

Council Meeting  
February 7, 2012

Minutes of a Council Meeting of the  
Borough Council held at 7:30 P.M. on  
Tuesday, February 7, 2012, 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 7<sup>th</sup> day of February 2012. 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 Capawana, Frank, Giancarlo and Hanlon. Also in attendance Borough Attorney Paul.

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Frank, and unanimously carried, the Minutes of the Council Meeting of January 10, 2012, and Closed Meeting of January 10, 2012, were approved as presented.

PRESENTATION: To Assemblywoman Charlotte Vandervalk

APPOINTMENT: Motion by Councilmember Giancarlo to present the name of Anthony DeRosa as Councilmember, seconded by Councilmember Hanlon.

## Roll Call Vote:

Ayes: Councilmembers Capawana, Frank, Giancarlo and Hanlon

Nays: None

Mayor Arnowitz administered the Oath of Office to Councilmember DeRosa.

APPOINTMENT: Jonathan DeJoseph as Administrator/CFO.

Mayor Arnowitz administered the Oath of Office to Administrator/CFO DeJoseph.

## CORRESPONDENCE:

8. BOARD OF FIRE OFFICERS SEEKING APPROVAL OF LAUREN KUBLER INTO THE HILLSDALE FIRE CADET PROGRAM.

Motion to approve was made by Councilmember Frank, seconded by Councilmember Hanlon.

## Roll Call Vote:

Ayes: Councilmembers Capawana, Frank, Giancarlo, Hanlon and DeRosa

Nays: None

## OATH OF OFFICE:

Mayor Arnowitz administered the Oath of Office to Lauren Kubler.

## GREEN TEAM AND AMPLE HARVEST:

Administrator DeJoseph thanked the members of the Green Team and Ample Harvest for their contributions to the Food Pantry. This was the first year Hillsdale had the Ample Harvest Program where they worked with local residents who had gardens as well as Stokes Farm and were able to donate produce to help the food Pantry.

## CORRESPONDENCE:

1. LAURIE LIEBERMAN COMMENTS ON UNITED WATER'S PLAN FOR CHANGES TO THE WOODCLIFF LAKE DAM.

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

Fred Winkler, 49 Crosley Terrace -

He said the Borough of Hillsdale, Borough of Westwood, with the cooperation of the residents have made the Fishing Contest

Organization a success. This will be our 20<sup>th</sup> Anniversary and wanted to thank the Borough of Hillsdale for their assistance for the past 20 years. The cooperation has been outstanding; we have 10 people and all work together and it is a pleasure to see the kids come and enjoy themselves. After the contest, the kids come to the park and they each get a prize. On behalf of the members, the residents of Hillsdale, they wish to thank everyone. Approximately 1000 trout are put into the brook. The date for the Fishing Contest is April 21 from 8AM to 3PM. The Fire Department provides a Pancake Breakfast from 6AM to 11AM, the Elks in Westwood provides hamburgers, Frankfurters from 11AM to 2PM. It is an awesome event and free of charge.

2. FABRIZIO SEMBIANTE REQUESTING ZONING CHANGE ON ORCHARD STREET.

Received, filed and referred to the Planning Board on motion by Councilmember Giancarlo, seconded by Councilmember Capawana, and unanimously carried.

3. ANDREW AND DIANNE TANNARIELLO, WESTWOOD, COMMENTS ON UNITED WATER'S PLAN FOR CHANGES TO THE WCL DAM.

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

4. DORIS GARDNER OFFER TO SELL PARCEL OF LAND TO BOROUGH FOR A NOMINAL FEE OR DONATION.

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

5. PASCACK ART ASSOCIATION REQUESTING PERMISSION TO HOLD ART IN THE PARK AT VETERANS PARK ON SUNDAY, JUNE 3, 2012.

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

6. BOARD OF CHOSEN FREEHOLDERS, COUNTY FLOOD ADVISORY COMMITTEE SEEKING INFORMATION.

Received and filed on motion by Mayor Arnowitz, who is on the Flood Advisory Committee, seconded by Councilmember Frank, and unanimously carried.

Mayor Arnowitz said he has already passed this on to OEM and is awaiting a response. The County is doing a survey and are looking for flooding dates in Hillsdale, both minor and major.

7. ALFRED GRIMALDI REPORTING DRAINAGE ISSUE ON ST. MARY STREET.

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

Councilmember Frank discussed this situation with DPW Superintendent Durie who will update us when this is investigated.

DISCUSSION:

1) Suggested Zoning Items for Review.

DPW Superintendent said these are a few items that are loopholes that we can look into and make recommendations. Most have been followed through without legal action which is required to adopt an ordinance. He said this should be taken into consideration and any comments made to the Planning Board for their recommendations and changes then could be made in Land Use.

Councilmember Giancarlo will take this to the Planning Board and await their reply.

GENERAL PUBLIC HEARING:

Mayor Arnowitz noted that there are a number of persons here to discuss the situation that is ongoing with the Sports Association, and in particular Hillsdale Baseball Association.

Abby Lundy, 73 Colonial Boulevard -

In October we instituted a rule change to change our recreation and travel programs from age based to grade based. We met with a lot of opposition, we worked closely with the Rec Commission and as of last night, we reversed that decision and decided to keep the Recreation Program grade based. We will be keeping the travel program age based in order to be more competitive and we thought this was a good compromise.

Michael Elliott Saul, 74 Crosley Terrace -

He is seven years old and is a baseball player. He is second grade and his bedtime does not allow him to participate in these ongoing efforts with his brother, his friends, team mates, and classmates. He is here tonight to let the Council know that the change to age level is unfair. He enjoys the Recreation Program and asked that the feelings of 50 children impacted by this change. He hoped this issue would be revisited.

Jessie LaGrosa, 254 Washington Avenue -

His friends are all affected by this new rule change. We've been playing since Kindergarten and have been to the HSBA meetings to speak out against this. HSBA has decided to change the rule back

but not for travel. He wished it could go back to the way it was.

Sean Patrick Donaldson, 189 Magnolia Avenue -

He is here to talk about the new rule change and ages of players. He has been a member for six years and always enjoyed playing with his friends. This rule affects many of his friends and he will not feel the same if his friends are not out there with him. His suggestion is to allow the current players to keep playing at the level they have always played at, it is unfair not to allow someone not to play because their birthday does not fit the new rule. The rule should only be for new players. He asked that their feelings be considered.

Robert Saul, 74 Crosley Terrace -

He showed the Council a team picture when they lost the championship last year. He participates in both recreation and travel baseball teams. He is pleased to hear that HSBA agreed to revisit the grade to age change for recreation. He is disappointed that this does not travel to the travel program.

Christina Silcher, 51 Vincent Street -

She attended the February meeting along with her son and daughter. She is in support of grandfathering those children who will be affected mid-stream in their career in the baseball association. Her son will be directly affected by having to play down with age appropriate children. Her son does not want to play if he cannot play with his friends. Being with your friends and having fun is what it is all about. Her child and others should not be discriminated against because of their age. The decision to grandfather should be made because it truly affects the children and the program as a whole. The new rule should be made with the new enrollment.

Kristin Martin, 219 Washington Avenue -

Her husband has volunteered in the past and has now received telephone threats from the baseball association stating that if he does not pull his son out the program and put him in the Rec program that her husband will be suspended for three years for coaching her six year old daughter who is now coming into the program. She is a teacher and knows about anti-bullying and is disappointed that the baseball association has now taken this tactic and here eight year old son decides to try to train elsewhere and they will punish her six year old daughter. It is very discouraging, she has been proud being part of this town. Her husband did not form a team or steal kids away the town, yet he is getting phone calls from association members saying that he will be punished and she is worried where we are going with this. She said it is very important that the Council is aware of what the recreation department is doing and the phone calls they are making to volunteer coaches. She finds it hard to believe that parents

should be taken away from a volunteer position as if they are getting paid for this or some special t-shirt or something. She wanted the Council to know what is going on.

Mayor Arnowitz said this issue has come before us before. It is not the Hillsdale Recreation Commission that is doing it, it is Hillsdale Baseball which is a separate autonomous group from Rec. We have no say; they have a by-law that we did not think was proper. One of the few alternatives Hillsdale has, this is the town through the Rec Commission, is not to give them permits to play on fields. It is not an option that he would consider as there are 900 kids in the program and he did not want to hurt 900 kids. He has voiced his concern and hopefully they will get the idea it is not fair. He said again, it is not Hillsdale Recreation, it is Hillsdale Baseball Association's rules and regulations, their own by-laws.

Councilmember Giancarlo said it is our intention that those sort of things don't happen. The more we learn the more we are trying to take steps.

Frank Pizella, 247 Hillsdale Avenue -

He is associated with the Rec Commission and wanted the Council to know that they have been in continuous and lengthy dialogue with the HBSA from the beginning when we heard about the issue. We understand it is an emotional issue and we believe what HSBA did last night is in the best interest of the program. We are also preparing a report and proposals to the Council that would allow us to be more effective as a Commission to deal with various issues.

Councilmember DeRosa said he has been present at many HSBA meetings and heard the boys and parents speak regarding age based and grade based, however, he is pleased that they listened to the kids and the parents and considered this compromise. He likes seeing so far with Mr. Pizella working with the HSBA and he would like to work with them to get an equitable solution.

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

Bert Simpson, 197 Forest Drive -

With regard to residents putting lights out at the end of their driveways on stanchions, he asked that you be careful to write it to avoid any problems.

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

PROFESSIONALS COMMENTARIES:

Police Chief Stalter said at the next Council meeting the draft of the last part of the Borough codification of vehicles and traffic will be available. It is our old traffic ordinances, codified with editing and changes and it is good. He does not anticipate any issues and will email it to everyone so you are all prepared. It will be on the agenda for introduction.

He reviewed the traffic plan for the reservoir. Will we do anything? He made up a list, nothing major, and asked if we will have a committee meeting.

Mayor Arnowitz said he is hoping that the water company will be before the Planning Board and that will be one of the issues that they will have to address. He is hoping to set up some meetings with the water company, they want to meet with the Borough Engineer. He asked for the Police Chief's comments.

DPW Durie said the Hurricane Irene relief program state funded county sponsored is going very well with our four people we have maintained since the week after New Year's. We have been able to continue cleaning borough properties of garbage and taking some wood debris away within 10 to 15 feet of the roadway.

With regard to the situation on St. Mary Street, there was a problem a few years back. When the street was developed he did not believe an adequate amount of drainage was installed as far as a catch basin is located near an existing home. There was an attempt to abate that situation by putting an under drainage in but with the amount of water that has come down off the Kinderkamack Road/Arthur Street over the years, the water table flooded has created a situation where the under drainage could not keep up with it. He will revisit that with the Borough Engineer and hopefully put something together. Probably an additional catch basin in a northerly direction on the same side of the street where the water is emitting now and also allowing for anyone to hook up any kind of French drainage to get that water below the ground. He will recommend to the engineer that something could be done in the 2012 road program to satisfy the needs there now.

Borough Engineer Statile said AT&T and Metro PCS have not spoken yet about the cell tower. They want temporary cell towers located at the DPW.

Mayor Arnowitz said he will ask the Council to go forward with an offer and advertise to put the permanent tower there and the permanent tower will go where the temporary towers are. They have to know that and he wants to get this going as quickly as possible. We have had at least one or two requests for sites and he wants to put them all in one place at the DPW. We will go forward as quickly as possible with a permanent tower.

Borough Attorney Paul said the main thing is designating the exact location.

Mayor Arnowitz said the exact location is up to the Borough engineer. He asked that be moved as quickly as possible.

Engineer Statile said the road program is winding down and the contractor will come back in the spring to take care of some areas.

He said there are two major gas pipes in the Bergen County area; one comes in through south of Hackensack towards Hillsdale. A company is planning to build a gas line from western Pennsylvania to the northeast supplier. The project will involve reconstruction of their gas line. This pipeline goes from Hackensack along the reservoir system and terminate in River Vale. It will affect this community as well as other communities from Hackensack to south Jersey. They will be supplying trillions of cubic feet of natural gas to the northeast.

Councilmember Giancarlo said he and the Borough Engineer toured the downtown area looking for suitable locations if we were to put up bike racks and we found three locations where it would not impede with any pedestrian traffic and would allow people to ride their bikes downtown. He will provide the sites to the council before the meeting if they would like to visit the sites.

Engineer Statile said with respect to Bergen County paving operations, they asked us for a list of potential streets. They haven't paved streets for 2-1/2 years. He said handicap ramps at the corners so that the county can come in behind and pave.

Administrator DeJoseph said wrapping up the rip rap on Hillsdale Court as well as Lake Drive because that is open stone there now. He said we will have to set up a meeting for the 2012 road program. He and Councilmember Frank went to the Bergen County Community Development Grant and they talked about taking our money away for the Council Chamber here and he wanted to be sure that is secure.

Statile said that is going down this week; we have a couple of issues. We had a discussion of their paying for with grants and they don't want to pay for them. He is going to check on this, however, he will send a letter of the Freeholders. The resurfacing plans are taking three years by county, if they can't get their streets paved in three years, we can't get our CD money. They want our money spent by this fiscal year.

Administrator DeJoseph said he and the Court Administrator are

meeting with the recording company tomorrow so we can get more information.

Councilmember Frank asked in terms of approvals to get these drawings what needs to be done.

Statile said we send them to the county and give him the o.k. It takes about a week and we advertise and get the work going.

Mayor Arnowitz said he asked the engineer to send all the correspondence that we have had with United Water and the DEP to Cindy Randazzo who she met last night at the County Flood Coalition meeting. He said his question was asking for their support in having the water company come before the Hillsdale Planning Board to have United Water adhere to the rules that they established in their approval, which was to follow all local rules and regulations. She said she would do that and also get the DEP involved.

Engineer Statile said he spoke to the DEP Commissioner's office as they received the letter he sent about a month ago. The Commissioner's assistant called to find out what was going on so he gave him the whole story, the problems, what was happening and he told him that their section they want the project started in six months. Statile said that is not going to happen no matter; first of all, they have to have local Planning Board approval, if it is denied, he doesn't know what is going to happen. They go to court, trial, Superior Court and it will take five years to get the project done. This is all the fault of the applicant, not the town. Don't blame Hillsdale for holding things up, this project has been in the works for three years. Somebody could have come before the Planning Board two years ago with a schematic design and we would have provided comments and then they could have gotten their permit from the State. Getting the permit first from the State and ramming it through the Planning Board is not how we do things in this community. Get the approvals from the town first and then you get your permit from the State. He agreed with that and was going to follow up Chris' letter as well. The Commissioner is involved in this project as well.

Woodcliff Lake's former Mayor had hired Jacobs Engineering to review United Water's traffic plan for the construction of the dam. Jacobs represents Woodcliff Lake's interests.

Mayor Arnowitz invited Councilmember DeRosa to speak.

Councilmember DeRosa said he has been a resident for 37 years, went through the Hillsdale school system. Councilmember Hanlon was his teacher. He has a daughter in grade school, a son in middle school, two senior parents. When he considers issues he will be

looking at a couple of sides. He looked forward to working with the Council and the residents.

ORDINANCES:

Ord. No. 12-02 (Introduction) Recreation Summer Camp Fees 2012	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 12-02 as follows:  AN ORDINANCE ESTABLISHING RECREATION DEPARTMENT PROGRAM AND SUMMER CAMP FEES FOR THE YEAR 2012 IN THE BOROUGH OF HILLSDALE.
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Mayor Arnowitz asked the Council if there was any discussion on the proposed ordinance.

Mayor 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. 12-02:

Ayes: Councilmembers Capawana, DeRosa, Frank, Giancarlo and Hanlon  
Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 12-03 (Introduction) Stonybrook Swim Club Fees 2012	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 12-03 as follows:  AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE 11-04 CHAPTER 138 "FEES" AND CHAPTER 71 SWIMMING POOL COMMISSION.
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Mayor Arnowitz asked the Council if there was any discussion on the proposed ordinance.

Mayor 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. 12-03:

Ayes: Councilmembers Capawana, Frank, Giancarlo and Hanlon  
Nays: None  
Abstain: Councilmember DeRosa

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

## RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions.

12032 Appointing Chief Financial Officer was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12033 Appoint Administrator as Commissioner to Various Ins. And Financial Services was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12034 Authorize the Clerk to Advertise for RFQ - Revaluation Program was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12035 2011 Recycling Tonnage Grant Application was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12036 Tax Reimbursement Certification was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12037 Releasing Solicitor Deposits to General Fund was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12038 Performance Bond Reduction for Block 1101, Lot 6 & 7 was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12039 Raffles License St. John the Baptist, Calendar Raffle, was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12040 Raffles License, Hillsdale Fireman's Association, Non-Draw Wheels & Games was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12041 Performance Bond Reduction for Block 1205, Lot 12 was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

12042 Temporary Budget 2012 Amendment was introduced by Councilmember Capawana, seconded by Councilmember Giancarlo.

Motion to approve the foregoing Resolutions was made by Councilmember Capawana, seconded by Councilmember Giancarlo.

Roll Call Vote:

Ayes: Councilmembers Capawana, Frank, Giancarlo and Hanlon

Nays: None

Abstain: Councilmember DeRosa

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

#### DEPARTMENT REPORTS:

Board of Health report for the month of January 2012.

Motion to receive and file was made by Councilmember Hanlon, seconded by Councilmember Giancarlo, and unanimously carried.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

#### COUNCIL COMMENTARY

Administrator DeJoseph said he was honored to serve the Borough of Hillsdale, the Mayor and Council, all residents, volunteers, employees, managers.

Councilmember Capawana said he attended the regional School Board last evening and they changed the voting date from April to November. They will discuss their budget at their next meeting and the following meeting they invite the public to come and discuss it as well. They also discussed televising their meetings and came to the conclusion that they did not want to do; they will tape them, put them on the website, but edit them.

He also welcomed Councilmember DeRosa and the best of luck to Administrator DeJoseph.

Councilmember Frank said the entrance way to the American Legion Hut is gone and the CO is completed. He thanked Administrator DeJoseph for lending a hand and leveling the landscaping area at the Hut to get us back to a good neighbor status.

The American Legion sponsors Boy State and Girls State every year. He spoke about it last year and last year we sponsored four gentlemen and one young lady and it is a week long program that Juniors in High School can apply. It is one of the best things to have on a resume to get into college. You go to a college in South Jersey, they form local governments, you vote on ordinance, create county governments and can be elected State Senator. What a great program and he encouraged anyone who has a Junior in High School this year who might be interested in doing this to contact the Guidance Counselor at their school. Our first priority is Hillsdale residents though you don't have to go to Hillsdale schools, you can go to Bergen Academy, St. Joe's or wherever, and

participate.

We are looking at a new audio system and a video system and that may be part of the solution to our newsletter. We be looking for anyone in town with those skills to help us to set up a resident committee once we get some of the equipment set up. It is another way of communicating things that are going on around town. We currently have five videotaped interviews with WWII veterans who live in town and they are great to watch.

We have a number of resumes for Borough Clerk to replace our Borough Clerk who is retiring. We will go through the process shortly.

The Reval program is in process, our Tax Assessor sent the tax maps to Trenton and he is continuing to follow up to make sure that we get all the points to get the Reval done this year.

He also welcomes Councilmember DeRosa to the Council and congratulations to Administrator DeJoseph.

Councilmember Hanlon congratulated Administrator DeJoseph and Councilmember DeRosa. She said the Hillsdale Hawks are selling tickets. The Senior Lunch is February 21 for the seniors in Hillsdale. There is a new flyer available noting all the different activities that are going on through June.

She attended Elementary Board meeting last week and Superintendent Albano said that they were going to wait for elections because there were some decisions that were coming out around February 27 and they were hesitating with voting. She was surprised that they jumped the gun.

She said the American Legion Hut is gorgeous. The grand opening was held today with the seniors and had spaghetti and meatballs.

The Library has a variety of activities that the staff have going. There is so much going on there and she urged everyone to get there. David Franz will come to the senior luncheon and will bring library cards for those seniors that never signed up. If you are a senior or belong to the 50+ club, you will get a free library card.

Councilmember Giancarlo said we had a very productive meeting with the Police Department today. We are in the midst of budgets, revaluations. He was glad that Recreation came together and the response by the associations was measured, it was a thoughtful response. Everything involves compromise and no one is ever completely happy especially when it involves children. It was about the best compromise we could have.

He said Administrator DeJoseph will be an outstanding Administrator. He is looking forward to working with Councilmember DeRosa.

Councilmember DeRosa said he is looking forward to working with the Council.

Mayor Arnowitz welcomed Councilmember DeRosa. He also welcomed Administrator DeJoseph and said he is well-suited for this position.

He said is still working to lower the speed limit on Hillsdale Avenue. The search committee is looking to fill the Clerk's position. At the Mayor's meeting tomorrow night he will bring up the purchase of radio equipment to meet the 2013 deadline. We need to send out letters to the businesses in the area soliciting funds for our programs in town, such as Town Day, Memorial Day and the concert program.

Last night he attended the monthly Flood Coalition meeting at Bergen County. He was disappointed; he met with Cindy Randazzo who is the Office of Local Government Assistance Director of the DEP. She informed us that no one is going to be bought out. Round one is totally being dedicated to blighted areas, low income and locations where the entire community, not house here, house there, would be affected. The Council President of Westwood and he were flabbergasted and complained vehemently to no avail. It seems it is a done deal with FEMA. There are limited funds; he brought up specifically people who were under the impression they were going to be bought out and she would not confer it. The question is who told them they would be bought out. It is very disappointing. He has empathy for the poor, blighted areas, but the consequences suffered with the flooding due to Irene and other flooding is just as severe in Hillsdale. Freeholder Hermansen was present and he proposed two things; one was in support of Council President Warnack of Westwood who talked about the Boswell report and the level of the stream. The Freeholder is aware of the report and the need to lower the streams. We all agreed that lowering the reservoir for Irene did not do a thing, it is the little floods that could be avoided with management of the reservoir. The Freeholders have a meeting at 5PM on February 8 there will be a recommendation to raise the county open space tax from ½% to 1% and that would have to be done by referendum in November. He is hoping to use part of that increase to fund flooding problems. The Council must decide whether they want an open space tax on the ballot.

CLOSED SESSION

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

#### OPEN SESSION

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

Mayor Arnowitz said if we want to hold a meeting at the table below, it doesn't require discussion.

Councilmember Hanlon said it was very helpful to sit with the Council and discuss things that were going to be on the Agenda. Constant email is fine but where is the interaction?

Mayor Arnowitz said if the Council chooses to have a meeting then we will hold one meeting a month down there. The meetings still need to be open to the public, in the past we did not retire to the podium. There was a time during public sessions of Agenda meetings, the public is allowed to speak but the Council was not allowed to answer.

Councilmember Frank said if we advertised one meeting as a public and one as a working and still follow all the rules and let them speak if they, he thought people would not come to the working sessions and let us get our work done.

Mayor Arnowitz said one of the reasons all meetings are public so that we can approve bills, adopt ordinances, etc. It has to be advertised as an open, public meeting. We had legal rulings on this in the past; he will not deal with the law. It must be advertised as a public meeting so we can handle ordinances, resolutions, etc. The first meeting in March we will meet down there.

#### ADJOURNMENT

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

2-7-12

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Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

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Robert P. Sandt, RMC  
Borough Clerk