

Minutes of a Council Meeting of the Borough of Hillsdale held at 7:33 PM on Wednesday, November 5, 2014, in the Council Chamber, Borough of Hillsdale, Hillsdale, New Jersey.

The meeting was called to order by Mayor Arnowitz who also led the Salute to the Flag.

OPEN PUBLIC MEETING STATEMENT:

This is a meeting of the Hillsdale Borough Council on this 5th day of November 2014. Notice of the time and place of this meeting has been provided to The Ridgewood News, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

ROLL CALL:

On a roll call those in attendance were Council Members Frank, Kelley, Looes, Meyerson and Pizzella. Also in attendance were Mayor Arnowitz, Borough Attorney Bernstein, and Borough Clerk/Borough Administrator Witkowski. Council Member DeGise was absent.

RESOLUTION:

R14224 Appointment of Sean Smith as Lieutenant of the Police Department, and authorizing the Mayor and Borough Clerk to execute the agreement.

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

WHEREAS, the Borough wishes to fill said position with Detective Sargent Sean Smith.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Hillsdale, County of Bergen, State of New Jersey that Sean Smith is hereby appointed Lieutenant of the Hillsdale Borough Police Department effective November 6, 2014 and that the Mayor and Borough Clerk are hereby authorized, on behalf of the Borough, to execute an employment agreement with Sean Smith to serve as Lieutenant of the Police.

Motion to approve by Council Member Meyerson, Second by Council President Kelley.

Roll Call Vote:

Ayes: Council Members Frank, Looes, Meyerson, Pizzella, and Council President Kelley

Absent: Council Member DeGise

Police Chief Francaviglia introduced Lieutenant Smith, an 18-year veteran of the Police Department. Lieutenant Smith is a married father of three, and prior to joining the Hillsdale Police Department, he served four years in the United States Marine Corps, with service in "Operation Restore Hope" in Mogadishu, Somalia, in 1993. Lieutenant Smith has served the Police Department as the DARE Coordinator for the past 15 years, and has been an active police officer in the community since joining the force. In addition, he serves as the liaison to the American Legion Post, and the Hillsdale Police Auxiliary. Lieutenant Smith is extremely proud of his accomplishments involving local history, specifically the Hillsdale Police Department. He compiled two volumes of history from 1898-2010, and was the recipient of the Bergen County Chiefs Award Medal; Borough Valor Awards; and has several Department commendations. Lieutenant Smith currently attends Fairleigh Dickinson University in pursuit of a bachelor's degree in Public Administration. In September 2012, he was promoted to the rank of Sergeant, and became a member of the Detective Bureau in September 2013. Chief Francaviglia said he is extremely proud to announce this promotion.

Council Member Meyerson said he believes he and Lieutenant Smith grew up together in Hillsdale, although Council Member Meyerson is older than Lieutenant Smith. However, Council Member Meyerson started as the Public Defender in Hillsdale at the same time that Lieutenant Smith started his career as a Police Officer. As one progressed, so did the other. Council Member Meyerson said that Lieutenant Smith is one of the finest men he has ever met, and he is very proud to have Lieutenant Smith as an Executive Officer in the Police Department.

Council Member Frank stated that, as a representative of American Legion Post 162, they are very proud of Lieutenant Smith's accomplishment, and he congratulated Lieutenant Smith on behalf of the members of the American Legion.

Mayor Arnowitz said he has been a big supporter of Lieutenant Smith over the years, and Lieutenant Smith has been a tremendous asset to the Hillsdale Police Department.

OATHS OF OFFICE:

Police Lieutenant Sean Smith

Mayor Max Arnowitz

APPOINTMENTS: *November 12, 2014*

Member to Recreation Commission (*Mayor appointment with advise and consent of counsel*)

Mayor Arnowitz informed the Council Members that he will be appointing Abby Lundy next week

OATH OF OFFICE:

None.

RECOGNITION: *November 12, 2014*

Hillsdale Volunteer Ambulance – Life Saving

Jeff Alboum, Annelise Engelmann, and Bronwyn Mellon-Jones

Mr. Alboum was not present but Ms. Engelmann and Ms. Mellon-Jones were in attendance. Captain John Beatty mentioned that there was a CPR call in August 2014, who, along with the Hillsdale Police Department, were instrumental in saving a life of the patient. Mayor Arnowitz commented that he has given recognition to many people over the years for saving lives, and a few weeks ago, he recognized the police officers who were assisting in this particular incident. The woman whose life was saved happen to be in attendance at that meeting, and Mayor Arnowitz said he was struck by the fact that, if not for the efforts of the Police Department, along with these members of the Hillsdale Ambulance Corps, the woman would not have been able to attend the meeting at all. He congratulated the members of the Ambulance Corps for everything they do.

2014 Bergen County Volunteer of the Year Award:

John Beatty

Mayor Max Arnowitz

Mayor Arnowitz recognized and presented the certificate to Captain John Beatty.

PROCLAMATIONS: None

APPROVAL OF MINUTES: *November 12, 2014*

Work Session Meeting October 7, 2014; Regular Meeting October 14, 2014

Closed Session Meeting of October 14, 2014

8:00 PM – PUBLIC HEARING ON 2014 BERGEN COUNTY OPEN SPACE HISTORICAL PRESERVATION TRUST FUND GRANT APPLICATION: *November 12, 2014*

R XXXX Endorsing Municipal Trust Fund Application for 2014 Open Space Application – Saddlewood Hills Properties, Limited; a/k/a Tandy-Allen

PROFESSIONALS REPORTS/MONTHLY DEPARTMENT REPORTS:

(The following correspondence on file in Borough Clerks Office)

Borough Engineer – dated October 29, 2014

Greg Polyniak of Neglia and Associates presented the Engineer's Report for October 2014. The first item discussed was the New Jersey Transit Historic Preservation Open Space Grant, which Mr. Polyniak worked with Council Member Pizzella to prepare. The grant submission package was filed with Bergen County on October 31, 2014. The final item remaining is to get signatures from New Jersey Transit, which Council Member Pizzella is currently working on.

Next, Mr. Polyniak discussed the situation at 321 Broadway. On October 30, final repair drawings were submitted by the property owner's engineer. On October 31, the Building Department was proceeding with permit issuance, so the replacement/repair of the entire parking deck should now be ongoing.

Regarding Kent Road, Baylor Avenue, and Saddlewood Drive, Mr. Polyniak forwarded a notice for review and consideration by the Borough, mentioning the concrete work on those roads would begin on November 10. Notices will be sent to all of the residents subsequent to the Borough's review and

authorization of the contract.

The next item on the list was 49 Oak Street. The Council is considering accepting the donation of that property, but Mr. Polyniak noted that prior to that occurring, his firm recommends that a Phase I occur on the property to protect the Borough's interests.

Mr. Polyniak also mentioned the Bergen County Community Development Block Grant applications, which are due on December 5, 2014, for any ADA improvements with respect to restroom door openers. His firm is looking for help from the Council or the Borough, because the majority of restrooms throughout the municipality are ADA accessible. Mr. Polyniak noted that a door opener project was just completed with the help of a CDBG, as well as completion of the pool lift project at Stonybrook. Mayor Arnowitz asked about the restroom at the railroad station, because he is not sure that it is ADA compliant. He continued by saying that the Borough would try to get a grant for that, and Mr. Polyniak said as his firm was needed to assist in that, they are available. Mr. Polyniak also commented that the grant covers 100% of the costs, but not the professional fees.

The final item for Mr. Polyniak related to the Hillsdale landfill, specifically Centennial Field. Mr. Polyniak reminded everyone that on October 6, methane testing occurred at the field. On October 17, his office received a report from the firm (Partners) that performed the test, and high levels of methane were found around the restroom building. On that same day, a smoking ban was declared by Neglia Engineering, and they recommended that the building be immediately closed. However, it should be noted that all of the testing levels for methane are three feet below grade, which is the ambient condition when walking the field and methane odor is detected. Today, the consultant has been preparing methane testing to delineate the plume and determine the indoor air quality. Final results should be available to Neglia Engineering and the Borough early next week. It should be noted that ambient air conditions, based on the initial testing, do not indicate any oxygen deficiencies or methane issues within the building, but there are pods that have been placed within the building to do 24-hour testing so that the actual conditions can be determined and reported. Council President Kelley asked for clarification that the only indications of high levels of methane were below ground, which Mr. Polyniak confirmed. Council President Kelley continued by asking for clarification that there were no high levels indicated above ground or in the building itself, which Mr. Polyniak also confirmed. The high levels occur during the initial testing, and there were concerns that there could be issues within the building, but none have been found so far. Based on an email received today, Mr. Polyniak said the preliminarily, there are no indications whatsoever that hazardous conditions exist at the field or at the building that will require the field to be out of operation for an extended period of time. When final results are received sometime next week, Mr. Polyniak stated he would be able to report on how to address the existing plume that is below grade. It is envisioned that that another vent would potentially be required at the landfill to vent the additional methane, but Mr. Polyniak said that nothing can be determined until the report is available. Mayor Arnowitz asked if there is any way to open the fields. Mr. Polyniak responded that, based on the information provided, the fields can be utilized, but the building should not be accessed. Mayor Arnowitz suggested that yellow tape could be placed around the building to prevent access, and portable lavatories could be implemented. Mr. Polyniak said that could be done, with the addition of a smoking ban, which would have to be enforced. Ms. Witkowski pointed out that the field has been open, although the building has been closed. A Porta-John has been in place at the field. Mr. Polyniak commented that his office never recommended that the field be closed; only the building had to be closed. Mayor Arnowitz commented that methane has been present at the field from the beginning, and the field has been vented. This appears to be another plume that has developed because of rotting debris under the ground. Mr. Polyniak confirmed that assessment, and added that in order to allay the concerns of the residents who live around the field, a second round of testing was performed today, and no exceedances were found as a result of that testing. The residential properties around the field should not be affected.

Council Member Meyerson asked if this was discovered in a normal test that was required by the New Jersey Department of Environmental Protection (NJDEP). Mr. Polyniak responded that it was discovered as part of the normal testing procedure. Council Member Meyerson asked that this tested been performed over the last 14 years at the field, and Mr. Polyniak answered that he could only speak to what was performed during this test. Mayor Arnowitz commented that when the field was open, there were no methane vents, and the NJDEP said that the field could not be opened until vents were installed, and once they were installed, it was required that testing be performed on a regular basis, which Mayor Arnowitz thought was every year, and some others thought might be every two years. Mr. Polyniak noted that the landfill closure documents require quarterly testing, although he has handwritten notes from the NJDEP indicating that the tests were moved to a semi-annual basis. He has been in contact with representatives from the NJDEP to confirm that semi-annual testing was approved. Council Member Meyerson noticed that Mr. Polyniak had recommended that comparisons of the quarterly testing over the past two years should be done. Mr. Polyniak responded that he did compare the available testing results

from 2012, and there are some points within the field itself that were in exceedance by a high margin. There is one point in the field where 100% methane was found three feet below grade. In the testing performed by Neglia Engineering with the other consultant, the highest level was 25%, which is still very high. However, it does appear to be dissipating, but the methane issue has been occurring across the field, and may or may not have been addressed at that time. However, Mr. Polyniak commented that they are moving forward to address it now. Council Member Meyerson asked if this is a temporary problem, and with the methane that is emitted from the debris work its way out or dissipate in time. Mr. Polyniak answered that it would do that, but over a substantial period of time, which is why venting is required. Council Member Meyerson asked if “substantial” means 50-100 years, and Mr. Polyniak said that it is possible it would take as long as 50 years.

Mayor Arnowitz stated that when the field was created, it was thought that vents would require piping to be placed under the field to draw the methane to the vents, which are located along the driveway. Mr. Polyniak confirmed this. Mayor Arnowitz continued by saying that because it is a vapor barrier, the methane stays underground, and if the methane is not getting to the vents, maybe something is blocking the vents. Mr. Polyniak said that is a possibility, or the vents are not functioning adequately. According to the documents he has, the landfill was closed in 1986, and the monitoring and testing was supposed to be completed in 2016. However, because of the information that has now been revealed, it is hoped that the NJDEP will not extend that time. Mayor Arnowitz stated that the vents were installed prior to the field being opened, so they are more than 10 years old. He suggested the possibility that they could have collapsed. With respect to the plume information, Mr. Polyniak commented that the northern side of the building has been confirmed as the source of the majority of the plume. The plan does not appear to have extended to the southern side (going toward the playground). More details will be available early next week.

Council Member Meyerson asked if this testing is designed to find a solution to the problem, assuming the results are the same as those found before. Mr. Polyniak responded that at this time, the testing must determine the limits of the plume, and based on the limits of the plume, the plans will be reviewed to locate the vents, and try to determine if one vent is not functioning properly. If the vent is not functioning properly, a new event may need to be installed, but that would be addressed as more information is available.

Mayor Arnowitz asked if Mr. Polyniak has seen the original plans for the landfill, which was supposed to be filled with vegetative waste. He noted that if one looks at the ball field to the left which is called Corra Field, that was not part of the landfill, but is solid ground, and no dumping was done there. Most of the dumping occurred toward the south, near St. Mary’s Street and that end of the property. However, Mayor Arnowitz does not know how far it extended toward Corra Field. Mr. Polyniak responded that once the limits of the plume are known, it can be overlaid to see how far does extend.

Council Member Pizzella noted that Mr. Polyniak said that results that were received indicated exceedances of more than 25%, and Council Member Pizzella asked if that was the original result, or if that was for more recent reports. Mr. Polyniak answered that it was from the recent reports, and that 5% is the lower explosive limit of methane, and that one point indicated 25% on the parking lot side of the building. Council Member Pizzella pointed out that when Partner sent their original test report, there were several areas that were quite high. Mr. Polyniak stated that there was a report from 2012 indicating that, and Council Member Pizzella said he was referring to a report from 2014. Mr. Polyniak responded that in 2014, there were four points around the building that were above 5%, and that is why the testing is being concentrated in that area. All of the tests that had occurred on residential properties and on the outer limits of the fields came in below the explosive limit, within an acceptable range. Council Member Pizzella mentioned that his experiences with landfills indicate that quarterly reporting is required, and that the reports are there to see if the venting system is working properly. In addition, there are times when a landfill is first closed when there is a lower percentage of methane, but as temperatures, chemicals, and other things build up underground during the middle of the term of the landfill, the methane levels tend to rise sharply, and then the methane tends to dissipate. Council Member Pizzella noted that Centennial Field is near the end of that cycle, and he wondered if it is possible that the vents are either not working properly, or that an inadequate number of vents were installed because it is an older landfill. Mr. Polyniak confirmed this, and added that that is exactly what will be explored once the limits of the plume are identified. They can determine if the vents are functioning correctly, because that would be the most cost-effective solution to the problem; and if the number of vents in the area is sufficient. Council Member Pizzella added that it is important to know for the closure plan if quarterly reports are required, which Mr. Polyniak also confirmed. He stated that the closure plan does specify quarterly reports, although he has handwritten notes from approximately 2006 or 2008 indicating that the NJDEP considered allowing semi-annual reports. Mr. Polyniak contacted representatives from the NJDEP to determine whether they had approved semi-annual reports, because he could not accept any

handwritten notations as something that could be allowed. Council President Kelley asked if the reports had been done on a semi-annual basis, or on a quarterly basis, and Mr. Polyniak replied that the intervals were very inconsistent.

Councilman Lewis asked about 2012, when the limits were very high, and she wondered how that was addressed from that point. Mr. Polyniak answered that the only document he has from the Borough Engineer at that time indicates that the results were forwarded to the State, but nothing in particular was addressed with respect to the explosive limits, so Mr. Polyniak could not answer how they were addressed at that time. He is only required to report what was done before, and he has found no action or response from the NJDEP, which means that it was either remediated or the NJDEP did not read that report. Council Member Meyerson asked if there is any way to find out what happened. Mr. Polyniak said he could call the NJDEP, and Council Member Meyerson said he would love to know what remediation occurred based on those results.

Council Member Pizzella mentioned that most landfills are mounded, and include leachate collection systems. Centennial Field is flat, and has a clay barrier, so when it rains, the water pools. He asked if there is any chance that the water that pools in the landfill is tested, or should it be tested. Mr. Polyniak said there is no concern with water that pools on a landfill until it seeps into the ground. That is why there is groundwater monitoring, and he expects to receive results shortly from the groundwater monitoring firm/testing lab shortly, and he will report those results back to the Borough Council. Council Member Pizzella asked Mr. Polyniak if he thinks there is any leachate that seeps up from under the ground. Mr. Polyniak responded that he does not foresee that happening as long as there is a leachate system there. There is a leachate manhole located on the property, and as long as it continues to function correctly, no testing should be necessary. Council Member Pizzella commented that the fact that there is so much pooling on the ground should indicate that it is not necessarily functioning properly, and he wondered if that should be a concern. Mr. Polyniak answered that he took a look at it early in his firm's tenure as the engineering firm for Hillsdale, when the field was looked at in its entirety with respect to the grading on the property, and he believes that the field itself is compliant with the tolerances that are recommended in design manuals for sloping on grass fields, and that is one of the reasons why all that pooling occurs on the property. The field is simply too flat; there are slopes that are .5% -1% on a lawn surface that are recommended in the manuals to be in the 1% -2% range. Council Member Meyerson asked if those specifications existed when the field was created. Mayor Arnowitz commented that many facts were brought up in testimony when the field was built, including the fact that the field actually sinks, because it is a landfill. It was filled with leaves, and the Council Members at that time were told that, which is why the levels that are seen today are not the levels that existed when the field was built. The leachate referred to by Council Member Pizzella is under the impervious barrier to drain what was dumped. The water that was previously referred to is above the impervious barrier, and the Borough spent tens of thousands of dollars to install numerous drains when the field was built. The field was inspected, and had all of the proper tolerances that were required at the time, as told by the NJDEP, the County inspectors, and the Borough Engineer at that time. The Borough was also told that there would be problems with the field because it would continue to sink due to the fact that it is a landfill. The Borough elected to take the calculated risk because the sports associations needed more fields. The field was state-of-the-art when it was built. In addition, the Borough had to cap the landfill, according to the State. Mr. Polyniak commented that he was not trying to criticize anyone else's work or design regarding the field, but he does know that the field is too flat, which is why there is a lot of pooling that occurs. Council Member Pizzella pointed out that when landfills were closed at that time, different designs were used than those that are used now. In addition, when flat landfills are created, in many cases the NJDEP requires more dirt to be added to level the field.

Ambulance Corps – Captain Beatty presented the report for the Ambulance Corps, from October 2, 2014. He stated that October has been the second-busiest month of the year so far, with 108 requests for ambulance. Of those 108 requests, the Hillsdale Ambulance Corps handled 87 of them alone, and received mutual aid 21 times. There were 37 medical emergencies; 17 traumas; 7 motor vehicle accidents; 16 refusals of medical assistance after being attended by EMTs; 5 ETOH/atrial calls; 3 psych/behavior issues; 10 transports to hospitals for medical need; 6 standbys, including those requested by the Fire Department, and the biggest one due to the collapse at 321 Broadway; 2 DOEs; 5 cancellations; 33 interactions with the advanced life-support units from various hospitals; 1 mutual aid response in Emerson; 2 such responses in Old Tappan; 4 mutual aid responses in River Vale; 6 responses through Triboro; 19 mutual aid responses in Washington Township; 15 responses in Westwood; and 1 call from Paramus. Hillsdale received mutual aid from River Vale 6 times; from Triboro once; Washington Township 7 times; Westwood 3 times; and from MyComm 4 times. The ambulance traveled a total of 844 miles in the past month. In addition, there were 259 man-hours devoted to calls, with a total of 1,827 scheduled hours of duty. Five calls of the 87 calls handled were as a result of working cooperatively with the Westwood Ambulance Corps. Hillsdale and Westwood have

formed joint crews to work together when neither town can handle calls alone. There was also a joint rescue drill held in cooperation with the Hillsdale Fire Department, working on ladder operations. The Ambulance Corps also participated in the Hillsdale Emergency Services Open House, and two members of the Corps are currently enrolled in the EMT school. Captain Beatty also mentioned that the annual fund drive letters have been sent. The Ambulance Corps operates solely on donations, and do not bill for their services. They currently need a new ambulance, which needs to be repaired very often.

Construction Department – no report

DPW – Donald Russell, Superintendent of the Department of Public Works, presented the report for the month of October. Light bulbs in the streetlights along Hillsdale Avenue were changed. One employee has been out due to an injury, and he is the one who normally puts up the Christmas lights around Hillsdale, which usually takes several weeks. Because he is absent, Mr. Russell has been asking other personnel to put up the Christmas lights, so that they could focus on leaf removal. All the lights are now up, except for those on the main Christmas tree. Mr. Russell has obtained several quotes for those lights. The person who provided the lights last year gave a quote of \$2,500; Mr. Russell spoke to Johnny Stepe, who has a bucket truck, and said he would do the work for \$100 per hour. The work is expected to take approximately 4 hours maximum. Borough personnel cannot do the work, because the Borough does not own an aerial lift, and none of the Borough personnel is certified for that. Mayor Arnowitz reminded Mr. Russell to make sure that plywood was put down before any lights are put up. Mr. Russell continued by saying that leaf season has begun, and that they started earlier this year. As of today, 24 loads have been removed. Mr. Russell did not have the information about how many loads had been removed by this time last year, but in the past, leaf removal started this week. This year, leaf removal started much sooner, which Mr. Russell believes has worked out better, because the 1992 loader blew a third piston, which Mr. Russell understands is the second time the motor has had this problem. Thanks to the Chief Financial Officer and the Borough Administrator, he was able to obtain a smaller rental machine to assist in cleaning up the yards and other miscellaneous work, which allows the main loader to be kept on the road. Mr. Russell commented that consideration will have to be given to buying, leasing, or renting a loader in the near future. A decision will also have to be made as to whether to continue using a combination machine, or to switch to a wheel loader, which has been used in the past. Workers have gone through the town three times for leaf removal, and the pickups are starting to get heavier. They started in section A and are heading north and then west. Mr. Russell also recommended for a future purchase a TINK claw. River Vale has one, as does Westwood, and it is a piece of equipment that would eliminate the need for a pusher (or the pusher could be used in another part of town). The TINK claw is basically a pusher with a claw. It allows less overspill into the street, and eliminates the need for another operator to be driving the truck ahead of the claw. The DPW yard has been cleaned up, and Mr. Russell said that it could be used if Stonybrook is not available for temporary leaf storage. There was some asphalt, cement, and bricks that had piled up over the years, and Mr. Russell said that if all of that were to be taken to the firm who provides the blacktop used to patch roads, it would cost approximately \$15,000-\$20,000 to take it over there and pay for its recycling, as well as the man-hours and fuel that would be necessary for that. After speaking with Kelly Donahue, who is currently doing a Westwood project involving tearing down the Ford dealership, Mr. Russell said he worked in tandem with Washington Township to take approximately 15 truckloads to them, which only costs approximately \$1,000, which could be charged to recycling. Mr. Russell plans to have crews coming early on Fridays to blow leaves off the sidewalks along Hillsdale Avenue and Broadway and run the street vacuum along there to avoid leaf accumulation in that area. Council President Kelley asked how old the broken loader is, and Mr. Russell responded that it is from 1992. Council President Kelley then asked how old the newer loader is, and Mr. Russell responded that it is from 2003.

Council Member Meyerson commented that the Finance Committee met, and they discussed the options mentioned by Mr. Russell. He will be making a recommendation to the Council Members as to how to proceed, although he said they are not ready to do so at this moment. Mr. Russell stated that in the past, they used the two loaders for snowplowing, and that right now, only one is available.

Council Member Frank said that Mr. Russell presented some good alternatives and things to think about as far as equipment is concerned. He also asked for an update on the fence situation at the Public Library. Mr. Russell answered that if it is decided to do that, he would like to do it in the spring, because snow removal is a concern. Council Member Frank asked what factors might influence a decision about whether to do the fence work. Mr. Russell said the only concern he has is with snow removal, although if the fence is moved back a bit, as is proposed, that should not matter. As far as emergency services are concerned, he is not familiar with that aspect of it, and they should be contacted for their input. Council Member Frank noted that a hand shovel must be used that the existing gate for snow removal, so that the snow is not pushed down the street. Mr. Russell said he assumes the emergency gate is there for the Fire Department or EMS, so it must be shoveled. Mayor Arnowitz commented that that area has never been

shoveled, although it should have been.

Fire Department – through October 2014

Board of Health – October 2014

Hillsdale Library – Councilman Frank presented the report for the Hillsdale Public Library. The Trustees met last week, and they spent most of the meeting discussing the 2015 budget. David Franz, the Library Director, does a wonderful job putting together budget details, and he met with the CFO on Monday to do a preliminary review. The Library continues with its “Maker Space” program, which is a craft program that includes a lot of different projects in which people can participate. One of the more interesting projects involves use of the 3-D printer, which is becoming increasingly popular. The printer is available for the public to use for a small fee based on the amount of material used. In addition, for 2015, due to some changes in the Bergen County Cooperative Library System (BCCLS), many more magazines will be available electronically. The application used for magazines is called Zinio, and they are always adding more titles to their database. On November 13 at 7:00 PM, the Public Library is hosting a four authors/one night “Tour de Noir,” giving patrons a chance to meet four authors of young adult fiction for free. There will be readings, a Q&A, a book sale, and autographs. The authors include Kieran Scott, author of the “Shadowland” series; Lisa Arnowitz, who wrote “Breaking Glass”; Elizabeth Kiem, author of “Dancer Daughter Traitor Spy”; and Michael Ostow. Teens and adults are invited, and anyone interested should contact Laura Leonard at the Public Library with questions.

Police Department – Chief Francaviglia reported that approximately 189 summonses were issued last month, and 200 warnings to motor vehicle drivers. There were also some programs held in October, and some officers participated in various fundraisers and other events around the community, including a fundraiser at Smith School; an event at Hillsdale House; a stranger/danger 911 program at the elementary schools; and Halloween safety lectures. Officer Kaplan was conducting a motor vehicle stop when he noticed that the vehicle operator had a cell phone, and the driver also was under the influence of alcohol. The driver was arrested for drunk driving, as well as for being in possession of heroin, which he intended to distribute. In addition, a traffic stop was made for a malfunctioning brake light, and it was discovered that there was a warrant out in Passaic for the arrest of the driver, who posted bail and was released. Another man was observed in one of the Hillsdale parks, and when the man’s identity was checked, it turned out that there were three outstanding warrants on him in three other municipalities. The man posted bail and was released. Finally, an officer responded to a suspicious vehicle call, and encountered a 36-year-old North Carolina man and a 30-year-old Paramus woman in a parking lot. There was an outstanding warrant on the man, and the officer detected the smell of marijuana in the car. Upon investigation, other drugs were found in the car, and multiple summonses were issued to the couple, who posted bail and were released.

Mayor Arnowitz congratulated Chief Francaviglia on the AAA safety award. Chief Francaviglia thanked Mayor Arnowitz, and added that the Police Department would be meeting with residents from the west side of town regarding the situation with Demarest Farms. Mayor Arnowitz said he would like to move forward at the beginning of the year with some type of parking ordinance in response to that issue.

Recreation/Stonybrook – Council Member Loes gave the report for November 2014. The senior luncheon will be held on November 19 at St. John’s Church; Wilkes Deli will be catering. Youth basketball sign-ups closed on November 3, with the draft scheduled for November 15. Men’s basketball, wrestling are starting, and girls’ volleyball starts in December. The turnout for the Halloween parade was wonderful, and positive feedback was received from the parents. This year, they added a photo opportunity inside, which was a nice alternative to taking pictures while they walked. Patty Hughes, Recreation Director, was able to have some Bergen County prisoners come to give the Fieldhouse a facelift at Memorial Field, including painting, leaf removal, and other cleanup efforts. The Welcome Committee are preparing their packets. Approximately 70 new residents since June have received the packets, but Council Member Loes is not sure that they will have the opportunity to go out again before the cold weather comes. During the winter, they plan to reach out to more Hillsdale business owners and showing the packet that is given out so that they can consider adding something to the packet. No monetary donation is required to be a part of the welcome packet as the purpose of the packet is to give information about local businesses.

There are some repairs currently going on at Stonybrook, and they will be reviewing their budget. The Stonybrook Commission will meet on November 15. The kiddie pool renovation has been completed, after some delays. Borough Attorney Bernstein is now working with them on the possibility of a lawsuit against the contractor, who is demanding full payments, but due to the many delays and other contractual issues, the Stonybrook Commission is exploring the possibility of suing the contractor. The

office addition was also canceled due to financial constraints.

OLD BUSINESS:

1. Status of Sports Association Agreements

Council Member Looes stated that the Recreation Commission came up with many good suggestions, and one thing that was not included in the most recent draft was a provision that the Recreation Commission would be more involved in communication with the various sports associations, and Council Member Looes has been trying to include that in the agreements.

2. Employee Handbook Update

Ms. Witkowski stated that she sent an email to the Personnel Committee, who received a copy of the handbook. Ms. Witkowski asked them to review it, and reminded them that negotiations will be starting very soon. She asked them if they could meet to discuss, and if they have any other changes to recommend, other than contractual language. Ms. Witkowski is continuing to move forward, and she would like to have this resolved by the end of the year, or right after the beginning of the new year.

3. Hillsdale Football Association (HFA) IRS filing

Council Member Looes stated that the last update she had was that they had contacted CPA, who was taking care of filing this. Mayor Arnowitz noted that nothing has been received in writing indicating that the filing was done, and he asked if that could be obtained. Ms. Witkowski said she has not seen anything in writing, either, but she is now involved in the discussion. Ms. Witkowski contacted the HFA to tell them that the CPA needs to contact her, and she will continue to make that request so that this issue can be closed.

4. Acceptance of Donation of Land, 49 Oak Street

Mayor Arnowitz noted that Borough Attorney Bernstein said in the past that Phase I needs to be completed, and asked where situation currently stands. Council Member Meyerson said this was discussed in the Finance Committee, and they reached the conclusion that they need to know what is on the property, and the appropriate environmental studies must be done. Council Member Frank suggested that the neighbors should be contacted, and Council Member Meyerson said that one of the things discussed was that, typically speaking, when someone is looking to get rid of property, they might ask the neighbors on either side if they are interested in purchasing the property. Council Member Meyerson does not know if that was done in this case, but he believes the homeowner should be contacted to see if he attempted to sell or gift the property to either or both of the neighbors, including the possibility of dividing the property between the owners on either side. Mayor Arnowitz asked how that could be done, and Council Member Meyerson replied that it is a matter of simply contacting the neighbors and asking if any attempts were made to do that. Borough Attorney Bernstein reiterated that Mr. Giblin should be contacted to see if he received any communications about the sale of the property. Mayor Arnowitz asked who would do that, and Borough Attorney Bernstein said it would be either him or Ms. Witkowski. Council Member Frank noted that if it is not possible to get any information from Mr. Giblin, in order to protect itself, the Borough should move forward with the Phase I study. Borough Attorney Bernstein said that doing the Phase I study assumes that the Borough wants the property. He explained that the assumption is that the Borough has an interest in the property to begin with, but if there is no interest in the property, what is on the property will not matter. Council Member Meyerson asked what constitutes the Borough's interest in acquiring the property, and when should the Council Members seriously consider accepting the property. Council Member Frank asked what happens if the taxes are not paid for an extended period of time, in which case, the Borough ends up owning the property anyway. Council Member Meyerson said it would be sold at a tax sale. Mayor Arnowitz noted that the Planning Board just denied an application for a piece of property in the flood zone. Years ago, that property was not considered to be developable, but the laws changed, and it is impossible to determine what could happen with that property. Council Member Meyerson said he does not know what the limitations are on developing a property, or how it got created in the first place. He added that the Council Members, specifically the Finance Committee, need to know if it is worth pursuing, because someone will buy the tax sale certificate and pay the taxes. Mayor Arnowitz pointed out that the Borough owns property in that area because of the wetlands and there is a paper street as well and we own property on Hillsdale Avenue that curves around that AREA.. However, Mayor Arnowitz noted that none of that property is usable, and over the years, particularly with the property on Hillsdale Avenue where someone was renting one of the houses, a lot of problems were encountered due to concerns about falling trees that were on the property and the tenant started filling it in.

Council Member Meyerson stated that if the Borough is to consider accepting a piece of property, Utility of the property must be considered, and the town versus the burden on the town. So far, no analysis has been done on this particular property, but he believes the first step is to ask whether the property has been offered to either of the neighbors.

Mayor Arnowitz asked DPW Supt. Russell if he has seen the property, and if Mr. Russell and Ms.

Witkowski could take a look at the property, or Mayor Arnowitz could go and look at it for himself. Council Member Frank stated that there is a stream on the property, and it is wooded, as well as being an odd size.

Council Member Pizzella commented that the trend among municipalities in Bergen and Essex Counties is that towns are trying to get back as much property as they can, because there is a push toward economic growth and economic development plans. He suggested that what the Borough could do, and what would make this property valuable, is to consider its proximity to other things; how big it is; if it is developable; and one of the constraints of the property. That is in addition to the environmental constraints that have already been discussed. Council Member Pizzella said he could do an analysis of the value of the property, and let the other Council Members know what he finds out. Mayor Arnowitz said that any information that can be obtained would be helpful, and he suggested that the Council Members should take a look at the property before any determination is made as to whether to accept it. Council Member Pizzella said he agrees with Council Members Meyerson and Frank that the Borough should not accept property that does not have value, but to only consider property that has inherent good use and can be used to create something. Mayor Arnowitz asked Council Member Pizzella to take a look at the property, and he noted that it is near property that is already owned by the Borough.

Mayor Arnowitz stated that this matter will be kept on meeting agendas for future old business.

5. Harassment Training Update

Mayor Arnowitz noted that an email was received from Council Member Frank with information that the JIF does not provide this type of training anymore. Council Member Frank corrected Mayor Arnowitz, saying that Ms. Witkowski noted that the broker no longer provided such training. The JIF had originally said more than a year ago that they provided this training, and Council Member Frank suggested that someone check with the JIF to make sure that training is provided. Ms. Witkowski stated that in late November, she can check to see what kind of online training is offered.

6. Military Vehicles Surplus Update

Mayor Arnowitz noted that he talked to the Borough Administrator about this, and she spoke to the Police Chief. The Chief said that he is checking the site every day, and Supt. Russell is also checking to see if there is anything that the DPW might be able to use, such as a loader. This will be removed from future agendas.

7. COAH Update

Mayor Arnowitz noted that, according to the newspapers, nothing has changed yet. There are still things that are happening in the courts, and the Planning Board mentioned COAH to the owners who presented an informal application, and they are now aware and will consider COAH in any applications.

NEW BUSINESS: There was none tonight.

DISCUSSION:

1. 2015 Council Meeting Schedule

Mayor Arnowitz asked the new people to look at the schedule for next year. Ms. Witkowski noted that she has not created a schedule yet, but she wants the Council Members to discuss a possible schedule. Mayor Arnowitz pointed out that the Jewish holidays must be considered in the meeting schedule. Council Member Pizzella asked if the Council Members would consider changing the meeting schedule to having meetings on the first and third Tuesdays of the month, instead of the first and second Tuesdays. Mayor Arnowitz said he does not support that schedule, because it is been his experience that having the meetings during the first two weeks of the month gives the Council Members an opportunity for vacations or business trips. In addition, holding meetings in the first two weeks facilitates paying bills, because many merchants in the past did not want to do business with the Borough due to the fact that it took so long to get paid. Bills could be resented at the first meeting, and approved at the second meeting, whereas with Council Member Pizzella's suggestion, the bills would not even get approved until the third week of the month. Council Member Pizzella asked if there is a statutory requirement that the minutes must be published by a certain time, and agendas must also be available by a certain time, and he asked Borough Attorney Bernstein to clarify that information. Borough Attorney Bernstein responded that minutes are minimally required to be ready for approval at the next regular meeting, and agendas must be posted 48 hours in advance. However, in the two years that Borough Attorney Bernstein has been working with the Council, it is an administrative nightmare. Getting things done in getting things turned around are extremely difficult, according to Borough Attorney Bernstein. To illustrate his point, he noted that next Tuesday, Borough Hall is closed, and the Council meets on Wednesday night next week. That gives everyone three days to turn around an entire agenda, and whatever else may come up between now and then.

As far as paying bills is concerned, Borough Attorney Bernstein stated that first of all, the Borough pays him

a month behind, and that is true for any vendor doing business with the Borough. Second, he has other clients who have meetings in the first and third weeks of the month, and they managed to pay their bills regularly. Council Member Frank noted that at one point in time, the Council Members were told that Borough purchase orders used to include information that in order to get paid by a specific date, the bills must be submitted by a specific date. Mayor Arnowitz said he would entertain the idea of changing the meeting schedule, and he would also ask the opinions of the new Council Members who would be coming in January. This is an item that must be approved at the reorganization meeting in January. Council Member Meyerson said it is important to decide the issue sooner rather than later, because he schedules other meetings for other organizations with which he is involved around his Borough Council meetings, as do other Council Members. Mayor Arnowitz commented that it is something that must be considered for anyone who wishes to run for the Council, because if someone runs for office, he/she must be available to attend the meetings. Council Member Frank stated that the comments made by Ms. Witkowski and Borough Attorney Bernstein are true, and that having meetings in two consecutive weeks creates a tremendous crunch within one week. Mayor Arnowitz suggested that the agendas should not be changed the day before meetings.

Ms. Witkowski said she agrees with the concerns expressed by everyone, and based on her own experience with other municipalities, Hillsdale is the only town that holds their meetings in two consecutive weeks. It is difficult to get things done within a one-week span. However, changing to the first and third weeks of the month does not necessarily mean that minutes will be available, because an outside source takes care of the minutes. Ms. Witkowski cannot transcribe of the minutes herself, because of the numerous other jobs that she must perform. However, it does help in giving more time to get things organized between the two meetings. She strongly requested that everyone consider changing the meeting schedule, and asking the two new Council Members to do the same, and let her know what works for them. Mayor Arnowitz said that a decision would have to be made by the first meeting in December.

BUDGET:

1. Train Station Repairs Update

Council Member Pizzella reiterated what Mr. Polyniak stated earlier, that the grant application is done and has been submitted. He did not send the entire application to the other Council Members, because it is voluminous. He did send the checklist and the application itself. He has the entire application on disk that will be That Borough Hall and other Council Members are welcome to make a copy of it.

At the same time, Council Member Pizzella has been in contact with Mr. DelColle, who is the Director of Trains it New Jersey Transit. In addition to getting Council Member Pizzella many of the documents that were needed, Mr. DelColle is also looking into having New Jersey Transit seal the flat roof, which will extend the life of the roof for at least 5-7 years. That is a temporary fix; the roof itself should be fixed, including the soffits, as well as the train station itself. Mr. DelColle indicated that he would probably be able to get back to Council Member Pizzella within a couple of weeks, but Council Member Pizzella is trying to get Mr. DelColle to come out and see the train station. Mr. DelColle was going to come this week, but Council Member Pizzella has to go away, and they are now trying to schedule it for late next week.

Council Member Meyerson said that he had a concern about something he read in the packet given to the Council Members. He noted that when the Borough first agreed to this stopgap measure of making sure that the application was submitted on time, Council Member Meyerson thought that the Council Members were told that, because this is a matching grant, the Council Members could choose not to follow through with the grant if the matching funds were not available in the Borough. However, everything he has read in the packets indicate the opposite to be true. The Borough had to sign a certification in this application stating that the Borough either has the money at this time, or that this is bondable. Council Member Meyerson does not believe that gives the Borough any option, and if the grant is approved, the Borough must accept it and match the funds. He believes that if certification is given that the funds are available, the Borough must have the funds, and that needs to be discussed now. Durene Ayer, Chief Financial Officer, explained that when certification is made with grants, it is merely a certification that if the Borough decides to go forward with the project, the funding mechanisms are available to do that. It is not a guarantee that that the Borough will move forward with the project. However, the County does want to know that if the Borough decides to move forward with the full project, the project can be bonded. The Borough can bond for this project, because it is below the State's maximum bonding threshold. Council Member Meyerson asked for clarification that the Borough is not agreeing to anything with that certification, and that the Borough can pull out at any time. Council Member Pizzella commented that he spoke to people at the Historical Trust Department and the NJDEP, and they seem to be very excited that the Borough has applied for this grant. The Director of the Historical Trust Department told Council Member Pizzella that they love the train station building, and they are excited about this grant application. Mayor Arnowitz stated that he believes that the train station is the centerpiece of Hillsdale, and the Borough Council has an obligation to the residents of Hillsdale to maintain

the building. Council Member Meyerson stated that he also thinks in terms of what it means to Hillsdale's finances. Mayor Arnowitz said he understands that, but something like this could be bonded for 15-20 years, and the impact, while severe, is not devastating. Mayor Arnowitz said he does not see how this could be done without bonding. He added that this could be put off, but not for very long.

Council Member Frank noted that the Council Members did a walkthrough of the building, and it appears that the tenant in the building needs to be policed when it comes to maintenance and cleaning. Mayor Arnowitz said he spoke to several people involved in the situation, and asked them to reach out to the railroad. Ms. Witkowski said she contacted the tenant and told him that the Council Members were not happy and their concerns, and several changes have already been made. Council Member Frank stated that there was food in there, and many magazines stacked on the stairway, creating a fire hazard. Ms. Witkowski said she would ask Supt. Russell to take a look at it, too. Mayor Arnowitz asked if the fire extinguishers have not been changed, and there are paper materials on the steps, would it be possible for the Fire Official to go over there and inspect the building.

2. Resolution for Lawn Maintenance – 15 Wilts Avenue, Block 1524, Lot 9

Mayor Arnowitz explained that he had a discussion with the Ms. Witkowski and Tracy Jeffery, Code Enforcement Officer, about the interest and administrative fees on the money paid by the Borough for this cleanup, as well as any fines that would be assessed by the Court if the Borough could sue the owners. Council Member Meyerson said he was a bit concerned about the fact that no summonses were issued because the property is vacant. Mayor Arnowitz responded that according to Ms. Jeffery, she cannot issue a summons because there is no one to issue a summons to. Council Member Meyerson suggested the owner of the property, and Mayor Arnowitz said that is the bank, and the summons should therefore be issued to the bank.

3. Apply for Grants for New Senior Bus

Mayor Arnowitz stated that the senior citizens had come to him to say that the van that is presently used to transport them is in disarray, and they stated that there is a grant available to cover 100% of the cost of a new van. Mayor Arnowitz said he has no problem applying for grant the covers 100%, but if it is less, the Borough would not be able to do it at this time. Ms. Witkowski noted that this would have to be checked more thoroughly, because the paperwork that was given to her indicated that this was only for New York State. She was given a contact name by Mr. DelColle today, and she will follow up to see if there is something similar available in New Jersey.

4. CDBG Grant Application for Memorial Fieldhouse

Mayor Arnowitz said he did not know that a grant application was being made for this, and asked if anyone else had any information on it. Council Member Frank explained that this was discussed with the Finance Committee. Ms. Witkowski noted that when Ms. Hughes and Supt. Russell were getting things ready for the prisoners to work at Memorial Field, they were surprised at how large the upstairs room is in the Fieldhouse. Ms. Hughes suggested that perhaps the seniors could use it for their monthly luncheons, and Mayor Arnowitz noted that there is no heat in that building. Ms. Witkowski suggested that maybe the Recreation Commission could use the room for their meetings, instead of always using Borough Hall, and she spoke to Mr. Polyniak about CDBG grants. Mr. Polyniak suggested an ADA grant for the restrooms, and an elevator to be installed if the senior citizens were to use the building, and Mr. Polyniak said that would be favorable for such a grant. After checking with the County, Mr. Polyniak told Ms. Witkowski that it cannot be done. Mr. Polyniak added that after receiving additional information, there is approximately \$400,000 available for all of the Pascack Valley region for ADA grants, and they do not consider an elevator to be fundable for any of the towns. In addition, even if an elevator were required, that portion of the building would have to be designated as the "senior room," and the senior citizens would have sole jurisdiction over the use of that room. For that reason, Mr. Polyniak does not recommend that the grant application should be made.

Council Member Pizzella noted that this proposition is in line with trying to keep things sustainable, and he asked if there is any type of grant, including a recreation grant of some kind, that could be found to support this. He added that he rented the snack shed at Memorial Field for his son's birthday. He spoke with representatives from the HFA, who are using the snack shed, and after giving them a donation of \$100, he was allowed to use it for a birthday party.

5. Chapter 159 Resolution, Body Armor Fund \$1,221

Mayor Arnowitz asked if that comes out of a Borough bond. Council Member Frank answered that this is routine, and is simply to recognize funds that are received.

6. Authorize the Administrator to Sign Authorization for Further Methane Testing at Centennial Field
This was discussed earlier.

7. Authorize the Mayor to Execute Revised Proposal with Maser Consulting for Professional Services Regarding Sign Ordinance

Mayor Arnowitz noted that the sign ordinance has been discussed and revised for 14 years, and the revisions have never been enforced. When Mayor Arnowitz asked the former Code Enforcement Officer how many summonses were issued for an ordinance that he said was not enforceable, the answer was “none”. When Mayor Arnowitz asked how many times people were brought before the Court for violations, the answer was “none”. Mayor Arnowitz stated that if there is an ordinance, it must be enforced. The town looks terrible, and this proposition includes spending another \$5,000 to revise the ordinance again. This is already included in the budget.

8. Chapter 159 Resolution, Click It or Ticket, \$4,000

9. Budget Transfers

Ms. Ayer stated that there is one transfer on the agenda at this time, which is to move funds under Salaries and Wages from Administrator/Executive to Financial Administration. Mayor Arnowitz asked if the Council Members would be getting all of the regular transfers later, and Ms. Ayer confirmed this, but she said she did not know how many there would be.

Council Member Frank asked if this would be a good time to discuss the spending freeze for the rest of the year. Mayor Arnowitz noted that in June, when the Borough lost the Waste Management money, he recommended that a spending freeze be implemented at that time, and only funds that absolutely had to be spent should be spent. He thinks it is time to implement an actual spending freeze. Some accounts are underfunded at this time, while others are showing surpluses, and there is money that is carried forward. Council Member Meyerson asked how that works. Council Member Frank noted that in the budget cycle, it is usually April before the State approves the Borough budget, and typically, a lot of money is spent during the summer, because freezes are usually implemented in September or October. Council Member Meyerson asked if that is what a spending freeze really means, because he noted that things are budgeted. Mayor Arnowitz pointed out that just because something is budgeted, that money does not have to be spent. Council Member Meyerson said he understands it, but that there are also normal bills that come up on a regular basis. Mayor Arnowitz stated that bills have to be paid, but he is talking about certain line items that are not necessarily needed urgently. For example, equipment is one of those items, and consideration should be given to whether the item is actually needed for this year, or if the purchase could be put off. A secondary review is essential, because everyone needs to understand that the loss of the recycling money, and the funds from Waste Management, affect everyone. It should also be noted that some departments overspend due to emergencies. Council Member Meyerson said he believes a spending freeze means essentially a “soft” spending freeze, in which bills are still paid, and the day-to-day operations are taken care of, but non-essential items are not considered.

Ms. Witkowski noted that she receives every bill before it goes out, and there have been a lot of repairs. She has questioned the various Department heads to ask for clarification, and they have been as cooperative as they could be.

10. Emergency Appropriations – Swimming Pool Utility

Ms. Ayer explained that an emergency appropriation would be done for this. She is awaiting the figures from Ms. Hughes, and Ms. Ayer does not want to do an emergency appropriation until she knows exactly how much money is needed to finish the season. Mayor Arnowitz asked that this was due to the fact that membership was down this year. Ms. Ayer responded that it was not because of that, but because there was a lot of emergency spending due to all the repairs at the pool. Mayor Arnowitz noted that this would come out of the pool surplus.

11. Authorize Borough Clerk to Advertise for 2015 Professionals

Mayor Arnowitz noted that these are the RFQs that are done every year. As far as Mayor Arnowitz is concerned, Planning Board professionals work for the Borough, but they do it themselves. Ms. Witkowski has pointed out that the Planning Board does not have to do RFQs, and Mayor Arnowitz told her that she must communicate with the Chairperson of the Planning Board and the Planning Board Attorney to ensure that they adhere to all applicable laws. Ms. Witkowski will follow up on this.

POLICY:

1. Best Practices CY2014

2. Endorse Resolution regarding Local Pension Funding

Council Member Frank said he believes this is a great idea, because it keeps the State away from local pensions. The State pension fund is underfunded, and the local municipalities’ funds are not.

MISCELLANEOUS:

1. Authorize the Mayor and Borough Clerk to Execute Developer's Agreement for New Cingular Wireless PCS, LLC (DPW Cell Tower)
2. Approval for Raffle License – Pascack Valley High School, the Viewer 12th 2015
3. Authorize Endorsing Open Space Grant Resolution for Sapienza Gardens Project
Council Member Pizzella asked Ms. Witkowski if this is something for which Borough action is being requested. Ms. Witkowski responded that, based on her understanding, it is simply an endorsement resolution. Although it is support Sapienza Gardens, it is being done gratis, and the Borough Council needs to do a resolution. It might be necessary for Sapienza Gardens to hold their own hearing for this, and Ms. Witkowski is waiting for clarification on that. The Borough is not the applicant.

ORDINANCES:

14-16 (*Adoption November 12, 2014*)

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 292 "TRAFFIC AND PARKING" OF THE BOROUGH CODE OF THE BOROUGH OF HILLSDALE, BERGEN COUNTY, STATE OF NEW JERSEY

Mayor Arnowitz noted that this does not include the parking situation at Demarest Farms, but only effects parking around George White School.

14-17: (*Introduction November 12, 2014*)

AN ORDINANCE TO AMEND, REVISE, AND SUPPLEMENT CHAPTER 260 OF THE HILLSDALE BOROUGH CODE, ENTITLED "STREETS AND SIDEWALKS" – MOST NOTABLY, SECTION 260-16, ENTITLED "STREET OPENING REGULATIONS," WITH THE ADDITION OF SECTION 260-16.1 ENTITLED "SPECIFICATIONS AND PROCEDURES FOR PAVEMENT"

Mayor Arnowitz explained that this ordinance would force utilities, when they open up streets, to pave curb to curb instead of simply patching holes. This was attempted in the past, and it was challenged and did not succeed. Borough Attorney Bernstein said this was proposed at the recommendation of Neglia Engineering. This is being done due to the fact that many streets have been repaved, only to have the utility company come in to do "repairs," leaving the streets in a much poorer condition. Council President Kelley noted that this only affects jobs encompassing more than 100 square feet or 100 linear feet. Mr. Polyniak noted that this ordinance has been successful in other municipalities. Mayor Arnowitz pointed out that any time a street is paved, the utilities are notified that paving is to be done on that street, so that if any gas, water, or electrical work needs to be done, it can be done before the street is paved. Council President Kelley noted that the ordinance reads "recently paved," and he wondered how "recent" that would be. Mayor Arnowitz said he believes it is for five years, and Mr. Polyniak responded that the ordinance itself does not stipulate a time frame, so the Borough could apply it when any roadway is "repaired".

PUBLIC COMMENT:

Kevin O'Brien, 51 Parkview Drive, added to Council Member Pizzella's comments regarding changing the meeting schedule. Mr. O'Brien noted that the Open Public Meetings Act requires that minutes are to be made promptly available. New Jersey case law also supports that "promptly" typically means before the next meeting. Mr. O'Brien is aware that Hillsdale tries to support that compliance, and extended notations to the Borough Attorney with respect to the litigation that supported minutes being delivered promptly, which is before the next council meeting. Therefore, if there are two weeks between meetings, the Borough Clerk will have the opportunity to have the minutes available, as opposed to being non-compliant with the Open Public Meetings Act.

With respect to the field, Mr. O'Brien is not sure whether periodically top dressing the field would allow the field to be raised, or for crown to be put back on. On golf courses, they typically do aeration and plug the fields. If reverse plugging can be accomplished by putting injections of sand below the clay, it might raise the field and create more drainage.

Moving on to the Public Library, Mr. O'Brien said that Mr. Franz was interested in having the fence moved before the snows so that the snow could be pushed further toward the end of the street which abuts the Blue Acres property. Mr. O'Brien believes that if the Borough had considered moving the fence earlier, it might have saved the paved driveway area that had to be removed at the Public Library, and exchange that for the paved street abutting the Blue Acres property.

At this time, Mayor Arnowitz closed the time for public comments.

COUNCIL COMMENTARIES:

Council Member Meyerson congratulated Lieutenant Smith again, and the two candidates who won election to the Borough Council.

Council Member Looes also congratulated Lieutenant Smith and Captain Beatty and the Indolence Core for all of the wonderful work they do. She also congratulated the two new incoming Council Members. In addition, Council Member Looes reminded everyone that schools will be closed this Thursday and Friday, and the weather is supposed to be nice, so children will be out playing.

Council President Kelley stated that he has been a member of the Borough Council for two years, and some interesting things that happened during his tenure. He has had some proud moments, including one that happened yesterday. Council President Kelley's son turned 18 in August, and he registered to vote when one of his teachers held registration drive at school. A letter was received from the County stating that he is a registered voter, but it was received too late, so he could not vote in this election, which upset him a bit. Council President Kelley spoke to Jim Tedesco and told him the story, and Mr. Tedesco explained that on Election Day, there is a process involved, with Judges, Assistant Attorney General, and many other people. Yesterday morning, Council President Kelley son told him that he wanted to challenge his ineligibility to vote, because he wanted to vote in the election. They drove to Hackensack, where his son put his case to the District Attorney and eventually appeared before a Judge. After telling a story and being questioned rather intensely, the Judge said she believed he had made every effort that he thought he could do in order to vote, and she congratulated him because she was allowing him to vote in his first election. The Judge signed in order to that effect, which Council President Kelley's son brought with him to the polling place, and he and Council President Kelley were very excited to be able to do so.

In closing, Council President Kelley reiterated that the emergency services volunteers always need help, and asked people to please think about joining. He also suggested that perhaps Lieutenant Smith could find some restored pictures to hang in the courtroom, similar to the ones hanging downstairs in Borough Hall.

. Pizzella congratulated Lieutenant Smith and Captain Beatty, and he thanked all of the Borough volunteers for everything they do. In addition, he thanked the residents of Hillsdale for coming out to vote. He encouraged everyone to get involved and stay informed. Council Member Pizzella also congratulated the two new incoming Council Members, and said that he looks forward to working with them.

Council Member Frank reminded everyone that next Tuesday, November 11, is Veterans Day, and the American Legion will be holding a brief ceremony in Veterans Park at 11:00 AM to recognize all of those who have served. Another activity that the American Legion engages in is visiting the local schools, and today they were at Smith School. It is surprising how many children do not know any veterans, and this gives them an opportunity to speak to people they would not otherwise be able to meet. In addition, progress is being made on the Hillsdale 5 drive. The text and verbiage are almost ready for the plaques. A donation was received from the Hillsdale Fire Department, and what is expected from the PBA. It is hoped that all five plaques can be dedicated at Veterans Park on Memorial Day, and they will be installed at the fields later. Donations can be mailed to P.O. Box 162, Hillsdale New Jersey, and checks should be made out to "American Legion Post 162". Please mark the checks "Hillsdale 5".

Finally, Council Member Frank thanked Council President Kelley, Pam French, Anthony DeRosa, and John Ruocco for being willing to campaign and willing to run for office. It is not an easy thing to do, and it is quite a commitment. It is rewarding, but also difficult. He also congratulated the two new Council Members. Mr. DeRosa has been a Council Member before, and Council Member Frank was impressed with the efforts made by Mr. Ruocco to learn about finances.

Mayor Arnowitz recalled that in years past, discussion had been held up putting the veterans on the public access channel, but it was never done. Council Member Frank pointed out that it was initially in the budget, but it was never done. Mayor Arnowitz also remember that when Cablevision came to Hillsdale, the Borough received money from them to build a TV studio at George White School. Council Member Frank answered that interviews with veterans continue, and they are available on YouTube, as well as on the Hillsdale American Legion website. Mayor Arnowitz thinks they should be publicized, and perhaps links could be made available through the Borough website.

Ms. Witkowski mentioned that there was a shredding event this past Saturday at the DPW. She was there with the Borough records for which she had permission from the State to destroy so that she could witness it

and get receipts. Several people made multiple visits. The residents do appreciate it, and Ms. Witkowski is now trying to set up the date for the next shredding event.

In addition, the auction has been completed. All three vehicles were sold, although they did not fetch top dollar. The Borough made approximately \$4,000 for everything sold.

Mayor Arnowitz mentioned that he received an email from the Mayor of River Vale, informing Mayor Arnowitz that River Vale would be holding the football Super Bowl on Saturday, November 15, at Mark Field. The Mayor of River Vale wanted to know if spectators could park at Stonybrook. Mayor Arnowitz would like to give them permission to do that, and he spoke with Police Chief Francaviglia about it. Mayor Arnowitz said he does have a problem with getting people to cross the street properly, so that they walk down to Mark Field on the sidewalk, and then they have to cross the street again. He asked Chief Francaviglia to contact the River Vale Police Chief to make sure people get there safely. Council Member Looes asked if the Stonybrook Commission needs to know about this, and Mayor Arnowitz said that is not necessary, because the Borough owns the parking lot. Council Member Looes mentioned that she was contacted by someone from River Vale, who asked if Sunday could be made available as a rain date, although it is not anticipated that it will be needed. Mayor Arnowitz said he thought it would be acceptable, and he would get in touch with the Mayor of River Vale.

Mayor Arnowitz recognized the emergency services personnel, particularly Captain Beatty, for their volunteerism. He also congratulated the two new Council Members, and mentioned that Kathleen Donovan, who lost her bid for re-election as County Executive, has always been a big supporter of Hillsdale. He thanked her for everything she had done to help Hillsdale over the years. In addition, Mayor Arnowitz reminded everyone that the reorganization meeting will be the first Sunday in January, which is January 4, 2015, at 1:00 PM.

ADJOURNMENT: @9:39 PM

Motion to adjourn was made by Council Member Frank, Second by Council Member Meyerson.

Roll Call Vote:

Ayes: Council Members Frank, Looes, Meyerson, Pizzella, and Council President Kelley

Absent: Council Member DeGise

**THE NEXT MEETING OF THE MAYOR AND COUNCIL WILL BE
WEDNESDAY, NOVEMBER 12, 2014 – BEGINNING AT 7:30 P.M.**

Susan Witkowski, Municipal Clerk

APPROVED AS PRESENTED
December 15, 2014

Susan Witkowski, Municipal Clerk