

Council

Meeting

January 12, 2010

Minutes of a Council Meeting of the  
Borough Council held at 7:30 P.M. on  
Tuesday, January 12, 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 12<sup>th</sup> day of January 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 Engineer Statile, Attorney Paul, DPW Superintendent Durie, Police Chief Stalter and Lieutenant Niego.

#### APPROVAL OF MINUTES:

On motion by Councilmember Arnowitz, seconded by Councilmember Hanlon, and unanimously carried, the Minutes of the Closed Meeting of December 1, 2009, Sine Die Meeting of January 3, 2010, and Council Meeting of January 3, 2010, were approved as presented.

#### CORRESPONDENCE:

1. FIRE DEPARTMENT ASSOCIATION REQUESTING USE OF THE WEST

## BOROUGH LOT FOR CARNIVAL PURPOSES.

Received, filed and resolved on motion by Councilmember Schiavone, seconded by Councilmember Giancarlo, and approved by Councilmembers Giancarlo, Hanlon, Schiavone and Weinstein. Councilmembers Arnowitz and DeJoseph recused themselves from the motion for approval.

## PRESENTATION:

Pascack Valley Regional High School Community Coalition.

Ms. Georgalis advised the Council of the accomplishments over the last year.

Also present, Jaqueline Murphy, Coalition Intern, does drug and prevention awareness, setting up meetings, helping and preventing programming, parent nights and programs throughout New Jersey Partnership for a drug-free America.

The Community Coalition is an organization of individuals that work together to promote a substance free environment. It is about everything that affects youths. They work together to ensure the district community is safe, happy and healthy. Our objectives are the reduction of chronic under-age drinking and substance abuse, support for at risk teens and their families, parent and teen networking, and promoting safe environments in the community and on the internet. She explained how their goals are achieved.

Mayor Sapanara asked the Council to consider the request for \$2500 per year for the Coalition and will be drawn up into a resolution.

## DISCUSSION:

- 1) Green Team Formation.

Mayor Sapanara said we will be constituting a Green Team in accordance with some of the guidance we have received from the State.

Councilmember DeJoseph said we applied for a grant last year and we were unsuccessful for the grant, there were only four grants for the entire state. To do that, we have to apply for Sustainability New Jersey Certification and this year he would like this year for Hillsdale to become a Sustainability Jersey Certified. There are only a handful of towns in New Jersey that are certified. Initially we need to form a Green Team; we already have a list and we have met with a group of about four to five people from

interested residents looking to form a Green Team. Councilmember Giancarlo has expressed interest in joining that committee and there will be no cost to the Borough. It is environmentally responsible government in managing everything. Some items would be energy audit which are already completed in town; recycling and shredding, drug recycling.

This year becoming certified, we will be able to apply for grants.

Mayor Sapanara said we will prepare a resolution; we would have a liaison to the Environmental Commission and decide exactly how this committee will be organized.

#### OPEN PUBLIC MEETING:

Mayor Sapanara invited comment from the audience.

Roseann Vaccaro, 46 Glendale Drive -  
She has a letter from the Office of Emergency Management which advises they have programs that would not cost the borough a single cent. One is to elevate her property covered 1005% and 3% administrative fees towards Hillsdale to help get this accomplished. She is in regular contact with the state and she sees no reason why Hillsdale is not helping her.

Mayor Sapanara said it is not that you are being ignored because we discussed the position of the borough in this particular point in time. Her presentation leaves out a few things; there is a long, involved history with that particular piece of property and that is part of the reason there is some reluctance to move forward with this. When it was first introduced back in 1985, the borough told you exactly what you are telling us; there is a flood problem and that that house should never have been built where it is. It was too low and there are considerable records indicating that at the time the Certificate of Occupancy was granted, there was a caveat put on your deed that this area has flood potential.

Ms. Vaccaro (Contd).

FEMA will pay 100% to raze the house. She pays the town taxes and pays flood insurance and she can't sell the property. The property was deeded to her.

Mayor Sapanara said the Borough of Hillsdale is under no obligation to solve this issue. Many people in town have issues.

Ms. Vaccaro (Contd).

She asked that she allowed to fill out an application and let her do something with her house. It will not cost the borough any money.

Mayor Sapanara said he understands her problem but her solution is not as simple as she makes it sound. We have a real estate committee who deals with issues such as this and we will arrange that she speak to that committee directly. We will arrange a meeting but he cannot in good conscience to take it upon the Borough of Hillsdale as being the solution to this issue. The real estate could possibly recommend some type of movement for a solution.

Mr. Moshac, 41 Rawson Court -

He asked if the budget hearings will be open to the public and will they be televised.

Alfred J. Murphy, Jr., 5 Cherry Place -

He referred to the fluorescent bulbs and the disposition problem and we don't want the material to go into the landfill. He thought there should be a place at the DPW for people to dispose of these bulbs. He asked if there was a problem with the roads using the liquid salt. He asked how much money has been received from donations or contributions for lighting from the organizations that use the lighting on borough fields. He asked about the ordinances which are up for introduction tonight, fees for the Recreation Program and the salaries. He asked how much the fees are going up.

Mayor Sapanara said the ordinances will not be introduced tonight because there were some questions from members of the council as to some of those changes.

Mr. Murphy (Contd).

He referred to Resolution 10022, appointing Deputy Municipal clerk. At some time there will be a replacement for Borough Clerk Sandt; he would not make that assumption, it could be someone else.

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

#### ORDINANCES:

Mayor Sapanara said the ordinances were removed because there were some questions about them. We will deal with them at a later date.

#### RESOLUTIONS: (Consent Agenda)

Mayor Sapanara read Resolutions from the consent agenda.

He removed 10022 from the Consent Agenda.

10020 Payment of Bills was introduced by Councilmember Giancarlo,

seconded by Councilmember Weinstein.

10021 Authorizing a Two Year Interlocal Agreement with Old Tappan for Vacuum Street Sweeper was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

10022 Appointing Deputy Municipal Clerk was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

10023 Raffles License - St. John the Baptist Church, Calendar Raffle was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

10024 Contract for 2010 CDL Tandom Drug & Alcohol Testing Services was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

10025 Animal Control Services Contract for 2010 was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

10026 Increasing Bid Threshold and Appointing a Qualified Purchasing Agent was introduced by Councilmember Giancarlo, seconded by Councilmember Weinstein.

Councilmember Arnowitz wanted to be sure that the Police Department was satisfied with the services of the Animal Control Services.

Police Chief Stalter was satisfied with their services.

Motion to approve Resolutions 10020, 10021, 10023, 10024, 10025 and 10026 was made by Councilmember Giancarlo, seconded by Councilmember Weinstein.

Roll Call Vote:

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

Nays: None

10022 Appointing Deputy Municipal Clerk was introduced by Councilmember Weinstein, seconded by Councilmember Schiavone.

Administrator Polce said a number of months ago, he identified a number of needs evolving in the borough in the next few years. We have an extraordinarily capable and hard-working borough hall team. There is the possibility that our Borough Clerk will be retiring some time in the next 12 to 18 months and he looked at personnel within to see if there was the possibility that we could take one of the talented individuals and move that individual into the position of becoming the Deputy Borough Clerk. He felt it a good idea to give someone an opportunity from within to do this.

He identified Debra Benigno as that person and she agreed to take courses. She has taken at least three courses and received a grade in excess of 90% every final examination. She has two more courses remaining, a review course and a final exam in the fourth quarter of this year. He felt if we would make such a move internally, we would give the individual the opportunity to work with Mr. Sandt. You are showing employees the opportunity of advancing themselves when you do such a thing within.

Ms. Benigno is currently working 20 hours a week, she will also in this capacity continue to assist our Tax Assessor. The other hours and days she is working in the borough hall she will be assisting and learning from Mr. Sandt. After she passes her final exam, it is at that point that we will recommend to the Mayor and Council to change her hours from 20 to 40 and increase her salary. At this time, there is no change in her salary. The focus is to have a confident, capable individual assume the position of Borough Clerk when Mr. Sandt retires.

Mayor Sapanara believed it a good planning step to put people in these positions to learn before they accede to those positions.

Councilmember Arnowitz said there is no change in salary and no health benefits. She spends 20 hours a week for tasks in the borough and now her tasks will be just three hours a week doing that same task.

Mayor Sapanara said she will be working six hours with the Assessor and the other hours for Mr. Sandt and the Administrator.

Councilmember Arnowitz said presently she has a full calendar for the 20 hours that she works, who is going to pick up the other 14 hours?

Debra Benigno said she did not know if six hours would meet the standard the office needs.

Councilmember Arnowitz said the 20 hours she works for the borough she is active for those 20 hours. He did not understand if moving to the other side and the 20 hours is reduced to six, how are the other 14 hours of work being done. He has a problem in creating more positions in today's economy. He does not understand how the hours put in at the Tax Assessor's office and the work on the other side are still going to be accomplished without back filling that position.

Mayor Sapanara said based on her ability to do these things, she would be able to accomplish this. She will have to do more than her fair share. There might be some re-distribution of work on the other side.

Councilmember Arnowitz said when our present Borough Clerk came on board, he had absolutely no information with regard to this position, but he was able to come in and take over his position from a non-political governmental background in a very short period of time. There was no need for an assistant at that time. At the fourth quarter, we will have to pick up between \$16,000 and \$22,000 a year in health benefits plus a commensurate salary for a full-time position. We don't have the money.

Councilmember DeJoseph thought we should wait for the budget until we discuss this any further.

Councilmember Weinstein said at the time this is a financial issue, this will come back to Council. At the moment this is putting into position a succession plan at no current expense, one that we have found a qualified person for, and we acknowledge how difficult it is to find these people in the open market. It is a good opportunity moving down this path without incurring expense.

Councilmember Schiavone said it would be in the borough's best interest to wait until Mr. Sandt retires to fill the position.

Councilmember Arnowitz said we paid for the courses with the caveat that there were no promises for future employment, just that we welcome the opportunity at no cost to the individual. It says to him that we are making a commitment in the fourth quarter this person will go from part-time to full-time with a commensurate salary and benefits.

Councilmember Schiavone said her support for this resolution will not commit her to do anything. She is moving into this position with no expense, no additional salary. If in September or October it is not in the best interest of the Borough, we will wait until we need the position.

Borough Attorney Paul said his understanding is that all that is happening is the change who will occupy the position and does not see making any financial commitment.

Alfred J. Murphy, Jr., 5 Cherry Place -

What happens to the present Deputy Municipal Clerk and the responsibilities that he carries. According to Mr. Polce's presentation, you would be looking in the fourth quarter you would be looking to move this person and increase their hours. When he was Mayor, the Borough Clerk moved into the job of Borough Administrator and there was overlapping period of time. There is a cost right now to the borough because the person is getting their training and that person is investing in the opportunity to advance the Borough Clerk's job. We are in a market today where supply and

demand works very well and there are many talented people out there looking for work and would be very happy to be appointed Borough Clerk with all the benefits that go with the job.

Mayor Sapanara said Mr. Polce's discussion of the fourth quarter is not in this particular resolution, it is a plan and could change, and is not written into the resolution. The resolution appoints the person to the office.

### Motion

Motion to approve Resolution 10022 was made by Councilmember Weinstein, seconded by Councilmember Schiavone.

Roll Call Vote:

Ayes: Councilmember Hanlon, Schiavone, Weinstein and Mayor Sapanara

Nays: Councilmembers Arnowitz, DeJoseph and Giancarlo.

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

### DEPARTMENT REPORTS:

Motion to approve the Board of Health month report for December 2009 was made by Councilmember Hanlon, seconded by Councilmember DeJoseph, and unanimously carried.

(SEE COPY OF THE AFORESAID REPORT AFFIXED HERETO)

### Last Go Round

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Police Chief Stalter said Lieutenant Niego, Officer Kavanaugh and he do attend the Pascack Valley Regional High School Community Coalition meetings as often as they can. The organization provides great dialogue with school administrators, counselors, and public. It is an excellent place to have dialogue with the residents and get good understanding. It is a good chance for all, parents, law enforcement, to discuss the current issues.

Lieutenant Niego and he attended a Risk Management seminar put on by the JIF and MEL for police executives. The police profession costs JIF and MEL a great deal of money. We did get a lot of information to bring back to the rank and file and our supervisors and it was a good seminar.

He was notified by the JIF regarding the fire we had in November of pending payments. We will get money for the car and contents and we should order the replacement vehicle and we will receive the money for replacement of the car and contents. He is dealing daily with Cathy Henderson, CFO, and she has educated him on some points that we have not been doing in the past. She is a great asset.

This Friday is the Police Academy graduation and during the ceremony Patrolman McKeever, Patrolman Sayers, will be given a life-saving medal for their part in the rescue at the fire at Homestead Avenue.

Councilmember Arnowitz referred to the car fire. He was at the scene early and said Officer Smith did not park improperly, he was doing his job. He responded properly to a call, parked his vehicle and the vehicle caught on fire. He did not park on piles of leaves, nothing intentional was done. The leaves seen under the car were due to the hoses putting the fire out. It should be reinforced that Officer Smith did nothing wrong.

Chief Stalter said when you have steel that is totally burned, you don't have leaves under the hood.

Councilmember Arnowitz said we used deck guns because of the ammunition in the car and that puts out a lot of force, the car was on a steep hill. The water was going into the street and washing down under the car.

Lieutenant Niego said striping was done on Hillsdale and Magnolia, it is not complete. Zebra stripes will go in when the weather improves; on Kinderkamack the striping there will be changed also. Another project with regard to transmission and underground cable will be going on for several months and there will be some 24 hour work at Wierimus, Pascack Road, Van Emburgh, Saddlewood Drive and a few other locations. They will be man hole operations.

Councilmember Hanlon has seen many near misses coming out of the borough lot on Central Avenue and asked if anything can be done.

Chief Stalter will take this matter up with the engineer. A discussion of permanent bright yellow street signs were discussed that could be replaced along certain areas.

Councilmember DeJoseph said we will have our second budget meeting next week and also the JIF Reorganization meeting will be held the same evening. A representative will attend the JIF meeting.

He attended a meeting with Councilmember Arnowitz where Senators are looking for smaller government to save money. The Turnpike Authority let 50 people go this week. We have to come up with

objectives for Hillsdale, people cannot afford the taxes anymore.

Mayor Sapanara said there is corresponding decrease in services that will be able to be provided by the town, that balances the budget process.

Councilmember Schiavone referred to the Deputy Clerk position and the fact that Cathy Henderson also brought new information into the borough. The perspective that the Deputy Clerk is taking current classes could bring in some fresh ideas and information. We are taking advantage of the money that we are spending on learning this information by allowing her to share it with the borough in this capacity. It is a good move.

With regard to goals, a goal that she requested the Borough Administrator to put on his agenda is to take a look at our web site and web host because we have been dissatisfied with it. That is a goal for the first quarter.

She is done with the Sign Ordinance and will be handing it to Borough Clerk Sandt. Someone will have to put in all the comments and delete where necessary so that it can be presented to the Mayor and Council.

Councilmember Weinstein said we had a spirited debate here. Although the Council's responsibility is to do whatever we can to contain costs and make this community affordable, it is also our responsibility to strike a balance between costs to run the borough and the effort it takes to make it a safe, efficient and effective borough. He believed some of the costs discussed this evening benefit our community and our role is to strike that balance and not to view things in a dollars and cents perspective.

Councilmember Hanlon requested that the boards that come before us inform the Council their goals. It is extremely important and while they are doing their jobs, they are truly not meeting the needs of certain individuals. She will delve into this at the budget meetings. In order to avoid the problem this year with the tree lighting and other instances with duplication of dates, the dates of the boards and commissions be given to the Borough Clerk as soon as possible.

Councilmember Giancarlo said he believes strength is brought to the table by all of us here. Everyone has different priorities and he believed our goals will be accomplished. He said Mr. Glassner has expressed interest in the Historic Preservation and asked if a motion could be made.

Mayor Sapanara said an appointment can be made which will be retroactive. It will be presented to the Council at the

appropriate time.

Councilmember Giancarlo said several months ago we discussed a person who works on the Ambulance Corps who served in Afghanistan and LOSAP does not cover for people serving in the military, a discussion took place regarding making an allowance. Perhaps a future ordinance for people who serve in the military were given their LOSAP payment. He spoke to the Borough Attorney who is preparing an ordinance to cover future occurrences and he thought it time to act on this individual in the past, 2007 and 2008. Perhaps at the next meeting we could move forward on what was discussed.

Councilmember Arnowitz believed we should make a payment to this individual under a 1099 and then look at the future with this new ordinance.

Mayor Sapanara said there were some legal issues with the ordinance that made it complicated, but Councilmember Arnowitz's suggestion would be taken.

Councilmember Arnowitz said he does not sitting up here looking at the financial aspects of everything we do, but it is something that has to be looked at. This evening he looked at the necessity or lack of necessity to have a position created or filled and he felt it was not necessary from past experience. The ability to bring back new things is good, but our Borough Clerk at the present time takes courses throughout the year and goes to seminars throughout the year, is very active in the Clerks Association, and is up on all new dealings in the Clerk's office. He did not think the position is necessary, it had nothing to do with the individual and that is his opinion. Everything we do comes back to the budget. When the public tells him they cannot afford to live in this town, taxes are too high, he plans to do everything possible to ease the discomfort. He will look to save dollars. He will not spend anything that he deems is unnecessary and in this case he did not feel filling this position was necessary.

With regard to the budget, he wanted to be sure we look at all of the fees that we charge and fees we are allowed to charge. He wanted to be sure we get the maximum allowable amount on liquor licenses, revisit the police overtime with traffic control, increase the amount we collect over and about their salary for administrative costs; he wanted to make sure all departments whether they are self-sustaining or not are properly charged for all the costs involved in operating that department so that we could get a better picture of what these various programs in town cost us.

Last year Councilmember DeJoseph identified numerous expenses at the library, Stonybrook, that were not being applied to those departments and we are getting a skewed report of costs involved in operating the department. The Code Department should pay their fair cost involved in the borough, the same as Recreation.

On January 20 is our senior luncheon at St. Johns. Those planning to attend please contact Councilmember Hanlon.

Administrator Polce said our Tax Collector has her home up for sale and will be leaving some time soon. Will it be the pleasure of the Council to hire someone to learn the process to be a Tax Collector or should we wait until she leaves to find a replacement. This is a very serious situation. March 15 is the date given by the Tax Collector.

Councilmember Arnowitz said we should be looking for a replacement and quickly.

Councilmember DeJoseph said she pays all the bills for the town and it is a very vital role.

Mayor Sapanara asked the council to give this thought and discuss it at our budget meeting.

Mayor Sapanara said we received \$200,000 from the Transportation Trust Fund of the State of New Jersey for the resurfacing of Wierimus Lane. He attended a library board meeting and was astounded by the facts and figures in the past year. We are the largest circulating library in the Pascack Valley. People are using our library and it is gratifying. There were 230,000 circulated items which is 60,000 items more than the nearest competitor.

Mayor Sapanara agreed that we should all have our opinion; he believes in a diversity of opinion and diversity without divisiveness sometimes make problems but it is a healthy thing. It is necessary to come to a good conclusion. He will not direct people to vote against their conscience.

There is a library fund raiser for one of our employees who was injured quite seriously to handle immediate medical services. It will be held January 16 at the Knights of Columbus on Crest Avenue in Westwood at 7:30PM. There is a \$25 donation, comedy night, free beer, wine, soda and snacks. Tickets are available at the library.

ADJOURNMENT

A motion to adjourn was made by Councilmember Hanlon, seconded by

Councilmember Schiavone, and unanimously carried.

1-12-10

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Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

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Robert P. Sandt, RMC  
Borough Clerk