

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, May 8, 2018, 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 8th day of May, 2018. 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, Horvath, Lundy, Kaarcich, Segalas, Council President Pizzella (Attorney Madaio, CMFO DeJoseph, Borough Clerk Kohan).

**ADJOURN TO CLOSED SESSION:**

[R18118](#) 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 – *Fair Share Housing, Redevelopment*

**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 – *Fair Share Housing, Redevelopment, Waste Management*
- (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 Lundy, and unanimously carried. Council President Pizzella arrived at this time.

**RECONVENE REGULAR MEETING:**

Motion to reconvene by Council Member DeRosa, Second by Council Member Horvath, and unanimously carried.

**PUBLIC HEARING ON THE AMENDMENT TO THE 2018 MUNICIPAL BUDGET:** @ 7:30 pm as advertised

I will now open the meeting to the public. If anyone desires to be heard regarding the 2018 Municipal Budget Amendment, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Motion to open public hearing on the Amendment to the 2018 Municipal Budget by Council Member DeRosa, Second by Council Member Horvath.

Roll Call Vote:

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

I entertain a motion that the public hearing on be closed and that it be resolved that a copy of the 2018 Budget Introduction and Amendment was available at the Hillsdale Free Public Library and that copies of said budget were made available to the general public.

Motion to close public hearing on the Amendments for the 2018 Municipal Budget by Council Member DeRosa, Second by Council Member Lundy.

Roll Call Vote:

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

**PROMOTIONS/PROCLAMATIONS/RECOGNITIONS**

[Municipal Clerks Week May 6-12](#)

Mayor John Ruocco

Mayor Ruocco read the Proclamation as follows:

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants and whereas the Office of the Municipal Clerk provides the professional link between the citizens and local governing body and agencies of government at other levels; and

WHEREAS, Municipal Clerks pledge to be ever mindful of their neutrality and impartiality in rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the municipal center on functions of local government and community;

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk in participation in education programs, seminars, workshops, annual meetings of the state, provincial, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk;

NOW, THEREFORE, I, John Ruocco, Mayor of the Borough of Hillsdale, do recognize the Week of May 6 through 12, as Municipal Clerks Week and further extend appreciation to our Municipal Clerk, Ms. Denise Kohan, sitting to my right and to all Municipal Clerks for the vital services they perform in their exemplary dedication to the communities they represent.

IN WITNESS, THEREFORE, I, John Ruocco, Mayor of the Borough of Hillsdale, set my hand on the 8<sup>th</sup> day of May.

Mayor Ruocco said he did want to say that apart from the Proclamation few people understand what the Municipal Clerk does. I view them as the official face of all things documentary and procedural, but in addition Clerks also advise Mayors and Borough Administrators and CFO's. It is a skilled position, it requires many months of training, it requires that they pass several examinations; very extensive training. Denise is extremely talented, conscientious, and possesses an all around appreciation of the issues, concerns facing the Borough, a much appreciated skill by those with whom she works on a regular basis. Council Members obviously work with Denise but they are not as exposed to Denise as the Borough Administrator, the Borough Attorney and all the different employees, certainly myself. He thanked Denise officially for all the things you have done and continue to do for us.

**OATH OF OFFICE/APPOINTMENTS:**

**PRESENTATIONS:**

Matthew Austin - Eagle Scout Project Request

Matthew Austin came up to the podium. Matthew introduced himself and said his Eagle Scout project will be the Sapienza Gardens renovation. He will be doing one trail, the first 1000 ft. because it actually extends into County property and there are concerns about that. He will be covering the trail with wood chips and lining the whole trail with fallen limbs in the area and there will be two signs and two benches. The benches will be placed on in the middle and one at the end because there are already benches at the beginning previously placed by another Eagle Scout Project. Two signs will be placed at the beginning and end and will be trail signs with maps on them. He had maps with him which he presented to the Council. His trail will be the final trail that needed to be completed because there is an inside loop that is a separate Eagle Scout Project. Sapienza Gardens has approved his project.

Mayor Ruocco said you are extending the trail going north, east then coming back again.

Matthew explained his map to the Council Members in detail. The trail is about 8/10ths to a mile long. He doesn't have a time table for completion but was hoping to get it done by September or October. He planned to seek donations for wood chips.

Council Member Karcich said the Borough can provide all the chips needed without cost.

Ed Austin, Matthew's Grandfather came to the podium. He explained that when they had the meeting with Sapienza Gardens they saw photographs. After the last major storm there were all kinds of branches, took the gravel off the roadway. They were hoping that the town could move the gravel and if the town gets most of it removed, we will do the cleaning and place wood chips.

Administrator DeJoseph said the DPW Superintendent meets with the Scout and works with him on site to discuss all of the options if the Mayor and Council so chooses and they will move ahead with this.

Mayor Ruocco was aware of the wash out and asked if another scout was doing that.

Matthew said he spoke with the scout and he considered making a raised platform so it won't affect what is below it and you can still walk on it if the bottom is washed away.

Mayor Ruocco said that has been work on before but Matthew will be going to rehabilitate what was done. He asked if Matthew you will go up to the County line.

Matthew did not contact Pascack High School unless we were planning to put wood chips on their property. He does not plan to use any water but it was going to be more of a natural thing.

Mayor Ruocco said Matthew has our blessing and said if he needed further assistance, contact the Borough Administrator.

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

Mayor Ruocco opened the Initial Public Comment portion at this time and invited members of the audience to come forward.

Bill Monahan, 195 Piermont Avenue –

A while back there was a meeting at the high school with the DEP and then we received a letter stating that they were going to issue a permit to Waste Management in Hillsdale. He wanted to know if the BCUA completed their review of the Solid Waste Management Plan.

Mayor Ruocco said they have not; they are still involved in it.

Mr. Monahan asked if there was any way to put pressure on them.

Mayor Ruocco said we are actively working on trying to inform ourselves as to where the BCUA is in that process and also trying to convince them that Waste Management should not be in the plan. That is all he is willing to say at this point.

Mr. Monahan asked about their hours of operation.

Mayor Ruocco said their permit restricts their hours of operation; their hours of operation are 7AM to either 5PM or 6PM where trucks can come in, they are allowed to drop off but after 6PM; whatever is in can stay until 7PM then it closes down.

Mr. Monahan said nothing is going on between 6PM and 7AM.

Mayor Ruocco said they get prepared and he did not believe there was a restriction in the permit to do things. If it is noise that you are focusing on, the town has a noise ordinance and they are supposed to abide by that noise ordinance.

Mr. Monahan said his neighbor couldn't be here tonight but his bedroom window faces Waste Management and he said they are doing something there at 3AM which woke him.

Mayor Ruocco said it should not be; no truck deliveries or unloading of trash or reloading. If there are complaints about the noise the town will investigate.

Mr. Monahan said he called the police and the patrolman made a report.

Mayor Ruocco did not know if a report was made.

Administrator DeJoseph spoke to the Bergen County Department of Health today and they have a hot line that can be contacted by residents. The call has to be made by the resident, we cannot call. He does not have the number handy but he can provide this.

Mr. Monahan said then there are hours of operation; during the day they are running a fan and the patrolman who went to investigate said the fan wasn't that loud when you get to the facility. He lives on Piermont Avenue and you can definitely hear it. It is very annoying and very loud. Can anything be done about that? Who determines how many decibels are in violation?

Administrator DeJoseph said that would be the County Department of Health who would come out with their inspectors, but it has to be initiated by the resident or property owner and they would come to your specific property.

Mayor Ruocco said he will be provided with that information.

Mr. Monahan said if it is below the acceptable decibel it is still very annoying because it is constant.

Frank Pizzella, 247 Hillsdale Avenue –

Three weeks ago the DPW cleaned Memorial Park and all the leaves that were there were blown onto all the residents on Hopper. As a Council Member I cannot complain about anything. This time I am not going to be quiet. He waited for three weeks, people complained, his neighbors have complained, they ask what is going to be done about it; nothing has been done about it. On Sunday, he had his landscaper come and clean my entire back yard again which was done in the fall. He cleaned it, there were a lot of cars there that day baseball, etc., and I live on a corner and blew the leaves on the street, gather the leaves and figure out where to put them; this lead to another neighbor of mine across the street, banging on the door, telling me not to blow the leaves on Memorial Field when all I was trying to do was clean my yard. My neighbors also had to blow their leaves and no one is collecting leaves now so the leaves got blown into Memorial Field and blown into other people's yards. My point in saying this is that your landscaper did not do an acceptable job, it caused all of us on Hopper Street to have to re-clean all of our yards. We have complained but haven't received any response other than we will look into it and I don't know what you are going to do. I am not going to pay again to clean my yard. What is being done to remedy the situation

of the poor quality of work of the new landscaper and how are you going to address the people who live on Hopper Street.

Council Member Karcich asked if the landscaper is supposed to pick up the leaves once he cleaned, is it not normal to blow into another location?

Mr. Pizzella said he would assume that they have to gather the leaves like we do and put them away, not blow them into people's yards. My landscaper cleaned my yard for at least two hours and prompted my neighbor from across the street to come over and complaining about the leaves being blown. The leaves were cleaned in the fall and dealt with and now had to be done again. I asked the Borough Administrator about it, he sent an email to the DPW Superintendent and I emailed him and we never got a response.

Mayor Ruocco did get one email from another resident who said that during the cleanup process the leaves were blown onto his property. When I spoke to the Borough Administrator and DPW Superintendent, I got the impression that those leaves were not blown by the landscaper above the hill, they were blown off the field, onto the hill but not over the hill. They wanted us to clean the field for opening day; Mother Nature took those leaves and carried them further west.

Administrator DeJoseph said this is not the same landscaper but we are having some concerns with the vendor.

Mayor Ruocco said the Clerk reminded him that we do have a public hearing on the budget at 8PM and would it be satisfactory to Mr. Pizzella if the Borough Administrator has further investigations into what was actually done as this is somewhat in variance with what he was told.

Mr. Pizzella said he was literally in his house when all of these leaves were blown into his yard. It wasn't Mother Nature; I saw leaves coming behind the house. It is not fair, I pay taxes just as everybody else, I clean my yard, I should not have to clean my leaves a second time and pay my landscaper a second time to do a cleanup in my yard.

Seeing no one else, Mayor Ruocco closed the Initial Public Comment portion of the meeting.

Mayor Ruocco said we will move to the public hearing on the 2018 Municipal Budget which was advertised at 8:00 PM.

### **APPROVAL OF MINUTES:**

Motion \_\_\_\_\_ Second \_\_\_\_\_

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

### **PROFESSIONALS REPORT/MONTHLY DEPARTMENT HEAD REPORTS:**

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

### **COMMITTEE REPORTS:**

Councilman - Anthony DeRosa

Councilman – Zoltan Horvath

Councilman - Scott Karcich

Councilwoman - Abby Lundy

Councilman – Steven Segalas

Council President – Frank Pizzella

Councilman DeRosa said the Regional Board of Education met twice. At the first meeting they adopted their 2018 Budget for \$49,750,000 within the 2% banking cap; 97% of that number comes from taxes, 3% from federal and state budgets. This represents \$546 increase for the average Hillsdale homeowner; some of the expenditures in the budget include \$17 million for instruction, \$6 million for support services, 5 million for operations and maintenance, 1.7 for athletics which includes replacement for the turf at PV and Pascack Hills, 8.8 million for employee benefits, \$647,000 for security improvements. The overall budget has an emphasis on security and construction, funding on students wellness, one additional staff member and capital expenses of 2.9 million which includes power upgrades, security upgrades including cameras, updating the power grid. At last night's meeting there were over 75 teachers, nurses, students, eagle scouts

who were recognized for their achievements and the Board recognized National Teacher Appreciation Week. They also recognized the retirement of Bob Buesser, former police officer in Hillsdale, and will retire at the end of the school year. The local Board of Education also met and they also approved their budget of \$24,717,000; \$21 million coming from taxes which include \$172 increase per average Hillsdale home. Their budget includes maintenance, increase in initiatives, expanding computer lap top device and repaving parking lots. They also have security enhancements monitored by Hillsdale police and new PA system and reinforcing windows. The new Superintendent will be meeting with the Mayor. Meadowbrook School ends on the June 21, Smith June 25; Tomorrow there will be an unveiling of the high school media center and they requested Council President Pizzella, myself and the Mayor and Council Member Horvath to the Smith School for the ceremony.

The Ambulance Corps received a letter from Washington Township speaking how compassionate our volunteers are and it is a unique job they do. The Ambulance Beefsteak Dinner fund raiser will be held Saturday, May 12. Memorial Day Parade was discussed; River Vale will not have their Memorial Day Parade and they were invited here and they discussed some details for the festival in September. The Naming and Recognition committee met and we agreed on the method of recognition and how we would like to recognize that resident.

Councilman Horvath congratulated the new DPW Superintendent along with his great crew. They are continuing to do a clean up after a harsh winter. The Historic Preservation Committee led by Police Captain Sean Smith is making great strides and one project is taking videos of the past and present Hillsdale which is adding richly to our town. They are also working on a website showcasing Hillsdale's sites. Our senior citizens are probably the most active in Pascack Valley and are always participating in shows, activities and meetings several times a month. Meetings of the 50+ Club take places on the second and fourth Thursday of each month.

Councilman Karcich said the Police Committee had a conference call last week, the contents he cannot discuss; contracts and SRO were discussed. He also had a meeting with two of our OEM members, Butch Franklin and Jon Najarian, to see if there were certain things we were doing in town and approved our budget and we will be getting another camera to monitor the flooding. He also wanted to give them a big thank you for their past six years of work and efforts for their coordination. We were able to get back \$500,000 from FEMA over the past six years. The Governor declares a state of emergency especially in snow storms, we can get back our filing costs, do all of our paper work, filing with FEMA and get a percentage of those costs back. A couple of things they requested and are working with the Administrator and Police Department on behalf of OEM to get some used light towers in the event of a flooding event and power outage they can put up light towers to help illuminate as they do at ball fields. He wanted to make another comment about Mr. Buesser; as a young man I knew him as an officer but he was a fixture as coach of the Hillsdale Football Team for at least a decade or more, a really great coach. He is a quality person and his sons are really great. He mentioned he is exploring where he can obtain used light towers and signage.

Councilmember Lundy said Stonybrook has 732 memberships, we had 660 last year. The total is \$427,299 vs \$393,468. We have two open houses May 20 and the second June 3 and new members received a discount. The work at the bathroom should be completed by the 14<sup>th</sup>. The Library is continuing to work on their strategic plan and there are some new program offerings which will require registration and in that way we can get a count on who will be coming. There is nothing of importance as yet on the pool cover.

Councilmember Segalas said the Fire Department is working to enhance their membership. Shared Services Committee had a phone conference how to enhance the town's opportunities to join Shared Services with other towns. The Ordinance Review Committee has not met but the Planner will let us know of Planning Board concerns.

Council President Pizzella thanked the Environmental Commission and DPW, Borough Administrator and Board of Ed, Principals of Smith, Meadowbrook and St. Johns regarding the Arbor Day festivities. Each school had a ceremony with their student body outside. Appreciation again to the Environmental Commission, Borough Administrator and DPW for the town wide cleanup; the Commission puts a great deal of effort into this. He thanked the Hillsdale Bible Church for their continued efforts at Beechwood Park. They do this annually and we are in the process of creating a little recognition for them. This year will do this on Saturday, May 19 and it is a full day of work. They will work by the Woodcliff Lake Dam, Memorial, Beechwood, by the brook, Veterans Park. It is a great event and many people participate. We had a kick off meeting with Economic Development and our newly retained Planner and we will be setting up information sessions and community outreach. We are working with the Borough Attorney in corresponding with N.J. Transit so that we can go forward and hire an Historic Architect regarding the grant. We are also working with the Borough Administrator and the architects to apply for a second grant

which helps us set up a restoration plan. He thanked DMR Architects for going out of their way to get that location and corresponding with NJ Transit for us. There was a resident here earlier complaining about Waste Management and he has to make it very clear to residents that we will complain about parking. We will complain about Tandy Allen when they change the rules for baseball. We really need to all get together and complain about Waste Management; having a waste treatment facility in the middle of our downtown does nothing but lower the value of our real estate, it lowers the value of our town; we are going to be the garbage disposal for Bergen County and for Pascack Valley. We need formal complaints, complain to your representatives, file a complaint with the town, file a complaint with the Health Department; we really need your help in trying to get rid of Waste Management. I don't know why anyone would want them here, they don't do anything for us; they don't even pay the level of taxes residents pay and they make a lot of money. The Planning Board is currently reviewing the ordinances that were sent to them regarding land use and they are also reviewing the fair share housing documents. He had a question for the Access to All Committee; this is a committee that was started last year. We are thinking of trying to get a grant for a playground for children with autism at Beechwood; he attended the Rec Commission meeting and they are also looking to apply for a trail grant and they are working with the Borough Administrator on that. He is trying to find out if Access for All is eligible to apply for this grant; can you apply for both or only one.

Borough Administrator DeJoseph said Bergen County is only eligible for one grant per year. The Mayor and Council approved the resolution last week submitting a letter of intent for improvements at Memorial Field.

Council President Pizzella said Access for All has to figure out something else and we will work with Rec what would be best.

Mayor Ruocco said residents have information they need to complain about Waste Manage and they should complain, the information is on our website. They can write to Senator Cardinale, Assemblywoman Schepisi to let them know your feelings on the matter. We are actively working behind the scenes to convince the BCUA that the company does not have a legitimate role to play in the county solid waste management plan.

Mayor Ruocco said Spanish Exchange Students are coming here May 21 and the Police Department, Fire Department and I invite any Council member to come at 3:00 PM that day. He will explain in the Borough Chamber the form of government we have, the Police will take them to a tour of the Police Department at 3:30 PM and at 4:00 PM a tour of the Fire Department. The program should end about 4:30 PM.

About three weeks ago he attended a session at Hackensack where they introduced a new website "Bergen for Business.com", it was rolled out April 18. There is a profile for all towns in Bergen County; it allows you to compare Hillsdale in various ways to other towns not only in New Jersey but in the U.S. We will have a widget on our web page that will automatically link up with this. He asked Councilmember Horvath to become familiar with this website. It is available to us and it is like a marketing tool to us and urged residents to look at it.

He attended a Mayors breakfast and there was a presentation by JIF which raised a number of issues that he has to study, they handed out a document and he will study it and may have comments on it at the June meeting. He drafted a letter to be sent at the Mayors' discretion to the Department of Treasury and to the IRS concerning the charitable trust donation that the state has authorized us to move ahead with. My letter was a request to the Treasury Department and IRS to expedite their view of this issue because ultimately it is going to depend on whether the IRS will view these charitable trusts as legitimate. The state can authorize towns to do whatever it authorizes us to do but all the Mayors are recognizing that this is a very complicated piece of legislation and to implement it would involve us with significant expense. We don't have all the ground rules yet so the only thing we can do at the moment until the state issues more guidance is to go to the body that will ultimately decide whether this is a good or bad thing and that is the IRS. I will be sending this draft letter to the other Mayors to use and hopefully all the Mayors in Bergen County will sign on. It is not prejudicial one way or another to the concept; it is just that uncertainty is not good for businesses and not good for towns and residents. It would be a shame for a town to set these things up, while residents make their donations assuming the IRS is going to treat them as itemized deductible items and in 2019 the IRS says no. We want to proceed cautiously in this area.

## **NEW BUSINESS:**

## **2018 BUDGET ORDINANCE:**

18-14 – (Introduction)

**BOND ORDINANCE TO AUTHORIZE THE POLICE COMMUNICATIONS DESK UPGRADE PROJECT IN, BY AND FOR THE BOROUGH OF HILLSDALE, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$320,000.00 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS**

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

Section 1. The Borough of Hillsdale, in the County of Bergen, State of New Jersey (the "Borough") is hereby authorized to undertake the Police Communications Desk Upgrade Project in, by and for the Borough. Said improvement shall include all equipment, work, materials and appurtenances necessary and suitable therefor.

Section 2. The sum of \$320,000 is hereby appropriated to the payment of the cost of making the improvement described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be met from the proceeds of the sale of the bonds authorized and the down payment appropriated by this ordinance. Said improvement shall be made as a general improvement and no part of the cost thereof shall be assessed against property specially benefitted.

Section 3. It is hereby determined and stated that (1) said purpose is not a current expense of said Borough, and (2) it is necessary to finance said purpose by the issuance of obligations of said Borough pursuant to the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"), and (3) the estimated cost of said purpose is \$320,000, and (4) \$100,000 of said sum is to be provided by the down payment hereinafter appropriated to finance said purpose, and (5) the estimated maximum amount of bonds or notes hereinafter authorized necessary to be issued for said purpose is \$220,000, and (6) the cost of such purpose, as hereinbefore stated, does not include any amount to finance the cost of such purpose, including architect's fees, accounting, engineering and inspection costs, legal expenses and other expenses, including interest on such obligations to the extent permitted by Section 20 of the Local Bond Law.

Section 4. It is hereby determined and stated that moneys exceeding \$100,000, appropriated for down payments on capital improvements or for the capital improvement fund in budgets heretofore adopted for said Borough, are now available to finance said purpose. The sum of \$100,000 is hereby appropriated from such moneys to the payment of the cost of said purpose.

Section 5. To finance said purpose, bonds of said Borough of an aggregate principal amount not exceeding \$220,000 are hereby authorized to be issued pursuant to the Local Bond Law. Said bonds shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law. All matters with respect to said bonds not determined by this ordinance shall be determined by resolutions to be hereafter adopted.

Section 6. To finance said purpose, bond anticipation notes of said Borough of an aggregate principal amount not exceeding \$220,000 are hereby authorized to be issued pursuant to the Local Bond Law in anticipation of the issuance of said bonds. In the event that bonds are issued pursuant to this ordinance, the aggregate amount of notes hereby authorized to be issued shall be reduced by an amount equal to the principal amount of the bonds so issued. If the aggregate amount of outstanding bonds and notes issued pursuant to this ordinance shall at any time exceed the sum first mentioned in this section, the moneys raised by the issuance of said bonds shall, to not less than the amount of such excess, be applied to the payment of such notes then outstanding.

Section 7. Each bond anticipation note issued pursuant to this ordinance shall be dated on or about the date of its issuance and shall be payable not more than one year from its date, shall bear interest at a rate per annum as may be hereafter determined within the limitations prescribed by law and may be renewed from time to time pursuant to and within limitations prescribed by the Local Bond Law. Each of said bond anticipation notes shall be signed by the Mayor and by a financial officer and shall be under the seal of said Borough and attested by the Borough Clerk or Deputy Borough Clerk. Said officers are hereby authorized to execute said notes in such form as they may adopt in conformity with law. The power to determine any matters with respect to said notes not determined by this ordinance and also the power to sell said notes, is hereby delegated to the Chief Financial Officer who is hereby authorized to sell said notes either at one time or from time to time in the manner provided by law.

Section 8. It is hereby determined and declared that the period of usefulness of said purpose, according to its reasonable life, is a period of ten years computed from the date of said bonds.

Section 9. It is hereby determined and stated that the Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk of said Borough, and that such statement so filed shows that the gross debt of said Borough, as defined in Section 43 of the Local Bond Law, is increased by this ordinance by \$220,000 and that the issuance of the bonds and notes authorized by this ordinance will be within all debt limitations prescribed by said Local Bond Law.

Section 10. Any funds received from private parties, the County of Bergen, the State of New Jersey or any of their agencies or any funds received from the United States of America or any of its agencies in aid of such purpose, shall be applied to the payment of the cost of such purpose, or, if bond anticipation notes have been issued, to the payment of the bond anticipation notes, and the amount of bonds authorized for such purpose shall be reduced accordingly.

Section 11. The Borough intends to issue the bonds or notes to finance the cost of the improvement described in Section 1 of this bond ordinance. If the Borough incurs such costs prior to the issuance of the bonds or notes, the Borough hereby states its reasonable expectation to reimburse itself for such expenditures with the proceeds of such bonds or notes in the maximum principal amount of bonds or notes authorized by this bond ordinance.

Section 12. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this ordinance. Said obligations shall be direct, unlimited and general obligations of the Borough, and the Borough shall levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the principal of and interest on such bonds and notes, without limitation as to rate or amount.

Section 13. 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 14. This ordinance shall take effect twenty days after the first publication thereof after final passage.

BE IT RESOLVED, that Ordinance No. **18-14** 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 June 12, 2018 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 Karcich, Second by Council Member Lundy.

Roll Call Vote:

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

Nays: None

**[18-15- \(Introduction\)](#)**

**CAPITAL ORDINANCE OF THE BOROUGH OF HILLSDALE, IN THE COUNTY OF BERGEN, NEW JERSEY AUTHORIZING VARIOUS PUBLIC IMPROVEMNETS AND AQUISITIONS IN, BY AND FOR THE BOROUGH, APPROPRIATING THEREFOR THE SUM OF \$1,298,650.00 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM A NEW JERSEY DEPARTMENT OF TRANSPORATION GRANT AND FROM THE BOROUGH'S CAPITAL IMPROVEMENT FUND**

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

Section 1. The Borough of Hillsdale, in the County of Bergen, New Jersey (the "Borough") is hereby authorized to undertake the following public improvements and acquisitions in, by and for the Borough, including all work, materials and appurtenances necessary and suitable therefor:

(A) Administration

(i) Acquisition of computer equipment for the use of various Borough departments, offices and agencies and (ii) undertaking of the following improvements: (a) replacement of the lower roof on the Fire House, (b) 2018 Road, Curb, Sidewalk, Culvert, Sewer and Drainage Improvement Program at various locations, (c) various open space improvements, (d) construction or reconstruction of sidewalks on portions of Piermont Avenue and (e) environmental testing and monitoring (including acquisition and installation of related equipment) at Centennial Field.

Estimated Cost: \$1,014,650

(B) Police Department

(i) Undertaking of various renovations and improvements to Police Headquarters and (ii) acquisition of the following: (a) radio communications upgrade equipment (also for the use of other emergency services), (b) an air conditioning unit for the computer closet, (c) a computer server and (d) an SUV.

Estimated Cost: \$135,000

(C) Department of Public Works

Acquisition of the following: (i) garbage truck attachment for hook lift, (ii) a tire balancing machine and (iii) a mason dump truck with plow.

Estimated Cost: \$134,000

(D) Fire Department

Acquisition of turnout gear.

Estimated Cost: \$15,000

Section 2. The sum of \$1,298,650 is hereby appropriated to the payment of the cost of the improvements and acquisitions authorized and described in Section 1 hereof (hereinafter referred to as the "improvements"). Said appropriation shall be raised from a New Jersey Department of Transportation ("NJDOT") grant and from the Borough's Capital Improvement Fund, as hereinafter provided. The sum of \$199,650 received or to be received from the NJDOT is hereby appropriated to the payment of the cost of the sidewalk improvements on Piermont Avenue. The sum of \$1,099,000 is hereby appropriated from the Borough's Capital Improvement Fund to the payment of the cost of the improvements.

Section 3. Said improvements are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said improvements shall be made as general improvements, no part of the cost of which shall be assessed against property specially benefited.

Section 4. The capital budget is hereby amended to conform with the provisions of this capital 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. **18-15** 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 June 12, 2018 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 Karcich.

Roll Call Vote:

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

Nays: None

#### **BUDGET RESOLUTIONS:**

[R18119](#) Waiver of Reading in Full 2018 Budget **WHEREAS**, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

**WHEREAS**, the Borough of Hillsdale has complied with the aforesaid requirements.

**NOW, THEREFORE, BE IT RESOLVED**, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2018.

Motion by Council Member DeRosa, Second by Council President Pizzella

Roll Call Vote:

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

Nays: None

[R18120](#) Self-Examination of 2018 Budget

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

**WHEREAS**, pursuant to N.J.A.C. 5:30-7.2 the Borough of Hillsdale has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meets the necessary conditions to participate in the program for the 2018 budget year, so now therefore

**BE IT RESOLVED**, by the Borough Council of the Borough of Hillsdale that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the governing body has found the budget has met the following requirements:

1. That with reference of the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A 40A:45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the "CAP" law.)
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate, and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

**BE IT FURTHER RESOLVED**, THAT A COPY OF THIS RESOLUTION BE FORWARDED TO THE (attach Clerk's Certification) DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES UPON ADOPTION.

Motion by Council Member Segalas, Second by Council Member Karcich

Roll Call Vote:

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

Nays: None

**2018 BUDGET ADOPTION:**

**PUBLIC HEARING ON THE 2018 MUNICIPAL BUDGET:**@ 8:00 pm as advertised

I will now open the meeting to the public. If anyone desires to be heard regarding the 2018 Municipal Budget, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

Motion to open public hearing on the 2018 Municipal Budget by Council Member Lundy, Second by Council Member Karcich.

Roll Call Vote:

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

Nays: None

I entertain a motion that the public hearing on be closed and that it be resolved that a copy of the 2018 Budget Introduction was available at the Hillsdale Free Public Library and that copies of said budget were made available to the general public.

Motion to close public hearing on the 2018 Municipal Budget by Council Member DeRosa, Second by Council Member Lundy.

Roll Call Vote:

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

Nays: None

[R18121](#) Adoption of 2018 Municipal Budget

**BE IT RESOLVED**, that the following statements of revenue and appropriations shall constitute the approved Municipal Budget for the year 2018;

#### General Appropriations

Appropriations within "CAPS" - Municipal Purposes	\$10,255,453.00
Appropriations excluded from "CAPS" - Municipal Purposes	3,793,088.15
Reserve for Uncollected Taxes	775,000.00
<b>Total General Appropriations</b>	<b>14,823,541.15</b>
Less: Anticipated Revenues	4,987,117.96

#### **Amount to be Raised by Taxes for Support of Municipal Budget**

Local Tax Municipal Purposes	\$ 9,234,729.23
Minimum Library Tax	<u>\$ 601,693.96</u>

**Total to be Raised by Taxes** **\$ 9,836,423.19**

The Governing body of the Borough of Hillsdale does hereby adopt the above as the Budget for the year 2018.

Motion to adopt the 2018 Municipal Budget by Council Member Lundy, Second by Council Member Karcich.

Roll Call Vote:

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

Nays: None

#### **CORRESPONDENCE:**

Motion to approve, receipt and file: Motion \_\_\_\_\_ Second \_\_\_\_\_  
Council Members Segalas, Horvath, DeRosa, Karcich, Lundy, Council President Pizzella

#### **DISCUSSION:**

Council President Pizzella wanted to talk about soccer. He attended the Rec Commission meeting this past week and soccer and HSBA were there and they want to use Smith Field. He did not see why we should deny our residents to use Smith Field and the kids use Smith Field. The last he heard is it would cost \$8000 to have the police monitor but everyone wants us to save money. Part of living in Hillsdale and a community such as ours is to get to use the fields and you get to use nice fields and I don't see why we don't spend that money especially when we are talking about bonding for other stuff.

Council Member Karcich said it is more than just \$8000. That is for overtime and that is not reason we decided not to do this. We also have an issue with parking; Demarest Farm lost KPMG parking lot facility, so can we have people playing on a soccer field when we don't know what the situation is truly going to be. We discussed this in closed; it wasn't just about overtime and it is a whole issue.

Council Member DeRosa said our issue was entirely on cost and there was an unknown that the police department did not want us to apply for an out of town or county law enforcement. We were never given a fixed cost and since that meeting he went to both Board Associations and asked the days and times and he gave that information to the Police Chief and asked for a finite number. The Council President suggested that a fixed number in front of us and thought it an unfair characterization.

Council President Pizzella felt it an unfair characterization for you to say I pointed out a fixed number. This was told to me when we met the last time we discussed this. I was told it would cost \$8000. If it is more than that, o.k. then I am wrong. I need to know that. I don't see why we wouldn't spend the money to allow the kids to use the field because they live here.

Council Member Karcich said the consensus when we discussed all of this was no so again it is brought up to this Council to discuss.

Mayor Ruocco said he believes everyone here is frustrated with the fact that under the status quo the field would sit not utilized by anyone and that is what galls everyone. The cost was an issue and we discussed if we can narrow the cost, ask the Chief of Police to do so. The Council would have a more precise idea of having some do the cost for this sort of work. Then it is up to the Council to decide what they want. I thought we had already decided.

Council Member Karcich said \$8000 is a drop in the bucket; the broader issue is what do we do with the cars, how do we decide on a parent or grandparent going to see a kid play soccer vs. a foreign patron up there and we have no parking plan up there. The farm lost KPMG and with all these unknowns, it is better to be safe than sorry. We all decided no.

Council President Pizzella said perhaps he was at a different meeting and at the end of the discussion the police said we can handle it for a certain price.

Council Member Karcich said the Chief will do whatever you ask him to do, he serves the town.

Council President Pizzella said being elected gives me every right to bring up whatever I want when I am sitting up here regardless of what we decided.

Council Member Karcich said when Council makes decisions and people don't like the decisions you keep reeling at it with a knife.

Council Member DeRosa said we should have a finite number and consider this another time. You are saying that because we don't know the parking plan for the farm we can't make a decision.

Mayor Ruocco said Council Member DeRosa should go ahead and do the research but we should be cautious of not wanting to go ahead until we know what the farm will do.

#### **PUBLIC COMMENT:**

Mayor Ruocco opened the meeting to the public, seeing no one, he closed the public comment portion of the meeting.

#### **ORDINANCES:**

##### **[18-06 – \(Introduction\)](#)**

**(From February 6, 2018 Meeting)**

**AN ORDINANCE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, TO AMEND CHAPTER 264 OF THE BOROUGH CODE ENTITLED “SWIMMING POOLS, PRIVATE’ AND §138-9 FEES**

**WHEREAS**, the Chapter 264 of the Borough Code of the Borough of Hillsdale pertains to swimming pools on private property; and

**WHEREAS**, the Borough desires to add a section regarding permit requirements for the removal of swimming pools to the aforesaid section.

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

§264-6 shall be added as follows:

**§264-6 Swimming Pool Removal Permit Requirements**

Swimming pools on private property may be removed upon cessation of use. Pools may NOT be filled in or abandoned in place. A demolition permit is required for the removal of all pools, prior to the required removal and demolition work.

**Permit Requirements** shall be as follows:

- a) The pool shell must be removed, regardless of material type.
- b) The pool void shall be filled with crushed rock material (3/4" minimum size to 1' 1/2" maximum size) for a minimum of 12" deep at the bottom and then clean fill, or other approved material shall be added on top to match adjacent grade level.
- c) All gas, water and sewer lines to the pool shall be securely capped off with an approved fitting (gas line is required to have a screw fitting).
- d) All electric pool equipment, including the breaker in the electrical panel underground wiring, conduit or other items, shall be removed.
- e) If a structure is to be constructed above or near the filled area, a geotechnical report/letter prepared by a soils engineer shall be required, in the discretion of the construction official.

**Inspections**

Two inspections are required for pool removals. The in-progress inspection shall be scheduled during the demolition process, when the holes along the pool floor have been drilled and before the pool void is filled. Final inspection shall be scheduled after all work is completed and the site/soil is stabilized.

Additionally, Chapter 138 entitled "FEES" shall be amended at Chapter 124 Construction Codes, Uniform, under the section for **Swimming Pools** to add:

Permit fees for the removal of in-ground pools \$300

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

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

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

BE IT RESOLVED, that Ordinance No. 18-06 does now pass a first reading and that said Ordinance be further considered for final passage at a meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on June 12, 2018 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 \_\_\_\_\_ Second \_\_\_\_\_

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

Still waiting on response from the Planning Board before this can be passed.

**18-16 – (Introduction)**

**AN ORDINANCE TO AMEND CHAPTER 310, PART 5 OF THE CODE OF THE BOROUGH OF HILLSDALE ENTITLED, "SUBDIVISION AND SITE PLAN REVIEW"**

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

Chapter 310, Part 5 of the Code of the Borough of Hillsdale, Subdivision and Site Plan Review, Sections 310-119, 310-120, 310-121 and 310-122, be and are hereby repealed in their entirety and replaced by the following:

## **ARTICLE XXVII**

### **Performance and Maintenance Guarantees.**

#### **§310-119. Developer's Agreement.**

With respect to all applications for subdivision and site plan approval, the Borough of Hillsdale Planning Board shall condition any such approval upon the execution of a developer's agreement between the Borough of Hillsdale Planning Board (the "Board") and the applicant specifying, in part, off-site, on-tract or off-tract improvements, public improvements, bonding requirements, escrow requirements, other conditions imposed by the Borough and such other terms and conditions as the Borough deems appropriate. The Board may waive the requirement of a developer's agreement in appropriate circumstances. Unless so waived, no certificate of occupancy or building permit shall be issued respecting any application for development requiring subdivision or site plan approval unless the applicant has entered into a developer's agreement of a form specified herein.

#### **§310-120. Furnishing of performance guarantees; improvements.**

A. Before filing of final subdivision plats or recording of minor subdivision deeds or as a condition of final site plan approval or as a condition to the issuance of a zoning permit pursuant to subsection d. of Section 52 of P.L. 1975, c. 291 (C.40:55D-65), or as a condition of approval of a permit update under the State Uniform Construction Code for the purpose of updating the name and address of the owner of property on a construction permit, the Borough shall require and shall accept in accordance with the standards set forth hereinbelow and regulations adopted pursuant to Section 1 of P.L. 1999, c. 68 (C. 40:55D-53a) for the purpose of assuring the installation and maintenance of certain on-tract improvements, the furnishing of a performance guarantee, and provision for a maintenance guarantee as set forth in this Section.

- (1) The developer shall furnish a performance guarantee in favor of the Borough in an amount not to exceed 120% of the cost of installation of only those improvements required by an approval or developer's agreement, ordinance, or regulation to be dedicated to a public entity, and that have not yet been installed, which cost shall be determined by the Borough Engineer, according to the method of calculation set forth in Section 15 of P.L. 1991, c. 256 (C. 40:55D-53.4), for the following improvements as shown on the approved plans or plat:
  - (a) Streets.
  - (b) Pavement.
  - (c) Gutters.
  - (d) Curbs.
  - (e) Sidewalks.
  - (f) Street lighting.
  - (g) Street trees.
  - (h) Surveyor's monuments, as shown on the final map and required by "the map filing law," P.L. 1960, c. 141 (C. 46:23-9.9 et seq.; repealed by Section 2 of P.L. 2011, C. 217) or N.J.S.A. 46:26B-1 through N.J.S.A. 46:26B-8.
  - (i) Water mains.

- (j) Sanitary sewers.
  - (k) Community septic systems.
  - (l) Drainage structures.
  - m) Public improvements of open space; and
  - (n) Any grading necessitated by the preceding improvements.
- (2) The developer shall also furnish a performance guarantee to include, within an approved phase or section of a development, privately-owned perimeter buffer landscaping, as required by the Borough Code or imposed as a condition of approval. At a developer's option, a separate performance guarantee may be posted for the privately-held perimeter buffer landscaping.
  - (3) The Borough Engineer shall prepare an itemized cost estimate of the improvements covered by the performance guarantee, which itemized cost estimate shall be appended to each performance guarantee posted by the obligor.

**§310-120.1. Safety and Stabilization.**

A. The developer shall also furnish to the Borough a "safety and stabilization guarantee" in favor of the Borough. At the developer's option, a "safety and stabilization guarantee" may be furnished either as a separate guarantee or as a line item of the performance guarantee. A "safety and stabilization guarantee" shall be available to the Borough solely for the purpose of returning property that has been disturbed to a safe and stable condition or otherwise implementing measures to protect the public from access to an unsafe or unstable condition, only in the circumstance that:

- (1) Site disturbance has commenced and, thereafter, all work on the development has ceased for a period of at least 60 consecutive days following such commencement for reasons other than force majeure.
- (2) Work has not recommenced within 30 days following the provision of written notice by the Borough to the developer of the Borough's intent to claim payment under the guarantee.
- (3) The Borough shall not provide notice of its intent to claim payment under a "safety and stabilization guarantee" until a period of at least 60 days has elapsed during which all work on the development has ceased for reasons other than force majeure. The Borough shall provide written notice to the developer by certified mail or other form of delivery providing evidence of receipt.
- (4) The amount of a "safety and stabilization guarantee" for a development with bonded improvements in an amount not exceeding \$100,000 shall be \$5,000.
- (5) The amount of a "safety and stabilization bond guarantee" for a development with bonded improvements exceeding \$100,000 shall be calculated as a percentage of the bonded improvement costs of the development or phase of development as follows:
  - (a) \$5,000 for the first \$100,000 of bonded improvement costs, plus  
two and a half percent of bonded improvement costs in excess of \$100,000 up to \$1,000,000, plus
  - (b) One percent of bonded improvement costs in excess of \$1,000,000.
- (6) The Borough shall release a separate "safety and stabilization guarantee" to a developer upon the developer's furnishing of a performance guarantee which includes a line item for safety and stabilization in the amount required under this paragraph.

- (7) The Borough shall release a "safety and stabilization guarantee" upon the Borough Engineer's or other municipal official's (designated by ordinance) determination that the development of the project site has reached a point that the improvements installed are adequate to avoid any potential threat to public safety.

**§310-120.2. Temporary Certificate of Occupancy; Guarantee.**

- A. In the event that the developer shall seek a temporary certificate of occupancy for a development, unit, lot, building, or phase of development, as a condition of the issuance thereof, the developer shall furnish a separate guarantee, referred to herein as a "temporary certificate of occupancy guarantee," in favor of the Borough in an amount equal to 120% of the cost of installation of only those improvements or items which remain to be completed or installed under the terms of the temporary certificate of occupancy and which are required to be installed or completed as a condition precedent to the issuance of the permanent certificate of occupancy for the development, unit, lot, building or phase of development and which are not covered by an existing performance guarantee. Upon posting of a "temporary certificate of occupancy guarantee," all sums remaining under a performance guarantee previously furnished by the developer which relate to the development, unit, lot, building, or phase of development for which the temporary certificate of occupancy is sought, shall be released. The scope and amount of the "temporary certificate of occupancy guarantee" shall be determined by the Borough Engineer or such other municipal official designated by ordinance. The "temporary certificate of occupancy guarantee" shall be released by the Borough Engineer or other municipal official designated by ordinance upon the issuance of a permanent certificate of occupancy with regard to the development, unit, lot, building, or phase as to which the temporary certificate of occupancy relates.

**§310-120.3 Acceptance of Performance Guarantee from Successor Developer.**

- A. The Borough may accept a performance guarantee in favor of the municipality from a successor developer as a replacement for a performance guarantee that was previously furnished, pursuant to section 41 of P.L. 1975, c.291 (C.40:55D-53), for the purpose of assuring the installation of improvements. The Borough shall not accept a replacement performance guarantee without securing:
  - (1) written confirmation from the new obligor that the intent of the new obligor is to furnish a replacement performance guarantee, relieving the predecessor obligor and surety, if any, of any obligation to install improvements, and
  - (2) written verification from the Borough engineer that the replacement performance guarantee is of an amount sufficient to cover the cost of the installation of improvements, but not to exceed 120% of the cost of the installation, which verification shall be determined consistent with section 41 of P.L. 1975, c.291 (C.40:55D-53).
- B. An approving authority shall notify the governing body whenever it accepts a replacement performance guarantee. Notice shall contain a copy of the written confirmation of the new obligor's intent to furnish a replacement performance guarantee and the municipal engineer's written verification of the sufficiency of the amount of that replacement performance guarantee.
- C. Within 30 days after receiving notice from the approving authority of its acceptance of a replacement performance guarantee, the governing body, by resolution, shall release the predecessor obligor from liability pursuant to its performance guarantee.

**§310-121. Maintenance Guarantee.**

- A. Prior to the release of a performance guarantee required pursuant to this Section, the developer shall post with the Borough a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the improvements which are being released.
  - (1) The developer shall post with the Borough, upon the inspection and issuance of final approval of the following private site improvements by the Borough Engineer, a maintenance guarantee in an amount not to exceed 15% of the cost of the installation of the following private site improvements, which cost shall be determined according to the method of calculation set forth in section 15 of P.L.1991, c.256 (C.40:55D-53.4):
    - (a) Stormwater management basins;
    - (b) In-flow and water quality structures within the basins; and
    - (c) The out-flow pipes and structures of the stormwater management system, if any.
  - (2) The term of the maintenance guarantee shall be for a period not to exceed two years and shall automatically expire at the end of the established term.

**§310-121.1. Other Agencies; Utilities.**

In the event that other governmental agencies or public utilities automatically will own the utilities to be installed or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance guarantee, as the case may be, shall be required by the Borough for such utilities or improvements.

**§310-121.2. Regulations Concerning Performance Guarantees.**

- A. The time allowed for installation of the bonded improvements for which the performance guarantee has been provided may be extended by the governing body by resolution. As a condition or as part of any such extension, the amount of any performance guarantee shall be increased or reduced, as the case may be, to an amount not to exceed 120% of the cost of the installation, which cost shall be determined by the Borough Engineer according to the method of calculation set forth in section 15 of P.L. 1991, c. 256 (C. 40:55D-53.4) as of the time of the passage of the resolution.
- B. If the required bonded improvements are not completed or corrected in accordance with the performance guarantee, the obligor and surety, if any, shall be liable thereon to the Borough for the reasonable cost of the improvements not completed or corrected, and the Borough may either prior to or after the receipt of the proceeds thereof complete such improvements. Such completion or correction of improvements shall be subject to the public bidding requirements of the "Local Public Contracts Law," P.L. 1971, c. 198 (C. 40A:11-1 et seq.).
- C. Upon substantial completion of all required street improvements (except for the top course) and appurtenant utility improvements, and the connection of same to the public system, the obligor may request of the governing body in writing, by certified mail addressed in care of the Borough Clerk, that the Borough Engineer prepare, in accordance with the itemized cost estimate prepared by the Borough Engineer and appended to the performance guarantee pursuant to this Section, a list of all uncompleted or unsatisfactory completed bonded improvements. If such a request is made, the obligor shall send a copy of the request to the Borough Engineer. The request shall indicate which bonded improvements have been completed and which bonded improvements remain uncompleted in the judgment of the obligor. Thereupon the Borough Engineer shall inspect all bonded improvements covered by obligor's request and shall file a detailed list and report, in writing, with the governing body, and shall simultaneously send a copy thereof to the obligor not later than 45 days after receipt of the obligor's request.

- (1) The list prepared by the Borough Engineer shall state, in detail, with respect to each bonded improvement determined to be incomplete or unsatisfactory, the nature and extent of the incompleteness of each incomplete improvement or the nature and extent of, and remedy for, the unsatisfactory state of each completed bonded improvement determined to be unsatisfactory. The report prepared by the Borough Engineer shall identify each bonded improvement determined to be complete and satisfactory together with a recommendation as to the amount of reduction to be made in the performance guarantee relating to the completed and satisfactory bonded improvement, in accordance with the itemized cost estimate prepared by the Borough Engineer and appended to the performance guarantee pursuant to subsection a. of this section.
- (2) The governing body, by resolution, shall either approve the bonded improvements determined to be complete and satisfactory by the Borough Engineer, or reject any or all of these bonded improvements upon the establishment in the resolution of cause for rejection, and shall approve and authorize the amount of reduction to be made in the performance guarantee relating to the improvements accepted, in accordance with the itemized cost estimate prepared by the Borough Engineer and appended to the performance guarantee pursuant to this Section. This resolution shall be adopted not later than 45 days after receipt of the list and report prepared by the Borough Engineer. Upon adoption of the resolution by the governing body, the obligor shall be released from all liability pursuant to its performance guarantee with respect to those approved bonded improvements, except for that portion adequately sufficient to secure completion or correction of the improvements not yet approved; provided that 30% of the amount of the total performance guarantee and "safety and stabilization guarantee" posted may be retained to ensure completion and acceptability of all improvements. The "safety and stabilization guarantee" shall be reduced by the same percentage as the performance guarantee is being reduced at the time of each performance guarantee reduction.
- (3) For the purpose of releasing the obligor from liability pursuant to its performance guarantee, the amount of the performance guarantee attributable to each approved bond improvement shall be reduced by the total amount for each such improvement, in accordance with the itemized cost estimate prepared by the Borough Engineer and appended to the performance guarantee pursuant to subsection a. of this section, including any contingency factor applied to the cost of installation. If the sum of the approved bonded improvements would exceed 70 percent of the total amount of the performance guarantee, then the Borough may retain 30 percent of the amount of the total performance guarantee and "safety and stabilization guarantee" to ensure completion and acceptability of all bonded improvements, as provided above, except that any amount of the performance guarantee attributable to bonded improvements for which a "temporary certificate of occupancy guarantee" has been posted shall be released from the performance guarantee even if such release would reduce the amount held by the Borough below 30 percent.
- (4) If the Borough Engineer fails to send or provide the list and report as requested by the obligor pursuant to this Section within 45 days from receipt of the request, the obligor may apply to the court in a summary manner for an order compelling the Borough Engineer to provide the list and report within a stated time and the cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.
- (5) If the governing body fails to approve or reject the bonded improvements determined by the Borough Engineer to be complete and satisfactory or reduce the performance guarantee for the complete and satisfactory improvements within 45 days from the receipt of the Borough Engineer's list and report, the obligor may apply to the court

in a summary manner for an order compelling, within a stated time, approval of the complete and satisfactory improvements and approval of a reduction in the performance guarantee for the approvable complete and satisfactory improvements in accordance with the itemized cost estimate prepared by the Borough Engineer and appended to the performance guarantee pursuant to this Section; and the cost of applying to the court, including reasonable attorney's fees, may be awarded to the prevailing party.

- (6) In the event that the obligor has made a cash deposit with the Borough or approving authority as part of the performance guarantee, then any partial reduction granted in the performance guarantee pursuant to this subsection shall be applied to the cash deposit in the same proportion as the original cash deposit bears to the full amount of the performance guarantee, provided that if the developer has furnished a "safety and stabilization guarantee," the Borough may retain cash equal to the amount of the remaining "safety and stabilization guarantee."
- D. If any portion of the required bonded improvements is rejected, the approving authority may require the obligor to complete or correct such improvements and, upon completion or correction, the same procedure of notification, as set forth in this Section shall be followed.
- E. Nothing herein shall be construed to limit the right of the obligor to contest by legal proceedings any determination of the governing body or the Borough Engineer.

**§310-122. Regulations Concerning Inspection Fees.**

- A. The obligor shall reimburse the Borough for reasonable inspection fees paid to the Borough Engineer for the foregoing inspection of improvements; which fees shall not exceed the sum of the amounts set forth hereinbelow. The Borough shall require the developer to post the inspection fees in escrow in an amount:
  - (1) Not to exceed, except for extraordinary circumstances, the greater \$500 or 5% of the cost of bonded improvements that are subject to a performance guarantee under this Section; and
  - (2) Not to exceed 5% of the cost of private site improvements that are not subject to a performance guarantee under this Section, which cost shall be determined pursuant to Section 15 of P.L. 1991, c. 256 (C. 40:55D-53.4).
- B. For those developments for which the inspection fees total less than \$10,000, fees may, at the option of the developer, be paid in two installments. The initial amount deposited in escrow by a developer shall be 50% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Borough Engineer for inspections, the developer shall deposit the remaining 50% of the inspection fees.
- C. For those developments for which the inspection fees are total \$10,000 or greater, fees may, at the option of the developer, be paid in four installments. The initial amount deposited in escrow by a developer shall be 25% of the inspection fees. When the balance on deposit drops to 10% of the inspection fees because the amount deposited by the developer has been reduced by the amount paid to the Borough Engineer for inspection, the developer shall make additional deposits of 25% of the inspection fees.
- D. If the Borough determines that the amount in escrow for the payment of inspection fees, as calculated hereinabove, is insufficient to cover the cost of additional required inspections, the developer shall deposit additional funds in escrow. In such instance, the Borough shall deliver to the developer a written inspection escrow deposit request, signed by the Borough Engineer, which informs the developer of the need for additional inspections, details the items or undertakings that require inspection, estimates the time required for those inspections, and estimates the cost of performing those inspections.

**§310-122.1. Approved by Stages or Sections.**

In the event that final approval is by stages or sections of development pursuant to subsection a. of section 29 of P.L.1975, c.291 (C.40:55D-38), the provisions of this Section shall be applied by stage or section.

**§310-122.2. Dedication of Improvements to Borough.**

To the extent that any of the improvements have been dedicated to the Borough on the subdivision plat or site plan, the governing body shall be deemed, upon the release of any performance guarantee required pursuant to subsection a. of this section, to accept dedication for public use of streets or roads and any other improvements made thereon according to site plans and subdivision plats approved by the approving authority, provided that such improvements have been inspected and have received final approval by the Borough Engineer.

Nothing in this Ordinance shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed pursuant to this Ordinance, nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected thereby.

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

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

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

BE IT RESOLVED, that Ordinance No. 18-16 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 June 12, 2018 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.

Borough Attorney Madaio said at the end of the Christie Administration, the statute was amended which has quite a bit to do with how we provide bonding for public improvements and it is somewhat more restricted from the prior statute. This ordinance reflects the new statute and is more restrictive and most professionals feel it is important to get this new ordinance on board so you have the right to insist upon responding for these improvements and not be compromised. All this does is make the new statute so that we can continue to bond for public improvements. It is taken from the statute, other towns and we were fortunate that our Planning Board attorney was just at a seminar on this subject and tweaking as well. We can't bond as much as we used to but he did not want to miss the opportunity of not bonding at all.

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

Roll Call Vote:

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

Nays: None

**RESOLUTIONS:(Consent Agenda): R18122 through R18134:**

[R18122](#) Resolution Authorizing the Mayor to Submit a Declaration of Interest for the 2018 Bergen County Trust Fund Municipal Program for Park Improvements – the Bergen County Open

Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund  
**WHEREAS**, Bergen County has announced the availability of funds under the Trust Fund Municipal Program for Park Improvements; and

**WHEREAS**, The Bergen County Trust Fund Municipal Program for Park Improvements will award matching grants to Bergen County municipal governments for proposed Municipal park improvements at Memorial Field; and

**WHEREAS**, a Declaration of Intent was submitted prior to the deadline of Tuesday, April 24, 2018; and

**NOW THEREFORE**, The Borough of Hillsdale Council authorizes the Mayor to approve such a declaration and the Borough Administrator to submit for said grant and to assure its participation in this program.

[R18123](#) Payment of Bills

**BE IT RESOLVED**, by the Borough Council of the Borough of Hillsdale that the following bill in the sum of \$5,131,924.81 as authorized by the Department Head and approved by a Council member liaison, be paid; and that the Mayor, Clerk and Certified Municipal Financial Officer be and they are hereby authorized and directed to issue warrants in payment of same.

**Summary of Payment of Bills for 5/08/2018**

Payment of bills 4/11/2018 - 5/08/18 \$5,130,106.81

**Void Checks & Additional Checks**

Check	Date	Fund	Vendor	Amount	Reason	Total
1083	4/10/2018	COAH	Gittleman, Muhlstock et. al.	510.00	Left off	510.00
1084	4/10/2018	COAH	Rutgers- Continuing Ed.	1,398.00	Left off	1,398.00
3388	4/28/2018	ESCROW	BT Specialties LLC	-90.00	Lost	-90.00
Total adjustments						1,818.00
<b>Total Bill List for 05/08/2018</b>						<b>\$5,131,924.81</b>

April 11, 2018  
11:49 AM

Borough of Hillsdale  
Check Register By Check Id

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Range of Checking Accts: COAH to COAH Range of Check Ids: 1083 to 1084  
 Report Type: All Checks Report Format: Super Condensed Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
1083	04/10/18	GIT01 GITTLEMAN, MUHLSTOCK &	510.00		8641
1084	04/10/18	RUT10 RUTGERS - CONTINUING EDUCATION	1,398.00		8641

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	1,908.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	1,908.00	0.00

Range of Checking Accts: ESCROW to ESCROW      Range of Check Ids: 3388 to 3388  
Report Type: All Checks      Report Format: Detail      Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
3388	10/17/17	BTS01 BT SPECIALTIES LLC/ 17-01629 1 8 x 10 Black Frames	90.00	(Void Reason: lost) 0000000018	Project	04/25/18 VOID	8523 3 1
				POLICE DONATIONS 7200005589			

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	0	1	0.00	90.00
Direct Deposit:	0	0	0.00	0.00
Total:	0	1	0.00	90.00

Range of Checking Accts: First to Last      Range of Check Dates: 04/11/18 to 05/08/18  
Report Type: All Checks      Report Format: Super Condensed      Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
ANIMAL TRUST		ANIMAL TRUST			
1458	05/08/18	SNJ01 SNJ-DEPT OF HEALTH	22.90		8668
1459	05/08/18	TYC02 TYCO ANIMAL CONTROL	2,190.00		8668

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	2	0	2,212.90	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	2	0	2,212.90	0.00

CURRENT	CURRENT		Amount Paid	Reconciled/Void
28684	04/16/18	BOR18 BOROUGH OF HILLSDALE AGENCY	715,053.50	8642
28685	04/16/18	GPA01 GOV. PURCHASING ASS'N OF NJ	495.00	8643
28686	04/17/18	DIR02 DIRECT ENERGY BUSINESS	10,107.67	8644
28687	04/17/18	BOR18 BOROUGH OF HILLSDALE AGENCY	115,848.35	8646
28688	04/18/18	BER15 BERGEN CTY MUN CLERKS ASSOC	100.00	8648
28689	04/18/18	UNU01 UNUM LIFE INS CO OF AMERICA	147.00	8650
28690	04/20/18	PSE01 PSE&G (REGULAR)	20,524.66	8652
28691	04/20/18	MON07 MONMOUTH TELECOM, INC.	6,400.83	8654
28692	04/25/18	BER01 BERGEN MUNICIPAL EMP BNFT FUND	4,540.00	8657
28693	04/26/18	SUE01 SUEZ WATER NEW JERSEY (REG)	15,943.61	8658
28694	04/26/18	SUE01 SUEZ WATER NEW JERSEY (REG)	1,347.54	8659
28695	04/26/18	DIR02 DIRECT ENERGY BUSINESS	4,416.77	8661
28696	05/08/18	ACT07 ACTION DATA SERVICES, INC.	1,098.38	8669
28697	05/08/18	AIR02 AIRGAS, INC	23.90	8669
28698	05/08/18	ALL25 ALL MAINTENANCE PRODUCTS, INC.	120.00	8669
28699	05/08/18	AME06 AMERICAN WEAR CORP	252.72	8669
28700	05/08/18	ANI01 ANITA TIRE CORPORATION	125.00	8669
28701	05/08/18	APP01 APPROVED SURGICAL SUPPLIES INC	50.00	8669
28702	05/08/18	ARC05 MARK & LYNN ARCELLA	738.34	8669
28703	05/08/18	ATL01 ATLANTIC SALT INC.	5,869.10	8669
28704	05/08/18	AUT01 AUTOMOTIVE BRAKE CO INC.	173.00	8669
28705	05/08/18	AVE01 AVENET, LLC	3,015.00	8669
28706	05/08/18	BCM00 BCMCAA-SHERRI D'ALESSANDRO	30.00	8669
28707	05/08/18	BER01 BERGEN MUNICIPAL EMP BNFT FUND	4,540.00	8669
28708	05/08/18	BER11 BERGEN COUNTY UTILITIES AUTH	19,043.12	8669
28709	05/08/18	BER58 BERGEN BROOKSIDE TOWING	78.00	8669
28710	05/08/18	BOR08 BOROUGH OF OLD TAPPAN	196.00	8669
28711	05/08/18	BOR18 BOROUGH OF HILLSDALE AGENCY	116,959.80	8669
28712	05/08/18	BOR22 BOROUGH OF EMERSON	75.34	8669
28713	05/08/18	CAN08 C AND C MECHANICAL SERVICE, LLC	1,390.25	8669

28714	05/08/18	CEN04	CENTRAL POLY-BAG CORP	449.60	8669
28715	05/08/18	CHU02	CHURCH OF ST. JOHN THE BAPTIST	600.00	8669
28716	05/08/18	CLI01	CLIFFSIDE BODY CORPORATION	4,712.03	8669
28717	05/08/18	COM21	COMPUTER SQUARE, INC	552.00	8669
28718	05/08/18	COU03	COUNTY OF BERGEN	1,100,000.00	8669
28719	05/08/18	COU04	COUNTY OPEN SPACE TRUST FUND	45,477.50	8669
28720	05/08/18	DE01	D & E UNIFORMS	250.00	8669
28721	05/08/18	DEP01	NJ DEPT OF CORRECTIONS/DEPTCOR	90.00	8669
28722	05/08/18	DEP08	DEPENDABLE HYDRAULIC SALES	112.98	8669
28723	05/08/18	DOO03	DOOR WORKS INC	178.25	8669
28724	05/08/18	DRA04	DRAGER, INC.	179.00	8669

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT	CURRENT	Continued			
28725	05/08/18	DUR01	DURIE LAWN MOWER & EQUIP CORP	43.00	8669
28726	05/08/18	EDM01	EDMUNDS AND ASSOCIATES INC	8,353.00	8669
28727	05/08/18	ELE03	ELEVATOR MAINTENANCE CORP.	140.00	8669
28728	05/08/18	ELE04	ELECTRICAL POWER SYSTEMS, INC.	12.88	8669
28729	05/08/18	FEN01	FENKART, DOUGLAS R, MD	300.00	8669
28730	05/08/18	FLO04	FLORIO PERRUCCI STEINHARDT	858.79	8669
28731	05/08/18	FRA01	FRANCAVIGLIA, CHIEF ROBERT	166.16	8669
28732	05/08/18	GAL01	GALLS LLC	48.45	8669
28733	05/08/18	GAR01	GARBARINI & CO. P.C. (CORP)	5,750.00	8669
28734	05/08/18	GRO06	GROFF TRACTOR NEW JERSEY LLC	1,118.79	8669
28735	05/08/18	HAN01	HANLON, MARIE	30.36	8669
28736	05/08/18	HAS05	MOHAMED HASSANEIN & HWAJIN MUN	1,294.85	8669
28737	05/08/18	HIL29	HILLS/VALLEY COALITION	1,835.51	8669
28738	05/08/18	IMP02	IMPERIAL BAG & PAPER CO LLC	868.73	8669
28739	05/08/18	INS01	INSERRA SUPERMARKETS	57.32	8669
28740	05/08/18	KUI01	KUIKEN BROTHERS CO., INC.	414.06	8669
28741	05/08/18	LAN08	LANGUAGE LINE SERVICES, INC	37.56	8669
28742	05/08/18	LAW03	LAWMEN SUPPLY OF NJ, INC	561.65	8669
28743	05/08/18	LEP01	LEPORES ITALIAN MARKET, LLC	50.00	8669
28744	05/08/18	LOW01	LOWE'S	3,682.56	8669
28745	05/08/18	LTI01	L.T.I., INC.	5,237.50	8669
28746	05/08/18	MAD05	MADAI0, MARK D, ESQ	3,044.00	8669
28747	05/08/18	MAR01	MARSALA HARDWARE, INC.	0.00	05/08/18 VOID
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28748	05/08/18	MAR01	MARSALA HARDWARE, INC.	365.12		8669
28749	05/08/18	MIC05	MICROSOFT CORPORATION	748.16		8669
28750	05/08/18	MOR11	MORRISON MAHONEY, LLP	155.22		8669
28751	05/08/18	MUN06	MUNICIPAL RECORD SERVICE, INC.	199.00		8669
28752	05/08/18	NAR02	NARITA MARAJ, LLC	387.36		8669
28753	05/08/18	NBS02	NATIONAL BENEFIT SERVICES	14.00		8669
28754	05/08/18	NJC01	NJ CRIMINAL INTERDICTION LLC	149.00		8669
28755	05/08/18	NJT01	NJ TRANSIT CORP	476.00		8669
28756	05/08/18	NOR01	N. JERSEY MEDIA(ACCT#1101697)	244.33		8669
28757	05/08/18	NOR05	NORTHWEST BERGEN REGIONAL	4,615.49		8669
28758	05/08/18	PA01	P&A AUTO PARTS CORP	0.00	05/08/18 VOID	0
28759	05/08/18	PA01	P&A AUTO PARTS CORP	0.00	05/08/18 VOID	0
28760	05/08/18	PA01	P&A AUTO PARTS CORP	1,971.76		8669
28761	05/08/18	PAS07	PASCACK VALLEY REGIONAL HIGH	956,606.06		8669
28762	05/08/18	PAS18	PASSAIC COUNTY POLICE ACADEMY	340.00		8669
28763	05/08/18	PAS28	PASCACK PRESS	167.00		8669
28764	05/08/18	PHI02	PHILLIPS PREISS GRYGIEL LLC	330.00		8669
28765	05/08/18	PRE16	PREMIERE PRODUCTIONS LLC	275.00		8669
28766	05/08/18	QUI05	QUIKTEKS LLC	3,628.00		8669
28767	05/08/18	RAC01	RACHLES/MICHELE'S OIL CO.	2,036.02		8669
28768	05/08/18	RAI03	RAINBOW CLEANERS	40.00		8669
28769	05/08/18	RED04	REDICARE LLC	34.85		8669
28770	05/08/18	REI16	REINER OVERHEAD DOORS LLC	797.00		8669
28771	05/08/18	RER01	RER SUPPLY, LLC	0.00	05/08/18 VOID	0
28772	05/08/18	RER01	RER SUPPLY, LLC	0.00	05/08/18 VOID	0
28773	05/08/18	RER01	RER SUPPLY, LLC	13,571.50		8669
28774	05/08/18	RIC09	RICOH USA INC	408.65		8669
28775	05/08/18	RIV01	RIVER VALE FLOWER SHOP, INC.	50.00		8669
28776	05/08/18	ROB06	ROBERT'S & SON, INC	351.35		8669

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
CURRENT	CURRENT	Continued			
28777	05/08/18	ROT01 ROTAR, ELIZABETH	402.00		8669
28778	05/08/18	RUT10 RUTGERS - CONTINUING EDUCATION	784.00		8669
28779	05/08/18	SAF10 SAFE KIDS WORLDWIDE	85.00		8669
28780	05/08/18	SAN02 SANITATION EQUIPMENT CORP	33.87		8669

28781	05/08/18	SEN04	ADITI SEN	3,775.99	8669
28782	05/08/18	SHE08	SHERWIN-WILLIAMS CORP	98.31	8669
28783	05/08/18	SIT01	SITEONE LANDSCAPE SUPPLY, INC.	1,910.00	8669
28784	05/08/18	SNA01	SNAP ON TOOLS	309.35	8669
28785	05/08/18	STA05	STATE LINE FIRE & SAFETY INC	179.00	8669
28786	05/08/18	STA10	STATILE, CHRISTOPHER, P.A. (ESC)	1,950.47	8669
28787	05/08/18	STE14	STEWART & STEVENSON LLC	163.04	8669
28788	05/08/18	STO02	STONE INDUSTRIES INC	884.44	8669
28789	05/08/18	SUE01	SUEZ WATER NEW JERSEY (REG)	15,082.94	8669
28790	05/08/18	SWI02	SWIFTREACH NETWORKS INC	1,100.19	8669
28791	05/08/18	TCT02	TCTA OF NEW JERSEY	395.00	8669
28792	05/08/18	TIR04	TIRE MANAGEMENT, LLC	102.00	8669
28793	05/08/18	TON04	TONY SANCHEZ LTD	112.65	8669
28794	05/08/18	TRE05	TREASURER, NJ HUMAN SERVICES	125.00	8669
28795	05/08/18	TRI12	TRI-COUNTY TERMITE & PEST CTRL	100.00	8669
28796	05/08/18	TRO02	TROPICANA CASINO & RESORT	236.66	8669
28797	05/08/18	VAN07	VAN DINE'S INC	109.53	8669
28798	05/08/18	WEL02	WELLS FARGO HOME MORTGAGE	31,392.72	8669

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	110	5	3,282,502.44	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	110	5	3,282,502.44	0.00

ESCROW	ESCROW				
3471	04/25/18	BTS01	BT SPECIALTIES LLC/	90.00	8655
3472	05/08/18	BER74	BERGEN IRISH PIPE BAND	1,300.00	8667
3473	05/08/18	BOW02	BOWMAN CONSULTING GROUP LTD	892.50	8667
3474	05/08/18	GIT01	GITTLEMAN, MUHLSTOCK &	600.00	8667
3475	05/08/18	LOG08	LOGO MAT CENTRAL LLC	696.33	8667
3476	05/08/18	LUC07	LUCIA, PATRICIA	220.00	8667
3477	05/08/18	MAD05	MADAIO, MARK D, ESQ	181.50	8667
3478	05/08/18	PAS28	PASCACK PRESS	264.00	8667
3479	05/08/18	PHI02	PHILLIPS PREISS GRYGIEL LLC	2,626.00	8667
3480	05/08/18	STA10	STATILE, CHRISTOPHER, P.A. (ESC)	0.00	05/08/18 VOID
3481	05/08/18	STA10	STATILE, CHRISTOPHER, P.A. (ESC)	0.00	05/08/18 VOID
3482	05/08/18	STA10	STATILE, CHRISTOPHER, P.A. (ESC)	0.00	05/08/18 VOID
3483	05/08/18	STA10	STATILE, CHRISTOPHER, P.A. (ESC)	2,080.30	8667
3484	05/08/18	TON01	TONI EMBROIDERY	272.00	8667

Checking Account Totals	<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
Checks:	11	3	9,222.63	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	11	3	9,222.63	0.00

PUBLIC ASSIST 2	PUBLIC ASSISTANCE				
2826	05/01/18			1,150.00	8662
2827	05/01/18			210.00	8662
2828	05/01/18			147.00	8662

Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
PUBLIC ASSIST2 PUBLIC ASSISTANCE Continued					
2829	05/01/18		210.00		8662
2830	05/01/18		210.00		8662
2831	05/01/18		210.00		8662
2832	05/01/18		210.00		8662
2833	05/01/18		210.00		8662

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	8	0	2,557.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	8	0	2,557.00	0.00

RECREATION		RECREATION TRUST			
3783	05/08/18	BAR12	BARATTA'S ENTERPRISES II, LLC	300.00	8666
3784	05/08/18	BIL03	BILLY BEEZ USA LLC	932.17	8666
3785	05/08/18	BOT01	BOTTOM 9 BASEBALL LLC	1,500.00	8666
3786	05/08/18	CRO03	CROWN TROPHY RIVER EDGE, INC	1,200.40	8666
3787	05/08/18	DAV05	DAVE & BUSTER'S, INC.	1,032.60	8666
3788	05/08/18	GAG02	THE GAGASPHERE	500.00	8666
3789	05/08/18	GOA01	GO AHEAD AND JUMP 2 LLC	840.00	8666
3790	05/08/18	HIG11	HIGH EXPOSURE LLC	500.00	8666
3791	05/08/18	HIL10	HILLSDALE BOARD OF ED (OTHER)	317.85	8666
3792	05/08/18	HUM02	HUMDINGERS LLC	778.50	8666
3793	05/08/18	MED02	THE MEADOWLANDS CASTLE, INC.	1,442.00	8666
3794	05/08/18	ORI01	ORIENTAL TRADING CO., INC.	99.12	8666
3795	05/08/18	PRE16	PREMIERE PRODUCTIONS LLC	275.00	8666
3796	05/08/18	SPO05	SPORTS EXPERT INC	767.04	8666

Checking Account Totals	Paid	Void	Amount Paid	Amount Void
Checks:	14	0	10,484.68	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	14	0	10,484.68	0.00

STONYBROOK		STONYBROOK OPERATING			
5907	04/17/18	DIR02	DIRECT ENERGY BUSINESS	430.44	04/30/18 8645
5908	04/17/18	BOR18	BOROUGH OF HILLSDALE AGENCY	988.43	04/30/18 8647
5909	04/18/18	UNU01	UNUM LIFE INS CO OF AMERICA	4.20	04/30/18 8649
5910	04/20/18	PSE03	PSE&G (STONYBROOK)	149.06	04/30/18 8651
5911	04/20/18	MON07	MONMOUTH TELECOM, INC.	363.61	04/30/18 8653
5912	04/25/18	BER01	BERGEN MUNICIPAL EMP BNFT FUND	30.00	8656
5913	04/26/18	DIR02	DIRECT ENERGY BUSINESS	160.19	8660
5914	05/08/18	ACT07	ACTION DATA SERVICES, INC.	2,945.32	8664
5915	05/08/18	BER01	BERGEN MUNICIPAL EMP BNFT FUND	30.00	8664

5916	05/08/18	BOR18	BOROUGH OF HILLSDALE AGENCY	988.43	8664
5917	05/08/18	CAR30	CARTRIDGE WORLD	111.98	8664
5918	05/08/18	GAR01	GARBARINI & CO. P.C. (CORP)	1,000.00	8664
5919	05/08/18	GIL01	GILL ASSOCIATES LLC	760.00	8664
5920	05/08/18	LEH01	LEHMANN POOLS, INC	70,500.00	8664
5921	05/08/18	LTI01	L.T.I., INC.	1,100.00	8664
5922	05/08/18	OUR01	OUR TOWN ASSOCIATES INC	250.00	8664
5923	05/08/18	PRE16	PREMIERE PRODUCTIONS LLC	1,100.00	8664

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Check Register By Check Date

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Check #	Check Date	Vendor	Amount Paid	Reconciled/Void	Ref Num
STONYBROOK STONYBROOK OPERATING Continued					
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	17	0	80,911.66	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	17	0	80,911.66	0.00
SWIM CAPITAL STONYBROOK CAPITAL					
186	05/08/18	MAD05 MADAIO, MARK D, ESQ	313.50		8665
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	313.50	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	313.50	0.00
WIRES					
103	05/01/18	HIL02 HILLSDALE BOARD OF EDUCATION	1,741,902.00		8663
Checking Account Totals		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	1	0	1,741,902.00	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	1	0	1,741,902.00	0.00
Report Totals					
		<u>Paid</u>	<u>Void</u>	<u>Amount Paid</u>	<u>Amount Void</u>
	Checks:	164	8	5,130,106.81	0.00
	Direct Deposit:	0	0	0.00	0.00
	Total:	164	8	5,130,106.81	0.00

Totals by Year-Fund					
Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	7-01	15,804.48	0.00	0.00	15,804.48
STONYBROOK UTILITY	7-05	<u>2,945.32</u>	<u>0.00</u>	<u>0.00</u>	<u>2,945.32</u>
Year Total:		18,749.80	0.00	0.00	18,749.80
CURRENT FUND	8-01	5,008,599.96	0.00	0.00	5,008,599.96
STONYBROOK UTILITY	8-05	77,966.34	0.00	0.00	77,966.34
ANIMAL FUND	8-12	2,212.90	0.00	0.00	2,212.90
PUBLIC ASSISTANCE ACCOUNT	8-15	<u>2,557.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,557.00</u>
Year Total:		5,091,336.20	0.00	0.00	5,091,336.20
STONYBROOK SWIM CAPITAL	B-06	313.50	0.00	0.00	313.50
RECREATION ACCOUNT	R-14	10,484.68	0.00	0.00	10,484.68
Total of All Funds:		<u>5,120,884.18</u>	<u>0.00</u>	<u>0.00</u>	<u>5,120,884.18</u>

Project Description	Project No.	Project Total
MEMORIAL DAY	0000000016	1,300.00
POLICE DONATIONS 7200005589	0000000018	1,058.33
CELEBRATION OF PUBLIC EVENTS	0000000031	264.00
B1212 L15 305 PATERSON ST LLC	3050010002	3.60
B 1212 L 13 AEON FITNESS	AE00010002	241.40
B203 L22 BAVIELLO 7764627328	BAV0020002	261.25
B 302 L 20 BELL 7763761474	BEL0050002	90.00
B 603 L 9 BUEHLER 7763761490	BUE0020002	58.10
B 2002 L30 CULHANE 7764627352	CUL0040002	90.00
B502 L7.01 DEGNETTO 7763761557	DEG0020002	4.80
B 301 L15 ELBOGEN 7764627344	ELB0020002	322.50
B506/L1.01&1.02 GOLDEN ORCHARD	GOL0060002	1,047.50
B1308 L19 HAGLID 7763761367	HAG0010002	2,626.00
LC DEVELOPERS 909/2 7764627261	LCD0030002	90.00
B605 L8 LEVY 7763761531	LEV0020002	58.10
B404 L21 LOVEJOY 7764627401	LOV0030002	135.00
B1910 L26 LUCIA	LUC0010002	220.00
B 1612 L 5 NEWELL	NEW0020002	90.00
B1523 L3 NOLAN PARTNERSHIP	NOL0020002	337.50
B1205 L8 PATERNO	PAT0020002	333.35
B1212 L14 PSE&GCO ANDREW LOJEK	PSE0040002	181.50
B 1116 L 11 RUSSINO 7763761565	RUS0040002	3.60
1406/35 S.BERARD 77454627336	SBE0010002	361.10
STONE RIDGE 1805/10 7764627310	STO0070002	45.00
Total of All Projects:		<u>9,222.63</u>

[R18124](#) Resolution Hiring Full Time Laborer for the Department of Public Works

**WHEREAS**, there exists a need for a Full Time Laborer within the Borough of Hillsdale Department of Public Works; and,

**WHEREAS**, Michael Murdock meets the requirements to fill the position at the Department of Public Works; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council Borough that Michael Murdock is hereby appointed to the position of Full Time Laborer in the Department of Public Works, effective May 14, 2018, at the annual salary rate of \$36,236.00.

[R18125](#) Resolution Hiring Full Time Technical Assistant to the Construction Official

**WHEREAS**, the Borough of Hillsdale promulgated requests for applications for a full-time technical assistant to the construction official; and

**WHEREAS**, Katherine Sabol has met the requirements for the position of full-time technical assistant to the construction official; and

**WHEREAS**, the Borough of Hillsdale desires to appoint Katherine Sabol to the position of full-time technical assistant to the construction official effective May 9, 2018 at an annual salary of \$32,832.80; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Katherine Sabol is hereby appointed to the position of full-time technical assistant to the construction official effective May 9, 2018.

[R18126](#) Resolution Hiring Part Time Administrative Support

**WHEREAS**, the Borough of Hillsdale has a need for a part-time administrative support; and

**WHEREAS**, Robin McCann Smith has met all of the requirements for the position of Part-time administrative support; and

**WHEREAS**, the Borough of Hillsdale desires to appoint Robin McCann Smith to the position part-time administrative support at the salary rate of \$16.75 per hour, not to exceed 27.5 hours per week effective May 15, 2018; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Robin McCann Smith is hereby appointed to the position part-time administrative support, effective May 15, 2018.

[R18127](#) Resolution Approving the Recodification of the Borough of Hillsdale Code Book

**WHEREAS**, the Borough of Hillsdale is in need of having the Borough Ordinances codified, printed and electronically published; and

**WHEREAS**, contracts for these services may, pursuant to N.J.S.A. 40A:11-5(1)(x) of the Local Public Contracts Law, be awarded without public advertising for bids and bidding therefor and shall be awarded by Resolution; and

**WHEREAS**, the Borough solicited and received a proposal from Coded Systems, LLC, dated April 23, 2018 to codify, print and electronically publish the Borough's Ordinances in an amount not to exceed \$14,750.00, exclusive of shipping and handling, through December 31, 2017; and

**WHEREAS**, the amount of \$14,750.00 does not exceed the bid threshold and does not exceed the \$17,500.00 pay-to-play requirements; and

**WHEREAS**, the Chief Financial Officer determined that sufficient funds are available in the 2017 Borough budget for these services.

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

1. That a contract is awarded to Coded Systems, LLC, on the basis of its December 18, 2017 proposal, to codify, print and electronically publish the Borough of Hillsdale's Ordinances through December 31, 2017 for an amount not to exceed \$14,750.00.
2. That subsequent annual supplementations be awarded separately provided that there are sufficient funds in the budget.
3. That a copy of this Resolution be forwarded to Coded Systems, LLC, with the direction that the work on the codification shall commence immediately.
4. That the Mayor and Clerk are authorized to sign a contract with Coded Systems, LLC.
5. This Resolution shall take effect immediately.

[R18128](#) Resolution Authorizing Redemption and Premium for Block 708 Lot 5 – 50 Pascack Road

**WHEREAS**, The Tax Collector held a Tax Sale on November 21, 2017 and at the sale a lien was sold on Block 708 Lot 5, also known as 50 Pascack Road, Hillsdale, NJ 07642 for 2016 Delinquent taxes and,

**WHEREAS**, this lien, known as Tax Sale Certificate #16-00002, was sold to US Bank cust BV002 Trst & Crdt, 50 South 16<sup>th</sup> St., Suite 2050, Philadelphia, PA 19102-2513 for 0% redemption fee and a \$115,900.00 premium and,

**WHEREAS**, Everest Abstract Services, LLC, has effected redemption of Certificate #16-00002 in the amount of \$51,778.47.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector is authorized to issue

a check in the amount of \$51,778.47 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 \$115,900.00 (Premium) to the aforementioned lienholder.

[R18129](#) Resolution Authorizing Redemption and Premium for Block 706 Lot 8 – 40 Cherry Place

**WHEREAS**, The Tax Collector held a Tax Sale on November 21, 2017 and at the sale a lien was sold on Block 706 Lot 8, also known as 40 Cherry Place, Hillsdale, NJ 07642 for 2016 Delinquent taxes and,

**WHEREAS**, this lien, known as Tax Sale Certificate #16-00001, was sold to US Bank cust BV002 Trst & Crdt, 50 South 16<sup>th</sup> St., Suite 2050, Philadelphia, PA 19102-2513 for 0% redemption fee and a \$59,100.00 premium and,

**WHEREAS**, Corelogic, Inc., has effected redemption of Certificate #16-00001 in the amount of \$28,374.58.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector is authorized to issue

a check in the amount of \$28,374.58 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 \$59,100.00 (Premium) to the aforementioned lienholder.

[R18130](#) Authorizing the Signing of the Agreement with the Hillsdale Board of Education to Assign A Class III Special Law Enforcement Officer

**WHEREAS**, recent legislation has enabled municipalities to establish the position of Class III Special Law Enforcement Officer (SLEO III) for the purpose of serving as school security officers under the control and supervision of the Chief of Police; and

**WHEREAS**, upon the recommendation of the Chief of Police of the Borough of Hillsdale Police Department, the Mayor and Council enacted an Ordinance to establish such a position in the Borough to assist with school security; and

**WHEREAS**, the Hillsdale Board of Education has requested the assignment of SLEO IIIs at George White Middle School, Meadowbrook School and Ann Blanche Smith School; and

**WHEREAS**, the parties have agreed, or shall agree, to the terms and have created an Agreement whereby a Class III member of the Hillsdale Police Department, a Borough employee under the direction of the Hillsdale Police Chief, shall be assigned duty at George White Middle School, Meadowbrook School and Ann Blanche Smith School; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that upon final agreement, Mayor Ruocco is hereby authorized to sign said Agreement with the Hillsdale Board of Education, and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said document.

[R18131](#) Appointing Per Diem Class III Special Law Enforcement Officer to the Hillsdale Police Department for the Remainder of the 2018 School Year

**WHEREAS**, On July 12, 2017 the Mayor and Council of the Borough of Hillsdale adopted an Ordinance Amending and Supplementing Chapter 63 of the Borough Code to revise the Table of Organization of the Police Department to add the position of Class III Special Law Enforcement Officer; and

**WHEREAS**, the Borough is desirous of appointing John Scordato as a Class III Officer; and

**WHEREAS**, John Scordato is desirous of accepting the hourly position; and

**WHEREAS**, All funding is subject to reimbursement from the Hillsdale Board of Education; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that John Scordato, is hereby appointed as Class III Officer of the Hillsdale Police Department for the term of May 1, 2018 thru June 30, 2018 with an hourly salary rate of \$23.44.

[R18132](#) Resolution Authorizing Mayor and Borough Clerk to Execute a Solid Waste Service Agreement with the Bergen Counties Utilities Authority

**WHEREAS**, the Borough of Hillsdale is in need to enter into a contract for utilization of a solid waste transfer station since the current transfer station it utilizes is no longer in operation; and,

**WHEREAS**, the Bergen County Utilities Authority (hereinafter referred to as "BCUA"), the agency designated and empowered by the Bergen County Board of Chosen Freeholders to supervise the implementation of the Bergen County Solid Waste Management Plan, through applicable purchasing procedure, has contracted with Covanta Solid Waste of NJ, Inc., for the acceptance, processing and disposal of municipal solid waste pursuant to Contract No. 18-4; and,

**WHEREAS**, in accordance with Contract No. 18-4, the following Covanta transfer station facility has been designated by the BCUA as disposal facility to be utilized by participating municipalities pursuant to a Solid Waste Service Agreement: Covanta Sustainable Solutions, LLC 20-32 Fulton Street, Paterson, New Jersey 07501/301 Maltese Drive Totowa, New Jersey 07512 (hereinafter referred to as "Transfer Station Facility"); and,

**WHEREAS**, the Municipal and County Utilities Authority Law, N.J.S.A. 40:14B-1 et seq. authorizes and permits contracting units, such as the BCUA and the Borough of Hillsdale, to enter into a Solid Waste Service Agreement as contemplated for herein; and,

**WHEREAS**, the New Jersey Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and specifically, N.J.S.A. 40A:11-5(2), authorizes and permits contracting units, such as the BCUA and the Borough of Hillsdale, to enter into a Solid Waste Service Agreement as contemplated for herein without competitive bidding for same; and,

**WHEREAS**, the Borough of Hillsdale is desirous of entering into a Solid Waste Service Agreement with the BCUA, pursuant to which the Borough of Hillsdale shall deliver municipally-generated solid waste to the above referenced Transfer Station Facility for processing, transportation and disposal, and the BCUA shall provide such solid waste processing, transportation and disposal services to the Borough of Hillsdale at a rate of \$66.39 per ton for all two years inclusive of the \$3.00 per ton recycling tax and for a term commencing on the date of June 1, 2018 until May 31, 2020; and,

**WHEREAS**, funds are available for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the Solid Waste Service Agreement between the Borough of Hillsdale and the Bergen County Utilities Authority for solid waste services located at the aforementioned Transfer Station Facility; and

[R18133](#) Resolution Authorizing Refund of Tax Overpayment

**WHEREAS**, a duplicate tax payment has resulted in overpayment of taxes for 2018 on the properties listed below,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Hillsdale authorize the Tax Collector to refund the following taxes:

Block 1404 Lot 9

100 Conklin Avenue \$1,294.85

Refund to:

Mohamed Hassanein &

Hwajin Mun

Block 1526 Lot 10

104 Central Avenue 2,617.25

Refund to:

Wells Fargo

Block 2304 Lot 4

90 Baylor Avenue

Refund to:

Wells Fargo 4,029.19

[R18134](#) Resolution Authorizing the Purchase of (1) 2019 Ford F350 Through Winner Ford

**WHEREAS**, the Borough of Hillsdale received three (3) quotes for one (1) 2019 Ford F-350; and

**WHEREAS**, Winner Ford of 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034, offered the lowest quote, which included a trade in quote of \$21,000.00; and

**WHEREAS**, it is the recommendation of the Borough Administrator/Certified Purchasing Agent to award this contract to Winner Ford, 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 in the amount of \$31,083.00; and,

**WHEREAS**, this contract has been awarded to Winner Ford, through a "non-fair and open process" pursuant to N.J.S.A. 19:44A-20.4, et seq.; and

**WHEREAS**, pursuant to N.J.S.A. 40A:11-36(7), the Borough is authorized to include the trade-in sale of the one (1) 2016 Ford F-350 Pick Up Vin # 1FT8W3B61GEB86956 that is no longer needed for public use to offset the price of the one (1) new Department of Public Works vehicle; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey, that the purchase be awarded to: Winner Ford 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034, in the amount of \$31,083.00; and

**BE IT FURTHER RESOLVED**, that the one (1) Ford F-350 Pick Up identified in the quote specifications is deemed to no longer be needed for public use, and is hereby authorized to be sold as a trade-in to Winner Ford 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034 to offset the purchase price pursuant to this purchase; and

**BE IT FURTHER RESOLVED**, that the Purchasing Agent is authorized to issue a purchase order to: Winner Ford 250 Haddonfield-Berlin Rd, Cherry Hill, NJ 08034, in the net amount of \$10,083.00 for the purchase of one (1) 2019 Ford F-350 Pick Up Truck.

Council Member DeRosa said R18122 is actually a Letter of Intent.

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

Roll Call Vote:

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

Nays: None

**OFF-CONSENT:**

Motion to adopt\_\_\_\_\_ Second \_\_\_\_\_

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

**COUNCIL COMMENTARIES:**

Councilmember Lundy stated that in light of it being Municipal Clerks Week, she would like to thank Borough Clerk Denise Kohan for always being professional and doing a phenomenal job! She also congratulated Eagle Scout on his project. On June 8 the Police Department and Emergency Services will put on the crash enactment and she attended last year and found it very powerful and wanted everyone to have a safe prom. Timing is perfect.

Councilmember Segalas congratulated Ms. Kohan, she is truly a professional. He thanked Council President Pizzella on Arbor Day success. The Fire Department has slots available for their event Monday.

Council President Pizzella asked everyone to help us fight Waste Management which is one of the most important tasks facing our town right now.

Councilmember DeRosa thanked Borough Clerk Kohan who keeps us all running smoothly. This is Teacher Appreciation Week and the responsibilities and impact teachers have is incredible and we thank them. It is good to hear that the Stonybrook numbers are up. There is a Pascack Valley Navigators Program in Hillsdale and it is to challenge young adults in the basketball program, soccer, baseball and track. It is great to volunteer for and baseball runs from 10:30 AM on Saturday at Smith School and a great opportunity for young people to help. Information is on our website.

Councilmember Horvath said mulch is available at the DPW for everyone and information is available on our website how you can acquire it. He wanted to advocate for the veterans in the town and there are Legionnaires at various locations for donations. This is one of the biggest fund raisers the American Legion has throughout the country and this is preparation for Memorial Day. The money received helps veterans throughout the country.

Councilmember Karcich congratulated our Borough Clerk; she always responds with cheerfulness and is very helpful. He is not against our kids, Rec or soccer; our kids are involved in Rec but sitting here, we represent the whole town and sometimes it is a difficult proposition. There are conflicting needs for the residents. Once I have made a decision let's move on unless there is something compelling and moves us to reconsider the decision. Hence our spat tonight.

Mayor Ruocco said if you attended the Hillsdale Coalition Program on May 3, you had a very effective presentation by a writer and talked about a variety of problems affecting our young people. It was very effective, moving and a great turnout and thanked our Police Department for the officer who was there and the possible threat to our people today. Everyone appreciated the comments that were made and there were different segments/speakers beside the guest speaker.

The ambulance is having their steak dinner Saturday, May 12. Memorial Day Parade is coming up and encouraged all residents to come out and honor our deceased veterans. The boy scouts are having their breakfast that morning at 7:30 at the Episcopal Church and the Fire Department will have a ceremony at 9AM, Police at 9:15AM and the Ambulance Corps at 9:30 AM. The Parade is at 10AM. He thanked the Bible Church for their Faith Day and they have done a tremendous job of volunteering with respect to Beechwood Park on May 19.

**ADJOURNMENT:**

Motion to adjourn by Councilmember Karcich, Second by Councilman DeRosa, and unanimously carried.

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE**

**June 12, 2018 7:30 pm**

Denise Kohan, Municipal Clerk

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APPROVED AS PRESENTED

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Denise Kohan, Municipal Clerk