Mayor Sheinfield called the meeting to order with the younger members of the audience leading the Pledge of Allegiance.

Mayor Sheinfield read the Open Public Meeting Statement stating this is a meeting of the Hillsdale Borough Council on this 7th day of May, 2024. Notice of the time and place of this meeting has been provided to The Ridgewood News and The Bergen Record; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please silence all cell phones. Please wait to be recognized by the Mayor during the Public Hearing and the Public Comment part of the meeting. You will need to state your name and town of residence for the record.

Borough Clerk Kohan took roll call of the members and all were in attendance.
Council President Escobar, Council Members Fox, Lundy, Osso, Ruocco, Trochimiuk, Mayor Sheinfield (Borough Administrator Mike Ghassali, Borough Clerk Denise Kohan, Borough Attorney Mark Madaio)

Mayor Sheinfield presented the names of the following individuals for appointment to the indicated positions and the specified terms of office.

PLANNING BOARD*:*

Stephen Sammarco – Alt #2	Non- Expiring Term 12/31/24
Dr. Arthur Weinberg – Alt #1 (Class Change)	Non-Expiring Term 12/31/25
Gia Guzman – Class IV (Class Change)	Non-Expiring Term 12/31/24

Motion to Record: Ruocco Second: Lundy
Ayes: Council President Escobar, Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk
Nays: none

Mayor Sheinfield recognized that this week is Municipal Clerks week and gave recognition to Borough Clerk Denise Kohan for all her hard work and effort that she puts forth. He read the Proclamation in Recognition of this.

Municipal Clerks Week — Mayor Michael Sheinfield

APPROVAL OF MINUTES:
Council Meeting Minutes April 2, 2024
Council Meeting Minutes April 9, 2024

Motion to approve Lundy Second Escobar
Ayes: Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar
Nays: none

INITIAL PUBLIC COMMENT (time limited to 3 minutes, items on the agenda only, one topic per speaker -please state your name and town of residence for the record)

Mayor Sheinfield opened the Initial Public Comment Period

Rhonda Margolin – Hillsdale
Her home is in the process of being bought under the Blue Acres Program, however she is still paying the full amount of taxes on her home and is looking for assistance. She feels that since her house is unhabitable she shouldn't have to pay for the taxes in full. The Administrator stated that he has been working with the assessor on this but until our budget is approved by the State of New Jersey there is nothing that we can do. An adjustment will be made and it will be retroactive. Our Assessor, Patrick Wilkins is aware of it and waiting on the budget approval and then he can apply for the adjustment. Borough Attorney Mark Madaio agreed that until the State approves the Boroughs budget, there is no program that can allow the Borough to adjust the taxes. The home may not have value, but there is land value. The Administrator will continue to follow up with the Assessor and keep in touch with the homeowner.

James Lawlor – Hillsdale
He had a meeting last year regarding the fields in town with the Borough Administrator and there has been a lot of progress. He thanked the Administrator and the council for coming together to work towards making Hillsdale fields safer for the children. He brought some of those players today to hopefully witness the approval of the resolutions that are on tonight to improve these fields.

Not seeing any other person(s) wishing to address the Mayor and Council, Mayor Sheinfield closed this portion of the meeting.

Mayor Sheinfield announces the proposed change to the **SPECIAL COMMITTEES** for the year 2024.

Fields & Parks Committee (name change only)	Lundy, Escobar, Osso, Borough Administrator, Recreation Director, Recreation Chair

Motion to record Osso Second: Lundy
Ayes: Councilmember Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar, Fox
Nays: none

A proposed change to the By-Laws for the Borough of Hillsdale for the year 2024. The Borough Clerk clarified that this is to update the Special Committees list and the name change that was just approved. These changes only affect Article 10. Some of the Special Committees have been updated or no longer exist and the By Laws did not reflect those changes.

Motion: Lundy Second: Trochimiuk
Councilman Ruocco sought clarification from the attorney whether the motion was to approve just the proposed changes or the entire ByLaws. The mayor and the attorney confirmed the former.
Ayes: Councilmember Osso, Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy
Nays: none

PROFESSIONAL MONTHLY REPORTS:
Engineering Report – April 2024 Colliers Engineering

Nick Chelius from Colliers Engineering reviewed the paving projects that going on. The NJDOT Fiscal Year 2024 project for Melville Rd & Douglas Rd is underway, however Douglas Road has been removed from the scope of this project because of the funding that was received versus what we had requested so a scope change

will have to be submitted. Douglas Road will be moved into the Riverside Co-op and it will be paved under that program. The 2023 Grant we have the authorization to bid on tonight. A service agreement is in place and we just need to go out to bid as soon as this is approved. We just finalized the closeout for the NJDOT Fiscal Year 2022 Project and there should be about $50,000.00 coming back to the Borough in grant funding as soon as the review is over. Under the 2024 Co-op Road Paving Program, we have 9 roads that will be paved.
Kelsey from Colliers is here tonight to review the grant for Beechwood Park. This grant will be used in addition to the Local Recreation Improvement Grant that we have as well. The Local Recreation Grant will be used to rebuild one portion of the trail and the Bergen County Open Space grant will finish the remainder of the trail. Since one grant would not fully fund the complete trail. There is also a due diligence proposal on for Memorial Park. This covers the surveys of the park and some ecological due diligence information that will recognize any constraints that we may run into.
Councilmember Lundy confirmed that we are still waiting on DEP approval for the Beechwood Trail. We are just waiting at this point. We will need to apply for new permits for the next part. The first part is ready to go we just need the permit.
Councilman Ruocco asked what the estimated cost would be for Centennial Field as the cost of $50,000 that was stated in the Recreation minutes that he feels is incorrect. The Borough Administrator stated that the base amount for this project is about $633,000. However, the Borough Engineer feels that there will be a substantial lower difference in cost when it comes to the soil remediation. Councilman Ruocco also asked what the estimated cost for improvements to Memorial Field could be, but at this time there is no scope in place so the Engineer can not give a cost at this time.

COMMITTEE REPORTS:

Council members serve as liaisons to departments and committees in Hillsdale to provide the governing body and the public with an update on arising issues, actions considered, and actions taken within a given organization.

Liaisons are not expected to be intimately familiar with the granular issues being considered by committees and departments. The people responsible for such information are the B.A. and the internal head of the department or committee.

Should anyone have questions requiring an in-depth response, and the council person is not comfortable providing the answer, I will direct the B.A. to provide a response. If an answer cannot be immediately ascertained, it will be the responsibility of the B.A. to speak to relevant parties and provide the person making the inquiry with a timely response. The B.A. will then report back his findings to the mayor, council, and public at the next public meeting.

Councilman – Clemente Osso
Stated that Robert Lombardi will be in attendance at the next meeting to discuss the upcoming referendum. The Fire Dept. is hosting their annual carnival in the West Parking Lot this Monday through Saturday. Summer Camp is fully booked and the Recreation Director of Woodcliff Lake will be announcing some open spots that their camp. Donations are being sought for the Summer Concert Series which will start in June. Valley Bank donated $1000.00 and Inserra donated $7500.00.

Councilman – Justin Fox
He ~~M~~met with the DPW Superintendent and the Borough Administrator and spoke about a few housekeeping items. Councilman Osso stated that we have received a total of 50 tons of clay for the fields. They are looking for 1 additional employee that has been budgeted for this year. Discussions on modifying and renovating the DPW repair shop that is located in the back of the DPW lot.

BERGEN COUNTY OPEN SPACE, RECREATION, FARMLAND & HISTORIC PRESERVATION TRUST FUND GRANT APPLICATION – *@7:30 p.m. or as soon as possible thereafter as advertised*

Motion to open public hearing on the 2024 Bergen County Trust Fund Grant Application – Beechwood Park

Motion Ruocco Second Osso
Councilman Ruocco wanted to confirm that we are in compliance with the submission of this grant as the backup shows this was due May 3rd and it is now May 7th. The Borough Clerk responded that Kelsey from Colliers will address this shortly.
To clarify the funds that we already have, Nick from Colliers explained that the funds that we already have in place are from 2 separate grants that were combined, which had the ADA accessibility component. In short, they are adding the ADA accessible entrances at both ends of the park and connecting the ends of the trail and will add boardwalk sections. The new grant will be to rebuild the existing board walk by demoing all of what is there and replacing it. 50% of this grant is to be paid by the Borough, but as a reminder this is also to cover the renovation of the grass area and the installation of new bleachers.
Ayes: Councilmember Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy, Osso
Nays: none

I will now open the meeting to the public. If anyone desires to be heard regarding the 2024 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant – Beechwood Park, please say your name and wait to be recognized. Once recognized, state your name and town for the record.

Kelsey Ritner, the Grant Writer from Colliers Engineering handled the submission of this grant. This grant is open to all 70 municipal governments of Bergen County. The plan is to replace approximately 750 linear feet of deteriorated board with pressure treated timber. There would be an addition of viewing platforms and benches along the trail. In addition, the plan is to upgrade the outfield of the ball field and adding bleachers at this field. An ADA compliant walkway will be added from the street to the bleachers. She discussed the proposed timeline in hopes to have this project completed by September 2025 and the possible costs depending upon the funds received. There is the ability to change the scope of this project again once we see what the Borough is awarded. Councilmember Lundy again reminded the Engineer that if we are awarded this grant, to please touch base with the Environmental Commission on the type of would that should be used.

George Hernandez – Hillsdale
Was curious to know who actually uses this trail. Councilmember Lundy stated that a lot of people use this trail and it's a gem of the town. Mr. Hernandez just felt that there are other things that this money could be used for like the fields. If it's a gem, then why has it been in this condition for so long?

Councilmember Trochimiuk asked about the date confusion as the grant application was due May 3rd but today is May 7th. Kelsey from Colliers stated that we received approval from the county to provide the supporting documents after the fact. Councilmember confirmed that depending upon what we are awarded the Borough will have to come up with 50% even if we change the scope, it still has to remain in this park. We can add more but we cannot use this money at another location. The Boy Scouts and the DPW did do some work on this trail but it was only a temporary fix.

Mayor Sheinfield stated that seeing no other comments he now entertains a motion that the public hearing on the 2024 Bergen County Open Space, Recreation, Farmland & Historic Preservation Trust Fund Grant – Beechwood Park be closed and that it be resolved that a copy of the Letter of Intent and the completed Grant Application was available to the public at Borough Hall.

Motion to close public hearing on 2024 Bergen County Trust Fund Grant Application – Beechwood Park

Motion Escobar Second Trochimiuk
Ayes: Councilmember Trochimiuk, Council President Escobar, Fox, Lundy, Osso, Ruocco

Nays: none

24135 Resolution of Intent to Apply and the Approval to Submit a Grant Application for the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund – Beechwood Park Project – Matching Grant

WHEREAS, the Bergen County Open Space, Recreation, Floodplain Protection, Farmland & Historic Preservation Trust Fund ("County Trust Fund"), provides matching grants to municipal governments and to nonprofit organizations for assistance in the development or redevelopment of outdoor municipal recreation facilities; and,

WHEREAS, the Borough of Hillsdale desires to further the public interest by obtaining a matching grant of $99,666 from the County Trust Fund to fund the Beechwood Park Project and,

WHEREAS, the governing body has reviewed the County Trust Fund Program Statement, and the Trust Fund Municipal Program Park Improvement application and instructions, and desires to make an application for such a matching grant and provide application information and furnish such documents as may be required; and,

WHEREAS, as part of the application process, the governing body held the required Public Hearing to receive public comments on the proposed park improvements in the application on May 7, 2024; and,

WHEREAS, the County of Bergen shall determine whether the application is complete and in conformance with the scope and intent of the County Trust Fund; and,

WHEREAS, the Borough of Hillsdale is willing to use the County Trust Fund in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the County of Bergen for the above-named project and ensure its completion on or about the project contract expiration date.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Hillsdale:

1. That it is hereby authorized to submit the above completed project application to the County by the deadline of **MAY 3rd. 2024**, as established by the County; and,
2. That, in the event of a County Trust Fund award that may be less than the grant amount requested above, the governing body of the Borough of Hillsdale has, or will secure, the balance of funding necessary to complete the project, or modify the project as necessary; and,
3. That the governing body of the Borough of Hillsdale is committed to providing a dollar-for-dollar cash match for the project; and,
4. That only those park improvements identified and approved in the project application, its Trust Fund contract, or other documentation will be considered eligible for reimbursement.
5. That the governing body of the Borough of Hillsdale agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project; and,
6. That this resolution shall take effect immediately.

Motion_ Trochimiuk Second Osso
Ayes: Council President Escobar, Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk
Nays: none

COMMITTEE REPORTS – (continued)

Councilman – John Ruocco
Access for All held their Art Show tonight which was well attended. There were 43 pieces of art that was showcased. He thanked Carol Schepker for donating gifts to all the artists. A discussion was held at the last meeting regarding applying for a grant under Jake's Law and ideas on how to utilize those funds, whether it be by matching funds or obtaining other grants as well.
They are still looking to fill some vacancies on the board that pertain to department heads.
For the Anniversary Committee, he reported that the bricks for the pathway have been ordered. A total of 340 bricks were sold and they should be installed sometime in June. The journal has also been finalized and he thanked Jenny Frantin and Liz Gross who put in a lot of effort into preparing the journal. There will also be 2 scholarships in the amount of $500 that will be available to Pascack Valley students.

Borough Administrator – Mike Ghassali
The Memorial Day Ceremony rain or shine will be on May 27th at 9:30 followed by a parade.
The Drone Study is ready to be accepted and we have funds available through our storm management account. The cost is $8500.00. A resolution will be prepared for next week.
The DPW Committee supports the decision to redesign the current DPW Building and repurpose a 4-bay garage that sits in the back of the property. There are several options that they are looking at. This will be funded by a 2021 Grant that we received from Hurricane Ida Relief Fund.
Borough Hall and the Police Station renovation is almost complete and we are planning to have an Open House at Borough Hall and the Police Dept on June 7th from 2-3:30, more information to come on this.
He is finalizing an update to the employee handbook and should be ready soon.
Mayor Sheinfield referred back to the DPW discussion to see if there has been any consensus on rerouting some of the underground flood management in the main DPW Building. The administrator stated that they are looking at the surveys to see where these pipes are actually located and if its feasible. We are also looking at moving the salt shed to Woodcliff Lake which will open up the area.

Councilman Ruocco asked the BA if the fields in town are in safe condition for the children to play on.~~?~~ The Administrator stated that they are safe but wet. There are no hazardous issues at our fields. The DPW makes the call if the fields are playable or not due to the weather.

ORDINANCES:
24-09 (Adoption)
An Ordinance Amending Chapter 71, "Swimming Pool Commission" of the Borough Code to Modify Section 71-3- "Meetings" and to Modify 71-3(C)

WHEREAS, after review of the Swimming Pool Commission (hereinafter "Pool Commission") Code of the Borough of Hillsdale (hereinafter the "Borough"), the Pool Commission has voted to approve at their meeting on November 8, 2023 to revise their Code; and

WHEREAS, Chapter 71 of the Borough of Hillsdale Ordinance entitled "Swimming Pool Commission" includes ten Sections: §71-1 "Establishment.", §71-2 "Members.", §71-3 "Meetings", §71-4 "General Powers and Duties.", §71-5 "Powers and duties: development, rules and fees.", §71-6 "Annual budget.", §71-7 "Purchases; municipal costs.", §71-8 "Financial records.", §71-9 "Personnel.", and §71-10 "Powers reserved." ; and

WHEREAS, the Pool Commission desires to modify section §71-3(C) regarding Meetings; and

NOW, THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Hillsdale,

County of Bergen, State of New Jersey, as follows:

Chapter 71, Swimming Pool Commission, § 71-3 "Meetings", of the Borough Code is hereby amended to read as follows in its entirety:

§ **71-3. Meetings**

The Commission shall meet (at the Borough Hall or the Stony Brook facility 12 regular monthly meetings) in each calendar year in accordance with applicable state and municipal regulations, ordinances and statutes. At is organizational meeting, it shall:

A. Determine the date and hour of its regular meetings.

B. Elect from among its members a Chairperson and a Vice Chairperson.

C. Appoint a Secretary, who need not be a member of the Commission; who shall among his or her duties keep minutes, which shall be filed with the Borough Clerk within a reasonable amount of time after Commission's approval.

D. Adopt bylaws regulating its internal organization and the conduct of its meetings.

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.

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

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

Motion to open public hearing on Ordinance 24-09 Lundy Second Trochimiuk
Ayes: Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar
Nays: none

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No 24-09, please say your name and wait to be recognized, once recognized state your name and address for the record.

I will now entertain a motion that the public hearing on Ordinance No. 24-09 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 24-09 Lundy Second Trochimiuk
Ayes: Councilmember Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar, Fox
Nays: none

Motion to adopt Ordinance No. 24-09 Lundy Second Trochimiuk
Councilmember Ruocco feels that the Ordinance should be more specific on when minutes must be made publicly available.
Ayes: Councilmember Osso, Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy

Nays: none

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

24-10 (Adoption)

An Ordinance to Provide for and Determine the Maximum Rate, Amount and Method of Payment of Compensation to Persons Holding Certain Office 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 up to the maximum 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 or 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 may be entitled to receive a maximum annual compensation as set forth below.

	TITLE	MAXIMUM
1	Mayor	$ 13,000.00
2	Councilmembers	$ 10,000.00
3	Police Chief	$ 220,000.00
4	Police Captain	$ 200,000.00
5	Police Lieutenant	$ 180,000.00
6	Borough Administrator	$ 150,000.00
7	Borough Clerk	$ 120,000.00
8	Qualified Purchasing Agent - Stipend	$ 15,000.00
9	Certified Municipal Financial Officer	$ 150,000.00
10	Tax Collector	$ 30,000.00
11	Assistant Manager - Finance	$ 75,000.00
12	Tax Assessor	$ 30,000.00
13	Finance Assistant - Accounts Payable -*per hour*	$ 32.00
14	Confidential Administrative Assistant-*per hour*	$ 32.00
15	Executive Assistant-*per hour*	$ 32.00
16	Municipal Housing Liaison Stipend	$ 5,000.00
17	Superintendent of Public Works	$ 140,000.00
18	Licensed Sewer Operator - Stipend	$ 7000.00
19	DPW – General Assignment	$ 100,000.00
20	DPW - Foreman	$ 100,000.00

21	DPW – Head Mechanic	$	100,000.00
22	Secretary – Dept of Public Works - *hourly*	$	32.00
23	Class III Police Officers - *hourly*	$	70.00
24	Fire Official	$	15,000.00
25	Inspector for Continuing Certificate of Inspection	$	6,000.00
26	Community - Seniors Activity Director	$	20,000.00
27	Social Services Liaison	$	20,000.00
28	Recreation Director	$	80,000.00
29	Recreation Assistant – per hour	$	32.00
30	Construction Official	$	30,000.00
31	Building Sub-Code Official	$	30,000.00
32	Building Sub-Code Official Vehicle Allowance	$	1,000.00
33	Zoning Official-*per hour*	$	50.00
34	Planning Board Secretary-includes preparing minutes-*per meeting*	$	100.00
35	OEM Coordinator	$	5,000.00
36	OEM Deputy Coordinator	$	5,000.00
37	Borough Temporary or Per-Diem Worker	$	50.00
38	DPW Seasonal or Per-Diem Worker	$	100.00
39	Technical Asst – Building Dept-*per hour*	$	37.00
40	Fire Sub-Code Official	$	14,000.00
41	Electrical Inspector	$	19,500.00
42	Plumbing Inspector	$	20,500.00
43	Fire Inspector-*per hour*	$	32.00

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.

Motion to open public hearing on Ordinance 24-10 Ruocco Second Trochimiuk
Ayes: Councilmember Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy, Osso
Nays: none

I will now open the meeting to the public. If anyone desires to be heard regarding Ordinance No 24-10, please

say your name and wait to be recognized, once recognized state your name and address for the record.

I will now entertain a motion that the public hearing on Ordinance No. 24-10 be closed and that it be resolved that this ordinance was posted on the bulletin board on which public notices are customarily posted and published in the Ridgewood News. Copies of said ordinance were made available to the general public.

Motion to close public hearing on Ordinance 24-10 Lundy Second Trochimiuk
Ayes: Councilmember Trochimiuk, Council President Escobar, Fox, Lundy, Osso, Ruocco
Nays: none

Motion to adopt Ordinance No. 24-10 Trochimiuk Second Lundy
Councilmember Ruocco questioned what the DPW General Assignment position is. The Administrator will review and report back as this has been an existing position on the past rosters.
Ayes: Council President Escobar, Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk
Nays: none

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

24-11 (Introduction)

Capital Ordinance of the Borough of Hillsdale, in the County of Bergen, New Jersey authorizing Public Improvements and Acquisitions in, by and for the Borough, Appropriating Therefor the Sum of $2,726,400 and Providing that Such Sum so Appropriated Shall be Raised from the Borough's Capital Improvement Fund and from the Borough's Forfeiture Trust Fund

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

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

(A) Administration
Replacement of the OEM Fire & Flood Siren.

Estimated Cost: $60,000

(B) Recreation
Various improvements to and equipment acquisitions for the Borough's athletic fields, parks and recreation facilities.

Estimated Cost: $1,800,000

(C) Fire Department
Various Improvements to the Fire Department & Acquisition of the following: turnout gear, SCBA packs, Mobile Data Terminals & Thermal Imaging Device

Estimated Cost: $92,000

(D) Department of Public Works
Acquisition of the following: HFD heater and plows.

Estimated Costs: $39,000

(E) Infrastructure Improvements
Undertaking of the 2024 Road, Curb, Sidewalk, Culvert, Sewer & Drainage Improvement Program at various locations.

Estimated Cost: $600,000

(F) Buildings & Grounds
Purchase and Installation of Lock-Timer at the Memorial Park restrooms.

Estimated Cost: $6,400

(G) Police Department
Acquisition of the following: SUV and personal protective equipment.

Estimated Cost: $129,000

Section 2. The sum of $2,726,400 is hereby appropriated to the payment of the cost of the improvement authorized and described in Section 1 hereof (hereinafter referred to as "purpose"). Said appropriation shall be raised from the Borough's Capital Improvement Fund and the Borough's Forfeiture Trust Fund, as hereinafter provided. The sum of $2,621,400 is hereby appropriated from the Borough's Capital Improvement Fund and the sum of $105,000 is hereby appropriated from the Borough's Forfeiture Trust Fund to the payment of the cost of said purpose.

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

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

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

BE IT RESOLVED, that Ordinance No. 24-11 does now pass a first reading and that said Ordinance be further considered for final passage at a Meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on June 11, 2024 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Motion Lundy Second Trochimiuk
Ayes: Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar
Nays: none

24-12 (Introduction)

An Ordinance Amending Chapter 210, "Streets and Sidewalks"; Article II "Openings and Excavations" of the Borough Code

WHEREAS, it is desirous of the Borough of Hillsdale (hereinafter the "Borough") and the Planning Board of the Borough (hereinafter the "Board") to amend Section §310-56 "Fences" of Chapter 310 of the Borough Code tilted "Land Use"; and

WHEREAS, Chapter 310 of the Borough of Hillsdale Ordinance entitled "Land Use" includes eight Parts: Part 1 "General Provisions"; Part 2 "Boards"; Part 3 "Administration and Enforcement"; Part 4 "Zoning"; Part 5 "Subdivision and Site Plan Review"; Part 6 "Violations and Penalties"; Part 7 "Construal of Provisions" and Part 8 "Affordable Housing"; and

WHEREAS, the Governing Body of Hillsdale desires to modify Part 4 "Zoning", Article XV entitled "Special Regulations" section §310-56 entitled "Fences" parts B and F to revise the requirements of residential front yard fences and prohibit chain link fences being installed in the front yard for residential properties; and

WHEREAS, the Governing Body of the Borough of Hillsdale believes that it is in the best interest of the Borough to revise these provisions in the Ordinance to maintain the beautification of the Borough.

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

Chapter 310, Land Use, Part 4 "Zoning" Article XV "Special Regulations" § 310-56 "Fences", of the Borough Code is hereby amended to read as follows in its entirety:

§ 310-56. Fences

A. No fence in any district shall exceed four feet in height above the curb level when located within 25 feet of the intersection of two street lines. For the purposes of this article, any outdoor wall other than a retaining wall shall be deemed a fence.
B. No fence in any residential district, or on a lot in any other district on which residential buildings are erected, shall exceed four feet in height above ground level when located at a distance closer to any street line than the front setback line prescribed for said district, nor shall any such fence exceed six feet in height above ground level when located at a distance equal to or greater than the front setback line prescribed for said district. Fences in the in the front yard shall be no less than 50% open.
   [Amended 5-5-2009 by Ord. No. 09-09]
C. No fence in any commercial district shall exceed a height of six feet above ground level, except as noted in § 310-56A and B.
D. No fence in an industrial district shall exceed a height of eight feet above ground level, except as noted in § 310-56A and B.
E. The restrictions set forth in the Article shall not prevent the erection of an open wire fence not exceeding eight feet in height above ground level anywhere within a public park, public playground or public-school property. Nothing herein shall be construed to prevent the erection of a retaining wall.

F. The following fences and fencing materials at any location which a dwelling is situated are specifically prohibited: barbed-wire fences, sharp-pointed metal fences, canvas, cloth, electrically-charged fences, temporary fences, expandable fences, collapsible fences or chain link fences in a front yard. Nothing herein shall be deemed to prevent the erection of suitable windbreaks for the winter protection of trees, shrubs and other vegetation.

G. All fences shall be within property lines. No fence shall encroach upon a street. All fences must be erected such that the posts or other materials supporting the fence and/or fence fabric are located on the inside of the fence facing the property being enclosed or protected.
[Amended 5-13-1997 by Ord. No. 97-8]

H. Every fence shall be maintained in a safe, sound and upright condition and shall be subject to the inspection of the Hillsdale Construction Code Agency.

I. If the Hillsdale Construction Code Agency, upon inspection, shall determine that any fence or retaining wall, or portion of any fence or retaining wall, is not being maintained in a safe, sound, upright condition, it shall notify the owner of the lot, in writing, of its findings and order such fence or retaining wall or portion of such fence or retaining wall to be repaired or removed within 15 days from the date of such written notice to the owner.

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.

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

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

BE IT RESOLVED, that Ordinance No. 24-12 does now pass a first reading and that said Ordinance be further considered for final passage at a Meeting of the Mayor and Council in the Municipal Building, 380 Hillsdale Avenue, Hillsdale, New Jersey, on June 11, 2024 and at said time and place all persons interested will be given an opportunity to be heard concerning the same, and the Clerk is hereby authorized and directed to publish said ordinance in the Ridgewood News once, at least one week prior to said hearing, with a notice of its introduction and of the time and place, when and where said ordinance would be considered for final passage.

Motion Lundy Second Trochimiuk
Ayes: Councilmember Lundy, Osso, Ruocco, Trochimiuk, Council President Escobar, Fox
Nays: none

RESOLUTIONS:(Consent Agenda): 24136 through 24157:

24136 Resolution Authorizing the Award of a Non-Fair and Open Contract with Quikteks, LLC for Computer Support Services for the Borough of Hillsdale

WHEREAS, the Borough of Hillsdale has a need to acquire Computer Support Services from Quikteks, LLC located at 373E Route 46 Fairfield, New Jersey 07004 as a Non-fair and Open Contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, Quikteks, LLC has presented an Agreement to the Borough for Computer Support Services for the Borough of Hillsdale and the Borough Administrator has determined that the value of the contract will exceed

$17,500.00; and

WHEREAS, Quikteks, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Quikteks, LLS has not made any reportable contributions to a political or candidate committee in the Borough of Hillsdale in the previous one year, and that the contract will prohibit Quikteks, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, the scope of services in the Agreement includes Managed Monthly Services, Monthly Malwarebytes End Point Protection, Monthly Offsite Data Storage and Monthly Duo Security as described within the agreement; and

WHEREAS, the fees related to the above referenced services are:

Monthly Managed Service Fee	$1,690.00
Monthly Malwarebytes End Point Protection -	307.50
Monthly Offsite Data Storage	150.00
Monthly Duo security Fee	22.75
	$2170.25/month

WHEREAS, the Borough desires to execute the Agreement and authorize Quikteks, LLC to perform the services set forth above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes the Mayor and/or Administrator to sign the aforesaid Agreement with Quikteks, LLC 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.

NOW THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale authorizes the Borough of Hillsdale to enter into a contract with Quikteks, LLC as described herein; and,

24137 Resolution Approving Agreement with the Borough of Park Ridge for Fuel Usage on an Emergency Basis

WHEREAS, the Borough of Hillsdale presently has an agreement with the Borough of Westwood to utilize their fuel stations; and

WHEREAS, the Borough of Park Ridge has offered the Borough of Hillsdale use of their fuel stations on an emergency basis and as a back up to their agreement with the Borough of Westwood; and

WHEREAS, the Borough of Park Ridge will charge the Borough of Hillsdale market price based upon Park Ridge's cost per gallon plus an additional administrative fee surcharge; and

WHEREAS, billing will be on a monthly basis based upon fuel consumption reports; and

WHEREAS, the Borough Administrator and Borough Attorney have reviewed this matter and recommend that the use of fuel stations by the Borough of Hillsdale to be utilized on an emergency basis be and is hereby approved; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Hillsdale, that the use of fuel stations by the Borough of Hillsdale on an emergency basis and as a back up to Hillsdale's

agreement with the Borough of Westwood, be and is hereby approved; and

BE IT FURTHER RESOLVED, the Borough of Park Ridge will charge the Borough of Hillsdale market price based upon Park Ridge's cost per gallon plus an additional administrative fee surcharge to be billed on a monthly basis based upon fuel consumption reports; and

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and directed to take all steps necessary to effectuate the intent of this resolution; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized and directed to forward a copy of this resolution to the Borough of Park Ridge upon its passage.

24138 Resolution Authorizing the Mayor and Borough Clerk to Execute a Solid Waste Agreement with the Bergen County Utilities Authority

WHEREAS, the Borough of Hillsdale entered into an agreement with the Bergen County Utilities Authority (hereinafter referred to as "BCUA"), on March 7, 2023 for the utilization of a solid waste transfer station; and,

WHEREAS, the BCUA, the agency designated and empowered by the Bergen County Commissioners to supervise the implementation of the Bergen County Solid Waste Management Plan, through applicable purchasing procedure, will continue the Solid Waste Cooperative Marketing Program with Waste Management of NJ, Inc., for the acceptance, processing and disposal of municipal solid waste pursuant to Contract No. 24-001 for the term covering June 1, 2024 through May 31, 2026; and,

WHEREAS, in accordance with Contract No. 24-001, the following transfer station facility has been designated by the BCUA as disposal facility to be utilized by participating municipalities pursuant to a Solid Waste Service Agreement: Waste Management of New Jersey ("Waste Management") Fairview Transfer Station, 61 Broad Street, Fairview, New Jersey (hereinafter referred to as "Transfer Station Facility"); and,

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

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

WHEREAS, the Borough of Hillsdale is desirous of extending their current Solid Waste Service Agreement with the BCUA, pursuant to which the Borough of Hillsdale shall deliver municipally-generated solid waste to the above referenced Transfer Station Facility for processing, transportation and disposal, and the BCUA shall provide such solid waste processing, transportation and disposal services to the Borough of Hillsdale at a rate of $92.24 per ton inclusive of the $3.00 per ton recycling tax for the first year and will be amended on January 1 of each year during the term of the agreement as required; and

WHEREAS, funds are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute the Solid

Waste Service Agreement between the Borough of Hillsdale and the Bergen County Utilities Authority for solid waste services located at the aforementioned Transfer Station Facility; and

24139 Resolution of the Borough of Hillsdale Appointing a Municipal Alliance Coordinator

WHEREAS, Legislation created P.L. 1989 establishing the Governor's Council on alcoholism and Drug Abuse and the creating of a network of volunteers throughout New Jersey's communities called the Municipal Alliance Program; and

WHEREAS, the Municipal Alliance Program was created to allow change to be developed from the ground up, allowing communities to make local decisions and empower them to make changes from within the community; and

WHEREAS, there is a need to appoint a Municipal Alliance Coordinator to help administer the needs of the Program; and

WHEREAS, Marguerite Deppert has the skills, experience and is qualified to fulfill the requirements of the position of Municipal Alliance Coordinator; and

WHEREAS, the Mayor and Council are desirous in appointing Marguerite Deppert to fill the position; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Marguerite Deppert is hereby appointed Municipal Alliance Coordinator of the Borough of Hillsdale for the year 2024-2025 at a stipend of $2000.00.

24140 Resolution Authorizing the Extension of the Agreement with the Hillsdale Board of Education for Security Camera System Access

WHEREAS, the Borough of Hillsdale and the Hillsdale Board of Education had previously entered into an agreement regarding Security Camera System Access in each of its schools, which provides among other things, real-time video feed through each installed camera along with the current ability to access video records; and

WHEREAS, the parties agreed to the terms and have created an Agreement whereby the Hillsdale Police Department shall have access to the Computerized Security Camera System on an as-needed basis; and

WHEREAS, the current agreement is due to expire June 30, 2024 and now both parties wish to extend the agreement as per the contract commencing on July 1, 2024 and will terminate on June 30, 2025 with an understanding that this agreement may be extended once more upon the agreement of both parties, in writing no later than June 1, 2025; and

NOW, THEREFORE, BE IT RESOLVED that is the desire of the Borough Council of Hillsdale, County of Bergen, State of New Jersey, to authorize the new Agreement with the Hillsdale Board of Education, and all other appropriate Borough professionals are hereby authorized and directed to take any and all steps necessary to effectuate the purposes of said document.

24141 Resolution Authorizing the Signing of an Agreement with Pascack Valley Regional High School to Assign Class III Special Law Enforcement Officers

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

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

WHEREAS, the Pascack Valley Regional High School (hereinafter "PVRHS") has requested the assignment of SLEO IIIs at PVRHS; and

WHEREAS, the parties have agreed, or shall agree, to the terms and have created an Agreement whereby a Class III member of the Hillsdale Police Department, a Borough employee under the direction of the Hillsdale Police Chief, shall be assigned duty at PVRHS.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that upon final agreement, the Mayor and/or the Borough Administrator is hereby authorized to sign said Agreement with PVRHS, 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.

24142 Resolution to Adopt Surplus Policy for the Borough of Hillsdale

WHEREAS, the Mayor and Borough Council of the Borough of Hillsdale desires to set a policy for the unreserved, undesignated Fund Balance: and

WHEREAS, after careful consideration and recommendation from the Chief Financial Officer and Borough Administrator the Mayor and Borough Council has determined that the Fund Balance post Budget Adoption on any given year should be between 15 percent and 20 percent of the current year's Inside Cap operating budget; and

WHEREAS, the Borough of Hillsdale desires to establish an appropriate strategy if the post Budget Adoption Fund Balance drops below the 15 percent minimum or exceeds the 20 percent maximum;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hillsdale that the policy for the unreserved, undesignated Fund Balance shall be as follows:

1. The Fund Balance post Budget Adoption of any given year should be between 15 percent and 20 percent of the current year's Inside Cap operating budget;
2. If the fund balance drops below the 15 percent minimum, the Governing Body shall take such action, aided by an economic plan developed by the Chief Financial Officer and the Borough Administrator to restore the fund to the acceptable level within two (2) years.
3. The Chief Financial Officer and the Borough Administrator shall devise a plan to be submitted to the Finance Committee from a mixture of the following elements designed to restore the Fund Balance:
    a. Decrease the amount of surplus anticipated in the current and/or succeeding year's budget;
    b. Increase the amount appropriated for the Reserve for Uncollected Taxes;
    c. Evaluate funding level of reserves (accumulated absence, storm removal, tax appeal) and reduce reserve year budget transfers if appropriate.
    d. Reduce anticipated Miscellaneous Revenues in current and/or succeeding budgets.
4. If the fund balance exceeds the 20% maximum, the portion above the top limit should be added to the amount of surplus anticipated in the current budget, and should be specifically dedicated to

reduce short term debt and/or used to increase the contribution to the Capital Improvement Fund and/or used to increase the appropriation for various reserves ensuring that they are adequately funded and/or used to mitigate property tax increases.

5. After the Annual Financial Statement has been filed, the Chief Financial Officer shall report to the Borough Administrator and Finance Committee on the status of the fund balance as it relates to this policy, which report shall be considered during budget deliberations.

BE IT FURTHER RESOLVED, that it shall be the policy of the Borough of Hillsdale to maintain an adequate fund balance at all times, which fund is necessary to provide the cash required to meet the Borough's obligations and operations during those periods between tax collection cycles.

24143 Resolution to Authorize the Chief Financial Officer the Authority to Pay Certain Obligations as Needed

WHEREAS, it is in the best interest of the Borough of Hillsdale to grant authority to the Chief Financial Officer to pay certain obligations when due and owing prior to the regular payment of bills;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Borough Council of the Borough of Hillsdale that the Chief Financial Officer be designated to pay the following as needed and is necessary for the orderly operation of the Borough of Hillsdale:

6. Summer Camp refunds as permitted by Borough Ordinance and approved by the Recreation Director and Chief Financial Officer;
7. Recreation Program refunds as permitted by Borough Ordinance and approved by the Recreation Director and Chief Financial Officer;

All payment of bills will be formally signed and approved at the next scheduled Council Meeting.

24144 Resolution Hiring Temporary Seasonal Laborer Mark Gehm- Department of Public Works

WHEREAS, there exists a need for a Temporary Seasonal Laborer within the Borough of Hillsdale Department of Public Works; and,

WHEREAS, Mark Gehm meets the requirements to fill the position at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council Borough that Mark Gehm is hereby appointed to the position of Temporary Seasonal Laborer in the Department of Public Works, effective April 15, 2024 until approximately December 31, 2024 at a rate of $18.00 per hour and not to exceed 40 hours per week.

24145 Resolution Authorizing the Borough Clerk to Advertise for Bids Regarding (2) Supplemental Garbage Truck Rentals and (2) Operators for the 2024 Leaf Removal Season

WHEREAS, the Borough desires to utilize supplemental garbage truck(s) and operator(s) for leaf removal throughout the Borough during the leaf season; and

WHEREAS, in order to effectuate such use, the Borough desires to rent a supplemental garbage truck(s) and hire an operator(s) for the truck(s), which would serve this purpose; and

WHEREAS, there is a need to publicly advertise for bidders for the rental of an additional garbage truck(s) and operator(s) during the leaf season; and

WHEREAS, bid specifications shall be prepared and utilized in connection with this matter.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that the Municipal Clerk is hereby authorized to advertise for Bids regarding the rental of supplemental garbage truck(s) and operator(s) of truck(s) for the upcoming 2024 leaf season.

24146 Resolution Appointing Class III Special Law Enforcement Officer to the Hillsdale Police Department for the 2024-2025 School Year – Linda McNulty

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

WHEREAS, the Borough is desirous of appointing Linda McNulty as a Class III Officer for the 2024-2025 school year; and

WHEREAS, Linda McNulty is desirous of accepting the position; and

WHEREAS, all funding is subject to reimbursement from the Regional District - Pascack Valley Regional High School; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that Linda McNulty, is hereby appointed as Class III Officer of the Hillsdale Police Department at an annual salary of $59,280.00, along with all other costs as set forth in the agreement covering the 2024-2025 school year.

24147 24147 Resolution Appointing Class III Special Law Enforcement Officer to the Hillsdale Police Department for the 2024-2025 School Year – Peter Martin

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

WHEREAS, the Borough is desirous of appointing Peter Martin as a Class III Officer for the 2024-2025 school year; and

WHEREAS, Peter Martin is desirous of accepting the position; and

WHEREAS, all funding is subject to reimbursement from the Regional District - Pascack Valley Regional High School; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Hillsdale, County of Bergen, State of New Jersey, that Peter Martin, is hereby appointed as Class III Officer of the Hillsdale Police Department at an

annual salary of $59,280.00, along with all other costs as set forth in the agreement covering the 2024-2025 school year.

24148 Resolution Authorizing the Appointment of Municipal Representatives to the Bergen County Community Development Regional Committee

WHEREAS the Municipality of the Borough of Hillsdale has entered into a three-year Cooperative Agreement with the County of Bergen as provided under the Interlocal Services Act N.J.S.A. 40A:65-1 et seq. and Title 1 of the Housing and Community Development Act of 1974; and

WHEREAS, said Agreement requires that the Municipal Council appoint a representative and alternate and that the Mayor appoint a representative and alternate for the FY 2024-2025 term starting July 1, 2024, and ending on June 30, 2025.

NOW, THEREFORE, BE IT RESOLVED that the Municipal Council hereby appoints Abby Lundy as its representative and Clemente Osso as its alternate and that the mayor hereby appoints Mike Ghassali as his/her representative and Daniel Conte as his alternate to serve on the Community Development Regional Committee for FY 2024-2025; and

BE IT FURTHER RESOLVED that an original, certified copy of this resolution be immediately emailed and sent via postage to Robert G. Esposito, Director; Bergen County Division of Community Development; One Bergen County Plaza, Fourth Floor; Hackensack, New Jersey 07601.

24149 Resolution Authorizing Sommerset County Cooperative Pricing System Bid #2-SOCCP – for the Purchase of Traffic Control Signs, Supports & Hardware Devices

WHEREAS, the Borough of Hillsdale is a member of the Somerset County Cooperative Pricing System and desires to use the Co-Op for the purchase of Traffic Control Signs, Supports & Hardware Devices; and

WHEREAS, the Somerset County Cooperative Pricing System Contract #CC-0099-22, Co-operative pricing Bid #2-SOCCP, awarded to National Highway Products, 301 Riverside Drive Building D, Millville, NJ 08332 for Traffic Control Signs, Supports & Hardware Devices; and

WHEREAS, the contract dates are valid August 25, 2022 through September 27, 2024; and

NOW THEREFORE, BE IT RESOLVED, that the Borough of Hillsdale authorizes the purchase of Traffic Control Signs, Supports & Hardware Devices through National Highway Products under the Somerset County Cooperative Pricing System Contract #CC-0099-22, Co-operative pricing Bid #2-SOCCP, in the contract amount not to exceed $23,544.18.

24150 Resolution to Authorize the Signing of an Agreement with the County of Bergen for Snow Plowing on County Roads

WHEREAS, The County Commissioners of the County of Bergen is authorized by N.J.S.A. 27:16 33, to cause snow to be plowed from the County owned or County controlled roads; and

WHEREAS, it is the desired plan of the County to employ the services of the Municipality for snow plow operations on county roads located within the Municipality for a period of two snow seasons.

NOW, THEREFORE, for the consideration hereinafter stated, the parties hereto agree as to agreement for years October 1, 2024 - April 30, 2026 at an operating rate of $115.00/hour; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough wishes to enter into an Agreement with the County of Bergen and authorizes the mayor and/or the Borough Administrator to execute said Agreement on behalf of the Borough.

24151 Resolution Hiring Temporary Seasonal Laborer Justin Sanchez - Department of Public Works

WHEREAS, there exists a need for a Temporary Seasonable Laborer within the Borough of Hillsdale Department of Public Works; and,

WHEREAS, Justin Sanchez meets the requirements to fill the position at the Department of Public Works; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council Borough that Justin Sanchez is hereby appointed to the position of Temporary Seasonal Laborer in the Department of Public Works, effective April 22, 2024 until approximately December 31, 2024 at a rate of $18.00 per hour and not to exceed 40 hours per week.

24152 Resolution Authorizing the Award of a Non-Fair and Open Contract for Summer Camp 2024 Bus Transportation to First Student, Inc

WHEREAS, the Borough of Hillsdale has a need for bus transportation services for Summer Camp 2024 through a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the proposals were promulgated by the Recreation Department; and,

WHEREAS, three (3) companies were requested to provide quotes; and

WHEREAS, three (3) companies responded and provided price quotes which was to include air conditioning service and after care service was from First Student, Inc. in the total amount not to exceed Thirty-three Thousand One Hundred Thirty Dollars and No Cents ($33,480.00); and,

WHEREAS, First Student, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that First Student, Inc. has not made any reportable contributions to a political or candidate committee in the Borough of Hillsdale in the previous one year, and that the contract will prohibit First Student, Inc. from making any reportable contributions through the term of the contract; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the contract for air conditioned busing services for Summer Camp 2024 is hereby awarded to First Student, Inc. located at 53 Central Avenue, Rochelle Park, New Jersey 07662 and the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough, to execute any and all documents with First Student, Inc. for air conditioned busing services for Summer Camp 2024 in the total amount not to exceed Thirty-Three Thousand One Hundred Thirty Dollars and No Cents ($33,480.00).

24153 was pulled by Councilmember Ruocco.

24154 Resolution Authorizing the Signing of an Agreement with Electrical Power Systems, Inc for Maintenance for the Standby Generators at the Hillsdale Police Department, the Hillsdale Fire Department and the Hillsdale Ambulance Building

WHEREAS, the Borough has a need to enter into an Annual Maintenance Contract for Generators located in the Borough of Hillsdale with Electrical Power Systems, Inc located in Emerson, NJ; and

WHEREAS, the local Public Contracts Law (N.J.S.A. 40:11-1 et seq) exempts professional services from public advertising for bids which may be awarded by resolution of the Governing Body; and

WHEREAS, Electrical Power Systems, Inc has presented an Agreement to the Borough for Maintenance Services regarding the generators located at the Hillsdale Police Station, the Hillsdale Fire Department and the Hillsdale Ambulance Building; and

WHEREAS, the scope of services in the Agreement includes a one-year preventative Maintenance Service Agreement from 5/1/2024-6/30/2025 at a rate of $125.00 per hour during normal business hours, $187.50 per hour after normal business hours and weekends and holidays at $250.00 per hour as described within the agreement; and

WHEREAS, the fees related to the above referenced services are:

Hillsdale Police Department Kohler 100ROZJ-08	$ 1,050.85
Hillsdale Fire Department Kohler 100REZ0ZJB	1,050.85
Hillsdale Ambulance Department Kohler 30ROZJ81	665.75

WHEREAS, the Borough desires to execute the Agreement and authorize Electrical Power Systems, Inc to perform the services set forth above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes the Mayor and/or Administrator to sign the aforesaid Agreement with Electrical Power Systems, Inc 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.

24155 Resolution Authorizing a Contract for the 2024 Road Improvement Program: Riverside Cooperative Program

WHEREAS, the Riverside Cooperative Pricing System (I.D. #35-RCPS) has received approval from the State of New Jersey, Department of Community Affairs and the Borough of Hillsdale is a member of the Riverside Cooperative Pricing System and has executed an agreement to this effect; and

WHEREAS, the Riverside Cooperative in compliance with Local Public Contracts Law N.J.S.A. 40A:11-11 received bids as advertised for road improvement work on March 28, 2024 and awarded the Master Contract by resolution (Borough of Northvale "Lead Agency" Resolution #2024-69) on April 10, 2024; and

WHEREAS, the low bidder for the Master Contract was D&L Paving Contractors Inc., 675 Franklin Avenue, Nutley, New Jersey 07110, and;

WHEREAS, the Riverside Cooperative provides that each participating municipality is responsible for entering into its own separate contract with the successful bidder awarded the Master Contract; and

WHEREAS, the bid price for the Borough of Hillsdale's portion is not to exceed $336,264.78 for the Borough's 2024 Road Improvement Paving Projects for the milling, road resurfacing and ancillary Improvements for the following roads or portions thereof as listed below:

- Edgewood Court (Ruckman to N. Terminus)
- Horizon Terrace (Sunrise to S. Terminus)
- Lincoln Terrace (Washington to N. Terminus)
- Douglas Drive (Craig to Melville)
- Glen Hook Road (Craig to Douglas)
- Lincoln Avenue (Kinderkamack to Centennial)
- Orchard Street (Broadway to the Railroad Tracks)
- Raymond Street (North Court to S. Terminus)
- Piermont Avenue (Broadway to W. Terminus)

WHEREAS, the schedule of fees for construction observation and administrative services for Colliers Engineering for the Borough of Hillsdale's portion is not to exceed $47,000.00; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and Council of the Borough of Hillsdale authorizes the mayor and or Borough Administrator to enter into a contract with D&L Paving Contractors Inc., for the aforementioned work immediately following the execution of the 2024 Master Contract by Riverside Cooperative.

24156 Resolution Authorizing the Signing of an Agreement with Colliers Engineering & Design For Professional Engineering Services Associated with the NJDOT FY 2024- Melville Road Improvements

WHEREAS, the Borough intends to advance the improvements to Melville Road which will include milling, base repair, replacement of ADA curb ramps, replacement of inlet curb pieces and grates, minor drainage improvements as needed, paving, striping and restoration; and

WHEREAS, Colliers Engineering & Design Inc. (hereinafter, "Colliers") has presented an Agreement to the Borough for Design & Bidding Services and Grant Application Services for the proposed Melville Road Improvements in the Borough of Hillsdale at an amount not to exceed $28,500.00; and

WHEREAS, the Borough desires to execute the Agreement and authorize Colliers to perform the services set forth above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes the mayor and or Borough Administrator to sign the aforesaid Agreement with Colliers 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.

24157 Resolution to Authorize the Borough Clerk to Advertise for Bids for the Fiscal Year 2023

NJDOT Municipal Aid Road Program – Magnolia Avenue

BE IT RESOLVED by the Mayor and Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey upon the recommendation of the Borough Engineer, Colliers Engineering & Design, that the plans and specifications for:

FISCAL YEAR 2023 NJDOT MUNICIPAL AID ROAD PROGRAM

Are hereby approved and the Borough Clerk is hereby authorized to advertise for bids.

Motion Ruocco Second Escobar
Ayes: Councilmember Osso, Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy
Nays: none

OFF-CONSENT:

24158 Resolution Authorizing the Signing of the Developers Agreement Between Patterson Street Urban Renewal LLC and the Borough of Hillsdale

WHEREAS, Patterson Street Urban Renewal, LLC (as "Patterson Street") received Preliminary and Final Major Site Plan Approval to construct a 256-unit, four-story, multi-family residential building on the properties known as 131-145 Patterson Street and 60-77 Brookside Place, Hillsdale, New Jersey by Resolution adopted March 23, 2023; and

WHEREAS, the properties are also known as Block 1210, Lots 10 and 11 and Block 1211, Lots 1 and 2 (hereinafter the "Properties"); and

WHEREAS, the Patterson Street wishes to enter into a Developer's Agreement with the Borough of Hillsdale (hereinafter the "Borough") to develop the Properties in accordance with the March 23, 2023, Resolution adopted by the Planning Board (hereinafter the "Resolution"); and

WHEREAS, the Borough is in receipt of the Developer's Agreement and the Resolution; and

WHEREAS, the Borough is desirous of entering into the Developer's Agreement with Patterson Street for the Property and said terms of the Agreement and Resolution are attached hereto and made a part hereof.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes Mayor Michael Sheinfield to sign said Developer's Agreement with Patterson Street Urban Renewal, LLC, and to take any and all other appropriate steps necessary to effectuate the purposes of said document.

Motion Ruocco Second Trochimiuk
Ayes: Councilmember Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy, Osso
Nays: none

24159 Resolution of the Borough of Hillsdale, in the county of Bergen, New Jersey, Consenting To, Authorizing, and/or Acknowledging: (i) a Transfer of 100% of the Membership Interests in Patterson Street Urban Renewal, LLC to GCB Hillsdale Joint Venture LLC; (ii) a Permitted Transfer of a Mortgage to Encumber the Property as Defined HEREIN; (iii) Execution of an Estoppel in Connection with Such Mortgage; (iv) Waiver of Certain Time Periods for Notices for

Transfer and Mortgage; and (v) Authorizing the Execution of a First Amendment to the Redevelopment Agreement amending the Phase 1 Project Schedule and Acknowledging that the Phase 2 Project is Terminated

BOROUGH OF HILLSDALE
RESOLUTION 24159

RESOLUTION OF THE BOROUGH OF HILLSDALE, IN THE COUNTY OF BERGEN, NEW JERSEY, CONSENTING TO, AUTHORIZING, AND/OR ACKNOWLEDGING: (i) A TRANSFER OF 100% OF THE MEMBERSHIP INTERESTS IN PATTERSON STREET URBAN RENEWAL, LLC TO GCB HILLSDALE JOINT VENTURE LLC; (ii) A PERMITTED TRANSFER OF A MORTGAGE TO ENCUMBER THE PROPERTY AS DEFINED HEREIN; (iii) EXECUTION OF AN ESTOPPEL IN CONNECTION WITH SUCH MORTGAGE; (iv) WAIVER OF CERTAIN TIME PERIODS FOR NOTICES FOR TRANFSER AND MORTGAGE; AND (v) AUTHORIZING THE EXECUTION OF A FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT AMENDING THE PHASE 1 PROJECT SCHEDULE AND ACKNOWLEDGING THAT THE PHASE 2 PROJECT IS TERMINATED

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., as amended and supplemented (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment and to adopt redevelopment plans for areas so designated; and

WHEREAS, in accordance with the Redevelopment Law, by Resolution #19039 adopted January 15, 2019, the Borough Council ("Borough Council") authorized and directed the Planning Board of the Borough (the "Planning Board") to conduct a preliminary investigation of certain property within the Borough identified as Block 1207, Lots 8, 9, 10 and 11; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3, 4, 5 and 6; Block 1210, Lots 6, 7, 8, 9, 10 and 11; Block 1211, Lots 1 and 2; and Block 1212, Lot 13 on the Borough's tax maps (collectively, the "Study Area") to determine whether the Study Area met the criteria to be designated as a non-condemnation redevelopment area, pursuant to N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6, and authorized DMR Architects to prepare a Redevelopment Area Designation Analysis (the "Study"); and

WHEREAS, the Borough Council duly adopted Resolution #19225 on September 10, 2019 designating the properties identified on the tax maps of the Borough as Block 1207, Lots 8, 9 and 10; Block 1208, Lots 1, 2, 3, 4 and 5; Block 1209, Lots 2, 3 and 4; Block 1210, Lots 8, 9, 10 and 11; and Block 1211, Lots 1 and 2 as a non-condemnation "area in need of redevelopment" (the "Redevelopment Area"); and

WHEREAS, pursuant to the Redevelopment Law, on November 12, 2019, the Borough Council adopted Resolution #19289 authorizing DMR Architects to prepare a redevelopment plan for the Redevelopment Area, entitled the "Hillsdale-Patterson Street Redevelopment Plan" (as may be amended and supplemented from time to time, the "Redevelopment Plan"); and

WHEREAS, in furtherance of the redevelopment of the Redevelopment Area, the Borough entered into a redevelopment agreement with CP Hillsdale, LLC (the "Redeveloper") dated August 10, 2022 (the "Redevelopment Agreement"), which Redevelopment Agreement specifies the rights and responsibilities of the Borough and Redeveloper with respect to the redevelopment of portions of the Redevelopment Area; and

WHEREAS, in furtherance of the redevelopment of the Redevelopment Area, the Borough entered into a redevelopment agreement with CP Hillsdale, LLC (the "Redeveloper") dated August 10, 2022 (the "Redevelopment Agreement"), which Redevelopment Agreement specifies the rights and responsibilities of the Borough and Redeveloper with respect to the redevelopment of portions of the Redevelopment Area; and

WHEREAS, on December 12, 2023, the Borough Council adopted Resolution #23307 acknowledging, confirming, and consenting, as applicable, to: (i) a Permitted Transfer (as defined in the Redevelopment Agreement) in connection with a Mortgage to encumber Block 1210, Lots 10 and 11, and Block 1211, Lots 1 and 2, commonly known as 131 Patterson Street, 77 Brookside Place, 145 Patterson Street and 60 Brookside Place, Hillsdale New Jersey 07642 (the "Property") for purposes of securing a loan to fund the acquisition of the Property; (ii) a waiver by the Borough of the notice requirement in Section 9.04 of the Redevelopment Agreement related to the Permitted Transfer referenced in (i) above; (iii) a Permitted Transfer of the Redevelopment Agreement from the Redeveloper to Patterson Street Urban Renewal, LLC (the "Entity"); (iv) a waiver by the Borough of the notice requirement in Section 9.04 of the Redevelopment Agreement related to the Permitted Transfer referenced in (iii) above; and (v) transfer of one hundred percent (100%) of the membership interests in the Entity to Patterson Street Joint Venture, LLC, (the "Claremont/BNE JV Entity") that is fifty percent (50%) owned by an affiliate of BNE Real Estate Group ("BNE") and fifty percent (50%) owned by an entity indirectly controlled by the principals of Claremont Development, LLC ("Claremont"); and

WHEREAS, counsel for the Redeveloper submitted a correspondence to the Borough dated April 24, 2024 (the "Request"), requesting acknowledgment, confirmation, authorization, and consent, where applicable, for: (a) a Transfer (as defined in the Redevelopment Agreement) of 100% of membership interest in the Entity to GCB Hillsdale Joint Venture LLC; (b) a Permitted Transfer in connection with a mortgage to Truist Bank, as administrative agent for itself and such other co-lenders as may exist from time to time (a "Holder"), to encumber the Property for purposes of securing a construction loan for the Phase 1 Project (as defined in the Redevelopment Agreement) (the "Mortgage"); (c) execution of an Estoppel in favor of Holder (the "Estoppel"); (d) a waiver of the notice requirement in Section 9.04 of the Redevelopment Agreement related to the Mortgage referenced in (b) above; (e) a waiver of the notice requirement in Section 4.04 of the Redevelopment Agreement related to the Entity's inability to comply with the time frame to obtain all Governmental Approvals required for the Commencement of Construction of the Phase 1 Project; and (f) authorization of a first amendment to the Redevelopment Agreement ("First Amendment") providing for (i) the modification of the date by which all Governmental Approvals for Commencement of Construction of the Phase 1 Project shall be obtained to be September 1, 2024, and (ii) acknowledgment that the Phase 2 Contingencies (as defined in the Redevelopment Agreement) have not been satisfied or extended and as such, the Entity's conditional designation as redeveloper of the Phase 2 Project Site (as defined in the Redevelopment Agreement) is and has been terminated in its entirety and therefore all references in the Redevelopment Agreement relating to Phase 2 shall be deemed deleted in their entirety and of no force or effect; and

WHEREAS, the Borough desires to evidence its acknowledgment, confirmation, authorization, and consent, where applicable, to the proposed transactions referenced in this Resolution.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HILLSDALE, NEW JERSEY AS FOLLOWS:

Section 1. The Borough Council hereby consents to the Transfer of 100% of the membership interest in the Entity to GCB Hillsdale Joint Venture LLC.

Section 2. The Borough Council hereby consents to the Permitted Transfer to the Holder to encumber the Property for purposes of securing the Mortgage, as set forth herein.

Section 3. The Borough Council hereby authorizes the execution of the Estoppel, as attached hereto as Exhibit A.

Section 4. The Borough Council hereby waives notice requirements in the Redevelopment Agreement regarding the Permitted Transfer in connection with a Mortgage to encumber the Property, as referenced in Section 2 herein.

Section 5. The Borough Council hereby waives notice requirements in the Redevelopment Agreement regarding the satisfaction of a time period in the Phase 1 Project Schedule.

Section 6. The Borough Council hereby authorizes the execution of the First Amendment to the Redevelopment Agreement, attached hereto as Exhibit B, to document (a) the modification of the date by which all Governmental Approvals for the Commencement of Construction of the Phase 1 Project shall be obtained to September 1, 2024 and (b) that the Phase 2 Contingencies (as defined in the Redevelopment Agreement) have not been satisfied or extended and as such, the Entity's conditional designation as redeveloper of the Phase 2 Project Site (as defined in the Redevelopment Agreement) is and has been terminated in its entirety and that all references in the Redevelopment Agreement relating to Phase 2 shall be deemed deleted in their entirety and of no force or effect.

Section 7. The Borough Council hereby authorizes and directs the Mayor of the Borough to execute the Estoppel and the First Amendment to the Redevelopment Agreement, along with any document or writing or to make such representations, on behalf of the Borough, which may be necessary to further evidence or acknowledge the Borough's consent and to take all other necessary or desirable action to effectuate the transactions referred to herein.

Section 8. This resolution shall take effect in accordance with all applicable laws.

ESTOPPEL CERTIFICATE

Truist Bank, as administrative agent (hereinafter, "**Agent**")
For itself and certain co-lenders (collectively, "**Lenders**")
50 Hudson Yards, 69th Fl.
New York, NY 10001
Attention: Katie Kennedy

RE: Redevelopment Agreement dated August 10, 2022, by and between CP Hillsdale, LLC ("**CP Hillsdale**") and the Borough of Hillsdale, a municipal corporation of the State of New Jersey (the "**Borough**"), as assigned to Patterson Street Urban Renewal, LLC, a New Jersey limited liability company ("**Redeveloper**" or "**Borrower**") pursuant to the terms of that certain Assignment and Assumption Agreement dated January 11, 2024 by and among CP Hillsdale, as assignor, the Borough and Borrower, as assignee, as further amended by that certain First Amendment to the Redevelopment Agreement by and among the Borough and Redeveloper dated on or about the date hereof (hereinafter, collectively, the "**Redevelopment Agreement**")

Financial Agreement dated August 10, 2022, by and between the Borough and the Borrower (the "**Financial Agreement**")

Ladies and Gentlemen:

Reference is made to that certain loan arrangement among Borrower, Agent and Lenders, pursuant to which the Lenders are making a loan (hereinafter referred to as the "**Loan**") relating to the Phase 1 Project (as defined in the Redevelopment Agreement), which Loan is secured by, among other things, that certain Mortgage, Assignment of Rents, Security Agreement and Fixture Filing dated on or about the date hereof made by Borrower in favor of Agent for the benefit of the Lenders (as same may hereafter be amended, modified or supplemented, the "**Security Instrument**").

Recognizing that Agent and Lenders will rely on the matters set forth herein in making the Loan to Borrower, the Borough hereby represents and certifies to, and agrees with, Agent and the Lenders as set forth below in this estoppel certificate ("**Certificate**") (*capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Financial Agreement*):

1. Each of the Redevelopment Agreement and the Financial Agreement is in full force and effect in accordance with its terms and has not been amended or modified other than as set forth above. There are no side letters or other arrangements by and between the Borough and Redeveloper with respect to the Project.

2. Borrower is the "Redeveloper" of the Phase 1 Project under the Redevelopment Agreement as of the date hereof.

3. There is no default or breach, nor any event or condition which, with the passage of time or the giving of notice, or both, could constitute a default or breach under the Financial Agreement or the Redevelopment Agreement on the part of the Borough, or to the Borough's knowledge, on the part of Borrower.

4. The Borough acknowledges and confirms that this Certificate shall serve as notice to the Borough of the Security Instrument for all purposes under the Redevelopment Agreement and the Financial Agreement, including, without limitation, pursuant to Section 3.07 of the Redevelopment Agreement and Section 8.3(b) of the Financial Agreement, and that no other notice from the Redeveloper is necessary in connection with the Security Instrument and the Loan. The Borough shall provide Agent with copies of all written notices of default simultaneously with the transmission of such notice to Borrower, and notice of any other action or event of which a Holder and/or Secured Party is entitled to receive notice pursuant to the Redevelopment Agreement and/or the Financial Agreement, with such notices addressed as follows:

Truist Bank
CIG-CRE Loan Admin Atlanta Office
303 Peachtree Street NE, 3rd Floor
Mail Code GA-ATL-803-05-03-40
Atlanta, GA 30308
Email: CIG-CRELegalNotices@Truist.com

and:

Truist Bank
50 Hudson Yards, 69th Fl.
New York, NY 10001
Attention: Katie Kennedy
Email: Katie.Kennedy@truist.com

with a copy (which shall not constitute notice) to:

Truist Bank
Agency Services
303 Peachtree Street, N.E. / 25th Floor
Atlanta, Georgia 30308
Attention: Doug Weltz
Facsimile Number: (404) 221-2001

and

Riemer & Braunstein LLP
Seven Times Square, Suite 2506
New York, New York 10036
Attention: Stacy P. Goldstein, Esq.
Email: sgoldstein@riemerlaw.com

5. Notwithstanding anything to the contrary set forth in the Redevelopment Agreement, with respect to a Permitted Transfer pursuant to Section 9.03(i) of the Redevelopment Agreement, the Borough shall accept notice of a Transfer pursuant to a Foreclosure from Holder if given in accordance with the provisions of Section 9.04 of the Redevelopment Agreement with the same force and effect as through given by Redeveloper.

6. This Certificate shall inure to the benefit of Borrower, Agent and the Lenders, their respective successors and assigns, and shall be binding upon the Borough, and the Borough's successors and assigns.

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FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT

This **FIRST AMENDMENT TO REDEVELOPMENT AGREEMENT** (this "First Amendment") dated as of ____, _____, 2024 (the "Effective Date") is entered into by and between the **BOROUGH OF HILLSDALE**, a municipal corporation of the State of New Jersey, having its offices at 380 Hillsdale Avenue, Hillsdale, New Jersey 07642 (the "Borough"), and **PATTERSON STREET URBAN RENEWAL, LLC**, a limited liability company organized under the laws of the State of New Jersey, having its offices at c/o Claremont Development LLC, 32 Kemble Avenue, Morristown, New Jersey 07960 (the "Redeveloper" and together with the Borough, the "Parties" and each individually, a "Party).

W I T N E S S E T H

WHEREAS, the Parties are parties to that certain redevelopment agreement dated August 10, 2022 (the "Redevelopment Agreement"); and

WHEREAS, the Parties desire to, among other things, amend the Redevelopment Agreement to modify the deadline for the Redeveloper to obtain all Governmental Approvals required for Commencement of Construction of the Phase 1 Project to September 1, 2024, and to acknowledge termination of the Phase 2 Project (all capitalized terms not defined herein shall have the meanings ascribed to such terms in the Redevelopment Agreement).

NOW, THEREFORE, in consideration of the foregoing and certain other consideration, the receipt and sufficiency of which is herby acknowledged by the Parties, the Parties hereby agree as follows:

Section 1. The Phase 1 Project Schedule set forth on *Exhibit E-1* to the Redevelopment Agreement is hereby amended, replaced, and superseded in its entirety with the following:

EXHIBIT E-1 TO REDEVELOPMENT AGREEMENT
PHASE 1 PROJECT SCHEDULE

	MILESTONE	DEADLINE
1	Execute and Deliver the Redevelopment Agreement	Effective Date
2	Redeveloper obtains all Governmental Approvals required for Commencement of Construction of the Phase 1 Project	September 1, 2024
3	Redeveloper closes on financing for the construction of the Phase 1 Project and acquires the Phase 1 Project Site.	Within six (6) months after satisfaction of milestone 2.
4	Commencement of Construction of the Phase 1 Project	Within three (3) months of satisfaction of milestone 3.
5	Completion of Construction of the Phase 1 Project	Within thirty (30) months of satisfaction of milestone 4.

The Parties hereto acknowledge that the dates set forth in this Phase 1 Project Schedule are outside dates (subject to extensions for Force Majeure Events, any applicable cure periods, and

any further extensions that may be available under the Redevelopment Agreement) and shall in no way prohibit Redeveloper from completing the actions set forth herein prior to the respective deadlines.

Section 2. All references to Phase 2, the Phase 2 Project, the Phase 2 Project Site, and the like, shall be and are herby deemed deleted in their entirety and shall be of no force or effect.

Section 3. This First Amendment amends and supplements the Redevelopment Agreement where expressly set forth herein. Accordingly, no other portion of the Redevelopment Agreement is modified by this First Amendment, except to the extent necessary to implement the provisions hereof. Except as expressly amended by this First Amendment, the Redevelopment Agreement remains in full force and effect and is hereby ratified and reaffirmed in its entirety. This First Amendment may be executed in several counterparts, each of which shall be deemed to be an original but all of which together shall constitute one and the same instrument. This First Amendment may be executed electronically including facsimile transmission and by way of email (i.e., TIF, JPG, PDF) and all such signatures shall be deemed originals for all purposes. This First Amendment shall be binding upon and shall inure to the benefit of the Parties hereto and their respective successors and assigns. Anything herein contained to the contrary notwithstanding, the Effective Date of this First Amendment shall be the date first written above.

Motion Ruocco Second Trochimiuk
Ayes: Councilmember Trochimiuk, Council President Escobar, Fox, Lundy, Osso, Ruocco
Nay: none

24153 Resolution Authorizing the Signing of an Agreement with Colliers Engineering & Design for Engineering Servies Regarding Memorial Park Field Improvements

WHEREAS, the Borough desires to renovate and improve the Memorial Park in the Borough of Hillsdale; and

WHEREAS, Colliers Engineering & Design Inc. (hereinafter, "Colliers") has presented an Agreement to the Borough for engineering services regarding the proposed Memorial Park Improvements; and

WHEREAS, the scope of services in the Agreement includes Survey Services, Topographic Survey, Utility Investigation and Mapping, Ecological Services and Concept Preparation; and

WHEREAS, the fees related to the above referenced services are:

Survey Services	$ 26,500.00
Ecological Services	9,500.00
Concept Preparation	8,500.00
	$ 44,500.00; and

WHEREAS, the Borough desires to execute the Agreement and authorize Colliers to perform the services set forth above.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Hillsdale, County of Bergen, State of New Jersey hereby authorizes the Mayor and/or Administrator to sign the aforesaid Agreement with Colliers 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.

Motion Ruocco Second Trochimiuk

Councilman Ruocco asked to have a deeper discussion on this resolution as to what the plan is. There is a letter from Colliers Engineering dated March 5, 2024 that goes into more detail that states that Colliers will do their due diligence to entirely renovate the Memorial Field Athletic Complex. While the Field Committee has endorsed several ideas Councilman Ruocco asked if natural turf has been ruled out as an option and what role did the Recreation Committee play in this directive?
The administrator replied that nothing at this point has been decided. This is for a scope and survey to determine what can be done and what can go at this field, whether it be a turf field, synthetic field etc. Once this information is received, it will be shared with the Recreation Committee.

Ayes: Councilmember Osso, Ruocco, Trochimiuk, Council President Escobar, Fox, Lundy
Nays: none

PUBLIC COMMENT: (time limited to 3 minutes any topic-please state your name and town of residence for the record)

Mayor Sheinfield opened the second Public Comment Period, seeing no one wishing to speak, Mayor Sheinfield closed this portion of the meeting.

COUNCIL COMMENTARIES:

Mayor Sheinfield started off by stating that he spoke to NJDEP regarding the Alexander Cleaners Site. He asked for an update on where they are with the cleanup of this site as there has been no movement on this property. Once he gets an updated, he will share with the council and the residents.

Councilmember Ruocco thanked Detective Sgt Adam Hampton for his work over the years and wished him well on his retirement. He also thanks John McEwen for his service on the Planning Board as he has stepped away from this role.

He also responded to a letter that was written to the Pascack Press by a resident regarding his alleged obstruction of the safety of the fields during his term as past mayor and now as a councilman. No evidence exists to support this claim and if this was ever the case, the fields would have been shut down.

He wished all the mothers and grandmothers a Happy Mother's Day, as well as his mother and grandmother.

Councilman Osso wished Adam Hampton well. The Borough has the opportunity to invest responsibly in our town and the infrastructure. Hopefully we can improve the situation in the town in the short term.

Councilmember Trochimiuk congratulated Adam Hampton on his retirement. She wished all the mothers a Happy Mother's Day.

Councilmember Lundy wished Adam Hampton well on his retirement and will be in attendance at his official walk out next week. She acknowledged and thanked Borough Clerk Denise Kohan for it being Municipal Clerks week and thanked her and appreciates her for all the hard work that she does.

She is happy to see that we are moving forward with the approval to Colliers Engineering for Memorial Field.
She also wished Happy Mother's Day to all the mothers.

Councilman Fox also thanked Borough Clerk Kohan for all her hard work and wished all the mothers a Happy Mother's Day.

Council President Escobar wished Borough Clerk Kohan a Happy Municipal Clerks Week and wished all the moms a Happy Mother's Day.
He is also happy to see that we are moving in a positive direction with the fields and hopes that it all comes to fruition soon.

ADJOURNMENT:

Motion to adjourn Ruocco Second Trochimiuk
All in favor: Council President Escobar, Councilmember Fox, Lundy, Osso, Ruocco, Trochimiuk
Nays: none

THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE TUESDAY, MAY 14, 2024

Denise Kohan, Municipal Clerk

_____

APPROVED AS PRESENTED