

Council

Meeting

February 9, 2010

Minutes of a Council Meeting of the
Borough Council held at 7:30 P.M. on
Tuesday, February 9, 2010, in the Council
Chamber, Hillsdale, New Jersey.

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

ANNOUNCEMENT OF MEETING

Borough Clerk Sandt stated, "This is a Meeting of the Hillsdale Borough Council on this 9th day of February 2010. Notice of the time and place of this meeting has been provided to The Review, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

Please notify the Municipal Clerk for any disability requirements necessary for attendance at Mayor and Council meetings. The fire exits are located through the double doors to your left. Please silence all cell phones and pagers.

ROLL CALL:

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

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Hanlon, and unanimously carried, the Minutes of the Council Meeting of February 2, 2010, were approved as presented.

PROCLAMATION: Boy Scouts of America Centennial

CORRESPONDENCE:

1. ERIC ACERNO, PENN STATE UNIVERSITY, SEEKING PERMISSION

TO CONDUCT FUNDRAISING EFFORT.

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

Borough Clerk Sandt said our Code does not permit standing on any corner for any length of time. He suggested that the organization apply directly to Shop Rite or Kings and generally they have been successful in obtaining the permit.

OPEN PUBLIC MEETING:

Mayor Sapanara invited comment from the audience.

Roseann Vaccaro, 46 Glendale Drive -

She has recently spoken to people who have given her examples of tax programs. There was one example that for 13 years the town still received taxes from a property; taxes go down gradually per year. She also learned that if the state purchased the property the town would not pick up any finances. The state would pay for the insurance, everything. Hillsdale would not be responsible for any costs.

Councilwoman Schiavone has been in contact with the state who advises about FEMA. The process is that there are four different types of grants. This application would only fall into one category. It is incumbent upon the borough to determine which category it is. The process is that there is an application period between June and September. Those applications are sent in and received by the state; the state then decides and prioritizes from all the ones they receive which ones they will forward to FEMA. FEMA then issues a decision in April.

In order to determine which properties qualify or which grant this property might qualify for, she has a guidebook. In the guidebook it says - in addition to other documents there will be schematics, detailed engineer drawings, photographs, maps, sketches of drawings, sketches of drawings, sections of flood insurance studies; whenever possible document existing conditions, etc.

This is where our responsibilities stop. She would be happy to forward this to the engineer to determine which application we should proceed with. Her recommendation is if Ms. Vaccaro would like the borough to go forward at this point, the borough would have to collect money in escrow or have our engineer go through this application guidelines to determine which application we would

be filing on Ms. Vaccaro's behalf. She would need guidance from the Borough Administrator and the Attorney as to determining those monies; the engineer would determine how much that he would require in escrow to proceed with this application.

Secondly, she would have to determine if an ordinance would be adopted. Thirdly, Ms. Vaccaro would have to decide if she wished to go ahead and put up the escrow funds. If the Council agrees, the engineer would determine the amount of funds, estimate what he will spend and we will go forward. It is a long, arduous process.

Ms. Vaccaro (Contd).

She said any grant would be beneficial.

Councilwoman Schiavone did see that there would be a tax rebate from the state which would depreciate so the borough would not feel the hit so strongly.

Councilmember Arnowitz said that is only the borough portion, it is not the school portion, the county portion or the sewer fees. It is only 17% that we are responsible for, the other 83% will be passed on to the taxpayers of the town. Additionally, it goes down each year but it goes down on the rate established at the time of the property. If we raise taxes 4% which is the CAP, that doesn't come into play each one of those years. We are still losing a considerable amount of taxes. If the escrow is put up and we have the engineer do everything, there are still no guarantees. It has to go through the state, FEMA, the bureaucracy as to whether this is the property that is chosen. They could possibly ask to see the deed and see the deed restriction that was listed when the house was built. He believed this could be given to someone else because of the deed restriction.

Councilwoman Schiavone said in addition they wanted cited in the discovery is the actual disaster event.

Councilmember Arnowitz said during Floyd, that house was under water.

Councilwoman Schiavone said you have to apply the following year, following the disastrous event.

Ms. Vaccaro (Contd).

She said one of the programs, Severe Repetitive Loss Program, they were not on. She didn't have flood insurance when Floyd hit and there was \$100,000 worth of damage to the property. Now she has flood insurance and it is a different ballgame. She said after Floyd, FEMA gave them money.

Councilmember Arnowitz said if FEMA gave her money that might be

another factor that they will look at.

Ms. Vaccaro (Contd).

She said the state does not want to deal with this property anymore.

Mayor Sapanara said the engineer speaks with us on a regular basis and there is no need for escrow to address this initially. If he moves forward on it with an actual review, then the escrow will become necessary. He will know if any existing ordinances already cover this type of situation. We can discuss this with the engineer as we have an obligation to the taxpayers.

Councilmember Arnowitz said we were buying this property through the Open Space Fund; it has no relation to FEMA. We did not feel it was the right thing to do because there were numerous properties that we would have had to purchase. They would all have come off the tax rolls and the Council determined we could not afford it. It is not Green Acres but the County Open Space Fund and required the borough to match funds put up by the county.

Mayor Sapanara said our Open Space situation has changed considerably in the last couple of years, a lot of funding sources have stopped, we no longer have an Open Space Tax and that makes a considerable difference in the amount of money available for these purchases. He will speak with the Borough Engineer and depending on the fees, she has to realize that some of the decisions are not made here. Some are made at a higher level and it could be an adverse decision. We get rejected routinely on various grants because there are others vying for those same funds.

Ms. Vaccaro (Contd).

She said she has the lowest property in Bergen County and she knows she won't be denied the funds. She has no problem paying out any funds. She firmly believes she is eligible for a grant.

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

ORDINANCES:

Ord. No. 10-03
(Introduction)
Establishing
Summer Camp
Fees

At the Mayor's request, the Borough
Clerk read by title only proposed Ordinance
No. 10-03 as follows:

AN ORDINANCE ESTABLISHING RECREATION
DEPARTMENT PROGRAM AND SUMMER CAMP FEES

FOR THE YEAR 2010 IN THE BOROUGH OF
HILLSDALE.

Mayor Sapanara asked the Council if there was any discussion on the proposed Ordinance. He indicated the Borough Clerk will advertise the ordinance with a final hearing date of March 2, 2010, at 8:00 PM.

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

Following is the result of the roll call vote on the foregoing Ordinance No. 10-03:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 10-04 At the Mayor's request, the Borough
(Introduction)
Establishing Clerk read by title only proposed Ordinance
Recreation No. 10-04 as follows:
Salaries

AN ORDINANCE ESTABLISHING SALARIES FOR THE
HILLSDALE RECREATION DEPARTMENT IN THE
BOROUGH OF HILLSDALE.

Mayor Sapanara asked the Council if there was any discussion on the proposed Ordinance. He indicated the Borough Clerk will advertise the ordinance with a final hearing date of March 2, 2010, at 8:00 PM.

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

Following is the result of the roll call vote on the foregoing Ordinance No. 10-04:

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 Resolutions from the consent agenda.

10031 Payment of Bills was introduced by Councilmember Weinstein seconded by Councilmember Hanlon.

10032 Raffles License, PVHS PFO, on-premise merchandise raffle was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

10033 Authorize 2008 LOSAP Compensation Payment was introduced by Councilmember Arnowitz, seconded by Councilmember Schiavone.

10034 Transfer of Funds was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

10035 Endorsing Community Development Funds for Senior Citizen Activities - 7/1/10 to 6/30/11 was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

10036 Developers Agreement Release of Performance Guaranty, Block 503, Lot 5.01 & 5.02 was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

Councilmember Giancarlo asked that a vote on Resolution 10033 be taken separately.

Motion to approve Resolutions 10031, 10032, 10034, 10035, 10036 was made by Councilmember Weinstein, seconded by Councilmember Hanlon.

Roll Call Vote:

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

Nays: None

10033 Authorize 2008 LOSAP Compensation Payment.

Councilmember Giancarlo said he will recuse himself from voting on this Resolution.

Councilmember Arnowitz said he is proud of the Council for passing this. This gentleman, a resident of Hillsdale and member of the Ambulance Corps, served in Afghanistan. He came back and worked very actively with the Ambulance Corps. This Council decided to pay him his LOSAP that he was not eligible for because he was serving his country. We will have an ordinance in the future so that if another person serves his country will not be cut short. This is the right thing to do.

Motion to approve Resolution 10033 was made by Councilmember Arnowitz, seconded by Councilmember Hanlon.

Roll Call Vote:

Ayes: Councilmember Arnowitz, DeJoseph, Hanlon,
Schiavone

And Weinstein

Nays: None

Abstain: Councilmember Giancarlo

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Motion to approve the Board of Health month report for January 2010 was made by Councilmember Hanlon, seconded by Councilmember DeJoseph, and unanimously carried.

(SEE COPY OF THE AFORESAID REPORT AFFIXED HERETO)

Last Go Round

—
Councilmember DeJoseph said the Police Department sent a Swift Reach Message today which does not allow any parking on streets where there is no emergency. Tickets will be issued to violators. Recycling will be delayed for two weeks, paper will be cancelled tomorrow. The DPW is open Monday through Friday from 7AM to 3PM or Saturday from 8AM to 2PM.

Councilwoman Schiavone said everyone will be receiving a copy of the revised Sign Ordinance. She asked this be placed on the next Agenda for discussion. She will forward a copy to Code Compliance, Police Department because there are issues concerning enforcement.

Councilwoman Hanlon would like to invite the Chamber of Commerce to the meeting.

Councilmember Weinstein said the Swift Reach Message went out to the schools today as well. High School, Middle School and Elementary Schools are all ready as notified that they will be closed tomorrow.

Councilmember Giancarlo said the people who serve in Afghanistan, Iraq should be recognized and he applauds the Council for going

forward and reward retroactively the LOSAP contributions that our volunteers are entitled to.

He congratulated Councilmember Schiavone on the Sign Ordinance. She put an enormous amount of time into it. He said we are trying to keep the quality of life very high in Hillsdale with regard to our schools, library, downtown area, Pascack Brook.

Councilmember Arnowitz said a lot of towns are not aware they can do anything with regard to LOSAP. Once we adopt the ordinance, he will suggest it be sent to the other towns to show them what we are trying to accomplish.

Our Senior Luncheon will be held on February 16 at St. Johns.

With regard to Ms. Vaccaro, the town of Hillsdale has great sites and better sites, but they are all good locations in town. We have spent millions of dollars improving that area, homes have been improved. It is a beautiful location, they have had their problems, but there are problems everywhere.

Mayor Sapanara said there are individual issues and people come for relief, help and guidance. He commended the Council that looks at everything in a very positive way and looks in terms of good for the community as a whole.

CLOSED SESSION

A motion to adjourn was made by Councilmember Weinstein, seconded by Councilmember Schiavone, and unanimously carried.

2-9-10

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Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk

