

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:30 PM on Tuesday, September 5, 2017, in the Council Chamber, Borough of Hillsdale, New Jersey.

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

**OPEN PUBLIC MEETING STATEMENT:**

This is a meeting of the Hillsdale Borough Council on this 5th day of September, 2017. Notice of the time and place of this meeting has been provided to The Ridgewood News and The Record; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

**ROLL CALL:**

Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco  
(Borough Attorney Madaio, CMFO DeJoseph, Borough Clerk Kohan)

**PRESENTATIONS:**

Historical Findings at the County

County Clerk – John Hogan

County Clerk Hogan said we have been going around the County for about two years telling them about my offices around the County initiative and closing the presentation with some significant reproductions of historical documents that we will present to you and the governing body. You have already taken advantage of what we offer as far as setting up a temporary satellite office in your community. We have been here three times; we do passports, business trade names, and notary publics, photo cards for seniors, veterans and volunteer firefighters. We have election material available; the three times in the past year and a half that we have been to Hillsdale, 210 passports were processed here. That means 210 residents of your town and a couple from surrounding towns did not have to drive to Hackensack to get their passport, so take advantage of us coming back again; my Administrative Assistant will be reaching out to you to set up some dates and we publish in the calendar so we can get that information out to everyone.

About three years ago we had some summer interns and they believed they were better than scanning things, sealing envelopes, filing stuff away so we locked them in a room and said your mission is to come up with a video that we could use from nursery school to college and beyond, even for senior citizens about how important it is to register to vote. If you go on my website, the video is there; it speaks about the importance of one vote, it is about three minutes long and we have used it for every age group. We were in town three days before the end of voter registration and we were able to get somewhere in the vicinity of 70 to 75 high school seniors registered to vote right before the cutoff date so the video and the presentation I make is very effective. Please have us come out to your schools and do presentations for senior citizens, we talk to civic groups, we do a lot at the County Clerk's office. We bring in 17 million dollars a year to the County on an average and another 71 million for the state on an average per year. The third part of our presentation is the County Clerk has been around for a long time; Sheriff Saudino is a friend and we have a rivalry going on whether he or me or the third constitutional officer of the surrogate which one has been around the longest; the County Clerk for every county in this state is the longest serving constitutional officer and the reason being way back when someone needed to keep track of the land records and someone had to keep the minutes of the Freeholders which existed back then. The County Clerk did everything; we have been records that haven't been seen for generations, some date back before the Civil War and in some southern parts of the County we had some old stuff. As we uncovered those we saw that they were preserved well for the last century but things have changed and have gotten better. You can now scan those documents which we have done, put them in acid free sleeves which we have done and we keep them in a temperature controlled room. Instead of lasting another 50 years they can last forever. That was part of my job; we improved the preservation of those historical documents. He suggested besides preserving them, let's share them with the towns; what sense is having them kept in a dark room and no one having the opportunity of viewing these important, significant documents. All 70 towns in Bergen County have its own unique character, unique identity, you can go from here to my town and every town is different and adds to the strength of our County. We have decided to take those documents and reproduce them in a collage and put them out for folks to look at, enjoy them, and interpret them themselves. We will show you what we put together now and presenting one of these to each municipality and that is the main reason we are here tonight in Bergen County. Those are reproduced documents, we have the originals and if your historian wants to come to the County office and scan them, print them up larger, we can do that for you. Hillsdale's Township was developed as a result of the railroads coming in, we know it was incorporated as Hillsdale Township on March

25, 1898, from portions of Washington Township. Hillsdale got its name from a location in a dale among the hills; Hillsdale was reincorporated as a Borough on March 2, 1923. We have some of the documents that prove what I just read. I would like to explain what is here as you get closer, this is a map of the lots and villa plots of Hillsdale; it was filed in the County Clerk's office on June 14, 1870. Magnolia Avenue, Forest Road, Grove Street, Hillsdale Avenue, Washington Avenue – some of the streets remains the same. We have another map filed October 8, 1888, a map of the lots of Ellen Patterson and that has something to do with the founding of your town; New Street, Patterson Street, Hillsdale Avenue and a number of other streets. We have a map of the property of Marie, there's a mark and he can't read it; this map is from November 1890, shows a lake and has Division Street. There is a map of Hillsdale Manor, Section 2 Parklands filed May 26, 1900, John Ramsey was the County Clerk, Lake Drive, Esplanade and Parkview Avenue were some of the streets. You see it, residents see it and enjoy it. We have the incorporation of Hillsdale Township, March 25, 1898, the same year as the Spanish American War and on the certified copy it says an act of creating a new Township in the County of Bergen to be called the Township of Hillsdale and it was filed with Mr. Ramsey on April 2, 1898. This is the actual from the State of New Jersey, Secretary of State, who certified that an act passed by the legislature. It is the actual Act that allowed the Township to be created.

We have a copy of a Resolution incorporating the Borough of Hillsdale and that was filed in the Clerk's Office on March 23, 1923, and this is the actual Resolution, We have the members of the Board of Registry and Elections April 5, 1898; we don't have the actual election results but we are digging through more stuff and is sure we have them in our archives. We also have from March 14, 1899, an actual election statement; the whole number of the roll is 207 people who lived in the community then. We have for Assessor, Cornelius Devoe; a Sanford Bogart for Township Committee, Township Clerk and a number of other positions here. For road purposes, we \$1000 and people voted on it besides; also for road purposes another \$500, Township purposes \$600 and has the whole budget listed here. The final thing, members of the governing body, we have the first exempt firefighter certificate, we still collect those, those are for fighters who served 7 years or more and they were exempt after 7 years; we have one for Jay G. Ackerman, at the time he had served 7 full years as an active member of the Hillsdale Fire Association and this was filed with the County Clerk's office on July 19, 1916. Either the Mayor or the Chief at the time was Christian Eis and we have Paul W. Voyers as the Clerk or the Secretary at that time.

We would like to present this to you but before we do a duplicate of this is kept in the County Clerk's office for display. The area where the land records are is called a vault and since it was moved to the County office about 15 years ago, it is no longer a vault; it is just a big room and has cameras. We changed the name of the room to the Land Records Management Division, that is where all the deeds and mortgages are kept that are in the process of being scanned and as you get into the room, we cleared an area that within a couple of months will be designated as a historical research center. Your historians can come in, we will have state of the art copy machines and they will be able to copy some of these documents and bring them back to you. We hope you display these documents in a place where the residents can enjoy it as much as we enjoy uncovering New Jersey.

Assemblyman Robert Auth

Assemblyman Auth said his reason for being here now is to discuss with you briefly some grants that are available through the Transportation Trust Fund and the issue of the time. This particular set of grants right now will expire October 6 and time is of the essence. He wished to review a few of these grants which do not exclude you from applying from any other ones. Additionally there is about 30 million in the Transportation Trust Fund and another 30 million in discretionary funds and this will be an ongoing amount of money for Bergen County for the next eight years as a result of the gas tax. The first is road resurfacing and reconstruction, the second is intersection improvements, the third is drainage systems, the fourth is pedestrian and roadway safety, the fifth is safe walking routes to and from schools, the sixth is sidewalk installation, the seventh is bikeways and the eighth is bridge replacement and/or rehabilitation; that includes culverts. I am imploring you to reach for the stars, put on your thinking caps and ruminate on the things in town that you think might be applicable and apply. The worst thing to happen is the grant gets rejected but if you don't make the application to begin with and go after it, you are not going to get it. We have had over the years all sorts of issues over our school funding and high property taxes; while he is not enthralled with this particular method of getting funding, he prefers that locals keep their own money and spend it wisely as you have proven you can do for many years. This is a system we are forced to do so we really need to concentrate on things that are important to you in the town, things you can identify between now and the next few days, put a list together and speak to the individual putting the grant together and start that process and do it in the most expedient way possible. You can be assured that you will get a support letter from Senator Cardinale and me in this process and it helps along the way. If you do grants with other municipalities, that is good also because you get extra points for that.

Council President Ruocco said many people do not understand how intensive the grant writing process can become, it is time consuming and it does require ample time to prepare the paper work.

Assemblyman Auth said you may have gotten this information but you are inundated with materials coming throughout the Borough; something may have come and set aside, but I wanted to come by and implore you to do this, provide the time, and expend my offer to do anything we can from the legislative team to help you to facilitate any possible grants.

Council President Ruocco said we certainly appreciate it and will be talking to our Borough Administrator and Borough Engineer in terms of possibilities.

**RECOGNITION:**

**PROMOTIONS:**

**APPOINTMENTS/OATH OF OFFICE:**

Council President Ruocco said with the resignation of Mayor Doug Frank, we need to fill the seat of Mayor.

**NOMINATION AND ELECTION OF MAYOR:**

I now ask for a nomination to be put forward to be elected as Mayor for the non-expired term of November 7, 2017 or after the certification of election.

Nomination has been made for: Councilmember Pizzella nominated John Ruocco, seconded by Councilmember DeRosa

Borough Attorney Madaio asked if there was any other motion or anyone else who would like to make a different motion. If that is the case, it would be appropriate to call for a vote on the motion and a second.

Council President Ruocco called for a motion.

Motion: by Councilmember Pizzella, Second: by Councilmember DeRosa.

Roll Call Vote:

Ayes: Councilmember DeRosa, Karcich, Lundy, Pizzella, Ruocco, Segalas

Nays: None

**MAYOR APPOINTMENT:** *(Council appointment)*

Borough Clerk Denise Kohan presents the name of John Ruocco as Mayor for the non-expired term of November 7, 2017 or after the certification of election.

Motion: by Councilmember DeRosa, Second: by Councilmember Pizzella.

Roll Call Vote:

Ayes: Councilmember DeRosa, Karcich, Lundy, Pizzella, Ruocco, Segalas

Nays: None

Oath of Office administered to the Mayor

Mayor Ruocco said we will vote for Council President next week after we have a full complement of Council people and will also hold off on any committee changes pending the November election. We will triage for the next two months to fill seats that need to be filled but do changes after the election. He said he never intended to become Mayor, the position is demanding if approached correctly and will test my skills that I have acquired after a 39 year career as a Central Banker and Manager of Staff. It will test my family particularly my wife but I know I have her support. The Council has put its trust in me and I will not disappoint them or more importantly, I will not disappoint the residents of Hillsdale. I am very excited about the prospects of working with our dedicated administrative staff here in Borough Hall, our competent Borough Professionals, our brave Law Enforcement folks, our hard working DPW staff and all of our volunteer EMS and Fire Staff who put themselves out personally to rescue all of us at times in this Borough.

**PROCLAMATIONS:**

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

Mayor Ruocco said this is a time limited, new topics only, and one speaker per topic. Who would like to speak.

Kevin O'Brien, 61 – not sure of his address.

Years ago John Ruocco knocked on my door in his quest for public office. He appeared to be a person of reason, someone willing to listen, Two weeks ago I sent you an invitation to join you for coffee to discuss particular issues in town, you elected not to accept my invitation or to respond. On September 23, 2015, you sent me an email; I do feel strongly and I am sure all Council members would that we should apply our Borough ordinance to all residents in a consistent and fair manner and do so in a timely manner. During the NJDEP hearing you stated that I think you can agree with me it makes no sense to have standards than to abandon them. That is exactly what we have done with some of our Borough Code ordinances and I will get to that later this evening. During the NJDEP hearing you made reference to the insufficient leadership over the years at Hillsdale yet you remain on the Council that refused to support our Borough ordinances, you were part of the Council that requested funding from NJDEP for 1.4 million dollars for a road project but have yet to determine where the leak on Lake Street is coming from. You were part of the Council that used the 49 unit apartment complex to justify that application, yet the apartment complex was not yet approved for another 21 days. You were part of the Council that extended a grant request for the painting and plastering of the band shell yet the Bergen County bid document prohibits funding of maintenance, it's a bad move. Republicans blame the Democrats, I'm an Independent, and for Waste Management closing up yet five Council members spoke openly to shut down Waste Management during the NJDEP hearing. It appears like the Council is a wet bar of soap, the tighter we squeeze seeking the truth, the slip pier it becomes. You stood in my shoes back in 2014 when you wrote a complaint to the New Jersey Government Records Council on August 14, 2014, against the Hillsdale Borough Clerk, GRC Complaint No. 2014-295. You later withdrew that complaint. Prior to the NJDEP hearing you wrote of a four figure tax saving for homeowners, you then blamed the 8.4 million dollar miscalculation on a spread sheet error yet you have an MBA in Finance, it is a little unsettling. Hillsdale got away from a bear, Dictator Doug Frank; hopefully we didn't run into a sheep, a wolf in sheep's clothing.

Corinne Wehrle, 51 Beverly Road -

Congratulations Mayor, I wish you good luck. I am here because of the farm and the new ordinance. We moved here in November 2015 and last year was the first time being here with the farm. She understood where the Council was coming from with trying to deal with parking and at that time of the year you have to be extra cautious. It is a difficult time and she did not understand the ordinance as specific as it was and we as a resident west of Pascack cannot park on the street, we can only park in our driveway. September and October are gorgeous months to enjoy, I want to be able to invite people to my home but I can only invite what fits in my driveway. It is difficult and how do we sell a home and say the home is beautiful but for two months you can't have any company unless you can them on your driveway. She asked if there is something that can be done, as residents at least have a sticker so we could park on the street and the company we have put in our driveway. She asked if it could be done but if the sticker is bright enough and put it on a certain spot on our car, it would save having a license plate checked. The Council had to do something; she loves the farm and it is plus for the community and was disappointed what the owners offered to use the parking lot.

Mayor Ruocco said commuters as a whole pay about \$134 a day to use that lot. He is not talking about an individual but a sum of all commuters on an average, that is why certain members of the Council viewed it as a bit stingy but got credit for it from the farm board in terms of our willingness to work with the farm.

Ms. Wehrle said when you go into litigation; the only happy people are the lawyers on both sides. Sometimes it is not worth fighting because it costs you more than you gain. As a citizen she was disappointed that they did not consider us.

Donna Campfor, 28 Esplanade –

In reference to Kevin's problem with 61 Park Avenue, why can't we get an answer on how many units are in this property? I believe they are going back and forth, it is a legal two unit, right now there are three people living on that property.

Councilmember Segalas said he thought that the Zoning Officer issued a final opinion on that that there are three lawful units. The recourse for that, being a member of the public and disagrees with the Zoning Officer, their recourse is to file an appeal to the joint land board under Section 4055B70A. That is the appealing of the determination of the Administrative Officer. That issue is done as to what the Zoning Officer says; they may be right or wrong, they use the best of their ability and the best records available and they have concluded that it is a lawful three. That is progressing exactly as it should; the Administrative Officers made a determination, someone disagrees, the referee in that case is the Board. Someone apparently disagreed; there has been an application filed at the Planning Board. The Planning Board which has the ability to hear evidence from all sides will make a decision and that is the process that should be followed. There is no singular piece of evidence that rules, it is based on the totality of the evidence. All pieces of evidence will be heard by the Planning Board as presented by both sides and the Board will make a decision,

Ms. Campfor said the rules that apply to 61 Park Avenue certainly apply to other people who live on the block. I can't put a fence on my property without a permit, approval; my taxes going up. I want to know how many units there are at this property.

Councilmember Segalas said the Zoning Officer said three and that decision is being appealed. The only determination before the Planning Board at this point is the number of permitted units.

Mayor Ruocco said she knows Mr. O'Brien, has he shared with you his appeal? He has appealed so he can share that information with you.

Ms. Campfor said as a resident two houses down as a taxpayer I want to know if this home is being taxed properly just like everybody else in the neighborhood. I don't care if Mr. O'Brien has 10 people living in the house.

Borough Attorney Madaio said it is based on the value of the property, it is how we delineate the tax value,

Councilmember Pizzella said what the attorney is saying is that there is a whole bunch of stuff that goes into the Zoning Officer's decision as to whether this is a valid two family, three family, whatever family it is and it is not our jurisdiction whether that is reasonable or not, whether we agree with it or not. Once he makes his decision based on all of it; taxes could be a part of it, it could be how everyone uses it. All these things go into it and you make a decision and he decided that it is legal. Based on New Jersey statutory law it goes to the Planning Board if someone wants to appeal it and the Planning Board has to make that decision,

Attorney Madaio said it doesn't matter who brought it up.

Ms. Campfor said if there was a fire tonight and police and fire department showed up and the neighbors are outside and the police asked how many people are in there. I am a neighbor and I want to know what is going on in my neighborhood.

Attorney Madaio said the determination is that three is lawful; it doesn't say how many people actually live there. However, someone disagrees with that determination and according to the statute the Planning Board will be the judge. The Zoning Officer is a municipal employee but the statute sets forth how he is appealed and he is not appealed because we disagree, there should be an independent entity that makes that determination. The statute says that independent entity is the Planning Board.

Ms. Campfor asked the status of Patterson Street.

Mayor Ruocco said when the Borough Engineer gives his report we will talk about it.

Ms. Campfor asked about Neil Hering.

Councilmember DeRosa said he needs until the next meeting.

Ms. Campfor understood that we have another war veteran.

Councilmember Karcich said we named the causeway after Colonel Hill.

Ms. Campfor said there was a veteran recently recognized in July,

Mayor Ruocco said that was Frank Hill.

Ms. Campfor said Neil Herring did a lot and what is taking so long.

Councilmember DeRosa wanted an inventory of the streets we have, who they are named for, and why they got named. I need to come up with criteria and suggestions, how we determine going forward and who deserves recognition, I was given this six months ago.

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

**APPROVAL OF MINUTES:**

June 8, 2017 Council Meeting Minutes

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

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

July 12, 2017 Council Meeting Minutes

August 8, 2017 Council Meeting Minutes

August 8, 2017 Council Meeting Minutes – Closed Session

Motion to approve all the minutes as listed except for August when Council Member DeRosa was absent.

Motion for approval of all minutes was made by Councilmember Lundy, Second by Councilmember Karcich.

Roll Call Vote:

Ayes: Council Members DeRosa, Karcich, Lundy, Segalas

Nays: None

Abstain: Council Member Pizzella

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

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

Hillsdale Police Department – August 2017

Chief Robert Francaviglia

Police Chief Francaviglia congratulated Mayor Ruocco. Before he started his August report he sent out his thoughts and prayers to the residents who are affected by the Hurricane in Texas and surrounding areas. During the months of August there were 93 dispatching shifts all covered by non-sworn personnel. In August there were 180 motor vehicle stops which resulted in 128 summonses issued; we also had 11 criminal arrests. On August 1<sup>st</sup>, we had our National Night Out and thanked Alex Kaplan and the men and women of the Hillsdale Police Department who contributed to that. It was our third event and over 800 people attended. This past month members of the Police Department started with 10 the Attorney General's mandated de-escalation training mental health training at the Bergen County Police Academy. That is mandated for all police officers in the State of New Jersey to attend. With that he had his farm report from this past weekend and as we go through it and ask questions, feel free to do so. He went out on Saturday morning and found barricades at the west Borough parking lot were improperly erected and I corrected that myself. That lot is not exclusive to the farm and it is open to all residents. Anybody who says otherwise is wrong and it is open to everybody.

Mayor Ruocco asked if there is a need to put a barricade at this point.

Chief Francaviglia said the barricades that we do have there is so that we have one way in and one way out of the parking lot and that is for the buses from the farm coming to that lot for pickup. They will enter from Hillsdale Avenue and exit onto Washington Avenue. That is how we want our traffic flow during Saturday and Sunday. Monday to Friday is a different story.

Mayor Ruocco said we wouldn't want commuters or people who want to go to the city for a play see the barricade and say I can't park there.

Chief Francaviglia said it says do not enter in one direction, it doesn't say you can't enter at all. Officers from the detail this past weekend explained that there were numerous complaints about residents saying they can't park in front of their homes. We issued 30 warnings this past weekend mostly to residents and their guests; nobody from the farm that we saw was parked in any of these areas. Officers also recorded that some of our residents had no idea about the ordinance that is in effect currently. I don't know how we can get it out to them other than the way we have been doing it through newspapers and social media blasts but it is something to consider. We had complaints about cars parked in the peach orchards and cars speeding on Craig Road which we will monitor and will try to put out a traffic monitor which monitors speed and the amount of vehicles coming down that roadway. This Thursday we will have color coded parking zone maps which are completed currently and Council has those maps and how our plans will work. He thanked Dan McLoughlin for his hard work he put into that. That will be on the Hillsdale Police website as well as the Borough website. The farm intends to use two parking zones starting September 16 to October 15, all other dates will be no on street parking at all except for Columbus Day all zones will be affected. Demarest Farm did acquire KPMG in Montvale which has 280 parking spaces; they are not using St. Johns at all. How this will work starting the season at KPMG he will use his on-site parking first, go to KPMG second, use the west lot parking lot before any streets will be used. Hillsdale Police Officers will monitor that and once the lot opens up we will allow no more parking on any streets and go back to using one of the other lots when cars clear out. That is a pretty good plan, we worked this out with farm management; we will meet with them tomorrow and go over this. Mayor Ruocco said to be clear the zones that are not to be used by the farm on any given weekend those are restricted parking areas and not allowed.

Chief Francaviglia said there is no on street parking for anybody especially farm patrons. We are putting up the entire season on Thursday; the zones that will be affected will be well in advance so everybody can make their plans accordingly and those plans will remain in effect. We will not have on street parking and the farm management agreed to. Unfortunately, that includes residents too.

Attorney Madaio said last year people had cars in front of their houses 16 days.

Chief Francaviglia said we had 11 days of on street parking in total; zone 1 and 2 which you will see on the website there will be 6 days they will be utilizing their zone. Zones 3 and 4 which are smaller zones you will have on street parking for 4 days only; Columbus Day is the extra day.

Attorney Madaio said residents went from 16 to 17 days down to the worst 6.

Councilmember Segalas said if a resident is in one of the zones that permits parking, is it your position that a resident parking on the street in the zone where a farm patron can park is subject to ticketing.

Attorney Madaio said they are not subject to ticketing but the farm board's decision is that those street spaces are for the farm, it would not be consistent with how we are stepping this down in our long term vision to not comply, in my opinion.

Councilmember Segalas said we wouldn't be restricting residents who are members of the public from parking in that dedicated public space.

Attorney Madaio said we are not restricting them; actually we have very little way to tell who is who so I am assuming this is a situation that might take care of itself if it were left discussed lesser than more.

Councilmember Pizzella asked if this is something we are to discuss and vote on?

Attorney Madaio said there is no vote on it, I will be discussing it in closed.

Councilmember Pizzella asked why there is no vote on it.

Attorney Madaio said this was a determination of the Bergen County Agriculture Board.

Councilmember Pizzella said it was also stated that they did not have jurisdiction.

Attorney Madaio said I don't think that is what they are going to say in their resolution.

Councilmember Pizzella said what they say in their resolution is not necessarily binding.

Attorney Madaio said I would prefer to give my own legal advice in closed and the truth is we went to the farm board, we filed with the farm board first, we are part of a process of solving a problem that this year has taken the problem to less than half of what it previously had been and next year there will be a bigger step down and the following year will be zero. I would like the opportunity to explain all of that in closed.

Councilmember Pizzella said that is fine in explaining it but it sound as if a decision has already been made and I feel that difficult to understand and find acceptable because I am an elected official and I feel like I should vote on something.

Attorney Madaio said the farm board has made a decision, a county agency.

Councilmember Pizzella said I understand that the farm board made a decision but no one explained to me whether or not that farm board has jurisdiction over our streets.

Mayor Ruocco said that is an issue and we in closed will talk about what our appellate options are. Also, the farm board gave our police discretionary power to review the plan.

Attorney Madaio said in my opinion you are either at the farm board or you are not and if you are and you submit to their jurisdiction and in fact file first and you get a decision that gets you three quarters of the way to where you want to be and gives you a plan to get to where you want to be. It would be my advice that it would be very difficult.

Point of Order. We will discuss in closed.

Chief Francaviglia said if it is all up to us we will try to do no on street parking by utilizing these parking lots, we can't guarantee it, and most will be using two zones. That is what our farm management has agreed to. If we get Smith School parking lot back maybe we can eliminate one more zone because the farm board gave the Police Department that authority. Some of the zones were redesigned and the reason they were redesigned you will see on the plans because traffic and pedestrian patterns; we are trying to make it as safe as possible like entering the area in one zone and exiting out another. We are going to have approximately four or five officers maybe six at the peak when we are using two particular zones. There will be law enforcement in the area; it could be Hillsdale Police Officers, it could be County Sheriff or somebody from the surrounding agencies that can help us out with this. That is something we have to discuss in closed regarding payment for that. Basically the County Sheriff has supplied us with two officers every weekend, one at Melville and one at the entrance to his driveway. The reason why an officer is at the entrance of the farm is when cars start going down Weirimus Road, they will shut down his parking lot and move them along and it is up to farm management to direct those farm patrons where they will park. That is something we have to communicate with my personnel working that day and with farm management; it is going to be a logistic nightmare but I think we can make it work. I urge everyone to check the website to see when your zone will be affected and if you have questions or comments, reach out to me or Sergeant McLaughlin at the Hillsdale Police Department.

Mayor Ruocco said the bus does not need to go into the farm, it can drop off at Wierimus.

Councilmember DeRosa thanked the Chief and Lieutenant because this is a hard plan to navigate and hope all the residents are sensitive to it, this is not something the Police Department created, and it is something they have to manage so when you are interacting with them, be nice, it's not their fault. Residents are frustrated and members of the Council are frustrated with the situation but be nice to the officers who are doing the best they can with a hard situation to manage.

Mayor Ruocco said when he came back from vacation last week you had a plan and subsequently revised it; even that early plan reflected a great amount of work.

Councilmember Segalas said he was supposed to have this plan and you took the initiative because you knew from past experience that it was not going to be the way we wanted it.

Chief Francaviglia said he would rather make the plan so that it works and we can manage it. We sat down and went over it with them and we will do it again and we will meet every Wednesday to see what is working and what is not working and he will have to abide by it because that is what the farm board said. Police Department has ultimate authority over the parking.

Mayor Ruocco said the farm board has issued a draft ruling; Council has seen it, it is not appropriate for us to release that until it is final; there are a number of stipulations in that for the farm and the farm has to comply with a number of steps. Some are strong recommendations, some are must do's, but there are a number of things Demarest Farm will have to do and we are trying to get a time frame assigned by the farm board to those things that we can be guided accordingly.

Chief Francaviglia said signage was paid for by the farm according to the agreement; officers will be paid by the farm according to the agreement. Anything to do with the parking in that area the farm will reimburse the Borough.

Councilmember Pizzella asked if this continues our ordinance is intact even though we are allowing parking and the ordinance says no parking.

Attorney Madaio said we are not allowing parking, we have been ordered by a board of at least arguable jurisdiction to permit a certain amount of farm parking in descending amount. In the event we were to lift the ordinance, we would have no way to control anything. As far as we are concerned, we have an ordinance that is fully being enforced subject to the determination of the county agency.

Councilmember DeRosa said if you lift the ordinance we will have absolutely no jurisdiction to do anything in that area, it will just be a free fall. Do you think we should send a letter to those residents in that area that are affected around the ordinance. You are getting calls, people have no idea

Councilmember Segalas said there is nothing to prevent us if we chose to add permit parking in that area during those times.

Chief Francaviglia did not believe we are at that point yet.

Mayor Ruocco said he and the Borough Administrator will look at the best method to communicate to residents either by mail or reverse 9-1-1 but that has some disadvantages.

Borough Engineer– August 2017

Christopher Statile

Borough Engineer Statile said he wanted to begin with Patterson Street. He handed it over to Suez so it is going to take a few weeks to make a determination whether they have to install internal devices, they can actually hear water trickling at nighttime at 2:00 AM and they can tell through their equipment whether it is a leak. Right now the ball is in Suez's court. He made an investigation by walking into the woods north of Patterson Street, Suez property, up to Cole's Crossing to try to identify where some of the piping may be coming from. There are two pipes in Patterson Street, one Hackensack Water Co. installed in 1950's which is independent of our drainage system, it came down along the RR tracks, down Patterson Street and shoots over to the Pascack Brook. Then is an old clay pipe that was probably constructed with the original road bed many, many years ago and that is the pipe percolating water on the road surface. If Suez says it is not their problem, then we will open up the street and do another investigation. We have to give Suez a few weeks to make an investigation. We just did this on Pascack Road in Washington Township and it was a leak and it took several weeks to identify the leak. That is what is going on Patterson Street. If you walk along the track you will see pockets of wetlands and you will see what comes out of the soil and it is coming to the pipes somehow and it could be receding ground water. It is an old clay pipe; we cannot find the source with that pipe. He looked through the old maps; Suez gave him their mapping in the 1950's and they don't show it. He looked at the sewer maps of the 1960's and they identify other drains but don't show that old pipe either. We will continue the investigation.

With regard to Patterson Street, we were not successful in getting the Transportation Alternatives Program Grant, a federal grant, the criteria for selection is slippery, they don't use criteria for selecting applications; 25 grants were given out state-wide. Eleven of the 25 towns had complete street resolutions which he asks Council to consider that; grants are available and you get points on your application for complete streets. If you passed a resolution you are handicap in need and a handicapped municipality; 153 towns have already passed a resolution. You are not obligated to do anything with that other than consider using a complete streets area which we do, we improve handicapped accessible ramps, we provide bicycle safe grates on the catch basins, so we do cater to pedestrians. Do not be afraid of that resolution, you are not obligated to anything.

Mayor Ruocco said the resolution implies that we are obligated and that is the problem a number of us had with that.

Engineer Statile said just to consider streets when you put forward a design, you don't have to widen the roads, build sidewalks; it is to consider design, that is all it is. He spoke to DOT about this, it is not an obligation, and you can take another step if you want but most towns don't and you get points on your grant applications for the resolution. We just sent two down to the state last week so we are going to get recognition on the upcoming grants program. Talking about grants with NJDOT, last week we applied for safe routes for transit on Piermont Avenue, only three grants are given out entirely in New Jersey. He has gotten money before on the applications; last year only three towns got grants. The state is not sure whether the DOT is going to give out twice as many grants or twice as big grants so we are going to start increasing our grant values to double them up, take the high road. If the state decides to push the grant allocations up to 155 or 165, we could be getting a lot more money, he doesn't know yet. If you look at the complete streets resolution it doesn't force you to do anything. You should consider it, you can add it to your Master Plan if you want to, but we do consider streets in all our work in town to make sure that things are bicycle safe, pedestrian access and handicap access, it is in all of our projects.

Mayor Ruocco asked if we could modify the last paragraph of the complete streets.

Engineer Statile said yes you can. What bothers him more at Centennial Field is the outfield, tonight it was soaked; the rest of the field wasn't. Shut off the amount of irrigation in that field, it is getting too much water. We had a rain storm tonight and it will further saturate that field; the clay was soaked and something is going on with the irrigation. He will physically stand and watch what is going on. The solution is to get to the DPW and Administrator. He did not think the rain sensor works there. Someone has to fix the equipment.

The contractor for the road program will begin milling Friday if it doesn't rain. Our program should be finished in a week, they work quickly. Public Service is continuing to upgrade the substation and we get a bi-weekly schedule from them. We are continuing at Centennial Field with our quarterly testing which is required; we are doing bi-annual vent testing. If we get the second results back and if again it is benign, we are going to approach the state saying we have benign gas coming out of it. We make inspections of the site and file a report. We don't have a contract yet for Beechwood Park. The grant can be used for repair, not maintenance, mainly painting, replacing some of the panels, masonry work. That was last year's grant that was pushed off because of the bomb threat; we should be getting those contracts soon, they should be around Labor Day.

## **COMMITTEE REPORTS:**

Councilman - Anthony DeRosa

Councilman DeRosa said the school board does not meet in July or August, their first meeting is Monday, the 11<sup>th</sup>. Those meetings move to Pascack Valley for the duration of the school year. The Rec Commission has been working hard on the Hillsdale Festival Day in the Park which is Saturday, the 16<sup>th</sup> at Beechwood. The Police will block off Hillsdale Avenue in front of Beechwood and there will be three food trucks and one for vegetarian type food; there will be a beer garden sponsored by Davey's Locker, a DJ, dunk tank, bands, school bands teams, pony rides, an area for pets, five antique auto cars and most of the funding has come through donations and solicitations the Rec Commission has done. This will be a big day, bigger than our regular town day and urged everyone to come out. The work on Corra Field has been completed and there was a litter water ponding in some areas so he was encouraged. The contractor will be back Saturday to make some tweaks.

Councilman - Scott Karcich

Councilman Karcich said the road program is still in effect and we are finishing up some of the roads. Some of the main roads have been fixed such as Piermont and Hillsdale Avenue this season; preparation for leaf season has started. The Borough will use the same plans we have done in the past year which has been successful and entails the renting of two extra garbage trucks and extra hourly laborers so we can get more material off the street in an expedient way. Later this month there will be dates on when and where the leaf program will start. The Superintendent developed a plan on how take care of snow and leaf removal; he submitted the plan to the committee and we are still reviewing it and intend to review it this month and have comments and questions so that we can codify that. He thanked Mr. O'Rourke for his efforts, he put in a detailed plan in place. We also procured some two way radios for our DPW trucks to supplement the radios they already had. Some of our crews could not properly communicate and now it has been addressed and these radios will be able to inter operate with our police and fire as needed during some of these storm events. The Borough has received responses from our garbage bid; he is not satisfied with the outcome. We had three bidders but only two were qualified and the pricing was very high; our Borough Administrator followed up with the other garbage providers that asked for the bid but did not submit it. The DPW committee will meet to discuss this topic and find options for the Borough. He thanked the Fire Chief and the department who helped out in Park Ridge last month for the major condo fire. Some of the residents work here in Hillsdale at Kings so donate to the Red Cross to help them. The Fire Department, Ambulance Corps and Police Department will have an Open House on the 8<sup>th</sup> of October and looking for volunteers that have time during the day.

Councilwoman - Abby Lundy

Councilwoman Lundy said her committees have not met since June.

Councilman - Frank Pizzella

Councilman Pizzella said the Environmental Commission will give an update and presentation on the ash floor situation at next week's meeting. Administrator DeJoseph is currently two proposals for the train station from three historical architects; one specific to the roof the other specific plan that can be used in the future.

Councilman – Steven Segalas

Councilman Segalas said the Board of Health had a meeting tonight; an employee flu clinic coming up and details will be circulated shortly as well as a rabies clinic on November 15. They had an active summer and a number of violations that they actively dealt with. He will be working with Councilman Pizzella on the ordinance review special committee and will be meeting in the immediate future to discuss the tree ordinance and make appropriate recommendations to the Council. We are in the process of scheduling a building and zoning standing committee meeting.

Council President – John Ruocco

Mayor Ruocco said the next Finance Committee meeting will be held on October 4; we cancelled the August meeting due to vacations. Seniors have their next lunch September 20 and will have the location when we meeting September 12.

## **DISCUSSION:**

## **NEW BUSINESS:**

## **CORRESPONDENCE:**

Motion to receipt and file - Motion \_\_\_\_\_ Second \_\_\_\_\_  
Council Members DeRosa, Karcich, Lundy, Pizzella, Segalas, Council President Ruocco

**PUBLIC COMMENT:**

Kevin O'Brien, 61 Park View Drive –

You mentioned earlier about Council President Seat being moved up. If someone fills the president seat another seat will still be open; who would fill that open seat?

Mayor Ruocco said my understanding is my position as a Councilman has to be filled; the County Committee of the party I belong to will come up with names for this Council to nominate from and when that Council person takes their seat here then it would be the appropriate time to ask the Council to select a Council President. That is a decision the Council makes.

Mr. O'Brien said he understood the Council President would be from one of the members of the Council but then there would still be another open seat.

Councilman Pizzella said it is confusing the way you explained it earlier. We get three names from the County Committee from the Republican Party and we choose from those three names and that person takes on John's seat and the entire Council at that time selects a Council President.

Mr. O'Brien said you are not prepared at this point to release who those three names would be.

Councilman Pizzella said we don't have it.

Mr. O'Brien said with respect to the bike path that Mr. Statile referenced, is there a possibility of tying the bike path somehow what River Vale has done; they have a great pathway through their town, connecting it to the high school, so it would be a continuous path. He understood the justification for the project on Patterson Street, it would be a more beneficial use not only for our residents but for River Vale residents if they could tie that into their access as well.

Mayor Ruocco said we made that application in the past and we will do it again.

Mr. O'Brien said he submitted an application in opposition to the Zoning Official's decision; he provided that to the Mayor and the Borough Attorney and Planning Board. The average person knows municipal agents are under the control and direction of the city governing body; in measuring the performance with deficiencies of such groups praise or criticism is generally attached to the official in complete control of that body. Hillsdale under Mayor Frank knew there was not three Certificates of Occupancy for 61 Park View Drive. Borough Ordinance 31055 makes reference to no deck is to be allowed within 10 ft. of any property line; that is not before the Board that is still before the Building Officer who hasn't made a decision 3-1/2 months. I provided the Board pictures, included measurements, provided it to the Zoning Official, to the Code Official and still 3-1/2 months later no action has been determined by the Code Official.

Attorney Madaio said the Code Official has requested the property owner provide the set of as built plans. From those as built plans, the Code Official will make a determination; is a variance required, how far it is really actually from the property line and he will make whatever determination he chooses to.

Mr. O'Brien said I have to spend \$250 again to reappeal something that is clear black and white in picture supporting my decisions.

Attorney Madaio said that is the process in the statutes. You may be able to ask the Planning Board to stay the family decision until you can appeal that one and ask that it be covered under one fee.

Mr. O'Brien said the Code Official wrote the deck appears to be a free standing structure; pictures show joists bolted to the main house. If she had gotten under and done the inspection that I did, she would have realized that. The Code Official wrote the landing outside the door appears to be rebuilt; the survey provided by the building owner to the Code Official did not support a deck or landing, where is the proof it existed prior, it was rebuilt. There is no justification; expansion of a non-conforming use, the property according to Hillsdale in 1985 is a non-conforming use. Any expansion of a non-conforming use requires a deed variance. The Building Code didn't support the mandated requirement or NJSA40:55d-70d. The Plumbing Sub-Code Official stated the deck was a clear violation of the Borough Code in June and may need to come down. Michelle Woods as yet has to make a decision. Code Official Woods wrote I was not available for the inspection, I was never called or asked to be part of the inspection yet I was the person who made the complaint. The Zoning Officer now separates the lower platform of the deck and the upper platform is two separate constructed items. The pictures I provided to you shows one deck, it is interconnected and of the same material. On 8/29 in Borough Hall the Code Official said the deck is now landscaping and doesn't require a zoning change. The Zoning Official wrote he was becoming more and more annoyed about hearing my complaint; it was written in his

email of 8/15; Code Official Michelle Woods wrote the rotten bannister on the steps was not visible. Of course it wasn't visible, it had rotted and collapsed and fell apart; it was required five years earlier but now she claims it is not required. This is just getting more and more bizarre. June 9<sup>th</sup>, nine pictures were taken yet not a single picture makes reference to that particular deck; state law and Borough ordinance require inspections be done in writing; Michelle Woods needs to be held accountable. The Opra request that he got shows there was no written inspection; she comes out to do an inspection but doesn't take any measurements and doesn't realize that the footings to the deck don't meet the IVC law as is required by the state statute and supported in Westwood. I can go on and on; Code Official Woods allows the plumbing work over the routine waste line without a permit and did not extend the violation to secure a permit. The Zoning Official when presented with that had no idea she allowed him to do that. I do not comprehend how a deck can all of the sudden become landscaping and when our Borough ordinance says it can't be within 10 ft. After 3-1/2 months she still cannot determine it is 6" or less and another side it is 2 ft. less and still no action is taken. You are still waiting for more blueprints and more drawings when it is clearly evident to anybody who wants to come and look at the deck. I offered that to everyone on the Council and no one is willing to accept it. What does a resident need to do; I've done my homework and still it is not done.

Councilmember Pizzella said Councilmember Segalas and he will speak with her to address the issue.

Mr. O'Brien said the law requires that Michele Woods set a compliance date and she did that on 8/11; on 8/17 the Zoning Official said he has no plans; on 8/29 he still had no plans. If the compliance date is 8/11 and the property owner did not comply, why isn't he given tickets.

Councilmember Pizzella said he and Councilmember Segalas will speak to Michell and get back to you.

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

#### **ORDINANCES:**

Borough Attorney asked that this be placed on next week's agenda. The Engineer is still drafting an easement.

#### **17-15 – (Adoption)**

#### **AN ORDINANCE TO RELEASE AND EXTINGUIS ANY AND ALL PUBLIC RIGHTS IN AND TO A PORTION OF KNICKBOCKER AVENUE IN THE BOROUGH OF HILLSDALE, SUBJECT TO CERTAIN EASEMENTS**

**WHEREAS**, Public Service Electric and Gas (hereinafter, "PSE&G") are the owners of property on both the north and south side of Knickerbocker Avenue, west of Prospect Place, which property is also known as Block 1212, Lots 14 and Block 1209, Lots 18; and

**WHEREAS**, the property is as set forth more specifically in a metes and bounds description attached as Exhibit "A" entitled, "Road Vacation Description" and as shown on a plan entitled "Knickerbocker Avenue Vacation Exhibit, Knickerbocker Avenue Road Vacation, Borough of Hillsdale, County of Bergen, New Jersey", prepared by Neglia Engineering and dated May 5, 2016, a copy of which is attached as Exhibit "B" ("the Property"); and

**WHEREAS**, that portion of Knickerbocker Avenue located westerly of Prospect Place (hereinafter, the "Street") is now a Borough Street owned by PSE&G on both sides; and

**WHEREAS**, the Borough of Hillsdale is of the opinion that the "Street" is no longer necessary for public use and public interest will best be served by abandoning, vacating, releasing and extinguishing any and all public rights which the Borough of Hillsdale may have in and to the "Street", subject to various easements which must remain in place to serve the residents of Hillsdale; and

**NOW, THEREFORE, BE IT ORDAINED** by the Governing Body of the Borough of Hillsdale, County of Bergen, State of New Jersey, as follows:

1. The public rights and interests of a portion of Knickerbocker Avenue, particularly described on Exhibit A and attached hereto are hereby vacated, abandoned and released, subject to maintaining the easements substantially in the form attached hereto, as follows:
  - a. Aerial Utilities Easement
  - b. Sanitary Sewer and Stream Access Easement
  - c. Suez Water Easement
  - d. Storm Drainage Maintenance Easement
  - e. Stream Maintenance Easement
  - f. BCUA Sanitary Sewer Easement

2. In return for the vacating of the aforesaid section of street, PSE&G will provide the Borough with the use of its lands designated on Exhibit C attached hereto to re-align Patterson Street inclusive of sidewalks and grading to achieve same as per designs provide by the Borough Engineer.
3. Public notice shall be provided pursuant to N.J.S.A. 40:49-6.
4. A copy of this ordinance shall be recorded by the Borough Clerk in the Office of the Bergen County Clerk, pursuant to N.J.S.A. 40:67-21.
5. This ordinance shall become effective twenty (20) days after final passage.

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.

**17-16 – (Adoption)**

**AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY**

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

SECTION 1. The rate of compensation of persons holding any of the hereafter named offices and positions of employment, which compensation shall be on an annual basis unless otherwise specified, is hereby fixed and determined to be as set opposite the title of each of the hereinafter named offices and positions of employment. Whenever there shall be set forth a minimum and maximum rate of compensation the employee or officer shall be compensated at an annual rate within such range.

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

	TITLE	MAXIMUM
1	Mayor	\$ 9,000.00
2	Councilmembers	\$ 6,000.00
3	Police Chief	\$ 170,958.00
4	Police Captain	\$ 163,385.00
5	Police Lieutenant	\$ 153,000.00
6	Borough Administrator	\$ 45,900.00
7	Borough Clerk	\$ 74,000.00
8	Certified Municipal Financial Officer and Qualified Purchasing Agent	\$ 92,100.00

9	Assistant Managers-Finance	\$	56,400.00
10	Assistant Managers-Finance	\$	23,272.00
11	Tax Assessor	\$	21,973.00
12	Tax Collector	\$	45,500.00
13	Assistant Managers-Finance	\$	19,500.00
14	Confidential Administrative Assistant- <i>per hour</i>	\$	19.00
15	Executive Assistant- <i>per hour</i>	\$	20.00
16	Interim/Acting Superintendent of Public Works	\$	80,000.00
17	Acting Recycling Coordinator	\$	2,000.00
18	Licensed Sewer Operator	\$	5,000.00
19	Class III Police Officers (2017-2018 School year)	\$	41,256.00
20	Class III Police Officers (2017-2018 School Year (Hourly))	Not to exceed \$30.00/hr	
21	Fire Official	\$	10,200.00
22	Municipal Judge	\$	18,605.00
23	Court Administrator	\$	52,410.00
24	Court Violations Clerk- <i>per hour</i>	\$	20.40
25	Prosecutor	\$	11,952.00
26	Alternate Prosecutor per court session	\$	200.00
27	Public Defender	\$	4,284.00
28	Alternate Public Defender per case	\$	200.00
29	Welfare Director	\$	15,507.00
30	Community - Seniors Activity Director	\$	14,456.00
31	Recreation Director	\$	15,976.00
32	Construction Official	\$	21,753.00
33	Building Sub-Code Official	\$	21,752.00
34	Zoning Official- <i>per hour</i>	\$	30.00
35	Board Secretary- <i>includes preparing minutes-per meeting</i>	\$	50.00
36	OEM Coordinator	\$	2,000.00
37	OEM Deputy Coordinator	\$	2,000.00
38	Volunteer Ambulance Corps Stipend	\$	400.00
39	Volunteer Fire Department Stipend	\$	600.00

40	Fire Chief	\$	3,400.00
41	Deputy Fire Chief	\$	2,650.00
42	Senior Captain	\$	1,650.00
43	Junior Captain	\$	1,350.00
44	First Lieutenant	\$	1,050.00
45	Second Lieutenant	\$	900.00
46	Third Lieutenant	\$	750.00
47	Forth Lieutenant	\$	600.00
48	Mechanic (per apparatus)	\$	200.00
49	Advisor	\$	500.00
50	Fit Test Administrator	\$	200.00
51	Air Bank Tech	\$	400.00
52	Radio Tech	\$	250.00
53	Training Advisor	\$	350.00
54	Cadet Advisor	\$	350.00
55	Driver (per apparatus)	\$	50.00
56	Board Clerk	\$	1,300.00
57	Education beyond Fire Fighter 1	\$	35.00

		<b>MINIMUM</b>	<b>MAXIMUM</b>
58	Borough Temporary or Per-Diem Worker	\$ 10.00	\$ 50.00
59	DPW Seasonal or Per-Diem Worker	\$ 10.00	\$ 100.00

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

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

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

SECTION 6. This Ordinance shall take effect immediately after final passage (in accordance with state law), approval (in accordance with state law), and publication of notice thereof as required by law, and the provisions of this Ordinance shall be retroactive to January 1, 2017, unless otherwise noted.

Motion to open public hearing on Ordinance 17-16 by Councilmember Karcich, Second by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 17-16, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I entertain a motion that the public hearing on Ordinance No. 17-16 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Borough Clerk is authorized to advertise the same according to law.

Motion to close public hearing on Ordinance 17-16 by Councilmember DeRosa, Second by Councilmember Segalas.

Roll Call Vote:

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

Nays: None

Motion to adopt Ordinance No. 17-16 by Councilmember DeRosa, Second by Councilmember Lundy,

Roll Call Vote:

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

Nays: None

### **17-17 – (Adoption)**

#### **AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 63 OF THE CODE OF THE BOROUGH OF HILLSDALE, COUNTY OF BERGEN, STATE OF NEW JERSEY, IN ORDER TO REVISE THE TABLE OF ORGANIZATION OF THE POLICE DEPARTMENT TO FILL THE POSITION OF POLICE LIEUTENANT POSITION**

**WHEREAS**, Chapter 63 of the Code of the Borough of Hillsdale established the Table of Organization for the Hillsdale Police Department; and

**WHEREAS**, the current Table of Organization provides for the position of Lieutenant, which is currently designated as “vacant”; and

**WHEREAS**, the Mayor and Council are desirous of filling the position of Lieutenant in the Borough, in accordance with the recommendation of the Chief of Police, with one Lieutenant; and

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

Chapter 63-9A(3) of the Code of the Borough of Hillsdale is hereby amended to delete the word “Vacant” and insert the number 1.

Hereinafter, Chapter 63-9 shall read as follows:

#### **§ 63-9. Creation and composition.**

A. Pursuant to the authority granted by N.J.S.A. 40A:14-118, the Borough of Hillsdale hereby establishes a Police Department in and for the Borough of Hillsdale, New Jersey, to consist of the following positions, and the maximum number of individuals assigned to each respective rank, as follows:

(1) Chief of Police: 1

(2) Captain: 1

(3) Lieutenant: 1

(4) Sergeant: 5 (plus a temporary 6<sup>th</sup> sergeant during 2018 in anticipation of a sergeant retiring)

(5) Patrol officers: 16. See Subsection C below.

(6) Class III Special Law Enforcement Officers (SLEO III) who are retired regular police officers and who may from time to time be appointed and shall serve at the pleasure of the governing body for a term not to exceed one year, which officers shall not be members of the regular police force but shall nevertheless be under the control and supervision of the Chief of Police for use solely as school security officers as detailed in N.J.S.A. 40A:14-146.10, et seq.: as necessary.

B. This Section shall not be construed as establishing any right on the part of any member or members of the Police Department to appointment to any position within the Department, nor shall it be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department. The existence and continuance of any of the above-specified offices and the number of appointees to each such office shall be determined by the governing body as it may, from time to time, in its sole discretion, deem reasonably necessary for the efficient and effective operation of the Department.

C. In the event that there is an unfilled vacancy in any of the superior officer positions, the maximum number of patrol officers shall be increased by the number of such vacancies. However, in no event shall the maximum number of officers in the Police Department, including the Chief, Captain, Lieutenant, Sergeants and Patrol Officers, but excluding Special Law Enforcement Officers, exceed 19 members.

D. The Borough Administrator of the Borough of Hillsdale shall be deemed to be the "appropriate authority" for purposes of the Borough Code and N.J.S.A. 40A:14-118.

## **Section 2. Ratification of Prior Actions; No Interruption in Service.**

The Borough does hereby ratify and reconfirm all prior actions concerning hiring and promotion in the Police Department taken prior to the adoption of this Ordinance. Nothing in this Ordinance shall be construed as terminating or interrupting any period of service or tenure of any member of the Hillsdale Police Department.

## **Section 3. Repeal of Inconsistent Ordinances.**

All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

## **Section 4. Savings Clause.**

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.

## **Section 5. Severability.**

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.

## **Section 6. Effective Date.**

This ordinance shall become effective upon adoption and publication as required by law, but in no event sooner than September 25, 2017.

Motion to open public hearing on Ordinance 17-17 by Councilmember Karcich, Second by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No. 17-17, please raise your hand to be recognized, come forward to the microphone and state your name and address for the record.

I entertain a motion that the public hearing on Ordinance No. 17-17 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public. Now, therefore, be it resolved that this ordinance be adopted and the Borough Clerk is authorized to advertise the same according to law.

Motion to close public hearing on Ordinance 17-17 by Councilmember Pizzella, Second by Councilmember Karcich.

Roll Call Vote:

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

Nays: None

Motion to adopt Ordinance No. 17-17 by Councilmber Pizzella, Second Councilmember Lundy.

Roll Call Vote:

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

Nays: None

**RESOLUTIONS:(Consent Agenda): R17227 through R17240:**

R17227 Resolution Authorizing the Roof Replacement at the Department of Public Works Building

**WHEREAS**, the Borough of Hillsdale, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program and other approved Cooperative Purchasing Programs for any State or Cooperative Purchasing contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury and/or by the approve the Cooperative Purchasing Program; and

**WHEREAS**, the Borough of Hillsdale is a member of the Educational Services Commission of New Jersey, New Jersey State approved Cooperative Pricing System #65MCESSCCPS Purchasing Program; and

**WHEREAS**, the Borough wishes to replace the roof at the Department of Public Works Building through the Educational Services Commission of New Jersey, New Jersey State approved Cooperative Pricing System #65MCESSCCPS Purchasing Program; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and the Borough Clerk are hereby authorized to execute an agreement for the roof replacement at the Department of Public Works Building with Murray Paving & Concrete 17 Park Place, Paramus, New Jersey 07652, in an amount not to exceed \$118,314.60 in accordance with the Educational Services Commission of New Jersey, New Jersey State approved Cooperative Pricing System #65MCESSCCPS.

R17228 Resolution Authoring Refund of Tax Over Payment - 270 Washington Avenue, Block 1313 Lot 7

**WHEREAS**, Nancy Kovar, former owner of 270 Washington Avenue, Hillsdale, NJ 07642, was voluntarily set up for quarterly ACH withdrawal of her taxes from her bank account, and taxes for 3<sup>rd</sup> quarter 2017 were withdrawn from her account on August 11, 2017,

**WHEREAS**, Ms. Kovar sold her house on March 31, 2017, and was not liable for the tax payment for the 3<sup>rd</sup> quarter,

**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 1313 Lot 7

270 Washington Avenue

Hillsdale, NJ 07642

\$2,380.10

Refund to:

Nancy Kovar

108 Stepping Stone St.

Kalama, WA 98625

R17229 Waiver to Serve Alcohol at the Hillsdale Festival

**WHEREAS**, Borough Code of the Borough of Hillsdale prohibits the consumption of alcohol on Borough Property; and

**WHEREAS**, on September 16, 2017 (with a rain date of September 23, 2017) the Borough Council and the Hillsdale Recreation Commission is sponsoring a “Town Day/Festival” at Beechwood Park, from 1:00 pm to 6:00 p.m.; and

**WHEREAS**, the sponsors desire to have a Beer Garden as part of the Festival.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that there shall be a waiver from said Borough Code allowing alcohol on Borough Property for the Hillsdale Town Day Festival, only for the date, location and times aforementioned.

R17230 Appointment of Brian Comitto to the Position of Part-Time Fire Inspector

**WHEREAS**, the Borough of Hillsdale promulgated requests for applications for a part-time fire inspector; and

**WHEREAS**, Brian Comitto was interviewed by the Borough Administrator and has met the requirements for the position of Part-time Fire Inspector; and

**WHEREAS**, the Borough of Hillsdale desires to appoint Brian Comitto the position of Part-Time Fire Inspector effective September 5, 2017 at the rate of \$20.00/per hour not to exceed ten (10) hours per week; and

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Brian Comitto is hereby appointed to the position of Part-time Fire Inspector, effective September 6, 2017.

R17231 Approval of Change Order #1 Contract for the Weirimus Road Drainage Pipe Replacement

**WHEREAS**, the Borough of Hillsdale has heretofore entered into a contract with JTG Construction, Inc., 188 Jefferson Street, Suite 387, Newark, NJ 07105, for the Weirimus Road Drainage Pipe Replacement, R17099, March 28, 2017; and

**WHEREAS**, Christopher P. Statile, Borough Engineer, has recommended approval of the following change order:

<b>Change Order No. 1</b>	Decrease of Base Bid	(-11.86%)
		(\$10,370.00)

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale, that the above-cited Change Order No. 1, decreasing the amount of the Base Bid under said contract by the sum of (\$10,370.00), shall be and hereby is approved, and the Mayor and Borough Clerk are hereby authorized and

directed to execute the same for and on behalf of the Borough of Hillsdale as directed by Borough Engineer Christopher Statile, in the form annexed hereto and hereto made part of.

R17232 Resolution Authorizing Redemption and Premium for Block 503 Lot 5.01 – 776 Hillsdale Avenue

**WHEREAS**, The Tax Collector held a Tax Sale on October 21, 2015, and at the sale a lien was sold on Block 503 Lot 5.01, also known as 776 Hillsdale Avenue, Hillsdale, NJ 07642 for 2014 Delinquent taxes and,

**WHEREAS**, this lien, known as Tax Sale Certificate #14-00001 was sold to Madison Trust Company, as collateral assignee of Stonefield Investment Fund IV, LLC, 21 Robert Pitt Drive, Suite 207, Monsey, NY 10952 for 0% redemption fee and a \$35,500.00 premium and,

**WHEREAS**, David Leffler, 776 Hillsdale Avenue, Hillsdale, NJ 07642, has effected redemption of Certificate #14-00001 in the amount of \$30,065.81.

**NOW, THEREFORE, BE IT RESOLVED**, that the Tax Collector is authorized to issue a check in the amount of \$30,065.81 payable to Madison Trst Co, As Coll Assig, Stonefield Inv Fund IV, LLC for the redemption of this certificate.

**BE IT FURTHER RESOLVED**, that the Tax Collector is authorized to issue a check in the amount of \$35,500.00 (Premium) to the aforementioned lienholder.

R17233 Authorizing the Disposal of Surplus Property Conducted Through Gove Deals (Rebidding)

**WHEREAS**, the Borough of Hillsdale is the owner of certain surplus property which is no longer needed for public use; and

**WHEREAS**, the following items were not sold on the previous auction through GOVDEALS; and

**WHEREAS**, the Municipal Council are desirous of a second selling of said surplus property in an “as is” condition without express or implied warranties.

**NOW THEREFORE, BE IT RESOLVED** by the Municipal Council in the Borough of Hillsdale in the County of Bergen as follows:

(1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-83453 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the Borough Clerk’s Office;

(2) The sale will be conducted online and the address of the auction site is govdeals.com;

(3) All buyers premiums to be paid by the purchaser;

(4) The sale is being conducted pursuant to Local Finance Notice 2008-9.

(5) A list of the surplus property to be sold is as follows:

MISC EQUIPMENT	YEAR	ITEM	MODEL TYPE	VIN/SERIAL NUMBER	MINIMUM BID AMOUNT
		HT1000 HANDIE-TALKIE FM RADIOS	H01KDC9AA3DN		\$250.00
		VERTEX VHF FM	VX-10 VX-180		\$10.00
		MOTOROLA MTS2000	MTS2000		\$25.00
		MOTOROLA	RADIUS P110		\$10.00

	MOTOROLA	RADIUS GP300		\$10.00
	MOTOROLA	RADIUS SP50		\$10.00
	MOTOROLA	MINITOR 3 MINITOR 2SV MINITOR 2		\$25.00
	HUSQVARNA	240		\$50.00
	COURSE ALERT	LIGHTNING DETECTORS		\$250.00

(6) The surplus property as identified shall be sold in an “as-is” condition without express or implied warranties with the successful bidder required to execute a Hold Harmless and Indemnification Agreement concerning use of said surplus property.

(7) The Borough Administrator sets the auction date.

R17234 Resolution for Adopting a Change to an Existing Deferred Compensation Plan

**WHEREAS**, THE Borough of Hillsdale (hereinafter referred to as the “Employer”) by resolution adopted a Deferred Compensation Plan (hereinafter referred to as the “Plan”) effective September 5, 2017, for the purpose of making available to eligible employees the accrual of tax benefits under a Section 457 Deferred Compensation Plan; and

**WHEREAS**, the Employer desires to provide for Designated Roth Contributions and/or In-plan Roth Conversions under its Plan;

**NOW, THEREFORE, BE IT RESOLVED** that the Employer hereby adopts the attached Amendment, which has been approved by the Division of Local Government Services and assigned identifier 83-PD-VALIC-061912, to Deferred Compensation Plan Document, identifier 81-PD-VALIC-103111, to be part of and incorporated into its existing Deferred Compensation Plan Document.

R17235 Approval to Submit a Grant Application and Execute a Grant Application with the New Jersey Transportation for the Reconstruction of St. Nicholas Avenue from Kinderkamack Road to Broadway

**WHEREAS**, the Borough of Hillsdale desires to receive \$241,375.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of resurfacing, making safety improvements and traffic calming measures along St. Nicholas Avenue; and

**WHEREAS**, the Borough Engineer has developed a plan of action and cost estimate to improve St. Nicholas Avenue and key intersections through the addition of pavement markings and other physical complementary safety improvements; and

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

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2018-Hillsdale Borough-00128 to the New Jersey Department of Transportation on behalf of the Borough of Hillsdale.

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

R17236 Resolution giving Approval to Submit a Grant Application and Execute a Grant Agreement with the New Jersey Department of Transportation for the Safety Improvements Along Piermont Avenue Project

**WHEREAS**, the Borough of Hillsdale desires to receive \$199,650.00 in funds from the New Jersey Department of Transportation Highway Trust Fund for the purpose of making safety improvements and traffic calming measures along Piermont Avenue; and

**WHEREAS**, the Borough Engineer has developed a plan of action and cost estimate to improve Piermont Avenue and key intersections through the addition of sidewalks, pavement markings and other physical complementary safety improvements; and

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

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

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application MA-2018-Hillsdale Borough-00129 to the New Jersey Department of Transportation on behalf of the Borough of Hillsdale.

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

R17237 Resolution Authorizing the Borough of Hillsdale to Retain the Services of Christopher Statile, P.A. to Undertake the Preparation of Recreation and Open Space Inventory (ROSI) to Receive Green Acres Funding through the State of New Jersey Department of Environmental Protection Green Acres Program

**WHEREAS**, each municipality is required to prepare a ROSI as a condition of applying for and receiving Green Acres funding; and

**WHEREAS**, the ROSI lists all Green Acres funded properties (funded parkland) as well as all other lands held for conservation and/or recreation purposes at the time the Borough last received funding from Green Acres (unfunded parkland); and

**WHEREAS**, lands listed on a ROSI include those owned, leased, or otherwise controlled by the Local Unit and may include land owned in fee, land leased by the Local Unit for recreation purposes, land owned by a private entity upon which the Local Unit holds a conservation easement, or any land in which the Local Unit holds a specific recreation and/or conservation interest; and

**WHEREAS**, Green Acres restrictions are contractual and statutory in nature, a property may be subject to Green Acres restrictions even if it is omitted from a ROSI; and

**WHEREAS**, The Borough desires to apply for funding through Green Acres funding; and

**WHEREAS**, it is in the Borough's best interest to obtain the services of Christopher Statile, P.A. to prepare the ROSI Spreadsheet for the Borough in the preparation of future Green Acres Funding; and

**WHEREAS**, Christopher Statile, P.A., has submitted a proposed budget for said services; and

**WHEREAS**, the Borough is desirous of hiring Christopher Statile, P.A. with the limitation that his fees are not exceed \$3,420.00.

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Hillsdale, that it does hereby retain Christopher Statile under the terms of his Proposal, and

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to execute all necessary documents to retain Christopher Statile in accordance with the Proposal.

R17238 Resolution Authorizing the Signing of the Non-Disclosure Agreement with SUEZ Water New Jersey, Inc

**WHEREAS**, the Borough of Hillsdale has properties that connect to the sewer line of the Township of Washington and the Borough of Woodcliff Lake; and

**WHEREAS**, the Borough of Hillsdale needs to bill the Township of Washington and the Borough of Woodcliff Lake for the sewer usage of those properties; and

**WHEREAS**, Suez Water New Jersey Inc. (hereinafter, "Suez") has expressed concern of "a customer privacy risk"; and

**WHEREAS**, Suez requires the signing of a Non-Disclosure Agreement prior to the submission of customer water consumption data to the Borough of Hillsdale for the purposes of billing another municipality; and

**WHEREAS**, Suez has provided a Non-Disclosure Agreement for the Borough of Hillsdale to sign for this purpose.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, the Mayor of Hillsdale is hereby authorized to sign said Agreement with Suez, 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.

R17239 Resolution Authoring Refund of Tax Over Payment – 776 Hillsdale Avenue, Block 503 Lot 5.01

**WHEREAS**, the lien holder of tax lien #14-00001 paid the 3<sup>rd</sup> quarter 2017 subsequent taxes on Block 503, Lot 5.01 on August 18, 2017,

**WHEREAS**, the homeowner has the right make any tax payments before the end of the grace period of a tax quarter, which in this case had been extended to August 31, 2017,

**WHEREAS**, the homeowner paid the 3<sup>rd</sup> quarter 2017 taxes on his property on August 28, 2017, creating a duplicate payment for that quarter,

**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 503 Lot 5.01

776 Hillsdale Avenue

\$2,260.57

Refund to:

Madison Trust Co, As Coll Assig

Stonefield Inv Fund IV, LLC

21 Robert Pitt Dr., Suite 207

Monsey, NY 10952

Mayor Ruocco said we pulled R17232, R17233, R17234 and R17239. We will vote on the others as a block.

Motion by Councilmember Karcich, Second by Councilmember DeRosa.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas

Nays: None

R17232 Motion by Councilmember DeRosa, Second by Councilmember Segalas.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Segalas

Nays: None

Abstain: Councilmember Pizzella

R17233 Motion by Councilmember Lundy, Second by Councilmember Segalas

Roll Call Vote:

Ayes: Councilmember DeRosa, Lundy, Segalas

Nays: None

Abstain: Councilmember Karcich and Pizzella

R17234 Motion by Councilmember DeRosa, Second by Councilmember Karcich

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Segalas

Nays: None

Abstain: Councilmember Pizzella

R17239 Motion by Councilmember DeRosa, Second by Councilmember Karcich

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Segalas

Nays: None

Abstain: Councilmember Pizzella

Borough Attorney Madaio said the representatives of the farm or the contractor purchasers of the Tandy & Allen property have asked if that could be rezoned to have an agricultural purpose without voting on whether or not that should be that. I have prepared a resolution requesting that the Borough Planner review and provide draft ordinances to utilize the property for agricultural purposes but consideration by the governing body. That was prepared later today and thanked Councilman Segalas and that is in the packet.

Moved to table was made by Councilmember Segalas, seconded by Councilmember Pizzella.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas

Nays: None

Mayor Ruocco said this can be brought up at the next Council meeting.,

**OFF-CONSENT:**

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

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

**COUNCIL COMMENTARIES:**

Councilmember Lundy congratulated Mayor Ruocco and thanks to Bob Auth and Mr. Hogan for their presentations.

Councilmember Segalas seconded Councilmember Lundy's comments. He congratulated the Mayor and is looking to working with him as Mayor. The town has a person of integrity in the role of Mayor. He thanked the Chief to get the parking plan in effect. He followed some emergency vehicles of the Fire Department and what he saw in Park Ridge was horrific and amazing. Seven towns appeared in the middle of the night and was marvelous. It is a great testament to the quality of people we live with in the Pascack Valley.

Councilmember DeRosa congratulated the Mayor; thanked Bob Auth and we do have a friend. Monday is 9-11; there is a memorial service in town and EMS will line up on Hillsdale Avenue and stand in attention. There is also a candle light remembrance for our residents at 7:30 PM in Veterans Park and invited everyone to attend.

Councilmember Pizzella congratulated the Mayor. He thanked Doug Frank who was a strong and independent person, very intelligent and was here for the right reasons. He did what he felt was for the interest of Hillsdale and worked diligently and worked for Hillsdale residents. He respects him not only as Mayor but as a human being. He thanked the Rec Commission and everyone working with the Rec Commission and always wanted to have a Hillsdale blast and is going to have the great event. He welcomed all the school children back to school tomorrow.

Councilmember Karcich said his thoughts and prayers go to the people of Texas during this trying time and it has been awesome to see people come together to save one another. He thanked the County Clerk for his presentation tonight and thanked Assembly Roth who is always there to support us and for his presentation. He thanked Doug Frank for his service to the Borough. It was a privilege and pleasure to serve with him and learned a lot from him and the inner workings of government truly work. We both shared the same frustrations and how slow government works and all the hurdles placed on municipal leaders just trying to do what is best for Hillsdale. Mayor Frank and I were cut from similar cloths, both being business leaders who led diverse organizations with varying responsibilities; Doug Frank had a take charge leadership style in my opinion is what Hillsdale needed at the time. He held folks accountable as well as himself; good leadership starts with a vision and Mayor Frank implemented a vision of professionalism and better service to our residents. In his short tenure as Mayor I believe he accomplished a lot some of which went unseen. When we both took office in early 2016, we had no Borough Administrator or Clerk, they both resigned and our CFO who was hard to navigate; Mayor Frank did it with flying colors. Working with our new Borough Administrator Mr. DeJoseph, he quickly fixed our garbage problem which could have been a disaster because the vendor at the time had major issues. We made fixing our infrastructure a priority in fixing our roads, culverts and small bridges. Mayor Frank brought a higher level of transparency to the Borough and to our residents which you saw in the email blasts and public statements. We may not always have agreed with the Mayor but you knew where he stood. In working with the Council, he also changed the format of our meetings which you can see here today to make them run quicker, to allow our residents the opportunity to engage with this Council sooner in the meetings. This way a resident would have to sit for an hour plus before they got the opportunity to address about their concerns. What any leader can hope to do is when they leave an organization in place than when they started, I believe Mayor Frank has achieved this and I thank him for his service and his friendship. I am also very excited to work with our new Mayor, John Ruocco, and I congratulate him. As a Councilmember, John is the most prepared member I worked with from finding the latest research to creating financial models so the committees which he chairs or works on can make informed decisions. I am certain he will pick up where Mayor Frank left off and work to solve the many issues Hillsdale faces.

I now would like to address the Demarest Farm situation. I am not completely happy with the outcomes of the farm board; it is frustrating that they talk out of both sides of their mouth on what authority they do or do not have in regards to our streets and ordinances. In the end it is the responsibility of this governing body to navigate Hillsdale in a way that protects its residents, visitors and the Borough regarding safety and from potential litigation. This Council bent over backwards in many ways to find solutions for the farm's parking issues which I feel doesn't get enough credit for in the press and the public. We are portrayed as villains trying to hurt the farm and this is just not true. This Council has done more to help this single business than any other business in town to my knowledge. I also run a small business which has its own set of challenges and issues; when Hurricanes Floyd and Irene wiped out my business twice, Hillsdale did not come to rebuild my own business, we had to find our own solutions. In 2008 when the financial crisis hit and the banks stopped lending money, my customers stopped paying me; the Borough of Hillsdale did not come to lend me money, not that I would ask for it. In 2016 when I took this very office, I had just lost my mother; the banks in a predatory situation closed my lines of credit because my mother deceased; she was a business partner in my business and they did it just because they could. As business leaders you need to be creative, be able to adapt to market forces and change the things that happen in your business. I am happy the farm found more non-government parking this season but as my feeling with this time they had on this very problem they could have found more. Before we passed the no-parking ordinance, there were many great ideas and creative ideas on how the farm could reduce the amount of traffic on our streets by having people buy tickets for pick your own. I am disappointed that the farm also did not take the St. Johns lot which would have offered more spots to patrons. Even though I am not completely happy with the farm board's decision there is light at the end of the tunnel in regards to the safety issues and parking issues during the pick your own season. Lastly, I would like to ask our residents to please be patient, courteous, and kind to our Hillsdale Police Officers, the County Police Officers, the Police Officers from the Pascack Valley who will be helping us this season to implement this new parking plan with the farm. We are asking a lot of these officers, it will be a challenge and remember none of these issues are their fault; they are simply doing their duty in upholding the law. Thank you.

Mayor Ruocco reminded everyone that we will have the Hillsdale Festival September 16 at 1:00 PM. I think it is going to be a great opportunity in town to come together. I personally volunteered to be a member of the dunk tank; as a Mayor I believe that is an appropriate role for a Mayor and I challenge all my Council Members to share the dunk tank with me. He thanked Elizabeth Ward and Marty Ward for a job well done in pulling off the concert series. I attended most of them with my wife, had a good time and Marty and Elizabeth do a great job in organizing this and picking the musicians and the bands and it doesn't cost hardly anything for Hillsdale to put this on. He thanked Bob Auth for coming and enlightening us on the grants but also swearing me in. I hopefully I live up to the standards that you live up to personally. Doug Frank was a good Mayor in my view, I learned a lot from him; he was certainly someone who got into the details, and he had a vision when he decided something, you better have your facts straightened out and right in order to talk him out of it. I respect Doug for that. It is easy to say yes to anyone when someone wants the town to do something that benefits them at the expense of the taxpayers; it is a very hard thing to say no. Any elected official has a sacred trust with the residents to act for the common good for all the residents, not just for a special group. Given the opportunity, I like Doug am prepared to say no when it doesn't make sense for the town as a whole. As Mayor I have to respect the role of our Council which makes the key legislature and policy decision, whether I agree with them or not. We have many important issues ahead of us to deal with and this particular Council is unafraid to express its divergent views and vote their individual consciences. I think you saw a little about that tonight. Most of the votes of the Council are unanimous because they deal with administrative actions that have to be taken with little fanfare but on the ones where this is a controversial policy matter or where residents may be affected negatively, that is where you can see the true colors and courage of the Council. I think that is what you have seen from this Council and you will continue to see it. That is all I would like to say at this time; he thanked the Council for nominating him and selecting him as their Mayor. I hope to live up to that challenge.

ADJOURN TO CLOSED SESSION:

Borough Attorney Madaio said that concludes this evening's business and would ask the Council to consider Resolution R17240 and asked for a motion to go to Closed Session.

R17240 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 – *Regional Planning/Demarest Farms/Tandy Allen Property*

**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 – *Affordable Housing/Pascack Valley Mayors Regional Planning Effort/Tandy Allen Property*
- (8) Matters relating to the employment relationship
- (9) Matters relating to the potential imposition of a penalty.

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

Motion by Councilmember by Councilmember Pizzella, Second by Councilmember Karcich.

Roll Call Vote:

Ayes: Councilmembers DeRosa, Karcich, Lundy, Pizzella, Segalas

Nays: None

**ADJOURNMENT:**

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

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE  
September 12, 2017 5:30 PM**