

Council

Meeting

April 6, 2010

Minutes of a Council Meeting of the
Borough Council held at 7:30 P.M. on
Tuesday, April 6, 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

This is a Committee of the whole meeting of the Hillsdale Borough Council on this 6th 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 were Borough Attorney Paul and Administrator Polce, Borough Engineer Statile, and Debra Benigno. Absent

APPROVAL OF MINUTES: On motion by Councilmember Arnowitz, seconded by Councilmember Giancarlo, and unanimously carried, the minutes of the Council meeting of February 9, 2010, were approved as presented.

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Hanlon, and unanimously carried, the Minutes of the Council Meeting of March 9, 2010 and Closed Meeting of March 9, 2010, were approved as presented.

POINT OF INFORMATION: Councilmember Schiavone said the Sign Ordinance will not be discussed this evening. The discussion will be carried to the first meeting in May.

CORRESPONDENCE:

1. FIRE DEPARTMENT BOARD OF OFFICERS REQUESTING APPROVAL OF ANTHONY COSMA AS A REGULAR MEMBER OF THE FIRE DEPARTMENT.

Received, filed and approved on motion by Councilmember Schiavone, seconded by Councilmember Weinstein.

Roll Call Vote:

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

Nays: None

2. FRIENDS OF THE PASCACK BROOK REQUESTING PERMISSION TO SET UP TENTS IN VETERANS PARK.

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

3. DOROTHY SCHUETTE, 214 YORKTOWNE COURT, WASHINGTON TOWNSHIP THANKING THE SERVICES OF THE HILLSDALE AMBULANCE SQUAD.

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

4. DAVID & GAIL WEIGEL, 40 EVERDELL AVENUE, REQUESTING PERMISSION TO REMOVE SIDEWALK.

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

5. PETER MC CANN, 55 CHESTNUT STREET, COMPLIMENTING THE POLICE AND DPW DEPARTMENTS.

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

6. BEATTIE PADOVANO, 50 CHESTNUT RIDGE RD., MONTVALE, STATEMENTS REGARDING AGE RESTRICTED HOUSING ORDINANCE.

Received and filed on motion by Mayor Sapanara.

Councilmember Arnowitz said we have options: we can rescind the

zoning change and have the density back to the original density. We can do nothing or leave it as restricted housing and reduce the density.

Attorney Paul will consult with the Zoning Board Attorney on this matter.

DISCUSSION:

1. Pay to Play Review.

Councilmember Giancarlo said Pay to Play is the Act of giving political contributions to politicians and getting contracts in exchange. There are loopholes in getting around things and he wanted to be sure taxes are not being used to reward people trying to seek political influence.

According to the 2006 Executive Order, County pacts were not allowed and through town pacts, but made no mention of regional pacts. We found a regional pact was set up and \$83000 was given locally. We tried to stop some of the abuses and look at some of the special circumstances. We updated the rule about 1-1/2 years ago and included regional pacts for our Pay for Play ordinance in Hillsdale; we increased the period from one year to two year because after 365 days, the same individual could contribute money once again. We also lowered the amounts that companies and firms could contribute and made it more reasonable and made them more equal.

Enforcement is made by the Borough Clerk, however, he would want something with more enforceable or for something the Borough Clerk could fall back on and know what he is supposed to do.

Attorney Paul said we can check the Elect Division to see if this is a contribution that has been made, a report from the Elect Division that a contribution has happened. We don't rely on what someone says; the Elect Department has contact numbers, they are responsive by phone to get further specifics. As a starting point when you talk about enforcement check the Elect website and see if such and such a person or entity did make a contribution within a questionable time frame. There is a computerized data base available. More stringent requirements are enforceable at the local level.

Tim O'Reilly, 51 Central Avenue -

He complimented the Police Department for assisting him last Thursday night at 11:00 PM. The gas station on Broadway was doing auto body work at night. Auto body work is not allowed in any zone in Hillsdale without a permit, neither are mechanical repairs or gas. It is a major problem until 11:00PM because they will be

making a lot of noise. The police witnessed this and they were told to go to the Zoning Board and be brought up to date with a zoning permit and their hours of operation will be regulated.

PRESENTATION: Pascack Valley Regional High School 2010-2011 Proposed Budget. The presentation was made by Superintendent Dr. Benedict Tantillo and Assistant Dr. Vincent Occhino.

DISCUSSION:

2) Possible Consolidation of Services at the County Level.

Mayor Sapanara said this is a troublesome item for him. There is a Bill at the state level that would consolidate certain services done here at the municipality at the county level; this includes Tax Assessment, Tax Collection, Board of Health. He is concerned about Tax Collection which would have taxes paid at the county level. People would not pay their taxes at the Borough Hall anymore, they would have to go to Hackensack. The County would get the money and give us back the money. Our experience with the county with reimbursing us has been less than satisfactory in the past. If we went to this type of system, we would not have control of the money we use on a daily basis to fund our programs because we would have to wait for the money to come back from the county. He would consider putting forth a resolution not denying the concept of consolidating services, but tax collection especially needs to be looked at carefully and questions need to be answered before we could go forward with something like this.

He said the Consolidated Municipal Tax originally was levied by the municipality, then they were levied by the state with the promise they would give it back to us. It then became known as State Aid, it isn't state aid at all, it is taxes which are collected by the state and given back to us but now they are keeping it. This opens the road for a lot of problems. Tax questions would not be answered here, people would have to go to Hackensack. He will get more details for the next meeting, but he is deeply troubled by this.

Councilmember Schiavone said we have this huge bureaucracy of county government that we really don't need and we could save a lot of money right there. Possibly a resolution could be drafted that we would want to dissolve county government.

Mayor Sapanara said that is an issue is whether we need each level of government and it appears that this Assembly Bill makes the county a little more responsible that are at our level. This is where we use the services and distribute them as well.

GENERAL PUBLIC HEARING:

Following is the result of the roll call vote on the foregoing Ordinance No. 10-02:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

RESOLUTIONS: (Consent Agenda)

Mayor Sapanara read the Resolutions.

10045 Authorizing Settlement of a Tax Appeal for Property Located at 74 Prospect Place, Block 1208, Lot 2 was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10046 To Comply with the Provisions of the Internal Revenue Code was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10047 Raffle License - Hillsdale Volunteer Fireman's Association, Non-Draw Wheels & Games was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10048 Raffle License - St. John the Baptist Church, Off-Premise Merchandise was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10049 Smart Growth Grant. Mayor Sapanara removed this Resolution from the Consent Agenda.

10050 2009 Recycling tonnage Grant Application was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10051 Authorizing Settlement of a Tax Appeal for Block 1305, Lot 10, 24 Broadway was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10052 Transfer of Funds was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10053 Emergency Temporary Budget was introduced by Councilmember Arnowitz, seconded by Councilmember Giancarlo. Mayor Sapanara removed this Resolution from the Consent Agenda.

10054 Authorizing Settlement of a Tax Appeal for Block 2101, Lots 2 & 30, 167 Ruckman was introduced by Councilmember Weinstein,

seconded by Councilmember Schiavone.

Motion to approve the Consent Agenda with the exception of 10049 and 10053 was made by Councilmember Weinstein, seconded by Councilmember Schiavone.

Roll Call Vote:

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

Nays: None

10049 Smart Growth Grant. Councilmember Arnowitz said this is an attempt to get a grant for a bicycle path between Hillsdale, River Vale and Old Tappan. With the economy as it is, this calls for Hillsdale to provide \$10,000 in matching funds and he questioned if these dollars should be spent at this time. This is to do a feasibility study and we are putting up \$10,000 in cash and services. This Resolution was removed and not adopted.

10053 Emergency Temporary Budget. Councilmember DeJoseph questioned the Interlocal Agreement with River Vale for \$10,000 for day camp.

Mayor Sapanara said we owed them money from a few years ago.

Councilmember Arnowitz said we were contesting the money we didn't feel we owed it but we lost. He said this can be looked into but we have to pass this Resolution this evening.

Motion to approve Resolution 10053 was made by Councilmember Arnowitz, seconded by Councilmember Giancarlo.

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

Nays: None

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Board of Health report for March 2010.

Motion to receive, file and accept the Board of Health report was made by Councilmember Hanlon, seconded by Councilmember Giancarlo, and unanimously carried.

Councilmember Hanlon said the annual Health Fair will held on

Saturday at the Methodist Church.

The Board of Health accepted the resignation of Ginna Sapanara and welcomed the new Secretary, Pat Gioe.

Ann Deutsch, Nurse at Meadowbrook, received the New Jersey Governor's Award for her Walk Across America Program.

She reminded all that the Memorial Day Parade will be held on May 31.

(SEE COPY OF THE AFORESAID REPORT AFFIXED HERETO)

Go Round

Police Chief Stalter said last week the Traffic Calming Measures were applied on Lawrence Street and Colonial Boulevard, Fairview.

We replaced the police car that was consumed by fire and the new vehicle will be outfitted shortly. Officers McKeever and Sayers will be recognized tomorrow evening by the American Legion for the fire rescue Thanksgiving night and later they will be recognized by the 200 Club of Bergen County.

He will be in touch with the Engineer's office for the roof sealing of the pistol range. He said residents can go on Twitter and sign up for Hillsdale PPNJ with information on the Hillsdale Police.com website on how to sign up for Twitter alerts. The Swift Reach can always be reached by residents to add changes in phone numbers, etc.

Borough Engineer Statile said the pavement treatment at the intersection of Hillsdale and Magnolia will take place once Public Services completes their pavement operations.

Tree City. Statile is preparing applications to have Hillsdale designated as Tree City. This requires an allocation of \$20,000 towards acquiring shade trees. The designation is to obtain grants for shade trees.

He is continuing investigation of solar panels for Hillsdale and encouraging residents to investigate solar panels for private use. He will report on this investigation when available.

Cell Tower. Councilmember DeJoseph asked that the bid for the cell tower be prepared to go out to bid as soon as possible.

The sidewalks will be done prior to repaving on Ruckman Road.

Councilmember Arnowitz said Public Service will have to fill in the potholes on Hillsdale Avenue if they are not going to be paving the trench which is starting to collapse. It is an accident waiting to happen.

Mayor Sapanara said we will direct a letter to the Board of Public Utilities and take a harsh approach and give them 10 days to do this.

DPW Superintendent Durie said we dealt with terrific storms this past month, we had cooperation with different government agencies to clean up and get things together. He asked the residents to contain their brush properly so that Waste Management can pick up or they can bring it to the DPW Monday through Friday from 7AM to 3PM and Saturday.

He asked the Borough Engineer to send a letter to the county requesting that Washington Avenue be considered for the 2010 resurfacing program. They have marked down Ruckman and Weirimus for resurfacing. There will be activity there within the next few weeks with raising of manholes, etc.

Councilmember Arnowitz suggested getting county prisoners to clean out some of our wetland open lots. He asked the process to get Hillsdale on the list.

DPW Superintendent Durie said you contact the Sheriff's Department and he will do so.

He said we have reached out for pricing on the repair of the ladder for the Fire Department but he has not received a reply as yet. He will advise the Council prior to budget hearings.

Councilmember Arnowitz contacted the Council regarding presenting a certificate to the owners of the old church between the library and the post office. The owners have done a magnificent job improving that building and he would like to recognize them and their developer at a future meeting. It is a good thing to recognize someone who puts forth such an effort, money and style into an improvement. More compliments have been coming forth on that building and asked Mr. Durie to contact him if the Council agrees and present a certificate of appreciation.

The Council was in agreement with this suggestion.

Administrator Polce said he has a meeting tomorrow at 1:30PM with the Borough Auditor and CFO to go over preliminary budget numbers. It appears we should have another budget meeting the last week in April to get an accurate number. A tentative target to introduce the budget would be either the first or second meeting in May.

Councilmember Arnowitz said we received three more tax appeals that were approved tonight for settlement and this will become more costly for the town. At some point in the future, we will have to consider revaluation.

Mayor Sapanara said commercial properties are down across the state. We will be feeling the effects.

Councilmember Giancarlo said the federal deficit has quadrupled, he heard from the Mayor that everything is being cut, we will hear that the high school budget will be cut, local school budget cut, our budget is being cut. He said politicians whether they are in Trenton or the federal government they get elected by making everybody happy. It seems to him that their main purpose is to make people happy and not make any hard decisions. Politics are full of good people with good intentions but there are also ambitious people. Sometime ambitious people in a rush take short cuts. We pay for short cuts, we pay for Pay for Play, you pay taxes; the shortfalls are the result of people living high on the hog. At some point you just cannot make everyone happy. We should be making ways to make it easy for the people, we are not creating anything. It is becoming more evident that the Council only controls 17% or 18%, but there have to be some people looking out for you. If it doesn't work, hopefully another good person comes along.

You have to critically analyze things, you have to question if you are doing the right thing. Maybe the bike paths are a good idea, you spend \$5,000 to make \$300,000, maybe it is a good idea. But you have to put it through the mill; otherwise we are wasting time. The time of reckoning is coming, deficits are going through the roof and he aims to mark his time and so does this Council is to get work done and do something different afterwards.

Mayor Sapanara said on April 20 you can vote on 70% of your budget; 70% of your property tax dollars subject to vote and that vote is April 20. Take a good look at the elementary school and the high school and decide based on the criteria you want, but that is a chance for you to make those kinds of decisions. Here we have 18% of the budget but 70% will be subject to the vote based on that voters and he suggested you take advantage of that.

Councilmember DeJoseph said there will be a shredding day on May 15 at the DPW from 9:00AM to 1:00PM. Any old computers can be recycled. It is a free service and is convenient.

He received an email from FEMA declaring a state of emergency from the storm or two. Residents and businesses can apply for grants, etc. by going to the FEMA website or the borough website; they can

also call the police station.

The local school proposed budget and between those two items, the average assessed house of \$579,000 a tax increase of \$645 for the two schools. Then you have the county increase and the municipal increase and that is a large increase for taxpayers.

The cable franchise agreement should be ready for the next meeting.

Councilmember Schiavone said the Fire Department carnival is April 27 to May 1. The Krell building in Park Ridge went up in flames on March 19, Hillsdale was there along with the other 13 towns. There were 18 pumpers, 7 ladder trucks, 5 rescue trucks and a total of 164 firefighters. It was a big event.

Councilmember Weinstein thanked the Borough Engineer for the traffic calming that finally got done. He hoped the residents on Lawrence and Colonial appreciate it and it is a step in the right direction to address an issue that continuously plagues this town.

He attended the Easter Egg Hunt at Beechwood Park and there were hundreds of kids enjoying it.

He thanked Ann Cron for making a great event along with Kate Leonard and Patty Hughes.

He thanked the Regional Board of Ed to come tonight to present in a difficult situation the proposed budget. No one will be happy but we do have outstanding schools that are recognized throughout the state and the accomplishments of the administration and teachers are reflected in how well our students do in college and beyond. That is something we should be proud of even in difficult times.

Mayor Sapanara said you heard a lot of opinions and strong feelings tonight. You get opinions from the heart from everyone the way they feel. It will be a rough period for everyone, for Hillsdale, for New Jersey, for the county, but he does not think the way to approach it is sit there and wring your hands. We have to work our way through it. He feels confident we will pull through, that there has been planning in process for this across the board and there have been situations we have dealt with in the past and they will see us through the current situation. We are looking forward to three, four or five years down the road, you have to look across a period of time and see where we will be in a few more years. He thinks we will see as you look at the last decade that things have been good in Hillsdale. Things get done, there is a cost involved, but there is a good balance between those services we receive and what we pay for. That balance is always in play. We are better in this part of the country than many other parts of the country right now. The taxes will go up but what you receive for that tax dollar

is always at forefront of the Council's minds and they never lose sight of the fact that they work for you. He will be leaving shortly because of a change in his personal job situation but he will leave behind, people who really care about the community.

ADJOURNMENT

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

4-6-10

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Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk