

Council Meeting
December 14, 2010

Minutes of a Council Meeting of the
Borough Council held at 7:30 P.M. on
Tuesday, December 14, 2010, 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 14th day of December 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 DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Also in attendance Borough Attorney Paul and Borough Administrator Polce, Borough Engineer Statile, Police Chief Stalter, Lieutenant Niego, DPW Superintendent Durie.

APPROVAL OF MINUTES: On motion by Councilmember Hanlon, seconded by Councilmember Weinstein, the minutes of the Council Meeting of November 9, 2010, were approved as presented.

PRESENTATIONS:

Mayor Arnowitz announced that there were residents present this evening for a presentation to Mr. Alboum who is not here this evening. Mr. Alboum does not like to be recognized for duties he performs as either a firefighter or a member of the Ambulance Corps

EMT. He did something we consider heroic and we did want to give him an award, however, Mr. Alboum refused the award because he feels this is a part of his job.

Unfortunately, Kenneth Backer was to be awarded this evening but he was not able to be here. However, Steven Hult who retired after 29 years of service to the Borough was present. Mr. Hult, as every DPW person, got up in the middle of the night when there are storms but he still does this as he became an EMT and does get up in the middle of the night to respond. He congratulated Mr. Hult who has served the Borough of Hillsdale almost 30 years and without people like him we could not survive and an award was presented to him.

Presentations were given to the Pascack Regional HS Gymnastics Team.

CORRESPONDENCE:

1. FABRIZIO SEMBIANTE REQUESTING STATUS OF REZONING QUESTION.

Mayor Arnowitz said he believed this refers to the Planning Board's Master Plan and rezoning.

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

Borough Engineer Statile said the Master Plan was adopted in April by the Planning Board. The Council can now either consider writing ordinances based upon recommendations in the Master Plan and one recommendation was changing this particular area to a commercial zone.

Mayor Arnowitz said we did not discuss the Master Plan. This will have to be discussed at a Council Meeting in January so that it can be discussed and discuss any of the changes that they want to make in Zoning.

Councilmember Giancarlo read the letter which stated that the purpose of the letter concerns the zoning of commercial and residential properties in and around the borough center and rezoning of the property at 60 Orchard Street.

Councilmember Giancarlo said he is not aware of this and cannot give it any consideration at this time.

Mayor Arnowitz said we will consider this and adopt ordinances if we want to go along with them. In the past we have had requests to change the Master Plan and when the public heard about it they were in attendance and the Council opted not to make the changes. If we are going to make any kind of changes with zoning, we should allow the

resident to voice their opinion.

Borough Engineer said if this will be discussed in January, he will arrange for the Planner, the Chairman of the Planning Board, to explain what the recommendations are.

Mayor Arnowitz said a meeting will be set up either for January or February, when convenient for all. Mr. Sembiante will be invited to attend this meeting.

2. SUSAN DUNN, PVHS, REQUESTING PERMISSION FOR A 5K WALK/RUN
ON MARCH 5, 2011.

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

Police Chief Stalter said the original letter was for a fundraising walk and held at 1PM. The events for a 5K Walk/Run are generally much earlier in the day. There would be streets that are blocked with limited access and asked if you would want two events that close together, the Rover and Clover walk whose rain date would be the weekend after. Also, the events are contingent upon having enough help from the Police Auxiliary to staff the events.

Councilmember Weinstein felt the 1PM schedule would be disruptive to the town but would be amenable to start at 9AM.

Mayor Arnowitz directed a letter be sent to Susan Dunn stating volunteers have to be provided for whatever is required by the police and is contingent upon the availability of Police Reserves. The time must be changed to 9AM.

3. EDWARD BAYARSKI COMMENTING ON PROPOSED CELL TOWER.

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

Mayor Arnowitz said another cell tower will be built on the water company property in Woodcliff Lake. If a communications company proves a necessity for a tower because of lack of service, it is very difficult to deny them. We are also contemplating a tower on the east side and putting an addition to the tower behind the firehouse.

Borough Clerk Sandt said the advertisement is scheduled for Friday, December 17. The previous bid was rejected because of a deficiency and the original status of the bid was amended. When the bids come back there will be a resolution either to accept or reject the bid.

GREEN TEAM:

Mayor Arnowitz said Councilmember DeJoseph and Giancarlo were instrumental in getting recognition.

Councilmember Giancarlo said a year ago we adopted a Green Team who looks for ways to make our town a better place and a more sustainable town, etc. About two weeks ago we were certified as a Green Community, received a bronze certificate by the State of New Jersey; a total of 37 towns and only four in Bergen County and only one in three in Pascack Valley have been certified. Next year our plans are to go for the silver certificate. He thanked the Green Team for all the work they put into this organization.

Councilmember DeJoseph also thanked the Green Team for all their efforts and expressed his appreciation.

DISCUSSION:

1) Field Lighting.

Mayor Arnowitz said he met with the various sports associations on the cost of the lighting at Centennial Field, Memorial and Beechwood, and asked if they could assist the town to offset the cost of the lights. Lighting at Centennial field in 2009 was \$37,000, in 2010 pretty much the same. We lessened the cost by pulling the meter after Thanksgiving so that we would not have to pay the standby costs. We pay \$1700 monthly to have power available at Centennial Field then you pay for the electric and fees involved. He did not believe we would be charged for the removal of the meter and then replacement, however, he was not certain. The sports associations were advised that we would base the contributions to the lights on the prior year's costs and hopefully the conservation measures would reduce the costs. He offered them a plan that in 2011 they would pay 25% of whatever the cost and in 2012, approximately 30%. In 2013, it would be the full 50%.

Councilmember Frank said the Finance Committee met last Thursday with the CFO to review the overall picture of our budget for 2010 and 2011. He also met the week before with our outside auditor to get a good understanding as to how the budget is put together. He is trying to get more information on surplus and where it comes from. The revenue side of the budget comes from taxes, fees and surplus and another word for surplus is savings. We create savings each year either by under spending what has been appropriated or by having increased revenues and those savings can be used in future years.

In 2008 we identified that the town collected 2.4 million in taxes and moved into savings. With a five year plan we would use them in five years to reduce taxes or keep increases low. We used half of the 2.4 million dollars in this fiscal year 2010. We are also faced with a 2% CAP next year so we are limited on the amount of taxes we can raise.

In 2010 we spent about \$700,000 more than we took in in revenues, fees and savings. In 2011 budget, unless something dramatic changes, we will look at another \$700,000 shortfall. Hillsdale is fortunate that we have the money on the books in savings and we have to look very carefully at the savings we have now by carefully looking at our expenses over the next year or two. We cannot continue indefinitely to spend more than we take in. Our plan is to look at opportunities as to how to bridge that gap and reduce the gap going forward.

Mayor Arnowitz said our budget is approximately 12 million dollars, 2% of that is \$240,000, so that is how much we can go up and stay within the CAP. We are faced in 2011 with contractual increases of 3.5% or 8%, the higher being police which is most expensive. We are faced with an 8% water increase, 4% hydrant increase, we will have health increases. We did not replace DPW workers however, we still spend \$65,000 for health benefits each year as that is the contractual agreement they had with the town. We have stopped giving life time benefits to new hires. To make the 2% CAP and to allow people in the town not to be overwhelmed with taxes, we have to look at everything possible. We did save money by going to a two day a month recycling at the DPW but with all the increases savings are just not happening. We are looking at cell towers, looking at organizations to help with electric bills, and cutting back.

Councilmember Weinstein agreed with everything that has been said. This Council has been very prudent in opportunities offering savings to the residents. It is important to keep in mind that for every cost increase, there is an implied increase of tax going to a particular group of people who are already paying taxes. It makes the decision difficult when you try to take expenses that some people perceive to benefit the entire town but really focus on a particular group of people. He believed the lights fall into that category. The associations are run separate from Hillsdale, there are hundreds of volunteers. Hillsdale doesn't contribute directly to the organization of the sports, they are run by individual associations made up of parents and boards. The tradeoff is that Hillsdale pays for the maintenance of the fields and lights, etc. That is not a bad tradeoff and Hillsdale comes out ahead if the alternative would be to save the associations are not going to run these programs and Hillsdale were forced to create an infrastructure to support baseball, football and soccer like other towns, manned by their own employees. We would not be able to maintain the expense programs we offer if Hillsdale were responsible for the day to day management. There is a huge commitment by the families and huge commitment by Hillsdale and he perceives that as beneficial to the entire community. It keeps our property values elevated. He believed other areas of the community would be affected as well. As a community we all benefit by the balance we have achieved.

Mayor Arnowitz agreed but said he is talking three years ago. By law

we have to adhere to a 2% CAP. We haven't come up with anything to offset the expenses that we are going to incur.

Councilmember Frank said we are living on savings to make up the gap between what our taxes and fees are giving us and it looks like \$700,000 is the shortfall. We have one plus year to go at that current deficit level of spending. No one wants to cut out lights, no one wants to charge higher fees, but reality is coming. We can raise taxes 2%.

Councilmember Weinstein said the decisions made today will affect the property values in the future.

Mayor Arnowitz said we cannot pass the additional increases onto the taxpayer. The Administrator went to the Department Heads indicating they had to cut 5% out of their budgets. Salaries which are 70% of the budget are contractual. Unless you start laying people off how do you make up the money.

Councilmember Frank said he wanted to share with the Council and the public the results of the recent meetings with the Finance Committee. We will go into this in detail when we go through the budget process.

Councilmember DeJoseph said last year on December 31, we had 1.6 million dollars in fund balance, of that actually \$400,000 was actual fund balance; that is not a lot of money left over. In 2011 we could have a very large deficit and everything will have to be on the table.

Mayor Arnowitz said if we didn't have a CAP, this conversation would not be taking place.

Mayor Arnowitz opened the meeting to the public for this particular discussion.

Angelo, President of HBSA -

You said you made a 5% cut in certain departments. If you are looking at the future are you going to cutting the same programs concerning what we have to pay and what it was. It costs our organization about \$76,000 a year to run. You are going to ask us to pay \$20,000 of that \$76,000 and it is more of a percentage than any other departments have been asked to do. Do you feel it is a fair amount to be cut from a program across the board than from all the other departments? Recreation should get the same process. How about going into a partnership with the Recreation Programs to see how you can reduce those costs. Let's do a partnership with all the organizations and see how we manage instead of coming to us and saying you have to pay this. We want to work with you to accomplish everyone's goals. He believed it to be a tremendous burden on them to come up with an infrastructure charge. He doesn't understand how our \$40,000 is going

to make that much difference in town to help someone live better taxes-wise.

We should go into a partnership and give us time to come up with some things rather than throwing money to the Council. There are hardship cases and will increase more every year, people who are losing their jobs. He too is unemployed and has been in this program for 10 years. You are affecting the well being of our families. By raising our fees we are going to lose a lot of our volunteers, lose people, and turning this volunteer job into a real serious job. As an organization you have to be consistent in what you need to do to cut costs. If you cut 5% from everyone else, do the same for us, that is only fair.

Mayor Arnowitz said the 5% is the operating budget within the town. It is not salaries which are contractual and the bulk of our budget is salaries. He doesn't know how they come up with a cut of 5% and still provide services. Expenses for the sports program are over and above the lights; insurance, maintenance of the fields, bulbs for the lights and \$1000 to get the lift for replacement of the bulbs. We will have to redo the computer at a fee of \$500 for service. These are costs being borne by the taxpayers of the town. He did give a plan for the savings, more than 50% of the cost of the lights is the maintenance fee we pay each month for the lights to be available.

The lights at Centennial are for the actual use and playing on the field; the lights at Beechwood Park are for practice. We had great sports programs in Hillsdale before the lights. We are faced with a very bad situation; we can raise taxes at a maximum of \$240,000. Salary increases will more than eat up \$240,000. There are no lights at Memorial Field, they are security lights. We do not authorize or recommend that anyone play on that field at night. The bottom line is we are looking at everyone, not just the sports associations.

Angelo (Contd).

The way it was originally presented was alarming; what if you say you can't pay for insurance or maintenance of the field, where does it end?

Mayor Arnowitz said he was directed by this Council to go to the sports associations and get 100% of the cost of the lights. Your group pointed out the impact of \$37,000 in 2011, he thought it ridiculous. He made a proposition for 25%, 50% and never going past that. He also presented ideas on how we could save some money. He would be willing to do a wine tasting as a fund raiser and he did try to present ideas to the organization on how to offset the cost. The bottom line is this Council can't pass on to the taxpayers of the town more than \$240,000 in increases unless we have a referendum for more money. With the state of the economy, people will not vote for it.

Paying 50% for the lights is not charging 100% of what it costs to run that program. We charge people to park in the West Lot, we generate about \$12,000 but it costs us about \$25,000 yearly to operate the West Lot. He was informed that we have to repair the roof at the RR Station and we have to find money for that which is over and above the \$25,000. We are looking at everything; we raised fees in Code, we raised fees in Rec, we have looked at every possible fee and are now looking at employees where we could cut without destroying the services that we need. We presently provide services that are necessary to the Borough and if we make any cuts, we will drastically change what Hillsdale is.

Angelo (Contd).

It has to be a team effort with everyone and he did want to emphasize this and thanked the Mayor for his explanation.

Mayor Arnowitz said the Rec Program keeps kids on the straight and narrow, gives them direction and to cut it back and do away with it is as bad as cutting police.

Councilmember Giancarlo said the Rec runs an incredibly well-run organization, you have always been professional and he appreciated that.

Gregory Blair, 38 Pascack Road -

We don't know your budget and all we can ask for is fairness in the distribution of the burden across all the groups. It is a great increase in our budget and it does disproportionately affect the children and makes it difficult for people to continue to play ball. We have about 1400 children in school K through 8, baseball touches 55% of those children. A huge number of families are affected.

Dave Delia, Former President HSBA -

You say this evening you are looking at the lighting issue, but this has been going on for a number of years. Many years ago we presented the budget to the Rec Commission, and things started to disappear about four years ago. We pay for fences to be repaired; we go out ourselves and purchase items that the town is unaware that we have purchased them. As these costs get greater and greater and you tack the lights on to it, you are affecting the people who play at Centennial. You can't charge people playing T-Ball and hit them with those fees. It's a smaller group and you would have to charge them and it is going to be too much to charge them. We are going to lose more people.

Jim Raleigh, 10 Oak Street -

The lighting fees for soccer would not be as burdensome as baseball. It will still hurt and we will lose quite a few families. Training and uniforms are our major expenses, possibly 100 balls. He did not know if they could have a 50% increase and we have not as yet made a

decision as to what we will do. We have an emergency meeting scheduled after the new year.

Mayor Arnowitz said he did mention at the meeting that the associations would work out the mechanics of who would pay what of the 25%. Any organization that chooses to use that field who is not part of your group, soccer, baseball, they would have to pay to use that field and that would reduce any compensation that you gave to the town; whether they pay us directly or possibly something could be worked out.

Jim Raleigh (Contd).

The three associations agreed to get together and we are in the process of appointing a committee to manage use of the lights and working out a plan.

Mayor Arnowitz said the cost of the field will be predicated on the cost the year before. We will know in 2011 that we don't have \$1700 for three months so we can reduce the \$40,000. Shutting the lights early saves money but the bulk of the costs is when the lights are turned on and there is a standby fee. The cost of the security lights that remain on all the fields is not part of that electric cost.

Jim Raleigh (Contd).

He asked if the lightning protection system at Centennial will be functional.

Mayor Arnowitz said that is a good point and he will speak to the Borough electrician.

Mayor Arnowitz closed the meeting on the field lighting discussion.

Councilmember DeJoseph said he and Bill Franklin met with the vendor and they will provide facts and numbers and we will evaluate it. The proposal is from 166 fixtures at 1500 watts each to reduce it down to 100 light bulbs. That is a big reduction and could possibly reduce our standby. He welcomed any suggestions from the associations as to how we can save money.

Angelo Stataes, 177 Lincoln Avenue -

He said we would just use 2/3 of the lights, is that correct?

Councilmember DeJoseph said it is a different program, it monitors the wattage and keeps the 1500 watts constant. There is nothing different, it is a new technology that they have had for a few years.

Mayor Arnowitz said we must provide a certain amount of lighting. There are certain infield numbers, certain outfield numbers, etc.

GENERAL PUBLIC HEARING:

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

Ed Bayarski, 39 Willow Court Terrace -

He referred to the proposed cell tower on the west side of town. The Council has the responsibility to provide transparency on the actions they take in regard to quality of life in this town. A comprehensive solution is required to solve the financial issues of our town. The tower proposal will not solve the problems. He assumed the officials would fight a cell tower and he was surprised that the Council is soliciting bids for a cell tower, 12 story, in one of the premier areas in town as a fund raiser. He became disturbed when he learned about the proposal. The economic benefits of this project is being grossly overstated by the Council. Other surrounding communities have cell towers but put them in commercial zones, not in residential

zones. There have been no public hearings on this project scheduled and last July, you asked the Planning Board to give a cursory review. There are disproportionate costs to homeowners in the affected area. Tax savings would average \$1.00/week to the average homeowner and those homeowners in the proximity of the 100 ft. tower stand to lose hundreds of thousands of dollars in the value of their home. You will have saved me \$1.00 a week in property taxes and take \$100,000 equity out of my house by building a industrial cell phone tower in a residential area.

The cell phone tower on Wierimus Road is lacking a key requirement for its very existence. It is not needed to fill a gap in coverage. One tower is only a few hundred feet north of the tower in Woodcliff Lake on the water facility; the other under construction is on the Garden State Parkway in Washington Township just two miles south. Woodcliff Lake has already signed up four tenants for that tower; considering only six people rent cell phone towers he wondered why we need a cell phone tower just a few hundred feet away from the one in Woodcliff Lake. Since the second tower in Washington Township has one it means you probably would get one tenant on this tower in Hillsdale.

He researched the rent for the tenant on the tower and when he hears the Mayor and Council quoting fees like \$100,000 to \$140,000 per tower it is not correct. He is not an alarmist to think about cancer from one of these towers, there are a lot of quotes in the press that people will not buy homes in these areas, thereby further reducing the property values which is the revenue base. We get \$20,000 to \$40,000 revenue from these towers, not \$100,000 and it devalues the homes. Your net gain from the tower could be zero. This is something considered without adequate research and why are you spending money without knowing what the answer is going to be in generating revenues on that project.

He is taking account of the entire actions of the current board. Every time he reads the paper, it seems like this Council is at war with the residents of this town. We all know about the 2% CAP, we all know it doesn't include a lot of other things like pension benefits and salaries, we are doing things in this town as if we are actually in a panic mode. It makes no sense going into a tower; it was reported the Pascack Valley High School was approached for a tower three miles from the one on Royal Court area. You need research, diligence, and it is very upsetting to a lot of people who live in the area to wake up one morning, look out the window, and find a 12 story monstrosity in your front yard. You can't keep whining about this 2% CAP, there are real solutions and real opportunities to do the right thing. So far we have heard misinformation about this. The town will hold this Council accountable for destroying the lives of our little leaguers, eliminating garbage collections, building cell phone towers. This town is going to go down hill fast. No one will be able to sell their house in this town if this is the type of leadership we

are being provided.

Mayor Arnowitz said someone on the Parkway told you the revenue from the cell tower on the Parkway is \$20,000. We receive presently \$128,000 from the tower at the firehouse for four tenants and a fifth tenant for approximately \$30,000. He pointed out that it is one block from his house. He was insulted by his email he received about the pristine neighborhood you live in and we should put the cell tower somewhere else that is more conducive to a cell tower. If no one bids on it, we don't accept the bids. Woodcliff Lake fought a cell tower for eight years and now the water company is putting up a tower against the wishes of Woodcliff Lake and the water company is going to receive the revenue. We have had two cell tower companies approach this town saying they need service in that area and the cell tower going up in Woodcliff Lake is not conducive to whatever their needs are.

The Washington Township is not on the Parkway, it is at their borough hall.

Mr. Bayarski (Contd).

There is a second on the Parkway and it is obvious you are not doing your research. There is a cell tower at the town hall and on the Parkway making two cell towers in Washington Township. You are making decisions affecting my balance sheet, my real estate values, my cash flow.

Mayor Arnowitz said if one tenant bids on that tower, he did not believe this Council will vote to put the tower up. There has to be multiple tenants to be worthwhile.

Mr. Bayarski (Contd).

All of our houses are worth less no matter what side of town you live on. People spend a lot of private money to maintain their properties and pay the highest property taxes in town, we will save \$1.00 week in property taxes but take \$100,000 equity of our homes.

Councilmember DeJoseph said a house on Washington Avenue just sold last month or so for \$535,000, that is the closest house in Hillsdale to our cell tower.

Councilmember Frank said you are saying there is a cell tower 200 ft. from the one proposed. There is going to be one there.

Mr. Bayarski (Contd).

There is already on contracted, they have four tenants on that tower as of today.

Councilmember Frank said the damage to your property is going to be the same with one or two towers if they are 100 to 200 feet apart.

Mr. Bayarski (Contd).

The one in Woodcliff Lake is up the hill and around the corner. This one will be due east from Royal Park Terrace. The site is about 150 yards from his home and there are two houses between his house and the tower. That land is on a severe slope and the 120 ft. tower you are proposing because of that slope, will be eyeball to eyeball from the living room window. The people on the east side of the Parkway will be looking up the hill at a 200 ft. monstrosity. Is that the quality of life this Council cares about? You will be held accountable, there will be more people coming to the meetings on this.

Councilmember DeJoseph said three bids came back for this about three months ago. There were three tenants and it amounted to approximately \$85,000. That is not \$30,000. The Borough Engineer could clarify distances and you could be under a mile between cell towers and still have gaps.

Mr. Bayarski (Contd).

Nobody puts cell towers in residential areas and people will have trouble selling their houses with the type of information going out to the public.

Councilmember Giancarlo said he has an obligation to consider this and he has an obligation to either vote for it or not vote for it. He has had similar concerns in his front yard and he knows exactly what is being discussed and it will weigh heavily on his vote.

Mr. Bayarski (Contd).

There are dozens of homes in that area and you will be bombarded with reappraisals. The Council should realize they will lose property values, lose revenues, and what is the net gain and how does this look for people who are considering looking in Hillsdale.

Councilmember Frank said the operating budget is going to have a 2% max CAP on tax increases and we can only increase taxes 2%. If we don't reduce costs and come up with additional revenues we have to start cutting services.

Mr. Bayarski (Contd).

What we are seeing is band aids but we need a comprehensive solution. You should bring in some pros because you have a financial problem in this town. Why not go to garbage collection once a month, why don't we build 12 cell phone towers. He sent correspondence twice, the first one was ignored. The town will not sweep this stuff under the table, it is not going to happen that easily. People will hold you accountable, associations and groups of people will be looking at this and will be asking questions. It is not going to be solved tonight but you have to be more prepared, be more transparent, let more people know.

Mayor Arnowitz asked what he considers the big issue. He asked how does he make a 2% CAP when he is contractually required to give the employees a 4% increase that represents over 50% of the budget and asked how do you do that.

Mr. Bayarski (Contd).

He is limiting his discussion to cell towers tonight, he will be back to address the other issues.

Mayor Arnowitz said he just made comments that are not true. We got rid of the CFO four years ago when things were different and we are already in discussion as to how we can afford to have a full time CFO. You said we can't make \$100,000 from the tower, I believe we can or this Council won't vote for it. You are saying we are not being transparent yet you heard about it. You said your first email was not answered, I answered you.

Mr. Bayarski (Contd).

All the towns are facing problems, the leaders of the town have to be up to task to do it. He will look into the budget further and be glad to give his input. The town deserves more, we still pay your salaries and you can't come to people saying we will save you \$1.00 a week but destroy the value of your house. Ultimately the revenue base of this town which produces the taxes will destroy the value of the houses. Destroy the value of the houses and this town will go right down. Presently the indication is that this Mayor and Council is at war with the homeowners.

Mayor Arnowitz said tomorrow is the senior luncheon and he invited Mr. Bayarski to come and see their problems and the difficulty they are having meeting their taxes. See the people who can't afford their medicine because they are paying taxes. You are saying we are trying to destroy this town, he represents 10,300 people. Do you think it was pleasant to go before the sports associations that he respects and say they have to come up with money? Do you think it was easy to go to the commuters who had free parking and say you now have to pay \$100 a year? That was a fight to get; we are looking at everything to try to balance this budget. Why should we sell our homes, we like it here, we too live on fixed incomes and he believes people in this town feel the same way. You have your perspective, we have ours. If the dollars are not there for the tower, he is sure the Council will not vote for it. This is something that will be discussed at the Planning Board. By law this does not have to go to the Planning Board, however, he and the Council felt it should so that there can be discussion, people are noticed and they know it will be discussed at the Planning Board and the Planning Board will come back to the Council with a recommendation based on what the public has to say. Our minutes are publicized, our meetings are on TV. We have been discussing the tower for two years; we put out bids which we rejected

and we will rebid.

When the tower at the firehouse was erected we received over \$200,000 in communications equipment free and we receive \$125,000 in revenue. That is the tower one block from my house and he lives in a nice neighborhood and he has property values too.

Councilmember DeJoseph said residents have already been here regarding cell towers and said they needed a tower on the west side. They also approached Demarest Farms and Demarest Farms was advised that there is an ordinance in town and the tower has to be built on borough property. They decided not to go forward with the tower and this was three years ago.

Mr. Bayarski (Contd).

It is coming to a head now because of the 2% CAP and he reiterated when you think about ratables and revenues you have to think about the net revenues. The Mayor and Council need to communicate better.

Mayor Arnowitz said there are three locations the communications companies want place a tower, not that they want one the east side and not one on the west side. People have suggested a tower at the DPW, Centennial or Stonybrook, and putting one up on the west side of town, not stating you can pick one of the three. It is a matter of where there is a need and if the communications company can prove there is a need, they can force us to put up a tower.

Mr. Bayarski (Contd).

The citizens in town want more details on this and we have to work together.

Christine Verbraska, 80 Horizon Terrace -

She also lives close to the new tower and wished to voice her opposition to the tower. Her asked the process for the approval of bids that will be put out and how to keep communications open.

Mayor Arnowitz said the bids will be advertised and bidders need to prepare their bids and the bids are due the first or second week in January. The Borough Clerk conducts a formal opening of the bids, the bids are reviewed with input from the Borough Attorney, and the decision is made whether the bids qualify. The Council will then review the bids and accept or deny the bids. If the bids are accepted, they go before the Planning Board who before a public meeting or meetings will allow the public to discuss it and non-elected officials of the Planning Board would make their comments known and report back to the Council their recommendations. The Council would award the bid and the bid is awarded through a resolution. We make public on the website the meetings and he believed the earliest date for the award would be March or April.

Borough Attorney Paul said before the project could be started in earnest, the Planning Board would have to approve the site plan and all the other requirements that would be in line. When the Council considers this it will be on the Agenda and give your comments.

Mayor Arnowitz said we had similar problems when the firehouse tower was erected and at that time, residents formed a group and they had one spokesman and the Clerk notified the spokesman when this would be placed on the agenda. However, it will advertised and will be placed on the website.

Mrs. Verbraska (Contd).

She asked when an environmental impact study because this cell tower would be flashing in her children's bedrooms.

Mayor Arnowitz said if the Planning Board determines they need an environmental impact from the vendors, they will have to provide it.

Ann Cron, 187 Magnolia Avenue -

A tree in front of her house was damaged by a storm and the DPW removed dangerous branches and the tree removal crew lopped off the top of the tree just below the power lines and piled them up on the lawn. She asked what the next step is.

DPW Superintendent Durie said the tree will be removed.

After a discussion with the Council, the public portion of the meeting was closed.

RECESS: Mayor Arnowitz recessed the meeting at this time.

RECONVENE: Mayor Arnowitz reconvened the meeting.

Roll Call:

Present: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein.

ORDINANCES:

Ord. No. 10-13
 (Adoption))
 Bond Ordinance
 For Resurfacing
 Various Roads

At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 10-13 as follows:

BOND ORDINANCE TO AUTHORIZE THE RESURFACING OF VARIOUS ROADS IN, BY AND FOR THE BOROUGH OF HILLSDALE, TO APPROPRIATE THE SUM OF \$125,000 TO PAY THE COST THEREOF, TO MAKE A DOWN PAYMENT TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

Borough Clerk Sandt confirmed to the Mayor that the Supplemental Debt Statement has been certified by the Director, Division of Local Government Services and that the Supplemental Debt Statement has been received and certified by the Director as of November 15, 2010.

Borough Clerk Sandt confirmed to the Mayor that a copy of the ordinance has been posted at Borough Hall and that copies are available to such members of the public who may require them.

Borough Clerk Sandt said there have not been any written objections to the ordinance.

Mayor Arnowitz opened the meeting to the public for discussion of this ordinance. Seeing no one, the public meeting was closed.

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

Borough Clerk Sandt confirmed the second publication of the Bond Ordinance will be in the issue of The Ridgewood News on Friday, December 17, 2010, at which time the 20 day period of limitation within which a suit, action or proceeding questioning the validity of the ordinance as provided in the Local Bond Law commences.

Following is the result of the roll call vote on the foregoing Ordinance No. 10-13:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 10-14
 (Introduction)
 Authorizing a
 Special
 Emergency
 Revaluation
 Appropriation

At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 10-14 as follows:

AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE SUM OF \$240,000 FOR THE PREPARATION AND EXECUTION OF A COMPLETE TOWNWIDE PROGRAM OF REVALUATION OF REAL PROPERTY FOR THE USE OF THE LOCAL ASSESSOR OF THE BOROUGH OF HILLSDALE AND FOR THE ISSUANCE OF SPECIAL EMERGENCY NOTES IN THE SUM OF \$240,000 TO PROVIDE FOR THE PAYMENT OF SAID PROGRAM IN COMPLIANCE WITH N.J.S.A. 40A:4-53.

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

Administrator Polce said if bids come in over the \$240,000 sum, there could be a problem but he feels confident that they will not come in higher.

Councilmember Frank said he attended a seminar on revaluation and it appears a number of towns complete a compliance program which allows them to annually reassess a desk top assessment either by district or by area within their town to keep their ratables at market level. Some go 20 to 30 years without doing a revaluation. You may pay a little more and staff your department and run it every year as opposed to taking these big sums of money and do a reval.

Mayor Arnowitz said we have to do this first before we follow your advice. That is a great idea and when this reval is done, we can start the process.

Administrator Polce said the firm who will get the bid should be able to begin at the end of the first quarter and beginning of the second quarter. Everything should be finalized by the end of the third quarter. He also noted that when there is a reduction in the assessment that is also interpreted as an increase in the tax rate.

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. 10-14:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon,
 Schiavone and Weinstein
 Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HRETO)

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions.

10155 Payment of Bills was introduced by Councilmember Hanlon, seconded by Councilmember DeJoseph.

10156 Amending Resolution 10065, Appraiser Expenditure for Tax Appeal Matters was introduced by Councilmember Giancarlo, seconded by Councilmember Hanlon.

10157 Authorize Refund of Tax Overpayment, Block 1402, Lot 21, was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10158 Authorize Borough Clerk to Advertise for RFQ for Borough Professionals was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10159 Authorize Borough Clerk to Advertise for RFQ for Planning Board Officials was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10160 Cancellation of Tax Overpayments or Delinquent Amounts Less than \$10.00 was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10161 Interlocal Agreement Between the Borough of Hillsdale and the Borough of Emerson for Chief Financial Officer Services was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10162 Amend Resolution 10153 was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10163 Authorize Redemption of tax Sale Certificate, Block 1119, Lot 13, was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10164 Authorizing Settlement of a Tax Appeal, 63 Sierra Court, Block 203, Lot 15, was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10165 Transfer of Funds

10166 (Not Used)

10167 Authorize Expenditure for Legal Services for the PVRHS Matter was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

10168 Authorize Lease of Borough Property not Needed for Public Use was introduced by Councilmember Schiavone, seconded by Councilmember Hanlon.

10169 Award Bid for Lease of Real Property at Block 1309, Lot 12, for Wireless Antennas was introduced by Councilmember Schiavone, seconded by Councilmember Hanlon.

10170 Raffles License, St. John's Church, Calendar Raffle was introduced by Councilmember Schiavone, seconded by Councilmember Hanlon.

10171 Special Emergency - Revaluation was introduced by Councilmember Schiavone, seconded by Councilmember Hanlon.

Mayor Arnowitz said we will remove 10156, 10162, 10165 and 10167, 10169 from the Consent Agenda.

10155 Payment of Bills. Roll Call Vote: Ayes: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Nays: None

10156 Amending Resolution 10065. Councilmember DeJoseph asked the reason for increasing the spending on this Resolution.

Borough Attorney Paul said he called the office of the Special Counsel for Tax Appraisals and the cost went over CAP and this was amended. This was necessary in the first place because the judge in the case required us to go with a professional appraiser other than our own appraiser and we had to hire this person. The matter involved in this tax appeal is very complex and involved four different pieces of property, all commercial. Even though there was an estimate it would not go over \$5000, there were complicating factors which drove the cost up. It is relatively rare when a judge requires us to have an expert.

Councilmember DeJoseph said this comes so late in the year.

Roll Call Vote: Ayes: Councilmembers Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Nays: Councilmember DeJoseph.

10157 Authorize Refund of Tax Overpayment Block 1402, Lot 21.

10158 Authorize Borough Clerk to Advertise for RFQ

10159 Authorize Borough Clerk to Advertise for RFQ

10160 Cancellation of Tax Overpayments

10161 Interlocal Agreement Between the Borough of Hillsdale and Borough of Emerson

Roll Call Vote: Ayes: Councilmembers DeJoseph, Frank, Giancarlo,

Hanlon, Schiavone and Weinstein. Nays: None

10162 Amend Resolution 10153. Borough Clerk Sandt said the original Resolution indicated the amount payable was to wrong party, a typo. It was brought to his attention and he corrected by means of a Resolution. The dollars remain the same.

10163 Authorize Redemption of Tax Sale Certificate, Block 1119, Lot 13.

10164 Authorizing Settlement of Tax Appeal, 63 Sierra Court

Roll Call Vote: Ayes: Councilmembers DeJoseph, Frank Giancarlo, Hanlon, Schiavone and Weinstein. Nays: None

10165 Transfer of Funds. Councilmember Frank said we have accounts for which we are under budget of \$42,000 and we are transferring to accounts that over budgeted, Board of Health salaries and wages. Most of these are salaries and wages and he wanted to know why a salary and wage account is over budget.

Mayor Arnowitz said the Board of Health professionals are paid on a hourly basis based on the meetings they attend.

Councilmember Frank said there is \$20,000 salaries for General Administrative salaries and wages. He said there is a lot of money being moved around and he wanted identification of the over budget expenditures.

Mayor Arnowitz suggested we adopt this Resolution and that the CFO be contacted to find out what happened.

Councilmembers Frank and Hanlon were not comfortable with passing this Resolution.

Administrator Polce said there have not been any additional hires and there has been a reduction in personnel and this is surprising. This includes the final payroll of the year.

Roll Call Vote: Ayes: Councilmember Weinstein and DeJoseph. Nays: Councilmembers Frank, Giancarlo, Hanlon.

Mayor Arnowitz said this is defeated and we could have a special meeting to determine why this occurred. He scheduled a Special Meeting on Tuesday, December 21, 2010.

10167 Authorize Expenditure for Legal Services for PVRHS Matter. Mayor Arnowitz said the cost will be shared 50/50 with River Vale and authorizing \$45,000 for 2011.

Roll Call Vote: Ayes: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Nays: None

- 10168 Authorize Lease of Borough Property
- 10169 Award Bid for Lease of Real Property at Block 1309
- 10170 Raffles License, St. John's Church
- 10171 Special Emergency - Revaluations

Roll Call Vote: Ayes: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Nays: None

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Fire Department Annual Fire Call Summary - 2010. Received and filed on motion by Councilmember Schiavone, seconded by Councilmember Weinstein, and unanimously carried.

Health Department report for the month of November 2010. Received and filed on motion by Councilmember Hanlon, seconded by Councilmember Schiavone, and unanimously carried.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

LAST GO ROUND

Councilmember Giancarlo asked about the issue of water flooding on the property at Oak Trail from a rain storm.

DPW Superintendent Durie said we resurfaced Oak Trail Road in 2009 and there is a storm drain just north of the property. Due to some leaf matter that covered the storm drain, the water rose into street level prior to our leaf program and ran down his driveway. Immediately we responded and put a berm on his driveway between the drain and the next drain which alleviated any other water problems and the resident was advised to keep the storm drains clear. This was referred to the insurance company; there was no negligence on the part of the borough.

Councilmember Giancarlo said the resident is requesting financial compensation for the damage to his basement. He was disabled at the time and could not react to the flooding on a timely basis and asked if the Council would consider payment for his losses.

DPW Superintendent Durie said these matters have to be given to our insurance claims adjustor and that was denied.

Councilmember Frank noted his garage is below grade and he believed the owner would need to take responsibility to block anything that comes down.

DPW Superintendent Durie said the contributing factor was that the storm drains were packed up very tightly with leaf matter. Our immediate response showed responsibility on the borough's part that we had done whatever we could when we found out there was an issue.

Councilmember Giancarlo said he will notify the resident of the Council's response.

DPW Superintendent Durie said we have made our second round on all county roads to clear the leaves. We are now working the Manor Section which should be completed tomorrow. Thursday we will be working in the Tandy and Allen section and finish everything east of Pascack Road. Friday we will be in the west side of town and by Monday, we will have made two rounds about the town. We will do a quick ride through and by the 22nd we should be finished.

Mayor Arnowitz congratulated the DPW on their leaf collection operation. He said Barry Peterson for the marvelous job he did in the park and congratulated the whole department for the entire town with the Christmas decorations and thanked them for their efforts.

Councilmember DeJoseph asked about the dates for the Christmas tree pickup in January.

Superintendent Durie said the second and third Fridays of January.

Councilmember Hanlon said all landscapers should be notified next year when leaf season is here. She has received complaints from the residents and asked that this considered next year.

Borough Engineer Statile said Wierimus Lane improvements have been completed and the project is on budget. We are filing a federal grant for bikeway money. We are waiting to hear about the DOT grants for 2011 and haven't heard about the CVGB applications for barrier-free yet, they are still outstanding.

The sign ordinance was discussed at the last Planning Board meeting and the general feeling is to look at the downtown and come back with comments.

The DEP is asking us to do more in terms with the Patterson Street bridge and it is costing us more time and money to put it through.

He received the notification about the meeting in January with the water company.

Police Chief Stalter said we had a drug arrest and the drug dealer was driving a Honda and we will work with the Administrator about the best way of disposing of the car. We had two day time burglaries yesterday. We put out Swift Reach and we need eyes out there during the day. In the Pascack Valley and Saddle Valley there have been daytime burglaries and our streets are empty during the day. If anyone sees anything they are not familiar with and doesn't look right, we should be notified. He will advise the Council of the E-Ticketing Initiative when information is available.

Councilmember DeJoseph received a letter from the Council President of Washington Township requesting to meet with Woodcliff Lake on opening Exit 171 off the Parkway.

Councilmember Weinstein pointed out that the Gymnastic Team we honored at the beginning of this meeting is a Regional Team; it is made up of Hillsdale and Valley students, they are an outstanding team and won state championships and that is the type of group that will be affected if Montvale and Woodcliff Lake prevail to split the school district. That team would no longer exist.

He said the Holiday Tree Lighting ceremony last week was cold but a great evening. We had hundreds of people there and a very nice event.

Councilmember Hanlon congratulated Steve Hult on his retirement. Tomorrow is the senior luncheon; she thanked Patty Hughes and the Recreation Department, the tree lighting event was wonderful. She

asked if we should weigh the paper we are throwing away tonight, is this the way we are going green? She would like to propose that we look at this.

Councilmember Giancarlo thanked everyone who came out and participated tonight. He congratulated the Gymnastic Team, Steve Hult, the Green Team. He said Mr. Alboum did a fantastic job as EMT and did not come in to be commended for his outstanding service. He thanked everyone and those he did not mention tonight.

Councilmember Frank said Merry Christmas and Happy New Year.

Councilmember Hanlon said Hillsdale made the paper twice this week in the The Record. The sweetest article, the Cooking Contest, and Denice Lawler in Hillsdale won second place.

Mayor Arnowitz said he asked the Borough Clerk to research what the schools which is a borough email that we can notify people by email the feasibility of our system being able to handle something like that. Perhaps in 2011 we could solicit email addresses. Gary Hughes a member of the Fire Department for 50+ years was awarded Volunteer of the Year for Hillsdale by the County of Bergen.

With regard to Ms. Vaccaro, at no time did this Council or the Mayor ever deny her the ability to sell her property. We just don't want to assume the responsibility for it or the tax loss. She can sell it on the open market like any other house.

He thanked the Recreation Commission and Patty Hughes for the successful tree lighting event. We attempted to get multiple clergy there but were unsuccessful. One came in from Emerson, it never happened before and we will address it in the future.

He wished everyone a Merry Christmas and Happy New Year.

ADJOURNMENT:

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

12-14-10

Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk