

Council

Meeting

April 13, 2010

Minutes of a Council Meeting of the  
Borough Council held at 7:30 P.M. on  
Tuesday, April 13, 2010, in the Council  
Chamber, Hillsdale, New Jersey.

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

#### ANNOUNCEMENT OF MEETING

Borough Clerk Sandt stated, "This is a Meeting of the Hillsdale Borough Council on this 13<sup>th</sup> day of April 2010. Notice of the time and place of this meeting has been provided to The Review, 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:

Borough Clerk Sandt called the roll those present being as follows: Councilmembers Arnowitz, DeJoseph, Giancarlo, Hanlon, Schiavone and Weinstein. Also in attendance Borough Attorney Paul.

APPROVAL OF MINUTES: On motion by Councilmember Weinstein, seconded by Councilmember Giancarlo, the minutes of the Council Meeting of April 6, 2010, were approved as presented.

#### CORRESPONDENCE:

1. LOIS KOHAN, HELPING HAND FOOD PANTRY TRUSTEE, THANKING MAYOR SAPANARA FOR ASSISTANCE WITH DONATED FOOD.

Received and filed on motion by Councilmember Giancarlo, seconded by Councilmember Schiavone, and unanimously carried.

2. DONNA POLLACK THANKING KEITH DURIE FOR SOLUTION TO MAILBOX PROBLEM.

Received and filed on motion by Councilmember DeJoseph, seconded by Councilmember Arnowitz, and unanimously carried.

3. THE 200 CLUB OF BERGEN COUNTY ANNOUNCING POLICE OFFICERS MC KEEVER AND SAYERS AS MERITORIOUS AWARD RECIPIENTS.

Received and Filed on motion by Councilmember Weinstein, seconded by Councilmember Arnowitz, and unanimously carried.

4. MAYOR RUSCHMAN, PARK RIDGE, EXPRESSING APPRECIATION FOR THE HILLSDALE FIRE DEPARTMENT AT THE KRELL LIGHTING FIRE.

Received and filed on motion by Councilmember Schiavone, seconded by Councilmember Giancarlo, and unanimously carried.

#### DISCUSSION:

- 1) Chiefs Car Replacement.

Fire Chief Timothy Van Riper stated the Deputy Chief's car is a 1999 model and has over 81,000 miles. On numerous occasions it was not able to respond to an emergency due to several mechanical breakdowns. This endangers volunteer firefighters and residents of Hillsdale. The borough mechanic has had to do so many repairs in the past to keep the vehicle running and disconnected items needed for an emergency vehicle. The Fire Department feels it is no longer useful for a command unit. We would move the current chief's car to the Deputy Chief and the Chief would get a new car. He said on numerous occasions lately he has had problems with the chiefs car.

Mayor Sapanara said he would be willing to take a brief break and go to the Fire Department to look at the car.

Chief Van Riper said unless you are at the command at a fire scene, you don't know the condition of the vehicle. There is a big problem with the vehicle. The Deputy is using an old police car that doesn't have radios. He did not see putting additional money into the vehicle to get it repaired. He understands the town is in a severe crisis but to run the Fire Department, it cannot be done with the present vehicle.

Councilmember Hanlon said we have a perfectly good ambulance but it is supposed to be a command vehicle.

Chief Van Riper said he believed it could be used as a command vehicle, but he is not 100% sure.

Councilmember Arnowitz said he used it at two fires and it worked out fine. He was Assistance Chief and the Chief drove an old police car and it worked out well for us. If you needed a command post, other towns always arrived most of the time before the trucks and he could have commandeered.

Councilmember Giancarlo said we are looking at increasing school taxes and increasing taxes for the average household of over \$600 without the town and county taxes. It could be that we are looking at \$1000 tax increase this year.

Councilmember Hanlon said we do not have the money. Our non-contractual people are receiving a zero raise; our residents can't handle much more. Our hands are tied.

Chief Van Riper said it is up to the Council to decide if they would put additional money into the vehicle to keep it going for another year. He would estimate \$5000.

Councilmember Arnowitz would be willing to fix the transmission and the spring. There were three radios there and asked what happened to the other radios. He said portable radios are available and you can work with a portable at the scene.

Mayor Sapanara said it is the Fire Department's position that the vehicle has to be replaced.

Chief Van Riper said as Fire Chief and as an employee, you need a new Chiefs car. If something should happen in this town, he is not liable. He is putting the employer on notice.

Deputy Chief Mark Durst said Councilmember Hanlon is looking at the hood, we would like the Council to look at the back of the car then you would understand what we are asking for.

Councilmember Schiavone said as Fire Commissioner, she would not know what they are talking about unless she would see it for herself. She does not understand why in the Department there can't be any agreement that this is such a necessity at this time. They are in the business of saving lives and it is serious. This would be a loan, depending on which interest is best, but the best interest we would get is for this year. We would not have to make any payments on it until next year so it would not affect this year's taxes. Secondly, we will be in this position next year, and the following years. We have to think long term. If they are saying it is that dire, why are we not believing them.

Councilmember Arnowitz served many years on the Fire Department and there is other equipment. Krell Lighting had 15 towns there and 15 towns brought equipment and most of that equipment was used. That is what mutual aid is for. We still have to put up seed money and it will cost us if we bond for 10 years; we will have to pay it off each year. How do we meet our goals to pay our employees if we can't meet our debt. We are in dire straights. He believes this car needs to be replaced but because of the economy we can't make that move at this time. There is a need for a command post and we have a command post in the town. It is \$45,000 to start and there is other money involved; they want a box in the back. He believed \$45,000 is a low number. He asked them to be innovative until something happens with this economy. We have portable radios, car radios, etc. in the fire house; we have a Pass-Con truck that cost a lot of money to outfit; it has a lot of equipment in it but we have good friends surrounding our community that have no problem coming here to help us. With all the cars at the Krell Lighting fire, only one was used as a command post and all the rest just sat there.

Mayor Sapanara said there is a difference of opinion here and it will get more and more as we go along this year and next year. There has been the same type of discussion with the DPW, with pay raises or pay freezes for our employees. It is clear you need it and we don't have the money. The alternative is some kind of alternative thinking perhaps. There is a consensus among the Finance Committee that we fix it.

Councilmember Arnowitz said we have the option to continue using the old police cars or repair the Explorer. He would be in favor of repairing the Explorer for \$3000.

Mayor Sapanara said next week we will have all the numbers plugged in for the entire municipal budget and we will know exactly where we stand. The final decision does not have to be made this evening but there is \$3000 available for repairs. He asked that they look at utilizing the existing funds already in the budget rather than asking for an additional amount. We can go over to the fire department after the meeting to see the vehicle.

#### OPEN PUBLIC MEETING

Mayor Sapanara invited comment from the audience.

Ronald Calabria, 250 Everdell Avenue -  
He was present last meeting when the Superintendent came with the Board of Ed budget which increased the property taxes hundreds of dollars. He does not consider a good job on the budget with hundreds of dollars of increases when other towns cutting into teachers, different programs, etc. The firemen do a tremendous job

but in this tough time in this economy, people are suffering, losing their jobs, getting pay cuts, every dollar counts. Before you spend any money on anything, think of the seniors in this town; they are being taxed out of their homes.

Mayor Sapanara said the tax increase according to the Board of Ed is about \$245 on an average home. That is based on a formula that changes every year. You can vote on this on April 20.

Mr. Calabria (Contd).

He said there is a website that should be looked at, New Jersey by the numbers.com. It shows the teachers salaries at the high school.

The public portion of the meeting was closed at this time.

#### ORDINANCES:

Ord. No. 10-05 (Introduction) Ordinance To Vacate Property	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 10-05 as follows:	An
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AN ORDINANCE VACATING A PORTION OF  
PROPERTY AT BLOCK 1702, LOT 7, IN THE  
BOROUGH OF HILLSDALE.

Mayor Sapanara asked the Council if there was any discussion on the proposed Ordinance.

Mayor Sapanara said we had an issue with a piece of property which was designated to be used as a road at the turn of the century. We never vacated the road and it has caused some difficulties for a residents as there is still an easement by the borough for that piece of property. It has been determined that the road in question will never be built and it was decided to vacate and put it back in the hands of the taxpaying public.

He indicated the Borough Clerk will advertise the ordinance with a final hearing date of April 6, 2010, at 8:00 PM.

Mayor Sapanara asked the Borough Clerk to read the resolution adopting the Ordinance on first reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 10-05:

Ayes: Councilmembers Arnowitz, DeJoseph, Giancarlo, Hanlon,

Schiavone and Weinstein

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 10-05

(Adoption)

An Ordinance  
To Vacate  
Property

Attorney Paul said the Council desired to vacate certain property as a public street. An ordinance was introduced and between the introduction and second reading which was scheduled for last week, he has correspondence from the attorney for the owner of the property saying that the title company, in order to give the owner free and clear title, wanted something changed in the ordinance. He asked the attorney for the legal basis for the town to make that change. At 4:54PM this evening he received some documentation, so this is not ready for this meeting.

Mayor Sapanara said rather than wait, he suggested we can address this at the budget meeting.

Attorney Paul will have to look at precedent and compare the change that the title company is requesting vs. other changes that have been allowed.

Councilmember Arnowitz said if Attorney Paul finds what the attorney is proposing is not possible, he asked if there would be another way of meeting the needs of the resident. This Council wants to help the resident to straighten out a problem that we had no control over. We want to get the property over to the resident.

Attorney Paul said the right way to do this for all parties is to meet the definitions that the title company gives. Five minutes before the close of business is when he received the first of possible bases. He said the process is painful. In order to close title, certain requirements of the title have to be met. There must be a very important legal reason that the title company is requiring this specific wording.

The next Budget meeting is scheduled for Thursday, April 22; she is also recommending Wednesday, April 28 or April 29.

The Council agreed on April 28 at 6:45PM.

Mayor Sapanara said the adoption of Ordinance 10-05, Vacation of Property, would be included at that meeting.

RESOLUTIONS: (Consent Agenda)

Mayor Sapanara removed Resolution 10049 and Resolution 10058.

10055 Developers Agreement Release of Maintenance Guarantee for Block 1612, Lot 1& 2 was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

10056 Payment of Bills was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

10057 Designating Official Tax Search Officer was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

Motion to approve the foregoing was made by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

Roll Call Vote:

Ayes: Councilmember Giancarlo, Schiavone, Weinstein, Arnowitz,  
And Hanlon and DeJoseph

Nays: None

10058 Endorsing Community Development Funds for Senior Citizen Activities (amended) was introduced by Councilmember Arnowitz, seconded by Councilmember Hanlon.

Borough Clerk Sandt said we already passed this Resolution in February. He was not aware until today that the amount for this year has changed to \$4,950 to get that amount corrected for this year. This is to be used for Senior Citizen activities.

Motion to approve was made by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

Roll Call Vote:

Ayes: Councilmembers Arnowitz, DeJoseph, Giancarlo, Hanlon,  
Schiavone and Weinstein

Nays: None

10049 Smart Growth Grant (carried from meeting of 4/6/10)

Mayor Sapanara said there was a question as to what this meant and there was a \$10,000 funding request for a grant for a planning study involving a recreational bicycle pass between Hillsdale, River Vale and Old Tappan. There was a question as to what Hillsdale had to provide. We do apply for these grants every year

and it seemed to be too much money. The Engineer explained that is \$10,000 split between three towns, \$3,333 per each town; 50% is cash and 50% is provided by in-kind services. The amount of money that would be incurred by the Borough would be \$1,666.50 with another \$1,666.50 in services. That is what the resolution is asking for. River Vale passed theirs last night, Old Tappan is holding their.

Councilmember Weinstein said this puts us in the position to receive if the grant is accepted.

Mayor Sapanara said you have to approve the funding for the study in order to apply for the several hundred thousand dollars and that has to come before they give you the money for the \$300,000 for the bicycle path. We agreed to be the lead municipality in the collaborate study.

Councilmember Arnowitz said we applied for this in the past and did not get it. There is no guarantee that we will get it. When we say we cannot afford to buy a Fire Chief's car how can he justify the thought of getting some money to put in a bike path in.

Councilmember DeJoseph asked that this be held over to next month for more clarification.

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

### Last Go Round

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Councilmember DeJoseph said on April 28 at 7PM there will be a Green Team meeting in the Council Chamber. On May 15, there is a shredding and recycling at the DPW, free for all residents. This Tuesday is the School Board election, the largest part of the tax bill approximately 70% and he encouraged everyone to vote on the school budget.

Councilmember Schiavone said the Fire Department free Pancake Breakfast will be held this Saturday at 6AM. The Fire Department Carnival begins April 27, Tuesday through Saturday. Bracelet night is Wednesday; you pay one flat fee for the kids to get a bracelet and they can ride on unlimited rides.

Councilmember Weinstein said after many months of planning with residents, we implemented traffic calming devices on Colonial, Lawrence. They are a visual deterrent and he noted that cars slow down as they move to the center of the lanes. The turning into the intersection of Hillsdale Avenue and Kinderkamack Road has been re-arrowed and now you can make a left hand turn from Hillsdale Avenue

onto Kinderkamack.

There will be a special presentation at Pascack Hills High School on Wednesday, May 5, at 7PM. It is what parents need to know about prescription drug abuse. The speaker is Special Agent Doug Collier of the US Drug Enforcement Administration. He recommended that everyone attend.

Baseball opening ceremonies at Memorial Field are this Saturday. That is a great event done by HSBA. He said the bathrooms are not yet open and asked if they would be open by Saturday. He will check with the DPW.

Councilmember Hanlon said she attended the Library Board meeting last evening. The Friends of the Library are sponsoring the film festival again, starting June 14, every Monday evening at 7PM. Six movies will be shown and Professor Edward Shannon from Ramapo College will be there. Pop corn will be available.

Next Wednesday the seniors will have their April lunch. We also received an invitation from Pascack Hills High School to their annual play which is the Music Man. They serve dinner afterwards to the seniors. It is a wonderful affair and it is free.

Councilmember Giancarlo said the tax increase with the school budget looks like \$600. We as a municipality are getting cut hundreds of thousands of dollars. The Library is also being cut and we are trying on our end by having zero raises, cutting down for the DPW and Fire Department. Everyone has to tighten their belts and that is very unpopular. He does not believe peoples lives are in danger and Hillsdale is looked at being rich. We only control 18% of the budget and a lot of that is fixed costs, and if we can offset what comes down from the school budget, he will work to do it. He wants services to remain the same.

On a more positive side, road improvements on the two roads in town are great. He said the opening of baseball is a great event and a lot of fun.

He said one of the first things he did as Mayor was to remove his name from the signs on the doors and outdoor signs in town. We were blessed to have such a Mayor and we are going to miss him. It was an honor to serve under him.

Councilmember Arnowitz said he had the pleasure of serving under a few Mayors. It has been a pleasure to serve with this Mayor and we did not agree on a number of things, our philosophies differed. He is by far the best Mayor he has served with and will be sorely missed and has done an excellent job.

With regard to the Fire Department, he served and still serves today and he is not trying to deny them anything. While equipment is needed, when times are good, you get what you can but when times are tight, you try to do with what you have and that is what is going now. No one's life or safety is in jeopardy, we protect the community. Times like this will draw the surrounding towns to regionalization of fire departments because none of the towns can afford the equipment any longer. It won't be the same type of Fire Department as we have today, having a volunteer fire department in town is the best fire department you can have and if regionalization takes place, it will diminish what we have,. He felt it is inevitable in fire, police and ambulance.

Councilmember Arnowitz said late last week two other Hillsdale police officers risked their lives saving the loss of a house because they rushed into a house on Kinderkamack Road and reduce the fire and the incident could have become much larger. Sergeant Scordato was taken to the hospital but he is o.k. but Officer Cameron performed outstandingly. He thought the Council should honor them with a recognition.

He went to a car accident today which he believed was attributed to speed. The streets of Hillsdale are not made for speed and asked residents to slow down. He has been contemplating the possible cuts in programs, raising of fees and the possibility of cutting people if this budget becomes unmanageable. He suggested the Council give this consideration.

Mayor Sapanara thanked everyone for their kind words. He is the guardian of a public trust as is every member of Council.

ADJOURNMENT:

A motion to adjourn was made by Councilmember Giancarlo, seconded by Councilmember Hanlon, and unanimously carried.

4-13-10

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Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

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Robert P. Sandt, RMC

