unduly restrictive?” If you just look and compare it to the municipal parking lot with 179 parking spaces and the King shopping plaza with all the stores having a lot with 257 spaces, you can just imagine the appearance of a 300 parking spot lot in a residential community. Moreover, the New Jersey Right to Farm Act in several subsections indicates the responsibility to evaluate air and water quality control, noise control, surface water control and wetland areas, etc. and maintaining consistency “with the promotion of public health, safety and welfare.” Determination of the effect on public health and safety is paramount to any consideration of a zoning change. What is the impact of parking lot traffic on a single lane that’s curved road in this area which is the only east/west connection to the center of town, what is the effect of 300 short stay parking spaces on air quality, noise pollution, water pollution, wetlands and flooding of neighborhood homes? How can safety be secured for pedestrians, students, and dog walkers, parents with baby carriages, bike riders and cars with only one sidewalk in this area? I urge you not to set a precedent; what would stop Demarest Farms from purchasing any other residential Hillsdale property as farmland for the same purpose of converting it into a parking lot. Remember they still need more parking spaces; remember the current tag line on our Borough science indicates Hillsdale as a “clean community;” we do not want Hillsdale tag lines to become “parking lot community.” Lastly who pays the bills at this time; to my understanding the sale is not a done deal, should the Borough of Hillsdale absorb a substantial cost associated with assessing the effect on air and water pollution, wetlands, loss of property values, etc. and the cost of performing a traffic impact study. I think not. I humbly request that this property remained zoned as residential and no action be taken to change such zoning.

Mayor Ruocco said the Farm Board’s request to us as part of the Farm Board order was that we put in a good faith effort to examine whether to rezone that Tandy Wood property. We have already started that process, but we don’t have a report from our Planner yet as to the options and pros and cons. I take your comments as indicative of your views of the matter.

Dr. Rosenbaum said too much is invested in the process of examining this that we determine who appropriately should be paying the cost of evaluating.

Steve Buxbaum, 45 Crestwood Place –

He is here because of the proposal to potentially rezone the Tandy property into parking lots,

Mayor Ruocco said according to our rules, it is one topic per speaker and new topics only. You may speak at the second public hearing.

Mayor Ruocco said seeing no one, the public portion of the meeting was closed.

APPROVAL OF MINUTES:

September 5, 2017 Council Meeting Minutes

September 12, 2017 Council Meeting Minutes

September 12, 2017 Closed Session Meeting Minutes

- Closed Session 1

- Closed Session 2

Councilmember Segalas motioned to pull the September 12 Closed Session minutes, second by Council President Pizzella.

Mayor Ruocco said we will just vote on the Open Meeting Minutes of September 5 and September 12.

Motion by Council President Pizzella, Second by Council Member Lundy, and unanimously carried. Council Member Horvath abstained.

PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:

(The following correspondence on file in Borough Clerks Office)

Hillsdale Fire Department – August 2017

Hillsdale Police Department – September 2017

Borough Engineer – September 2017

Chief Patrick Doody

Chief Robert Francaviglia

Chris Statile

Chief Patrick Doody, Fire Department, thanked the Council for coming to Open House yesterday. We had a great turnout. His report is for August 2017. We had 14 calls, two fires, one was in Park Ridge and we also had a brush fire. Everything else is minor, gas leaks, etc. for a total of 182 man hours. We also had three training drills, water rescue drill, cadet drills and our regular monthly hydrants, making sure apparatus working properly for a total of 90 hours our total training and fire hours were 273.45. Engine 34 is back in service.

Chief Francaviglia, Police Department, said during the month of September there were 90 dispatching shifts all covered by non-sworn personnel, resulting in no overtime. In September there were 212 motor vehicle stops which resulted in 187 summonses issued and 7 criminal arrests. This past month we also held our annual school crossing guard meeting and showed a safety video which is required; in September Captain Smith and I as well as some elected officials here went to Shop Rite for Bag Hunger and other officials from the County were there as well.

Mayor Ruocco said Official Auth, Senator Cardinale, Assemblywoman Shepisi attended.

Chief Francaviglia said this program supports food pantry, soup kitchen, homeless shelters and many other organizations. This past month Demarest Farms was happy to report no on street parking at all to date; we meet with them every Wednesday and go over the plan and so far it looks as though we won't need any on street parking for the rest of the year. It has been working very well. This weekend and the one after that should be heavily travelled and you will see some backups on Werimus Road and Hillsdale Avenue, but that is sheer volume. We talked to farm management about that as well. October is Breast Cancer Awareness Month and you will see officers wearing black patches with pink lettering, they are trying to raise awareness to breast cancer; they are also selling pink hats, Hillsdale Police hats, and some of the surrounding agencies are as well. You can purchase a hat for \$25 and all proceeds go to a cancer foundation. The Ambulance Corps was waved down by a motorist whose wife was having a baby and they successfully brought them to Valley Hospital where the baby was born and congratulated them. This past weekend we attended blessing of the badges at Holy Trinity Church and all EMS workers were recognized and blessed all our badges. We had a flashing pedestrian stop sign installed at Hillsdale and Everdell by Beechwood Park and another stop going in on Hillsdale and Magnolia; it is almost a year since Washington Avenue and Kindermack signs were put in and we have not had one stop sign accident there. They work. Thoughts and prayers to Al Murphy family; he will be sorely missed.

Borough Engineer Statile said we are in the last few weeks of the road program, the contractor finished some concrete work today. Overall he completed 2.9 miles of road in Hillsdale at 44.4 miles which equates to a 15 year expected life for the new roads. Hopefully you continue your good work in funding road improvement for the next few years. Stonybrook was done also so the westerly parking lot has been paved. Striping will be occurring as soon as the program is completed. We are adding one more street to the program. We also helped Habit for Humanity look for potential sites in Hillsdale; Public Service Substation is continuing with their work,

this week we expect them to start cleaning up along the substation; they are installing their precast concrete blast walls along Prospect Place later this week or next week. There about 25 walls. We received our results for Centennial Field; our second round air quality samples and no violations of our air quality permit; the systems are functioning properly there. We have benign emissions and we will be asking DEP if we can reduce the frequency of testing at the landfill. We conduct three different tests there. We have scheduled a meeting with our case manager in Trenton to reduce those frequencies in order to save us some money. The water on Patterson Street, Suez has advised they do not have a water main leak so it looks like it is ground water. The next step is to open the street, remove the blockage in the old clay pipe and see what is causing the blockage and go from there. Possibly the piping collapsed but is not sure what it is. We had a meeting with the Swim Club Commission as well Administrator DeJoseph and me, Councilmember Lundy and the attorney. We discussed the project next year and talked about timing and what will not be included in the contract. Administrator DeJoseph has been working on soliciting architects to go over proposals for the first phase evaluation of the train station and deficiencies in the building itself. In terms of the train station ADA bathroom renovation work in the interior, the contractor submitted his permits with the DCA and it will take time to get those back. He will attempt to put some pressure on NJ Transit to get the permits released so we can go to work. Grant applications for submitted for 2017 are being held up waiting for contracts from Community Development as well as Open Space. Then we can execute those projects. We have been spending time on 2018 NJDOT grants; we made four grant applications electronically on Friday; first for infrastructure improvements along St. Nicholas Avenue from Kinderkamack Road to Broadway, new milling and paving of that roadway as well as some curbs; we applied for pedestrian improvements along Piermont Avenue from Kinderkamack to Magnolia and we also received from the local schools endorsement letters for those applications and they are included with that project. We also applied under the bikeway program for bike way from St. Nicholas Sapienza Gardens up to Centennial Field. This could be extended in the future up to Wooddale Park and River Vale bike path. We received endorsement letters from our Assembly people. We put in an application for safe routes for Patterson Street improvements from Parkview Drive down to Orchard Street which includes safety improvements, sidewalks, etc. This would match what Public Service would be doing as well and this would tie in all projects together. The 2017 grant applications for Memorial and Veterans Park are pending.

Councilmember Lundy asked if he has checked on Corra since the work is finished. Statile said he was there after the rain and it worked well.

COMMITTEE REPORTS:

Councilman - Anthony DeRosa
Councilman - Scott Karcich
Councilwoman - Abby Lundy
Councilman – Steven Segalas
Council President – Frank Pizzella

Councilman Karcich said he thanked our Police Chief, Fire Chief and EMS for putting on a great open house, it was well received by the residents.

Councilwoman Lundy said the Finance Committee met and we discussed the best practice check list and we set the 2018 budget preparation schedule and looking to meeting with department heads in early January and have capital budget submitted by December 1. Last night's meeting at the Library was cancelled due to Columbus Day and we will be meeting next week. The new boiler is in the process of being installed and will have more information next week. There is an opening at the Library Board of Trustees if anyone is interested. There is a Stonybrook meeting tomorrow night and will have more information next week; the current year revenue of \$853,000 exceeded the budget by almost \$47,000. She thanked Director Patty Hughes and the Stonybrook Commission on a job well done for this season. We are anticipating a resolution next week to approve the settlement agreement between Stonybrook Condo Association and the Commission met with the Borough Engineer, Borough Attorney, Borough Administrator and the Council Liaison to discuss resubmitting the specs and going back out to bid hopefully for a project deployed in 2018.

Councilman Segalas said he will provide his report at the next meeting.

Council President Pizzella said the Economic Development Committee met and determined it is best to look forward to investigating the industrial zone for potential redevelopment. He made a motion that the Mayor to the Borough Administrator to obtain a minimum of three proposals from planners to work with the Mayor and Council and Planning Board in evaluating the industrial zone area for development. The Committee did make a couple of suggestions on planners; we believe would be appropriate to obtain a proposal from one being our

own Planner and would like to emphasize this is a motion for the Borough Administrator to simply obtain proposals and for the Committee to review them. This was seconded by Councilmember Segalas.

Roll Call Vote:

Ayes: Councilmember Lundy, Segalas, Council President Pizzella

Nays: Councilmember Karcich

Abstain: Councilmember Horvath

Councilmember Segalas said the Administrator is directed to act in accordance with the vote and he is sure we can get those proposals promptly to the Committee.

Council President Pizzella said obtain the proposals by the second meeting in December.

DISCUSSION

NEW BUSINESS:

Mayor Ruocco said he received a good suggestion and this is how to recognize Al Murphy's career and contributions to the town. There is a tree in Veterans Park that was planted when his wife passed away and former Mayor Arnowitz suggested it would be nice if we had a monument similar to what is presently there for Marge Murphy dedicated to Al. This would be permanent; there is a granite marker on the tree and this would be a matching one for Mayor Murphy; this is an idea. We may have alternate ways of recognizing his service to our community.

Councilmember Segalas said the Murphy family has tons of the awesome things that Al Murphy did throughout his career, it would be a nice gesture of the Borough to have a place in town that commemorates him and his wife.

CORRESPONDENCE:

1. Email dated October 4, 2017 from Lauren Mitchell, Sapienza Gardens requesting permission for their annual Doggie Days Event at Sapienza Gardens on October 15, 2017 as well as requesting that the lawn be mowed prior to their event.

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

PUBLIC COMMENT:

Mayo Ruocco opened the meeting to the public at this time.

Steve Buxbaum, 45 Crestwood Place –

He said Dr. Rosenbaum laid out some of the real issues regarding potentially rezoning the property. He put out a letter to the local media and to the Council and had very positive reaction to it. No one said they want a parking lot and it would be a real hit to the town revenues if we precluded having three houses on that spot as opposed to the car lot. If the farm takes over that property we will not be collecting a lot of taxes from them, right now they contribute \$275 a year to the town's property rolls, and if they take over that lot we will not be getting significant revenues. If you put three significant size houses there you would be collecting \$50,000 or \$60,000 a year in property taxes which becomes significant. This whole picking season has become a carnival and is putting a lot of stress on the infrastructure, burden on the police and he did not think this was envisioned and has crept up on us. He does not know of any solutions but the people who profit are a couple of individuals, not the town. He thought it was a lousy idea.

Abney Blair, 38 Pascack Road –

She agreed with the two previous gentlemen that the zoning should stay the way it is and it is not a great idea. She appreciated the diligence in trying to find a solution but this is not good.

Bill Drummond, 840 Hillsdale Avenue –

He is an adjacent property owner to Tandy Allen. He reiterated what Dr. Rosenbaum presented; he thought it would be outrageous to have a parking lot in the middle of a residential neighborhood to decrease our property values for the benefit of one or two people. He has been there for 34 years and wish it would stay as it is. Three houses are more beneficial to our neighborhood than a parking lot which is totally out of character for a residential neighborhood.

Seeing no one, Mayor Ruocco closed the meeting to the public.

Council President Pizzella said Dr. Rosenbaum brought up a very good point that he wasn't aware of. Former Council voted to keep the area residential and he is curious on how this impacts the Agriculture Board's request that we make a good faith effort to investigate the feasibility of this area for a parking lot. He wondered if there is an impact on us to cooperate with the Agriculture Board since a former Council did make at a public session on a vote that we would that area, that property as a residential or less invasive purpose.

ORDINANCES:

RESOLUTIONS:(Consent Agenda): R17256 through R17260:

R17256 Resolution Authorizing the Mayor to Enter into and Sign Agreement with New Jersey Office of Clean Energy for an Energy Efficiency Upgrade- Under the Direct Install Grant at Borough Hall

WHEREAS, the New Jersey Office of Clean Energy offers a Direct Install Grant Program for Government, Non-Profit Facilities, and Small businesses that provides energy Efficiency Upgrades; and

WHEREAS, the New Jersey Office of Clean Energy will arrange the installation of certain energy conservation measures (HVAC, boilers and lighting) at Borough Hall located at 380 Hillsdale Avenue, Hillsdale, NJ 07642 for a total project cost of Forty Six Thousand One Hundred Ten Dollars and Sixty-Nine Cents (\$46,110.69); and

WHEREAS, as a result of this installation, there is an possible annual cost savings of approximately Sixteen Thousand Thirty Dollars and Sixty-five Cents (\$16,030.65); and

WHEREAS, The Borough of Hillsdale Council desires to authorize the Mayor to execute such agreement with New Jersey Office of Clean Energy in this program; and

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, Bergen County hereby authorizes the Mayor and the Borough Clerk to execute the contract agreement with Lime Energy at a cost not to exceed \$46,110.69.

R17257 Resolution Authorizing the Signing of an Agreement with Gaeta Recycling Co., Inc for Five Months of Solid Waste/Recycling Services and One Month of Vegetative Waste Services

WHEREAS, the Borough of Hillsdale sought public bids for the Collection of Solid Waste and Recycling Services; and

WHEREAS, the Borough rejected all bids received and is in the process of re-advertising the bids; and

WHEREAS, the Borough has an emergency need for these services, and

WHEREAS, the Gaeta Recycling Co., Inc.,("Gaeta"), the current contract holder, has agreed to extend their services to the Borough for the period of November 1, 2017 through March 31, 2018 at a price of \$40,000.00 per month, for a total of \$200,000, including one month of vegetative waste services in March 2018; and

WHEREAS, Borough of Hillsdale desires to sign an Agreement with Gaeta accepting the proposal, as outline above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes Mayor John Ruocco to sign; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, Bergen County, New Jersey, that Mayor John Ruocco is hereby authorized to sign said Agreement with Gaeta Recycling Co., Inc.

R17258 Resolution Expressing Opposition to Legislative Proposals Regarding the Open Public Meetings Act and Open Public Records Act

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and

WHEREAS, the Committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, municipal clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire governing body, which would effectively limit the ability of small groups of local officials discussing issues of public concern for the purposes of informing the governing body; and

WHEREAS, under the bills, the responsibilities of municipal clerks, who the Legislature has already loaded with responsibilities beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor, and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

R17259 Authorize the Borough Clerk to Advertise Requests for Qualifications for Borough Professionals

BE IT RESOLVED, that pursuant to N.J.S.A. 19:44A-20.4, et seq. that the Borough Clerk is hereby authorized to advertise for the above mentioned services for the following positions for year 2018:

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

Borough Planner

Borough Public Defender

Borough Alternate Public Defender

Risk Management Insurance Consultant

Financial Advisor

Special Counsel - Pascack Valley Regional High School Withdrawl

Special Counsel – Waste Management Permit Renewal Opposition

R17260 Resolution Authorizing Bergen County Cooperative Pricing System #11-BeCCP; Contract Purchasing System #CK04 – Diesel Fuel

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

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

WHEREAS, the Contract Period is September 21, 2017 through September 20, 2019; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale authorizes the purchase of diesel fuel under the Bergen County Cooperative Pricing System ID #11-BeCCP, Bid #17-42 under the county contract prices with the amount not to exceed seventy-five hundred dollars (\$7,500.00).

Councilmember Segalas asked that R17258 be pulled until the next meeting.

Mayor Ruocco said we will vote on R17256, R17257, R17259 and R17260.

Motion by Councilmember Karcich, Second by Councilmember Segalas.

Roll Call Vote:

Ayes: Council Members Horvath, Karcich, Lundy, Segalas, Council President Pizzella

Nays: None

Absent: Council Member DeRosa

OFF-CONSENT:

Motion _____ Second _____

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

COUNCIL COMMENTARIES:

Councilmember Lundy thanked all the Emergency Services for the Open House. Good luck to Myron Theilmeier on his Eagle Scout project and condolences to the Al Murphy family.

Councilmember Segalas expressed his gratitude to Emergency Services for going out of their way for getting children involved at an early age in volunteerism. Open House was great. His condolences to the Murphy family.

Council President Pizzella thanked all public volunteers and employees. His condolences to the Murphy family. He wished Italian Americans a Happy Columbus Day and informed Italian heritage month.

Councilmember Karcich offered his condolences to the Murphy family. All Murphy was his first Mayor as a young boy, he went to school with his son; it is awesome to see all the great things he has done for the town. He sent his condolences to the people of Las Vegas and also the victims of our recent storm. He congratulated our

newest Lieutenant Dan McLaughlin who has shown strong leadership skills and initiative, he is a welcome addition to our police leadership. He congratulated Liz Zimmerman on her promotion to Sergeant. We are blessed to have a great police force. He congratulated Ed Alter who has been dedicated on our Planning Board and congratulated Scott Raymond, our newest addition. We passed a resolution on energy; it will pay for itself in four to five years. The LED lighting lasts for a decade or more and we will start seeing savings in five years. He said we haven't been happy with the garbage bids we have been getting so we are trying to rethink and this resolution gives us more time to figure out what is what with regards to garbage. Leaves have not fallen yet but we are prepared when they start falling and will send out communications when we will start pickup.

Councilmember Horvath concurred with everything Councilmember Karcich said.

Mayor Ruocco said with respect to the Demarest Farms situation, parking and traffic at the farm on weekends has been managed fairly effectively. Although there has been a large volume of patrons, the plans put into effect by our Police Department has been reviewed each week with the police and farm management and seem to be working. He wanted the residents to know that the greater police presence you see in the neighborhood during the weekend is almost entirely absorbed cost wise by the farm as is appropriate; those meetings will continue every Wednesday between the farm and police department and if residents have complaints what they observe during the weekends, especially traffic safety issues, please contact our Police Chief. We had some complaints about speeding but have been unfounded.

He is scheduling an individual meeting with the Deputy Director of New Jersey Department of Environmental Protection in the month of November on the topic of Waste Management. He was impressed with the Hillsdale Festival September 16; we got phenomenal feedback and recognized the key folks who developed the concept and helped to execute it very professionally. The Festival Committee consisted of Patty Hughes, Debra Szabo, John Corring, Andy Puller and Dewey Burleson. The Rec Commission worked hard in making sure this was the great event; John Noon, Ron Rico, Debra Szabo and Ann Cron. They will try to improve it next year and we are committed to having it again.

He received a press release with respect to deer from Division of Fish and Wildlife and it is for residents. This is the fall season for mating and they act erratically at this time, they wander in groups, very pronounced presence in the early morning and sunset. He urged residents to use caution especially during daylight saving time. This season lasts from now until mid-December. The state is recommending for motorists if there is a deer in the road and not moving, don't try to go around it. Wait for the deer to pass and the road is clear; after dark use your high beams and they will be reflected in the eyes of the deer and you will see better. If you see one deer other deer will be in the area, they typically move in groups. If a collision appears inevitable don't swerve to avoid impact and stay in your lane. If you hit a deer, inform the local law enforcement officials.

He congratulated Dan McLaughlin and Liz Zimmerman on their promotion. It is rare you experience in your life a person as full of energy, community devotion as Al Murphy. When he was the Mayor in the early '80's, his commitment to challenge anyone who proposed an expenditure of any amount that he viewed as unwise or wasteful and applied to Council people as residents. We need more of his type in this world, more of his volunteerism, more of his passion and unselfish dedication to his fellow citizens.

ADJOURN TO CLOSED SESSION:

R17261 To provide for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act N.J.S.A. 10:4-12 –*Demarest Farms*

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

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

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

- ___ (1) Matters required by law to be confidential.
- ___ (2) Matters where the release of information would impair the right to receive funds.
- ___ (3) Matters involving individual privacy.

- ___ (4) Matters relating to collective bargaining
- ___ (5) Matters relating to the purchase, lease or acquisition of real property or the investment of public funds.
- ___ (6) Matters relating to public safety and property.
- X (7) Matters relating to litigation, negotiations and the attorney-client privilege –*Demarest Farms*
- ___ (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 Councilmember Segalas, Second by Council President Pizzella, and unanimously carried.

RECONVENE REGULAR MEETING:

Motion to reconvene by Councilmember Lundy, Second by Council President Pizzella, and unanimously carried.

ADJOURNMENT:

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

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
October 17, 2017 7:30 PM**

Denise Kohan, Municipal Clerk

APPROVED AS PRESENTED

Denise Kohan, Municipal Clerk