

Minutes of the Council Meeting of the Borough of Hillsdale held at 7:00 pm on Tuesday, December 6, 2022

**CALL THE MEETING TO ORDER:**

Mayor Ruocco called the meeting to order with the Pledge of Allegiance.

**OPEN PUBLIC MEETING STATEMENT:**

This is a meeting of the Hillsdale Borough Council on this 6<sup>th</sup> day of December 2022. 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.

**ROLL CALL:**

Council Members DeRosa, Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk, Mayor Ruocco, (Borough Administrator David Troast, Borough Clerk Denise Kohan, Borough Attorney Mark Madaio)

**APPROVAL OF MINUTES:**

Council Meeting Minutes October 11, 2022  
Council Meeting Minutes October 18, 2022  
Special Council Meeting Minutes October 25, 2022  
Closed Session Meeting Minutes November 10, 2022  
Council Meeting Minutes November 10, 2022

Motion to approve Lundy Second DeRosa

Ayes: Councilmember DeRosa, Escobar, Horvath, Lundy, Pizzella\*, Council President Trochimiuk\*,

Nays: non

\*Abstain – Trochimiuk – October 18, Pizzella November 10

**INITIAL PUBLIC COMMENT**

Gerry Beatty – Hillsdale – she is the Co-chair with Sean Smith for the 125<sup>th</sup> Birthday Celebration. They are looking for sponsors for several events that they will be holding next year. She has filed to be a 503C3. A calendar will be published shortly with the upcoming events. At this time, no money has been put in the budget for any of these events.

John Herring – Hillsdale wanted to know if there were any plans to fix the Police Booth or the train station? Councilman Pizzella stated that NJ Transit is responsible for fixing the train station. Mayor Ruocco added that NJ Transit has not shown any interest in fixing anything on the train station.

**\*\*\* Due to technical issues – a portion of this meeting was not recorded\*\*\***

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

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

Hillsdale Police Report – November 2022

Police Chief Robert Francaviglia

Chief Francaviglia summed up his November report for the Police Department

He also wished everyone a happy and healthy safe holiday.

Councilman Horvath thanked the Chief and the Captain for their parts in being our Santa and Grinch this year for photos.

Engineering Report – November 2022

Craig Zimmerman Colliers Engineering

Borough Engineer Craig Zimmerman summed up his October Engineering report for the Borough.

Councilwoman Lundy asked for an update on Alexander Cleaners, but there is no update at this time.

The Administrator added that H2M was hired to do additional testing but that report has not been released yet.

He will follow up.

Mayor Ruocco asked about the close out of the 2021 NJDOT Local Aid Grant. This should be handled by the previous Engineer and funds should be captured by the borough now that this is complete. The Administrator also stated that in regards to the Local Recreation Improvement Grant, the equipment should be installed this coming spring.

Mayor Ruocco stated that he planned to send out an email to residents regarding paving from all the PSE&G work. The Borough Engineer added that he spoke with PSE&G and they have funds for the Borough to use for the paving. Mayor Ruocco stated that the Borough was given 2.4 million dollars for the paving and as per the engineer's report, there is about a million dollars left for the roads that were affected by PSE&G. The Borough Engineer reminded council that now that the Borough is a part of the Riverside Co-op, he feels that about 8-10 roads can be paved with these funds. He will work with the Administrator on choosing the roads that will be done.

Councilman Pizzella added that the Borough was also promised that trees would be replaced and they have not been thus far and Councilman Horvath added that it was promised that the dead-end part of Piermont would be taken care of. The Borough Engineer stated that he will look into both of these issues and report back.

Borough Engineer Zimmerman added a timeline of some of the Borough projects. Beechwood Park received grants for the park entrances. One is for the ADA compliant part for both entrances and one for the trail itself. This is a \$85,000 matching grant and this will begin in the spring. Since we were not awarded the original amount that we were looking for, this will be reworked with the BA.

In February he expects to have the DPW Feasibility study proposal. He is still working with the Environmental Consultant for Centennial Field and he expects to hear from the DEP by April. The plan is still on target for Centennial Field. The plan is to go out to bid in February and break ground in April, but he is waiting on the analysis. Councilman DeRosa asked for an updated timeline on this project.

Department of Public Works- November 2022

DPW Superintendent David Hayes

DPW Superintendent Hayes summed up his report for November.

The DPW is dealing with several equipment breakdowns and staffing issues. The staff is working 10 hour days and he asks that residents be patient. The last day to put out leaves at the curb is December 12<sup>th</sup>.

Mr. Hayes added that our Garbage contract is up in 2023 and costs are rising. Gaeta is willing to start working with the Borough on a new contract.

Borough Administrator – November 2022

Borough Administrator David Troast

The Administrator started off with stating that the DPW is working very hard. He sees that most towns around us are in the same situation in regards to leaf pick up. Budget prep is now in progress for 2023. Capital item requests have come in and the Borough has been notified of a 22% increase in health benefits. He has reached out to Senator Schepisi for assistance as the Governor is assisting state employees but the city and local government employees also need the same assistance.

He is still working on ideas for the 2023 CDBG Grant. Several items have been submitted but unfortunately have been rejected. He has also has used Millennium Strategies and our Engineers to assist with project ideas. We may take a pass at this grant this year, however there are many more grants out there that we are working on.

### **DISCUSSION:**

Mayor Ruocco stated that Councilwoman Lundy had some questions in regards to the 5G ordinance and thought now might be a good time to have the Administrator discuss where we are at this point. At this time, we are undertaking a rehabilitation determination with DMR. The report is complete and should be disbursed shortly to the committee. The next phase is the rehabilitation plan, which is where you would be discussing the 5G ordinance items. The ordinance that was discussed actually addresses a lot of the issues that would be brought up in the plan. We can always amend the ordinance once its adopted, but at least we would have something in place but that is up to council. Mayor Ruocco reminded council that they tabled Ordinance 22-21 and 22-22. If you want to go ahead, we would have to wait until next year to re-introduce it since you can't introduce in one year and adopt in another. The Administrator will speak with DMR and get their input on this ordinance. Councilmember Lundy stated that the Rep from Munisite stated that we had to be very specific in our ordinance as to what we wanted or don't want. Our borough Attorney gave the advice to have Matt Watkins from Munisite come in and answer focused questions. Councilmember Lundy stated she was not for this as this is a vendor and is a conflict and they shouldn't be the one to help us write our ordinance. Maybe a better idea is to speak with an antenna specialist or to have a question-and-answer session with someone like Munisite or another company, but this really shouldn't be delayed 5/6 months. Mayor Ruocco offered the suggestion of having Mr. Watkins meet with the Economic Development Committee & perhaps DMR to ask questions

### **COMMITTEE REPORTS:**

Councilman – Anthony DeRosa reported that both the Local and Regional Board of Education met. The Local Board of Education Superintendent has requested to speak at the next council meeting to discuss the planned project for the George White School and the referendum. The Ambulance Committee will be meeting next week. The Rec Commission met before this meeting and they are working on their budget for 2023. He thanked Patty Hughes, Jill Cohn and Denise Kohan and the Fire Dept and DPW for their help with the tree lighting.

Councilman – Zoltan Horvath -reported that the Fire Dept is having issues with their boiler. It is being worked on as they are waiting for parts.

The 125<sup>th</sup> Birthday Celebration and he would like to thank Gerry Beatty and all those that are working on this project. He was under the impression that money was put in the budget for this celebration, yet that does not seem to be the case.

Councilwoman – Abby Lundy reported that the Environmental Commission had a successful cleanup event and she would like to thank all those that were involved. January 8<sup>th</sup> will be their annual Styrofoam drive in the west lot from 11-1. The first half hour is for Hillsdale Residents only. The Commission has also completed all of their necessary credits for the recertification for the Forestry Management Plan. Councilmember Lundy asked that the Mayor appoint another Resiliency Committee next year as the one that was appointed this year

unfortunately never met. The committee consisted of herself, Council President Trochimiuk and the former BA. She would like it to be recreated. The Stonybrook Commission will be meeting tomorrow, but they are diligently working on their budget for 2023. The Finance Committee is also meeting next week. Mayor Ruocco confirmed that Councilwoman Lundy, Councilman DeRosa and the Administrator are on the committee for the Community Center at Stonybrook. The document that Colliers submitted talks about a 5000 square foot building. The document that DMR talks about is 3500 to 4000 square foot building. Have the plans for the size of the building changed? Councilwoman Lundy was not aware of any changes. Councilmember DeRosa stated that the study by Colliers is more environmental and it will allow us to know what we can and can't do no matter what the size. This will determine the placement of the building which will then determine the size that can be placed at this location. Mayor Ruocco asked has the committee discussed anything in respect to the input from DMR as to what either size will cost the Borough? Neither Councilman DeRosa or Councilmember Lundy has seen anything but the Administrator added they are waiting to see what can be built, but the average cost is 2-3 million depends on the size of the building that can be built. The plan is to build on the Cedar Lane side of the road where you enter into the club.

Council President – Janetta Trochimiuk stated the DPW Committee will be meeting next week. The Library had a successful fundraiser last week as she attended it and it was a great evening.

**ORDINANCES:**  
**22-20 (Adoption)**

**An Ordinance of the Borough of Hillsdale, County of Bergen, State of New Jersey, To Amend Chapter 138 of the Borough Code Entitled “Fees” Pertaining to Participating in a Registry for Business Insurance Certificates**

**WHEREAS**, the Borough of Hillsdale has adopted §138, of the Revised General Code of the Governing Borough, to establish fees within the Borough; and

**WHEREAS**, the Borough has adopted Ordinance No. 22-19 creating a registry and fee for Business Insurance Certificates; and

**WHEREAS**, there is no section of Chapter 138 that pertains to fees associated with Business Insurance Certificates; and

**WHEREAS**, the Borough desires to amend Chapter §138 to create a Section as to Business Insurance Certificates and establish fees associated therewith.

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

The following fees shall be added to §138:

Type of Use	Fee
Fee for filing Business Registration Certificate	\$25.00

The remainder of §138 of the Revised General Code shall remain unchanged.

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

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

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

Motion to open public hearing on Ordinance 22-20 DeRosa Second Lundy  
Ayes: Councilmember DeRosa, Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk  
Nays: None

Mayor opened the meeting to the public Mayor entertained a motion that the public hearing on Ordinance No. 22-20 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 22-20 DeRosa Second Lundy  
Ayes: Councilmember Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk, DeRosa  
Nays: none

Motion to adopt Ordinance No. 22-20 Lundy Second DeRosa  
Ayes: Councilmember Horvath, Lundy, Pizzella, Council President Trochimiuk, DeRosa, Escobar  
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.

**RESOLUTIONS:(Consent Agenda): R22217 through R22240:**

[R22217](#) Resolution Authorizing Refund of Tax Overpayment

**WHEREAS**, a duplicate tax payment due to properties being reclassified as 100% disabled veteran tax exempt status has resulted in overpayment of taxes, as per the properties listed below, and;

**WHEREAS**, CoreLogic has requested the overpayments be returned directly to CoreLogic, and;

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

Block 1114 Lot 4.03

32 Summit Avenue \$ 5,237.86

Block 1616 Lot 2

135 Oakland Street \$ 1,936.84

**TOTAL TO BE REFUNDED: \$ 7,174.70**

Refund to: CoreLogic  
Attn: Escrow Refunds  
3001 Hackberry Road  
Irving, TX 75063-0156

[R22218](#) Resolution Updating Community Development Representatives

**WHEREAS**, The Borough of Hillsdale has entered into a 3-year Cooperative Agreement for the Fiscal Years 2020, 2021, 2022 with the County of Bergen, Community Development Block Grant; and

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

**WHEREAS**, the Governing Body and the Chief Executive of each participating agency shall make one appointment each for the term July 1, 2022 to June 30, 2023; and

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

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

David Troast as Regular CD Committee Member; and

John Ruocco as Alternate CD Committee Member

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

Zoltan Horvath as Regular CD Committee Member; and

John Escobar as Alternate CD Committee Member;

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

[R22219](#) Resolution Authorizing the Cancellation of Small Balances

**WHEREAS**, N.J.S.A. 40A:5-17.01 provides that a municipality may authorize the processing of tax refunds of less than ten (\$10.00) dollars and the cancellation of tax delinquencies of less than ten (\$10.00) dollars, and;

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

that the Tax Collector is hereby authorized to process, without any further action on the part of the Governing Body, any property tax refund of less than (\$10.00) dollars; and

**BE IT FURTHER RESOLVED**, that the Tax Collector is hereby authorized to process without further action on the part of the Governing Body, the cancellation of any property tax delinquency of less than (\$10.00) dollars.

**BE IT FURTHER RESOLVED** that a Certified Copy of this Resolution be provided to the Tax Collector and Chief Financial Officer.

[R22220](#) Resolution Granting Tax Exempt Status to Disabled Veteran and Authorizing Refund of Property Taxes Paid

**WHEREAS**, David C. Candelaria, and his wife Brenda Candelaria who resides at and are the owners of 135 Oakland Street; (Block 1616, Lot 2) in the Borough of Hillsdale has been deemed a 100% permanently disabled veteran in accordance with the provisions of N.J.S.A. 54:4-3.30; and,

**WHEREAS**, David C. Candelaria made the appropriate claim for tax exemption through the Hillsdale Tax Assessor's office as a 100% permanently disabled veteran and was approved effective November 4, 2022; and,

**WHEREAS**, Mr. Candelaria submitted an official letter from the Department of Veterans Affairs with the Hillsdale Tax Assessor confirming this information; and,

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the Borough of Hillsdale that the property known as 135 Oakland Street is hereby designated as a tax-exempt property as the property owner David C. Candelaria is a 100% permanently disabled veteran effective November 4, 2022.

**BE IT FURTHER RESOLVED**, that all property taxes on said property are hereby cancelled.

[R22221](#) Resolution Authorizing the Borough Clerk to Re-advertise for Requests for Qualifications for Borough Professionals – Alternate Borough Prosecutor

**WHEREAS**, the Borough Clerk advertised Requests for Qualifications for an Alternate Borough Prosecutor for the Borough of Hillsdale; and

**WHEREAS**, no submissions were received by the Borough Clerk for the aforementioned position; and

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to N.J.S.A. 19:44A-20.4, et seq. that the Borough Clerk is hereby authorized to re-advertise for the above-mentioned services for the following positions for year 2023:

Alternate Borough Prosecutor

[R22222](#)

Resolution of the Borough of Hillsdale, County of Bergen, State of New Jersey, Authorizing Approval of a Bid Award for Hillsdale Borough Home Improvement Program Case # HILDL-2204

**WHEREAS**, the Borough currently has a rehabilitation program titled the Home Improvement Program (“HIP”) and the HIP complies with all applicable laws, including but not limited to New Jersey Council on Affordable Housing regulations (N.J.A.C. 5:97-6.2) and Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1); and

**WHEREAS**, the Borough has retained CGP&H, a professional affordable housing consultant, to administer the HIP; and

**WHEREAS**, CGP&H’s Program Inspector prepared a program scope of work (“Work Scope”) for a moderate-income individual who is a Borough resident and seeking to participate in the HIP (Case # HILDL-2204) and the Work Scope was sent out to bid on September 16, 2022 with 2 bids received and opened on October 27, 2022; The contractor’s original bid was \$21,200.00. The homeowner meets program eligibility requirements; and

**WHEREAS**, CGP&H’S Program Inspector reviewed the bids and determined that the lowest contractor bid of \$21,200.00 was a qualified bid within 15% of his cost estimate; and

**WHEREAS**, CGP&H accordingly seeks to award the job to the lowest contractor bid.

**WHEREAS**, the residence in this case needs to be brought up to code for the Borough to receive the state rehabilitation credit for Case # HILDL-2204 and the \$21,200.00 construction work, which when completed will bring the residence up to code and provide the Borough with the rehabilitation credit.

**NOW, THEREFORE BE IT RESOLVED**, by the Hillsdale Borough Council, that:

The Borough hereby approves the bid package via this Resolution for the reasons set forth in this Resolution and on the record.

The Borough hereby awards the attached bid of \$21,200.00 to Ambrosio Construction, LLC.

Upon the execution of this Resolution, the HIP shall continue to process Case # HILDL-2204, including but not limited to, scheduling a construction agreement signing and loan closing, and placing a HIP lien on the residence for a ten-year forgivable loan of \$21,200.00 (contract).

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to:

- Gioia Cassidy, Municipal Housing Liaison
- Sheryl Luna, Chief Financial Officer
- CGP&H

1249 South River Road, Suite 301



**WHEREAS**, the Borough currently has a rehabilitation program titled the Home Improvement Program (“HIP”) and the HIP complies with all applicable laws, including but not limited to New Jersey Council on Affordable Housing regulations (N.J.A.C. 5:97-6.2) and Uniform Housing Affordability Controls (N.J.A.C. 5:80-26.1); and

**WHEREAS**, the Borough has retained CGP&H, a professional affordable housing consultant, to administer the HIP; and

**WHEREAS**, CGP&H’s Program Inspector prepared a program scope of work (“Work Scope”) for a moderate-income individual who is a Borough resident and seeking to participate in the HIP (Case # HILDL-2205) and the Work Scope was sent out to bid on October 10, 2022 with 5 bids received and opened on November 3, 2022; The contractor’s original bid was \$13,300.00. The homeowner meets program eligibility requirements; and

**WHEREAS**, CGP&H’S Program Inspector reviewed the bids and determined that the lowest contractor bid of \$13,300.00 was a qualified bid within 15% of his cost estimate; and

**WHEREAS**, CGP&H accordingly seeks to award the job to the lowest contractor bid.

**WHEREAS**, the residence in this case needs to be brought up to code for the Borough to receive the state rehabilitation credit for Case # HILDL-2205 and the \$13,300.00 construction work, which when completed will bring the residence up to code and provide the Borough with the rehabilitation credit.

**NOW, THEREFORE BE IT RESOLVED**, by the Hillsdale Borough Council, that:

The Borough hereby approves the bid package via this Resolution for the reasons set forth in this Resolution and on the record.

The Borough hereby awards the attached bid of \$13,300.00 to A-Plus Construction.

Upon the execution of this Resolution, the HIP shall continue to process Case # HILDL-2205, including but not limited to, scheduling a construction agreement signing and loan closing, and placing a HIP lien on the residence for a ten-year forgivable loan of \$13,300.00 (contract).

**BE IT FURTHER RESOLVED** that a copy of this resolution will be forwarded to:

- Gioia Cassidy, Municipal Housing Liaison
- Sheryl Luna, Chief Financial Officer
- CGP&H  
1249 South River Road, Suite 301  
Cranbury, NJ 08512-3633

[R22224](#) Resolution Authorizing the Award of a Non-Fair and Open Contract for the Purchase of Various Fire and Police Department Equipment through Witmer Public Safety Group

Mayor Ruocco asked the Administrator if he could give an idea of what the equipment is that we are purchasing. The Administrator explained that the Police Department and the Fire Department both purchased items from this vendor which pushed them over the threshold. So this resolution was required and we had to get the pay to play. The Police Chief purchased equipment for their fire arms, but the total is not over \$40,000.00.

**WHEREAS**, the Borough of Hillsdale has a need to acquire various equipment from Witmer Public Safety Group located at 104 Independence Way, Coatsville, PA 19320 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**, the Police Chief of the Hillsdale Police Department and the Hillsdale Fire Department and the Qualified Purchasing Agent have determined that the value of the acquisitions will exceed \$17,500.00; and

**WHEREAS**, Witmer Public Safety Group has completed and submitted a Business Entity Disclosure Certification which certifies that Witmer Public Safety Group 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 Witmer Public Safety Group from making any reportable contributions through the term of the contract, and

**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 Witmer Public Safety Group as described herein; and,

[R22225](#) Resolution to Authorize the Borough Clerk to Advertise for Bids for Various Projects at Stonybrook Swim Club

**WHEREAS**, there is a need for replacement of the filtration tanks, the replastering of three pools and the conversion to manual backwashing controls at Stonybrook Swim Club, and;

**WHEREAS**, Christopher Statile was awarded a non-fair and open contract to prepare bid specifications for these various projects at Stonybrook Swim Club; and

**THEREFORE, NOW BE IT RESOLVED**, the Borough Clerk is duly authorized to advertise for such projects.

[R22226](#) Resolution Authorizing the Award of a Non-Fair and Open Contract for Various Goods and Services for Stonybrook Swim Club – Pool Covers

Mayor Ruocco asked what the total cost was for the pool covers. Councilmember Lundy stated that the whole cost for the pool covers was \$32,000.

**WHEREAS**, Stonybrook Pool has a need to acquire two safety covers, one for the main pool and one for the dive pool to replace the current deteriorated existing covers; and

**WHEREAS**, vendors have been solicited and three quotes received pursuant to N.J.S.A 40A:11-3 and it has been determined that the value of this acquisition will exceed \$17,500.00; and

**WHEREAS**, pursuant to the provisions of N.J.S.A. 19:44A-20.4 et seq., when the cost of goods and/or services fall between \$17,500.00 and the bid threshold of \$44,000.00 an approval by resolution must be in place prior to contract; and

**WHEREAS**, the following company has given the most advantageous design and quote:

Alpa Pools & Spas LLC  
909 Belmont Avenue  
North Haledon, New Jersey 07508

**WHEREAS**, the above-named business has completed and submitted a Business Entity Disclosure Certification which certifies the business entity 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 the above-named vendor from making any reportable contributions through the term of the contract.

**NOW THEREFORE, BE IT RESOLVED** that the Council of the Borough of Hillsdale authorizes the Qualified Purchasing Agent on behalf of the Borough to issue and execute a Purchase Order for the foregoing, with funds certified available by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the Business Administrator is hereby authorized to arrange to pay for the foregoing in accordance with the terms of the purchase order.

**BE IT FURTHER RESOLVED** that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution and notice of this award will be published in accordance with the applicable law.

[R22227](#) Resolution Approving the Corrective Action Plan for the 2021 Budget

Mayor Ruocco asked why some of the items that are listed were not addressed in 2021 and what is the amount that we are going to have to make up in 2023 budget. The Administrator stated that this will have about a \$60,000 impact on each of the next 5 years budget. He and the CMFO were not here in 2021 but he had discussions regarding this.

**WHEREAS**, the 2021 Annual Audit of the Borough of Hillsdale, conducted by Garbarini & Co., P.C., contained certain recommendations requiring action; and

**WHEREAS**, these recommendations have been reviewed by the Chief Municipal Financial Officer; and

**WHEREAS**, the Certified Municipal Financial Officer, in accordance with the requirements promulgated by the New Jersey Division of Local Government Services, has developed a plan to address the recommendations listed by the auditors;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hillsdale, that the Corrective Action Plan for the 2021 Annual Audit, hereto attached, is hereby approved and accepted; and

**BE IT FURTHER RESOLVED** that the Certified Municipal Financial Officer is hereby directed to transmit a certified copy of this resolution and its attachments to the Division of Local Government Services.

[Corrective Action Plan](#)

[R22228](#) Governing Body Certification of the Annual Audit – 2021

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

**WHEREAS**, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled “Comments and Recommendations, and,

**WHEREAS**, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

**WHEREAS**, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, That the Mayor & Council of the Borough of Hillsdale, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

[R22229](#) Resolution Authorizing Contract for CDL Random Drug & Alcohol Testing Services

**WHEREAS**, CDL random drug and alcohol testing of all license holders is required as per

N.J.A.C. 17:27; and

**WHEREAS**, the Borough of Hillsdale desires to enter into a contract for Professional Services with Valley Health System, 15 Essex Road, Suite 206, Paramus, NJ 07652; and

**WHEREAS**, the term of aforesaid contract shall be from January 1, 2023 through December 31, 2024, with the understanding that this agreement will renew itself for an additional term of one (1) year through 2025 unless terminated prior to that date in writing by either party; and

**NOW, THEREFORE, BE IT RESOLVED**, that the mayor and or Borough Administrator is hereby authorized to enter into an agreement with Valley Health System for the 2023 CDL Random Drug and Alcohol Program.

[R22230](#) Resolution Authorizing the Extension of the Award for Shade Tree and Stump Removal Services

**WHEREAS**, the Borough of Hillsdale is interested in extending their contract for Shade Tree and Stump Removal with Downes Tree Service Co., Inc located at 65 Royal Avenue Hawthorne, New Jersey 07506 as an open-ended contract for non-emergency and emergency tree removal for the second extension of a one-year contract for the term expiring December 31, 2023; and

**WHEREAS**, the Mayor and Council at its sole discretion, in accordance with NJSA 40A 11-1 et seq., the Mayor and Council may, by adoption of resolution, extend the contract for one (1) one (1) year period if they determine; that the contract service is being performed in an effective and efficient manner; and if any price change included as part of an extension shall be based upon the price of the original contract; and

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

1. The contract for Shade Tree and Stump Removal as outlined in the original bid proposal on November 24, 2020 is hereby awarded to Downes Tree Service Co., Inc effective January 1, 2023 through December 31, 2023 at an amount not to exceed \$108,000.00.
2. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
3. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.

**R22231 PULLED by Councilwoman Lundy**

[R22232](#)

Resolution Authorizing the Extension of the Award to Lehmann Pools for the Seasonal Opening and Closure of the Municipal Pools for the 2023 Season

**RESOLUTION AUTHORIZING THE EXTENSION OF THE AWARD TO  
LEHMANN POOLS FOR  
OPENING/CLOSING OF THE MUNICIPAL POOLS FOR THE 2023 SEASON**

**WHEREAS**, on February 23, 2021, the Borough of Hillsdale received one (1) sealed bid for the Opening/Closing of Stonybrook Swim Club Pools; and

**WHEREAS**, Lehmann Construction Co., Inc located at, 644 Wyckoff Avenue Mahwah, New Jersey 07430 was the lowest responsible bidder in the base bid amount of (\$89,488.21) for the Spring Opening of the pools and (\$36,560.70) for the Winter Closure of the pools; and

**WHEREAS**, the Borough of Hillsdale wishes to extend the contract with Lehmann Construction Co., Inc, for the opening and closure of the pools for the 2023 season at the same rate as the 2022 season and with the agreed upon terms and conditions set forth in the Bid for the Stonybrook Swim Club Seasonal opening and closing; and

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Hillsdale, in the County of Bergen, New Jersey that the bid submitted by Lehmann Construction Co., Inc for the Stonybrook Swim Club Seasonal opening and closing, be extended for the 2023 season, for a total contract amount of \$126,048.91.

[R22233](#)

Resolution Authorizing the Extension of the Award for the Operation of the Concession Stand at Stonybrook Swim Club for the 2023 Season to Mellsworth Foods, LLC

**WHEREAS**, the Borough of Hillsdale is interested in extending their contract for the Operation of the Concession Stand at Stonybrook Swim Club for the 2023 Season to Mellsworth Foods, LLC located at 102 E Main Street Ramsey, NJ 07446; and,

**WHEREAS**, the Mayor and Council at its sole discretion, in accordance with NJSA 40A 11-1 et seq., the Mayor and Council may, by adoption of resolution, extend the contract for one (1) one (1) year period if they determine; that the contract service is being performed in an effective and efficient manner; and if any price change included as part of an extension shall be based upon the price of the original contract; and

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

4. The contract for the Operation of the Concession Stand at Stonybrook Swim Club as outlined in the original bid proposal on February 3, 2022 is hereby awarded to Mellsworth Foods, LLC, effective for the 2023 Season at the amount of (\$24,300.00).

5. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
6. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.
7. The Mayor and Council will have the option to extend the contract for one additional one-year for the 2024 season.

[R22234](#) Resolution Authorizing the Extension of the Award for Cutting Grass on Borough Owned Property/Stonybrook Swim Club Property

**WHEREAS**, the Borough of Hillsdale is interested in extending their contract for Grass Cutting on Borough Owned Property with LTI, Inc, 122 Main Road, Montville, NJ 07045 in the amount of eighty-nine thousand five hundred dollars and no cents (\$89,500.00) for the 2022 Landscaping season; and

**WHEREAS**, the Borough of Hillsdale is interested in extending their contract for the alternate bid for Landscaping at the Stonybrook Swim Club with LTI, Inc, 122 Main Road, Montville, NJ 07045 in the amount of Eighteen thousand five hundred dollars and no cents (\$18,500.00) for the 2023 Landscaping season as well as any miscellaneous landscaping work if needed at the rate of \$45/hour; and

**WHEREAS**, the Mayor and Council at its sole discretion, in accordance with NJSA 40A 11-1 et seq., the Mayor and Council may, by adoption of resolution, extend the contract for one (1) one (1) year period if they determine; that the contract service is being performed in an effective and efficient manner; and if any price change included as part of an extension shall be based upon the price of the original contract as cumulatively adjusted pursuant to any previous adjustment or extension and shall not exceed the change in the index rate for the twelve (12) months preceding the most recent quarterly calculation available at the time the contract is renewed and the terms and conditions of the contract remain substantially similar; and

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

8. The contract for grass cutting on Borough owned properties as outlined in the bid proposal is hereby awarded to LTI, Inc effective January 1, 2023 through December 31, 2023.
9. The contract for grass cutting on the Alternate Property of Stonybrook swim Club as outlines in the bid proposal is hereby awarded to LTI, Inc. effective January 1, 2023 through December 31, 2023.
10. The Borough Attorney is hereby authorized to prepare contracts and/or other documents pursuant to the award of this contract.
11. The Mayor and Clerk are hereby authorized to execute contracts and/or documents pursuant to the award of this contract.

[R22235](#) Resolution Appointing Deputy Registrar

Mayor Ruocco asked who was the current Deputy Registrar, and the Borough Clerk responded that it is Chris Tietjen. The new Deputy will be paid at the same rate of \$1200.00 per year.

**WHEREAS**, under N.J.S.A. 26:8-17—the LOCAL REGISTRAR shall appoint a deputy to assist in the normal day to day operations in the office and whose duties shall be to act in the registrar’s stead in case of absence, disability or death of the registrar; and

**WHEREAS**, it would be in the best interest of the Registrar and the Borough to appoint Eileen McLaughlin, who currently holds the certification of a Certified Municipal Registrar, and

**NOW, THEREFORE, BE IT RESOLVED**, that the governing body of the Borough of Hillsdale that Eileen McLaughlin, be and is hereby appointed to the position of Deputy Registrar of Vital Statistics for the term commencing January 1, 2023 through on December 31,2024 with an annual stipend to be fixed by the Borough’s Salary Ordinance.

[R22236](#) Resolution Hiring Temporary Snow Plow Laborers for the 2022/2023 Winter Season

**WHEREAS**, there exists a need for a Temporary Snow Plow Laborers within the Borough of Hillsdale Department of Public Works for the 2022/2023 winter season; and,

**WHEREAS**, the following meets the requirements to fill the positions at the Department of Public Works:

Non-CDL Drivers at the rate of \$25.00/hour

Greg Soluri

Michael Griffin Jr

CDL Drivers at the rate of \$35.00/hour

John Horn

Mike Mullins

Ron Hoeim

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council Borough that the above listed are hereby appointed to the position of Temporary Snow Plow Laborers for the 2022/2023 winter season for the Department of Public Works, effective approximately December 15, 2022 until approximately April 30, 2023 on an as needed basis.

[R22237](#) Resolution Authorizing Refunds of Tax Overpayments

**WHEREAS**, a duplicate tax payment due to the sale of property has resulted in overpayment of taxes, as per the properties listed below, and;

**WHEREAS**, CoreLogic has requested the overpayments be returned directly to CoreLogic, and;



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

Block 303 Lot 2

17 Hunters Court \$ 4,155.80

Block 506 Lot 24

85 Hillsdale Court \$ 4,619.65

**TOTAL TO BE REFUNDED: \$ 8,775.45**

Refund to: CoreLogic  
Attn: Escrow Refunds  
3001 Hackberry Road  
Irving, TX 75063-0156

[R22238](#) Resolution Authorizing a Refund of a Tax Overpayment

**WHEREAS**, Resolution 22187 authorizing the correction of tax assessment was applied to Block 1207, Lot 20 was applied, however, CoreLogic wired the unadjusted 4<sup>th</sup> quarter taxes for the property, which has resulted in overpayment of taxes and;

**WHEREAS**, CoreLogic has requested the overpayment be returned directly to CoreLogic, and;

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

Block 1207, Lot 4

20 New Street \$ 1,526.49

**TOTAL TO BE REFUNDED: \$ 1,526.49**

Refund to: CoreLogic

Attn: Escrow Refunds  
3001 Hackberry Road  
Irving, TX 75063-0156

[R22239](#) Award Payment of 2021 LOSAP Benefits to Eligible Members of the Volunteer Ambulance Service

**WHEREAS**, the Mayor and Council of the Borough of Hillsdale, Bergen County, New Jersey, has adopted Ordinance #99-17 establishing and implementing Length of Service Awards Program (LOSAP) pursuant to P.L. 1997, c. 399, and

**WHEREAS**, in accordance with the LOSAP program, a list of eligible members and corresponding award has been presented to the Borough Administrator; and

**WHEREAS**, a list of eligible members and proposed award has been reviewed and approved by the Borough Administrator, and funds have been certified by the Municipal Finance Officer; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of Hillsdale, does hereby approve the increase of 5.6 % as per the Annual CPI Adjustment listed in the Local Finance Notice 2020-01 for the list of eight (9) eligible members to receive full benefits which is One Thousand Five Hundred Seventy Three Dollars and Ninety Two Cents (\$1,573.92) per eligible member for a proposed total award of Fourteen Thousand One Hundred Sixty Five Dollars and Twenty Eight Cents (\$14,165.28) for 2021 LOSAP benefits, for eligible Volunteer Ambulance Service members and authorizes payment in accordance therewith.

**R22240 PULLED by Councilman Horvath**

Motion to approve all resolutions on Consent Agenda EXCEPT those pulled made by DeRosa Second Lundy  
Ayes: Councilmember DeRosa, Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk  
Nays: None

[R22231](#) Resolution Authorizing the Appointment of Keith Durie as the Licensed Sewer Operator for the Borough of Hillsdale and Authorizing the Execution of an Employment Agreement on Behalf of the Borough of Hillsdale with Keith Durie to Serve as the Licensed Sewer Operator for 2023

Councilmember Lundy asked if our current DPW Superintendent is a licensed Sewer Operator? The DPW Superintendent only has one of the licenses, the C1 and he is not eligible to take the exam for the C2 until April of 2023 and he will be taking the class for the C2 in February. She would like to make sure that we don't double pay for this position. The Administrator will make sure of the current DPW Superintendent is eligible that we don't end having to pay for both.

**WHEREAS**, the Borough wishes to retain the services of Keith Durie to serve as Licensed Sewer Operator for the Borough of Hillsdale; and,

**WHEREAS**, Keith Durie wishes to serve in the position of Licensed Sewer Operator and to enter into an Employment Agreement to perform such duties with the Borough;

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Keith Durie is hereby appointed Licensed Sewer Operator for the Borough of Hillsdale at an annual rate of \$5,000.00 effective January 1, 2023 through December 31, 2023 or until a successor is appointed.

**NOW, THEREFORE, BE IT FURTHER RESOLVED** by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that the Borough wishes to enter into an Employment Agreement with Keith Durie to serve as Borough Licensed Sewer Operator and authorizes the Mayor and Borough Clerk to execute said Agreement on behalf of the Borough.

Motion Lundy Second DeRosa

Ayes: Councilmember DeRosa, Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk

Nays: None

The CMFO joined the meeting. In regards to the Corrective Action Plan, there were some findings from 2020 that rolled into 2021 and partial year 2022. There was a lot of transition during that time, however a corrective action plan was not presented to the governing body in 2021, she is guessing due to the transitions of staff. We can raise the funds over the course of a few years. She will have a meeting with the Bond Legal Counsel and our Auditor and the Chair of the Finance committee to see what are best course of action will be.

[R22240](#) Resolution authorizing the Signing of an Agreement with colliers Engineering & Design for Engineering Services of a Feasibility Study Associated with the Proposed Stonybrook Pool Grounds Community Center

Councilman Horvath stated that he is not for a second community center for the basic reason of the financial burden it puts on the town. The size of the second community center has grown and the cost has as well. He would like to know how this is justified. Councilman DeRosa added that they are all voting members and he is not ready to vote on a size of a community center at this time.

**WHEREAS**, the Borough desires to construct a community center of approximately 5,000 SF on the Stonybrook Pool Grounds; and

**WHEREAS**, Colliers Engineering & Design Inc. (hereinafter, "Colliers") has presented an Agreement to the Borough for engineering services related to a feasibility study for the construction of a community center on the Stonybrook Pool Grounds; and

**WHEREAS**, the scope of services in the Agreement includes the necessary diligence to review available mapping, collect data, identify site constraints, make minor revisions to the previously prepared concept at an amount not to exceed of \$9,500.00; 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.

Motion Lundy Second DeRosa

Ayes: Councilmember DeRosa, Escobar, Lundy, Pizzella, Council President Trochimiuk

Nays: Horvath

**PUBLIC COMMENT:**

Mayor Ruocco opened the second public comment period. Seeing no one wishing to speak, he closed the second public comment period.

**COUNCIL COMMENTARIES:**

Mayor Ruocco stated that he is working with Patty Hughes and the Administrator to see if they can move forward with a volunteer snow shovel program for seniors.

St Johns the Baptist is having a Christmas Concert on December 20<sup>th</sup> at 7pm and is open to the public.

He thanked the Police Chief and the Captain for participating in a Santa and Grinch Photo shoot at the American Legion as well as Councilmember Horvath for taking the photos.

He thanked everyone who made the Christmas Tree Lighting a success last night.

He reminded everyone that tomorrow is Pearl Harbor Day. At the NJLM Convention, the Mayor was chosen to be the Second Vice President of the Organization. They meet monthly to discuss matters of concerns of the Mayors in Bergen County.

Councilman DeRosa stated it was great to have everyone back at the tree and menorah lighting last night as there were a lot of people that attended.

Councilmember Horvath attended a meeting with OEM and the police last week and it opened his eyes to a lot of situations that he would not normally think of so he thanked the Police and OEM for keeping us safe.

Councilman Pizzella also enjoyed the tree lighting last night. He thanked everyone for their condolences on the passing of his mother.

**ADJOURNMENT:**

Motion to adjourn Councilmember Lundy Second Councilmember DeRosa

Ayes: Councilmember Escobar, Horvath, Lundy, Pizzella, Council President Trochimiuk, DeRosa

Nays: none

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE  
TUESDAY, DECEMBER 13, 2022 7:00 PM**

Denise Kohan, Municipal Clerk

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APPROVED AS PRESENTED