

## Council

Meeting

April 5, 2011

Minutes of a Council Meeting of the  
Borough Council held at 7:30 P.M. on  
Tuesday, April 5, 2011, in the Council  
Chamber, Hillsdale, New Jersey.

The meeting was called to order by  
Mayor Arnowitz 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 5th day of April 2011. 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 DeJoseph, Frank, Giancarlo, and Hanlon. Absent: Councilmembers Schiavone and Weinstein. Also in attendance Borough Attorney Paul, Borough Engineer Statile.

APPROVAL OF MINUTES: On motion by Councilmember Hanlon, seconded by Councilmember Giancarlo, the minutes of the Council Meeting of March 8, 2011, and Closed Meeting of March 8, 2011, were approved as presented.

PRESENTATION: A Presentation on the Board of Education 2011 Budget was made by President Jim Hayden and Interim Superintendent Raymond Albano.

## 2011 MUNICIPAL BUDGET

Mayor Arnowitz announced that the proposed 2011 Municipal Budget will now be introduced.

RESOLUTION: Authorizing the Borough Clerk to read the Budget by  
Title Only was introduced by Councilmember Frank,  
Seconded by Councilmember Hanlon.

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

RESOLUTION: Budget Review Resolution was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Councilmember DeJoseph reviewed the revenues and appropriations for the year. He said the state mandated Cap has not been achieved easily but were able to do so this year.

Councilmember Frank said we had to create a budget 5% less than last year on controllables. He believed the cuts were done intelligently and will have no effect on the basic services that we expect from the town. We met the 2% Cap and we have only raised the tax levy \$149,000 and it is an extraordinary accomplishment. There will be more constraints on the department heads how they do their job but he believed they are up to the task. We will begin the 2012 budget process immediately because there will be another set of challenges next year.

Councilmember Giancarlo said everyone tried to find a common way to make sure the tax increases are very small. The tax increase this year will be \$48.00 and that is the lowest in many, many years.

CFO Henderson said we moved the library appropriation from our budget. There is a page on the back of the budget that shows it to be a separate item and will appear separately on the tax bill.

Mayor Arnowitz said this budget could not have been done without

the efforts of the Council members. Many people will be disappointed with the budget, cuts have been made that we have become used to and enjoy. We had a mandated 2% Cap and pointed out that any emergency or needed services that run the day to day operation in the town to keep us safe have not been cut or jeopardized. Such things as the Pancake Breakfast and Town Day have been cut and the Concert series. Our new Recreation Director is present and she will attempt to secure private and public donations to possibly keep some of the concert series.

He thanked the Sports Association for stepping up to the plate, they did help make this budget a possibility; they provided 25% of the cost of lighting Centennial Field, Beechwood Park and Memorial Field. These things must be done in order for us to continue as a Borough and make these mandatory Caps. He thanked everyone for their hard work and this was the most difficult budget he has ever worked on in the 26 years he has served the people of Hillsdale. It was rewarding but extremely difficult to see some of these programs go. The seniors had a luncheon cut and they get the least amount of services.

Motion by Councilmember Frank, Seconded by Councilmember DeJoseph to accept the Introduction of the Municipal Budget.

Roll Call Vote to accept the Introduction of the Municipal Budget.

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

Borough Clerk read the Municipal Budget Notice.

Borough Clerk Sandt confirmed to the Mayor that a copy of the Budget will be forwarded to the Director, State of New Jersey, Department of Community Affairs, Division of Local Government Services, for certification prior to public hearing and final adoption.

### Go Round

Mayor Arnowitz changed the format of the meeting to allow the Professionals at this time. They have to sit through these meetings for many hours so he will give them the opportunity to ask questions or provide comments.

Patricia Hughes, Recreation, Stonybrook -  
She thanked everyone for the opportunity to be Recreation Director. We are working with Lieutenant Niego with reference to the Fingerprinting Program; she is working on the Easter Egg Hunt, the Senior Luncheon next week, coordinating all fields and familiarizing herself with different aspects of the Recreation

Department. Kelly is the Camp Director and we will have camp at the George White School. We sent out flyers and parent manuals on the website and registration begins April 15. Applications were sent out to previous employees and we have begun booking trips and placing orders for supplies.

With regard to Stonybrook, we are ready to send out registrations and will be in the mail on April 18. We open all the pools that week and starting competition pools and this year we will open at 5:30AM for swimming. The water will be turned on and all the managers and employees will be coming back; the applications have been received. We have ADA compliance and everyone was grandfathered over the last 20 years and this year the state ruled there will not be any more grandfathering and everyone has to be up to speed. Fortunately through the Swim Pool Commission, myself and the engineer we are just about there; we have to purchase one handicap lift and some other pools have to make renovations. We are looking at WIFI for our members, expanding the Kid's Corner Program; our pricing this year will be same due to the economy and this is the year for our bonding and grounding inspection for all the metal items around the pool which will have to be tested.

Councilmember DeJoseph said he spoke with Ramapo College and he will be getting an intern to help out with some of the Recreation programs.

Chip Stalter, Police Department -

He addressed Correspondence No. 1 which is a request to stand in the street and solicit contributions for an organization. He reviewed Title 39 Statute and the action of soliciting contributions or selling in the street is specifically prohibited. If you would give permission, you must do so by ordinance; the problem here is they are asking to do this at the intersection of two County roads. Legally, permissions would have to be given through the Board of Chosen Freeholders. He spoke with the Lieutenant of the Traffic Division in the County Police and he informed that the County Freeholders do not give permission for this type of activity due to danger. He was informed that some towns choose to ignore the law and if a town does allow it, they are assuming all the liability. Based on the Statute, we as a municipality cannot give permission to do so on County roads and he is not comfortable with citizens doing this in the downtown area.

With regard to email to residents, he is working with Swift Reach and they do have an email component. We are working to get web portals where it would a specific link on the Borough website as well as our Police Department website where they come in and sign up with their email addresses. There would be no message costs for any information and he will advise when he gets additional information.

We are currently reviewing Borough Ordinance Chapter 292 Vehicle and Traffic. The Borough Clerk received a revised copy and members of the Traffic Bureau are dissecting that page by page and they must verify signs and their location and zones and prohibitions.

We have two officers out without an estimated return date. We are running a 15% shortage on our staff but he is not receiving any complaints and we are able to save significant amounts of overtime by officers going between different shifts.

The management employees of the municipality received two recognition awards from the Joint Insurance Fund; one was for 2010 Safety Incentive Program for best overall performance and one was a Gold Certificate for the level of performance. This is for all employees as well as the volunteers. With that comes \$2700 in reward money and the safety committee would like to use the bulk of that to purchase safety equipment for the various agencies and we would like to continue having safety recognition breakfasts. He thanked all the managers and officers of the volunteer organizations for their efforts.

Lieutenant Niego, Police Department -

We are again doing Operation Take Back in cooperation with the Federal Drug Enforcement Administration. It will be held on Saturday, April 30 from 10AM to 2AM at headquarters for anyone to bring in their outdated prescription drugs. He will also be available at Hillside House on Thursday, April 28, from 10AM to 12PM so that the residents don't have to come to the Police Department.

He is working with Recreation on the volunteer background checks. Approximately 200 coaches have already been given their packets with applications to get finger printed. All baseball, soccer, LaCrosse have been given their packets.

Christopher Statile, Borough Engineer -

Municipal Engineers have a meeting this week with the County Engineer. When the County resurfaces roads, they get state funding each year. They have to reconstruct the handicap ramps at the corners; the state had information that the ramps were not being built correctly and now the County has to go back a few years. In the past two years, the County paid Hillside to reconstruct the ramps for the contractor to do the streets and fortunately we built the ramps properly.

Public Service has instituted a state-wide program to install solar panels on utility poles. The Board of Public Utilities and Public Service came up with the idea of putting individual solar panels on utility poles for solar power each year. Public Service advised

that about 250 of these panels will be put up in Hillsdale. We could do something like this, we could take the south bank of the landfill which has a beautiful sunny exposure and he can put 400 solar panels on that one bank in a row, four panels per rack. It is his suggestion that they find another place to go with their panels, not on the poles, and we would give them some land. We can stop them from putting them on the poles. The Council would advise Public Service that they are not wanted on the utility poles and we will find them another place in Hillsdale to locate the panels. It is cheaper if you put all the panels together.

Councilmember DeJoseph said PSE&G received \$500 million dollars to do this and if you have 566 municipalities you could have \$900,000 per municipality and put the benefit on each of our town buildings which would provide more benefit than each of these little panels, maintenance, and the cost to install each one.

Councilmember Hanlon -

She spoke to DPW Superintendent Durie about Liberty and parking limits on the street. The steel plate is not covering the hole and it looks like it is getting worse. She asked that this be looked into.

Mayor Arnowitz said ex-Mayor Groner reached out to him about repairing or replacing the culvert on Hillsdale Avenue on Oak Street. He asked the Borough Engineer to look into this.

Engineer Statile said funding is still available for the work. It has been a big issue for the residents there.

Mayor Arnowitz also contacted the County Administrator's Office to get them moving on the Patterson Street bridge.

Councilmember DeJoseph said he spoke to the Engineer about the possibility of looking into Historic Preservation money for the train station roof.

#### CORRESPONDENCE:

1. COMMUNITY HOSPICE OF BERGEN COUNTY REQUESTING PERMISSION TO FUND RAISE.

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

Councilmember Giancarlo said due to the explanation given by Police Chief Stalter we are not allowed to grant such a request and we must deny the request. We can suggest that they reach out to Shop Rite and Kings.

2. SUN DIAL CLUB REQUESTING USE OF THE RAILROAD STATION  
GROUNDS FOR ANNUAL PLANT SALE.

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

DISCUSSION:

1) Cell Tower Downtown.

Mayor Arnowitz said the ability to put on 14 more feet on the existing tower at the fire house is unsafe. We had a request from Metro PCS for a cell tower location in the center of town. We don't want to expend any tax dollars if the Council is not in favor of going ahead with something. Tonight he is looking for an agreement for a cell tower. He was informed that AT&T reached out to commercial properties in the industrial zone as to their interest in putting up a cell tower there. If we are going to have cell towers, he would like them to be on Borough property so that we can control them and receive revenue. Is the Council willing to along with a center of town cell tower after the problems we had on the west side of town. He was informed that a cell tower will be going up on the Parkway. We lost the revenue and the control and it will be closer to the schools than the proposed cell tower was.

Councilmember Giancarlo had no objections and would like to hear from the companies who have an interest. Locations are important but he feels it is a part of our future, we use cell phones every day and it would be foolhardy to reject it.

Councilmember Frank said it is obvious that these towers are going to be here one way or another and it is foolish not to get a benefit from them. Probably in the next 10 years you will see a technology leap that may reduce the size and scope of the cell towers and they may not be the eyesore they are now. We should take it to the next step.

Councilmember DeJoseph said originally we spoke about the property behind the Borough Hall, there is an existing tower there already.

Mayor Arnowitz said he is not looking to discuss sites, right now he wants a vote on whether we are going to go forward with a cell tower and it doesn't matter where it is.

The Council was unanimously in favor of putting in cell towers downtown.

Mayor Arnowitz said we had a proposal from Metro PCS for a tower at the parking lot at the firehouse and the west lot. A third location was the lot behind the Borough Hall and the removal of the

tower and replacing it with a bigger one. The new tower would be over 100 feet probably the same size as the one at the firehouse. The corresponding equipment would be on the ground. The third location would be at the DPW and unless we have any other suggestions for borough property, those are the locations that we would have to decide upon. A comment was made at a previous meeting about things attached to the poles the size of someone's hand that will replace cell towers. He looked into it and was told that is the future, not the present.

The process we went on at the west side would be the same process that we do on the center of town which we will pick a site and it will be designed, an ordinance and bid spec set up and sent out for bid. We would allow the high bidder to construct the tower.

Councilmember Frank said we have two companies who are interested in the tower.

Councilmember DeJoseph said we have a representative from AT&T present and they have a proposal.

Attorney representing AT&T -

The tower across the street with additional antennas would fail structurally and the alternative is to potentially build another tower close by on borough property and have everybody moving on one larger tower when everyone's leases expire. That is something that could be explored. Whatever property you decide would have to be in this vicinity. AT&T would be glad to sit down and have our technical people reach out and choose a site.

Mayor Arnowitz said there are two people missing tonight. Both people have problems with the tower on the west side of town so we don't want to proceed without them being here. We have a meeting next week. The Council would decide which location they favor and AT&T would have to decide if that location is feasible for their needs. We will get feedback and the Council make a decision and we vote to go forward. The Engineer will draw up plans and the Borough Attorney would prepare bid specs. You would appear before the Planning Board to get their input and comments and recommendations.

ATT Attorney said there is a provision that requires the tower owner to remove the tower if the tower is no longer used for a certain number of days. It is a very common provision in the leases.

Mayor Arnowitz said when we talked about abandonment it was pointed out to us that the recycling money value of the tower would more than offset the cost of the removal of the tower. With regard to the tower at the firehouse, they assume all liability, problems,

repairs, etc. We only provide a site and receive revenue. We would deem the owner of the site.

Borough Attorney Paul said we would be part of any proceeding that might take place, primarily the tenants involved in the situation; they would be the ones working the site, managing the site as opposed to being a town facility.

ATT Attorney said regarding small boxes or hand held towers, whoever said that is way off in 10 or 15 years of the making. Technology has not advanced in different types of small towers.

Councilmember Giancarlo said he has seen one of the company's who leases space on our tower are now using blue wire and it is remarkable, it disappears into the sky, it is light blue. It is an improvement for the neighborhood.

Councilmember Frank said we had two issues with the west side cell tower, one was aesthetics and the other was safety. What are the liabilities from the carrier's standpoint and how are they addressing the liabilities and safety of cell towers.

ATT Attorney said the carriers have taken the position that is supported by the federal government that the area is pre-empted. We provide studies showing the levels that the antennas emit so it is not just taking our antennas in account but everything that is on these towers. Some of these towers are big and they have multiple carriers, municipal antennas, microwave drums and all sorts of things on them and those towers are still thousands times below the applicable federal standards. As far as she knows, it hasn't been challenged effectively.

Councilmember DeJoseph asked if Cingular and other companies seeking private landowners for cell towers in Hillsdale and other areas.

ATT Attorney replied she did not know where they stand with private landowners. If municipal property is not found ultimately it will be their option to seek out a private landlord and if we don't potentially have an application with the Planning Board or Board of Adjustment we would go from there. It makes sense if borough property is available for the borough as well as for the carrier. Telecommunications carriers show the need and in this case, ATT can demonstrate that they don't have adequate coverage in this area and it gives them a very strong position if a board decides to deny the application. Most towns they deal with understand that and they prefer to go the route of borough property.

Mayor Arnowitz said this will be placed on the Agenda for the next meeting so that we can get input from our other two

Councilmembers. The consensus is that we are going to move forward and we have to decide where.

2) Senior Van.

Mayor Arnowitz said Old Tappan reached out to us about buying the senior van we are presently sharing. He was misinformed and he was told that the senior van was not a good value because mechanically it was not a good vehicle. He has since spoken to the driver who informed him that the van is in great shape, he spoke directly to a mechanic in Montvale who services the TriBoro Van. If we choose not to buy the van, TriBoro plans to buy it as a backup van. The mechanic that currently services the van in Old Tappan also said it is in great shape; according to him the body work has been upgraded and the only problem with the van is that the gas gauge doesn't work. It was suggested that we offer to pay \$4000 to buy the van and he recommended to the Council to move forward. The money would come from shared services fees that we presently pay to Old Tappan, there is money in the budget, and all the other expenses would be the same. The only recommendation he would make is to have an outside mechanic, a diesel mechanic, check it out and provide an opinion.

Councilmember Frank said if we purchase a van we could probably get others to participate with us.

Mayor Arnowitz would still reach out to the County to improve the services that we presently get from the County and to supplement our services. It was suggested to him to make the offer first and then have it inspected. Old Tappan wants to get out of provided a van as soon as possible. Originally they asked for \$10,000 for the van and the driver is suggesting we make an offer of \$4000 and the offer is predicated on the inspection.

Motion to make the offer to Old Tappan was made by Councilmember Hanlon, seconded by Councilmember Frank.

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

GENERAL PUBLIC HEARING:

Mayor Arnowitz opened the meeting to the public and invited comment from the audience.

Rashella Roznitsky, 344 Ell Road -

She notified the Council of a formation of a cell tower committee that was previously discussed. We are not opposed to cell towers

in the area and we understand the incentive for the town, however, as the town moves forward in discussing additional cell tower placement we would like to encourage the town to form a committee or a group of citizens made up by Green Team members. This group can be formed quickly and we can focus on the placement of a responsible location and possibly getting community support for the location.

Mayor Arnowitz said he wasn't forming a committee until he was sure the Council wanted to move forward on it. He will ask people who live in the area that we are talking about to be the nucleus of the committee because they will be directly affected by it. We are limited to locations; we have four potential locations, two are not feasible one being the firehouse and we don't have the space at the west lot so we are left behind the Borough Hall or the DPW. The Borough Hall affects the densest area of Hillsdale so our locations are limited. A letter was sent to property owners asking if they were interested in having a cell tower, the Council wants to be certain we keep control of the tower as to the aesthetics and height. Time is not of the essence, we will take as long as necessary to make the right decision. With regard to transparency, this discussion is on TV, was in the Newsletters and was discussed for over two years. We will be as transparent as legally possible and we will strive to have this done. It will be on the Agenda next meeting, our Agendas are on the website, our Minutes are on the website once they are approved. No one can say they are in the dark as to what we are or are not doing. He will be setting up a committee for input from the residents but they will not hold the Council up so that the cell companies will not go elsewhere. After the next meeting we will start the proceeding, talk about sites, and will be discussed at every meeting until a decision is made.

Ms. Roznitsky (Contd).

On Hillsdale Avenue people speed a lot; she drives to Emerson quite regularly and sees a police officer giving out tickets to speeders and that is revenue for their town. As she walks on Hillsdale Avenue she notes the speeders and suggested a police officer be posted there because of the speeders in Hillsdale.

Mayor Arnowitz said we are limited with the number of police officers we have and there are a lot of duties they perform other than just traffic control. The Police Chief makes certain these violators are being policed.

Sonja Kinzler, Norwood -

She asked the date of the adoption of the Municipal Budget.

Christine Vebraska, 80 Horizon Terrace -

With regard to town discussion on the cell tower, she was in favor of the residents being a part of the committee.

Mayor Arnowitz closed the meeting to the public.

ORDINANCES:

<p>Ord. No. 11-01 (Adoption) Amend Chapter 22 Traffic and Parking</p>	<p>At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 11-01 as follows:  ORDINANCE TO AMEND CHAPTER 22, TRAFFIC AND PARKING OF THE REVISED ORDINANCES OF THE BOROUGH OF HILLSDALE.</p>
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The Borough Clerk confirmed to the Mayor that copies of the ordinance have been posted in the Municipal Building and that no written objections to the ordinance had been received.

Mayor Arnowitz then opened the public hearing on the proposed ordinance and asked if anyone in the audience cared to discuss it. There being no response, the public hearing was closed on Ordinance No. 11-01.

Mayor Arnowitz asked the Borough Clerk to read the resolution adopting the ordinance on final reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 11-01:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

<p>Ord. No. 11-06 (Adoption) Amending Construction And Property Maintenance Fees</p>	<p>At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 11-06 as follows:  TO AMEND A PORTION OF CHAPTER 138, FEES OF THE CODE OF THE BOROUGH OF HILLSDALE RELATING TO CERTAIN CONSTRUCTION/PROPERTY MAINTENANCE FEES AND TAX COLLECTOR LIENHOLDER FEES.</p>
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The Borough Clerk confirmed to the Mayor that copies of the ordinance have been posted in the Municipal Building and that no written objections to the ordinance had been received.

Mayor Arnowitz then opened the public hearing on the proposed ordinance and asked if anyone in the audience cared to discuss it. There being no response, the public hearing was closed on Ordinance No. 11-06.

Mayor Arnowitz asked the Borough Clerk to read the resolution adopting the ordinance on final reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 11-06:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-07	At the Mayor's request, the Borough
(Adoption)	Clerk read by title only proposed Ordinance
Amending	No. 11-07 as follows:
Chapter 292	
Vehicles &	AN ORDINANCE TO AMEND AND SUPPLEMENT
Traffic Fines	CHAPTER 292, VEHICLES & TRAFFIC (FINES)
	TO THE CODE BOOK IN THE BOROUGH OF HILLSDALE

The Borough Clerk confirmed to the Mayor that copies of the ordinance have been posted in the Municipal Building and that no written objections to the ordinance had been received.

Mayor Arnowitz then opened the public hearing on the proposed ordinance and asked if anyone in the audience cared to discuss it. There being no response, the public hearing was closed on Ordinance No. 11-07.

Mayor Arnowitz asked the Borough Clerk to read the resolution adopting the ordinance on final reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 11-07:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-08	At the Mayor's request, the Borough
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(Adoption) Clerk read by title only proposed Ordinance  
 Amending No. 11-08 as follows:  
 Chapter 138 Fees  
 For Marriage/  
 Civil Union  
 Fees AN ORDINANCE AMENDING AND SUPPLEMENTING  
 CHAPTER 138, FEES (MARRIAGE/CIVIL UNION  
 CEREMONIES) OF THE CODE OF THE BOROUGH  
 OF HILLSDALE

The Borough Clerk confirmed to the Mayor that copies of the ordinance have been posted in the Municipal building and that no written objections to the ordinance had been received.

Mayor Arnowitz then opened the public hearing on the proposed ordinance and asked if anyone in the audience cared to discuss it. There being no response, the public hearing was closed on Ordinance No. 11-08.

Mayor Arnowitz asked the Borough Clerk to read the resolution adopting the ordinance on final reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 11-08:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-09 At the Mayor's request, the Borough  
 (Introduction) Clerk read by title only proposed Ordinance  
 To Amend No. 11-09 as follows:  
 Chapter 51,  
 Officers and AN ORDINANCE AMENDING CHAPTER 51, OFFICERS  
 Employees (PIO) AND EMPLOYEES, TO DISCONTINUE THE POSITION  
 OF PUBLIC RELATIONS DIRECTOR, AND TO  
 ESTABLISH THE POSITION OF PUBLIC INFORMATION  
 OFFICER IN THE BOROUGH OF HILLSDALE.

Mayor Arnowitz asked the Council if there was any discussion on the proposed ordinance.

Mayor Arnowitz 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. 11-09:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-10  
(Introduction)  
Establishing a  
Cap Bank

At the Mayor's request, the Borough  
Clerk read by title only proposed Ordinance  
No. 11-10 as follows:

AUTHORIZATION TO EXCEED THE MUNICIPAL  
BUDGET APPROPRIATION LIMITS AND TO  
ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)

Mayor Arnowitz asked the Council if there was any discussion on the proposed ordinance.

Mayor Arnowitz 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. 11-10:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz said we will remove Resolutions 11049 and 11065 from the Consent Agenda.

Councilmember DeJoseph stated the Resolution 11048 is for a Change Order for Magnolia Avenue repair last year. The Borough Engineer is currently working on this with the contractor; he spoke with the CFO to approve it at this funding level and decrease the amount of money being paid to the contractor.

Mayor Arnowitz read the Consent Agenda of Resolutions.

11047 Authorize Settlement of a Tax Appeal, 450 Hillsdale Avenue introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11048 Change Order #2 - 2010 Magnolia Avenue Emergency Repair - D&L Paving Contractors, Inc. was introduced by Councilmember

Hanlon, seconded by Councilmember DeJoseph.

11066 Raffles License, Pascack Valley HS PFO, on-premise merchandise was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11067 Opposing a 5% Fee Increase from the Bergen County Utilities Authority was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11068 Raffles License, Pascack Valley HS PFO, on-premise 50/50 was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11069 Raffles License, Pascack Valley PFO, on-premise 50/50 was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11070 Change in Monetary Amount of Petty Cash was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11071 Cancel Ordinance #10-14 for Special Emergency Appropriation was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11072 Award Bid for Concession Stand at Stonybrook Swim Club (3 Year) was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11073 Award Contract for Grass Cutting in Public Places (2 Year) was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

11074 Emergency Temporary Budget was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

11049 Authorize Settlement of a Tax Appeal, United Water Properties.

11065 Authorize Settlement of a Tax Appeal, Edgewood Country Club, Block 2201, Lot 26.

Councilmember Frank requested these two Resolutions be placed on

the Agenda for the next Council meeting. He has been working with the Tax Assessor on the tax appeals and the Council should be aware what these tax appeals consist of and the cost to the Borough.

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

Borough Clerk Sandt read the following Budget Resolution:

WHEREAS, the regional high school tax levy was \$10,006,587.64.

BE IT RESOLVED, that the Borough of Hillsdale does hereby request the consent of the Director of the Division of Local Government Services in the Department of Community Affairs to defer \$1,056,298.75 not in excess of 50% of 2010-2011 levy.

Resolution introduced by Councilmember Frank, seconded by Councilmember Giancarlo.

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo and Hanlon

Nays: None

Absent: Councilmembers Schiavone and Weinstein

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

DEPARTMENT REPORTS:

Fire Department report for the month of February 2011. Received and filed on motion by Councilmember Frank, seconded by Councilmember Hanlon, and unanimously carried.

Board of Health report for the month of March 2011. Received and filed on motion by Councilmember Hanlon, seconded by Councilmember Giancarlo.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

LAST GO ROUND

Councilmember DeJoseph said confidential shredding will be done at the DPW Saturday, June 4, from 8AM to 12PM. It is a free service for all residents with stickers.

Councilmember Giancarlo thanked the Department Heads and CFO Henderson for the budget. It is an accomplishment to lower the tax increase down to \$48.00.

He thanked Mayor Arnowitz for delaying discussion on the cell tower to allow the absent Councilmembers to provide their opinions.

Councilmember Frank gave an update on the Tax Reassessment request with the State. He spoke with the Supervisor of the Department of Taxation and was informed that our request for reassessment will be denied. Our first reval request was denied because the ratios and coefficients weren't enough when we submitted them and the second go round where we requested a reassessment, we will get more details when we get the formal denial. It has been four years since we had 100% inspection and you cannot go beyond four years without re-inspecting all the properties unless you had a program going in that interim of re-inspecting properties and doing a compliance program.

The plan now is to get organized properly between now and the end of this year and get in a program that we can kick off immediately in 2012 and still have 2013 implementation on our tax rolls. We expect to get the formal statement from the State in the next couple of weeks.

He said 2012 will be a significant challenge to the town. We will have to start work on that budget soon and it will take a lot of creativity to get there.

Councilmember Hanlon said there will be a senior luncheon next Wednesday.

Mayor Arnowitz said he wanted the Committee to consider shared services and all aspects of the Borough. Councilmember DeJoseph said he has arranged to see the Mahwah facility on Thursday, April 7, at 3PM. He also wants to implement new parking fees for the west lot soon. With regard to the replacement of the Administrator, this Borough could not have achieved the budget this year. Each month this position is not filled saves the taxpayers approximately \$12,250/month; that is for salary and benefits. Councilmember Frank does a super job, he puts in a lot of time, he has taken over the tasks of the Administrator.

On Wednesday, April 27, we will have the Board of Ed election.

Councilmember DeJoseph said we are still moving forward on our sewage program and he has requested a copy of our flow for the sewage per meter weekly. BCUA is working on a report for us.

Mayor Arnowitz said a company reached out to the Mayors regarding putting in traffic lights that issue tickets automatically. It is a source of revenue, they are not installed unless there is potential revenue but it is an imposition on the residents and the people who travel through the town.

Councilmember DeJoseph said they are not automatic, we have to have a person sending out the tickets. The law does not allow automatic tickets.

Councilmember Frank would like to hear more about it. He will put this on the Agenda for the next Police Committee Meeting.

Mayor Arnowitz announced that on May 2, we go back to two day a week curbside garbage pickup. There will no longer be backyard pickup other than those designated for this kind of pickup because of a handicap situation.

Borough Clerk Sandt said the day may change, it goes back to the calendar that was issued in January.

Mayor Arnowitz said if you previously had Monday and Thursday, your pickup will be Monday and Thursday. It is the same as it was prior to the change.

#### CLOSED SESSION

A motion to go to Closed Session was made by Councilmember Hanlon, seconded by Councilmember Frank, and unanimously carried.

#### ADJOURNMENT

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

4-5-11

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Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

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Robert P. Sandt, RMC  
Borough Clerk

