

Council Meeting  
June 4, 2012

Minutes of a Council Meeting of the Borough Council held at 7:30 P.M. on Tuesday, June 4, 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

Mayor Arnowitz stated, "This is a Meeting of the Hillsdale Borough Council on this 4th day of June 2012. Notice of the time and place of this meeting has been provided to The Ridgewood News, 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:

Municipal Clerk Witkowski called the roll those present being as follows: Councilmembers Becker, DeRosa, Frank, Giancarlo and Hanlon. Also in attendance Borough Attorney Paul.

APPOINTMENT:

Mayor Arnowitz explained the vacancy process.

Motion by Councilmember Frank to present the name of Frank Pizzella as Member of the Council, seconded by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

OATH OF OFFICE:

Mayor Arnowitz administered the Oath of Office to Frank Pizzella.

APPROVAL OF MINUTES:

On motion by Councilmember Hanlon, seconded by Councilmember Frank, and unanimously carried, the Minutes of the Special Meeting of April 18, 2012, Council Meeting of May 8, 2012, Closed Session of May 8, 2012, and Special Meeting of May 15, 2012, were presented for approval.

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilmember Pizzella

CORRESPONDENCE:

1. LETTER OF RESIGNATION DATED MAY 9, 2012, COUNCILMAN JOSEPH ROD CAPAWANA.

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

Mayor Arnowitz directed that a letter of thanks be sent to Mr. Capawana for his service.

2. FIRE DEPARTMENT DATED MAY 30, 2012, SEEKING APPROVAL FOR CHRISTOPHER DOMVILLE AND DANIEL MC LOUGHLIN AS MEMBERS OF FIRE CADET COMPANY.

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

3. BOROUGH OF WESTWOOD DATED MAY 29, 2012, RECOGNITION OF HEROIC EFFORTS.

Received and filed on motion by the Council as a Whole.

4. FABRIZIO SEMBIANTE DATED MAY 28, 2012, REQUEST FOR REZONING OF PROPERTY, 60 ORCHARD STREET AND 62 ORCHARD STREET.

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

Councilmember Giancarlo stated that the Planning Board has no interest in changing the Master Plan. He will forward this letter to the Planning Board as Mr. Sembiante will state his case before the Planning Board.

5. STATE OF NEW JERSEY, DEPARTMENT OF EDUCATION, DATED MAY 23, 2012, PASCACK VALLEY REGIONAL SCHOOL DISTRICT, MEETING TO DISCUSS PROCEDURES AS RESULT OF RESOLUTION CONSIDERING POSSIBLE WITHDRAWAL FROM PVRHS DISTRICT.

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

DISCUSSION:

- 1) Dial Alarm

Mayor Arnowitz said we have 11 Dial Alarms in town and the fee is \$25/year; the fee for the phone line is \$25/month.

Police Chief Stalter said he does not have a problem if the phone call comes from a central station monitor company or pre-recorded message on the dial alarm. Right now we are breaking even and did not know the last time the fee was increased. Collectively it is only 11 people and if they have to go to central station monitoring that is \$4000 out of their pocket versus \$275 they are paying the borough.

Mayor Arnowitz said the previous chief came to the Council and recommended we get out of the business for safety reasons.

Chief Stalter did not recall the dial alarm ever being an issue. It is not taxing our dispatching and at this time all we have is fire and burglar; someone could opt to have a life line set up. Alarm companies cannot call into a 911 pcap, they have to call in on an administrative phone line. No medical advice is given over the phone, they are just responding. If an alarm company installs a system it is viewed as old technology; if you sell an alarm system and you have a reoccurring cost of the monthly monitoring that may be done by a separate company but you are getting a percentage. You are selling the system and getting a one-time shot if you do the dial alarm.

Mayor Arnowitz said letters go out this time of the year to the 11; if we continue the service we have to send out the bill, if we are not going to continue the service we have to notify. A decision has to be made by next week.

Councilmember Hanlon said she needed more information. She has the alarm system and if the alarm goes off, minutes later she gets a call from the Police Department.

Chief Stalter said she could choose if she didn't want central station monitoring to have just a dial alarm and it would go directly to the Police Station. We have been reviewing borough fees and if we keep it this year, he will review the fees for next year.

Mayor Arnowitz said if dispatching happens from outside he did not know if that is an option that could be performed by Mahwah or Ridgewood.

Chief Stalter said he believed county dispatch would do it. With a fire alarm a police officer is dispatched as well as the Fire Department. When you tend to have false alarms, this may prevent getting summonses from the borough. It is a personal choice, a service offered, and we would break even on cost.

Councilmember Hanlon would prefer to revisit this next year.

Administrator DeJoseph spoke with the Police Chief today and basically if your home has a security system, there is a recorded message when it calls the Police Department.

Chief Stalter said it is a pre-recorded message that dials a number at the Police Department so it is not tying up the regular administrative line and indicates the address, whether it is a fire or burglar alarm.

Councilmember Frank said the \$25 fee should be revisited because comparable services are \$250/year. We might send out an officer at times based on the dialer that might not be required.

Chief Stalter said we go out for false burglar alarms with central station, local alarms means just a siren ringing or a dial alarm.

Mayor Arnowitz said a decision on this has to be made by next week because letters have to go out. We are still providing the service. Basically a decision has to be made as to what the charge would be.

John Carty, 15 Jan Court -

There is a difference between the dialer and the central

station; if someone breaks a window or opens a door, that alarm goes out instantly. If it goes to central station it could be a three to five minute delay before headquarters gets that call. He agreed that the fees were off and believed they should be between \$50 and \$75/year, that is a tremendous, old fashioned system that we have in place. This is a great service and he felt if we would re-advertise and increase the fee, we would be giving our residents a much better service and let them know this type of service is available to them.

Mayor Arnowitz asked if we get a large influx of people wanting this system, what is the impact? Are we capable of doing this?

Mr. Carty (Contd).

He said yes, they are all pre-recorded messages. Whether the phone call comes in from the central station or from the dial alarm phone, we answer it. We are prone to get the central station alarms falsely come in when we lose power to our houses. He would not want to see this opportunity disappear for our residents. When you get involved with central station, there could be a three to five minute delay before we get the phone call; with dial alarm, it is direct to us. No additional people would be needed on the desk.

## 2) 2012 Transportation Enhancement Program

Borough Engineer Statile said the Department of Transportation will be accepting transportation enhancement applications on July 17, 2012. These projects are a part of the federal transportation program; the federal government mandates that the states set aside some of their highway transportation money for enhancement projects. This application has to do with 12 standards and projects; service transportation, and can include ships and docks, canals, railroads, buses, bicycles. This is money for non-traditional transportation projects. They will not pay to pave the street and they pay you to fix up a light house, paint a boat, etc. This is difficult to get; if the borough is interested, it is an involved process and you can get endorsements from people. It is a big application, he has done a couple of them and received an endorsement for two.

Mayor Arnowitz said the state is forcing United Water to fix the dam and it will cause havoc with traffic and will have a lasting effect. He asked if anything can be done with those intersections at their expense to improve them. Perhaps calming devices to slow down the traffic so people can get out of that street onto Hillsdale Avenue and Pascack Road.

Engineer Statile said you are looking for projects in the several hundred thousand dollar range; something like that would be under a hundred thousand.

Councilmember Pizzella said we have a transit stop in town; is it easier to get this grant? Possible bike paths that people can use to take to the train as opposed to the car, could it help with speed bumps if we had a commuter-type program that would get people to and from the train.

Engineer Statile said that would be one of the goals of the bike path. The state does not want to fund New Jersey Transit type of projects because they have their own money. He said letters of support are needed from state senators, etc.

Mayor Arnowitz said this will be on the agenda next week for a vote if we have a concept; if not, we can think about it for next year.

3) Overnight Parking.

Mayor Arnowitz asked the Police Chief to advise his department to keep the enforcement of overnight parking in effect.

4) 150 Magnolia Avenue.

Keith Durie said this is a two family house that was sold about two months ago and it was a pre-existing, non-conforming, two family home. We received notification that a group home, alcohol related home would be in place and things were taking place that were inappropriate. Summonses were issued and it is in litigation. An application for the home and a concept will be placed before the Planning Board and any summonses or violations will be on hold until a resolution has been decided upon. It is not open at this time, one person is living there on the first floor and one person on the second floor. It is a legal situation at this time. He will keep the Council informed. Borough Attorney Paul is monitoring the situation to ensure that nothing inappropriate is taking place at this time.

5) Sign Ordinance Enforcement.

Keith Durie said we met as a department last week with Councilmember Frank and he advised how the Council would like to move forward. We will notify the store owners what the sign ordinance is about and give them copies so that they can start to review them and decide what they need to do before stricter enforcement begins. We will start in a way that will be uniform and will not isolate anyone; we will concentrate our efforts on the downtown area first. We are in the process of making up the packages now and we will have each store owner sign as we deliver the packages. At that point, we will contact them and advise where they are not in compliance and we will like to work with them in a positive attitude so that we will not end up in court.

Councilmember Frank said the store owners will have six months to comply with the ordinance.

Keith Durie said there are some things that have been in place for a very long time and we will do research. Some store owners will have been granted permission in prior years and would want grandfathering and that will be a challenge.

6) Municipal Alliance Chairperson

Mayor Arnowitz said he asked for a Chairperson since Sergeant Scordato resigned.

Police Chief Stalter said he has a person in mind and that person has been in contact with Judy Forman who is the county representative. She was on vacation and he spoke to her today and he is working on this.

GENERAL PUBLIC HEARING:

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

James Costello, 21 Wilts Avenue -

He is working on his Boy Scout project to replace the roofs on baseball dugouts at Memorial Field and replace the roof at the snack shack. The total cost would be \$1200 but with donations and fund raisers, he expects the need would be for \$600.

Mayor Arnowitz said if the cost is \$1200 and you are hoping to get donations of \$600, normally the DPW would do the work or outside people. He suggested that the Council approves an amount up to \$1000.

Motion to approve the \$1000 was made by Councilmember DeRosa, seconded by Councilmember Hanlon.

Roll Call Vote:

Ayes: Councilmembers Frank, Giancarlo, Hanlon, Becker, DeRosa, and Pizzella.

Nays: None

James Moldow, 21 Overbrook Place -

He thanked Keith Durie for preparing Centennial Field for the annual Memorial Day charity baseball game. The game raised \$640 for the Ambulance Corps and he publicly thanked Joe Formoso who spent 3-1/2 hours on the field and donated \$100. He announced that the next game will be July 4 and we will raise money for the PBA. He noted that Peter Canorro did the Eagle Scout project five years ago, Troop 108, two dugouts were painted and not once have those dugouts been vandalized as the troop put in over 200 hours in those dugouts.

Kevin O'Brien, 61 Parkview Drive -

He said the shed on 71 Parkview Drive was a violation of the borough ordinance and he asked why the borough ordinances weren't extended with respect to that particular violation. There is no UCC Construction Code for this year another violation, there is no variance application submitted to the Planning Board to review the application. This is a continuing, ongoing situation and asked when it will end.

Borough Attorney Paul asked if these are new concerns that Mr. O'Brien is airing now.

Mr. O'Brien (Contd).

These were aired in March, compliance date April 2. The Chief wrote, violations would be written on about the 25<sup>th</sup> or the 26<sup>th</sup> but the May 15 note from the borough says that the she is indeed in violation of two borough ordinances and that a construction code permit was required for the structure. He checked today and there is no variance application submitted to the Board so there is no time table for this to come before the Planning Board. He believed he put this in writing.

Borough Attorney Paul said this has been looked into and it is in pursuit to make sure that it comes into compliance.

Mr. O'Brien (Contd).

He said 71 Parkview Drive comes up on google as a municipal office for the Borough of Hillsdale and also comes up with an incarcerated person. He said there are dirty diapers on the front lawn, anti freeze containers open on the property, health code violations, etc.

Borough Attorney Paul said the entire property is under inspection and is being looked at and all of your concerns are being addressed.

Mr. O'Brien (Contd).

With regard to the OPRA requests, the Borough wrote there were no emails to or from the Code Official for a two week period. Despite another email asking for those, appearing at borough hall with a fist full of them, he was told there were no emails available. Shortly thereafter he was told 140 emails exist. This is unsettling that records would not be available and then they would be available after the Council was confronted.

Borough Attorney Paul said those requests have been answered and addressed. In the OPRA process a request is made and then there is the necessity for the request to be clarified and it is a back and forth situation. He asked whether his OPRA request has been filled and if he has a document he is waiting for and he wanted to be sure he has the access to the document.

Don MacLachlan, Counsel for the Hillsdale/Westwood Flood Solution Group.

On May 1, United Water filed the petition with the BPU and May 23, the BPU agreed to consider that petition. He reviewed the petition and provide the Council with the legal viewpoint. He did not believe the points made in the petition are well-founded. The Flood Solution Group will be moving forward and has been in contact with the BPU and will participate as fully as permitted under law. The petition complains that Hillsdale is attempting to enforce its law; there has been an appeal taken of the permit issued by DEP. The appeal was taken in a lawful manner and is being pursued by Hillsdale counsel. It complains that Hillsdale wishes to enforce its soil movement ordinances and its tree removal and replacement ordinances; complains that Hillsdale is seeking to enforce its conditional use ordinance. It has improperly characterized Hillsdale's attitude and that Hillsdale wishes to stop the dam rehabilitation construction project. That is an improper characterization; Hillsdale has been attempting to enforce the Land Use Law with respect to United Water and has been seeking to do so properly. There should be no question but that NJDEP has the authority to evaluate the status of the earthen dam at Woodcliff Lake which they did in 2007; it was in 2007 that they issued a letter requesting that United Water begin to undertake the enhancement of the dam.

In 2011 Hillsdale took the position that in order to comply with Hillsdale's Land Use Laws United Water should appear before the Hillsdale Planning Board so that not that the project stop but so that the engineering aspect and the impact of the water release enhancement as well as the Church Road alteration and the tree removal and replacement aspects could be objectively evaluated by Hillsdale's engineering professional and by the Planning Board to make sure that the project complies with the law and is not going to put Hillsdale residents in danger and is also going to preserve the trees and soil properly. That is the current status and a hearing officer has been appointed by the BPU. He was advised by the BPU that the process is in the very early stages and no substantive consideration given by the BPU of the United Water's application.

United Water is saying it would be inconvenient and would cause

delay of the project if they had to comply with the law. They are asking the BPU to sweep aside the law of Hillsdale and that it does not apply. In the course of the petition, they cite Hillsdale law and ultimately it is his view and the Solution Group that the BPU will have to apply Hillsdale's law.

There is much work ahead of us; the Flood Solution Group is going to be filing submissions with the BPU and seeking to participate. They would like an update as to what this Council is considering with respect to the BPU application and if those plans have been formulated that the Council and Planning Board have with respect to contesting what in our estimation is an improper assertion of regional jurisdiction before the BPU. We will go to Trenton and want to do so alongside the Hillsdale Planning Board and Council.

Mayor Arnowitz said he has not updated the Council's plans which he will do tonight in Closed Session. He did update the Planning Board last week in Closed Session and they have come back with certain recommendations which he cannot provide now due to legal aspects, etc. Possibly next week he can advise what we plan to do.

Mr. MacLachlan (Contd).

This is a critical issue; United Water is seeking to enhance their ability to release water very quickly. If you think the water is going over the dam and through the dam during bad storms, wait until this project is done. Our members live below the dam and they have to deal with the water.

Mayor Arnowitz said the DEP has set up another meeting of the Emergency Service. He is concerned that if we have a major storm how does he provide emergency services on the west side of town when all of our equipment is on the east side. His problem with mutual aid is that during these storms they are busy too. A meeting will take place on June 26; he requested two representatives from each emergency services, police, fire, OEM and Ambulance to attend or advise what their intentions would be. The gist of the meeting is to meet with County OEM, various mutual aid services in the area, to discuss what do the emergency people need on the west side of town, stage, where, how, how many, from where. They will come up with a plan in the event of an emergency. This has nothing to do with the height of the dam, the lowering of the dam, water over the dam; if we have no east/west access while the road is closed, what do we do? We will not discuss any aspects of the project at this meeting.

Mr. MacLachlan (Contd).

His purpose for being here is originally we wanted to deal with United Water's current contribution to flooding in the Pascack Brook. He said United Water does contribute to the flooding in the Pascack Brook at the worst times. With the dam rehabilitation project and the doubling of its capacity to release twice as much water, much faster, our concerns are very much heightened. What is critical is that Hillsdale continue to take the lead in requiring that any citizen abide by the rule of the law and that there be a hearing process, not an informational meeting where you have a very well-orchestrated dog and pony show which has no cross examination, no requirements and anything can be said that serves the interests. We are asking that there be a real hearing, that the engineering evidence be considered objectively, no implementation of a

construction project that will contribute to flooding and place residents in danger.

Robert Zimmerman, 373 Piermont Avenue -

He wished to address a letter published in the Community Life on May 24 by Councilman Frank. Councilman Frank indicated he is convinced that the county dispatch center is a better way to provide service and he asked what convinced him that it was safer and better than provided by the Hillsdale Police Department.

Councilman Frank preferred not to do so here because we had a committee meeting with dispatch which has an objective to compare the Chief's plan to keep dispatch in house rather than Mahwah Dispatch. At the meeting we had last week, this letter was covered and covered the fact that there is a referendum out by members of the committee and covered some comments by department heads. He has no faith in the committee going forward; the Council President will continue to work on the committee and then issue a report to the public.

Mr. Zimmerman (Contd).

He asked for hard numbers, that is how much will be saved, how much will it cost the municipality.

Councilman Giancarlo said we all have the capability of harming this town; we could let this disintegrate into a big fight and people have less respect for the police, Mayor and Council, for all special services. It is more important that we be careful what we do to one another.

Mr. Zimmerman (Contd).

The Mayor stated that he ran on a platform that had shared services; this is the only thing he heard. He does not have any hostile intent, he wants answers. The Mayor commented in April that this has been in motion for approximately two years and was surprised at the response from the public. Will it be another two years plus? Everyone is looking at in-house, Chief's plan, Mahwah or Ridgewood and you are making these decisions just based on discussion. The first discussion was dial alarm and the Mayor was not aware that the department was providing that service; how is the governing body making these decisions if unaware that the Police Department answering alarms. The Mayor made a comment that he trying to make decisions based on informed decisions, but on the first item of discussion, dial alarm, you said were not aware you were still providing that service. If the Council is making informed decisions on shared services, dispatch, Chief's plan, or Ridgewood, how can you make that decision if you didn't know about alarms?

Councilman Frank said we formed a committee to compare two things: Mahwah's proposal and the analysis. We are collecting the information, doing the analysis, and as we get the information, there will be a report and then a decision will be made.

Chris Donaldson, President, PBA Local 207 -

We need to keep a clear, open view, not on just the information but the tactics on how we go about it. He did not agree with Councilman Frank's article in the paper but it was his opinion to write it and Donaldson's opinion to disagree. Regarding getting the referendum on the ballot, scare tactics are being used. Everybody is being given the best information that they

have; the petition is just to get to a referendum. The vote will come in November and that is where all of the information will be provided for the public to vote on. The Mayor said if we go to the Chief's plan we might have to lay off two police officers.

Mayor Arnowitz said if this plan works we save two people. Does that mean we have to lay off two police officers to make it work. He is more concerned about not replacing two police officers that are already gone. Now he reads a report that says we are going to save all this money and the only way you save it is if you cut people. There are no savings if you bring new people on and don't cut, you are just increasing costs unless there is enough money in overtime to cover all of the costs of the additional dispatchers, you have to look at laying off police and he does not want to get to that, he wants to know before hand.

Mr. Donaldson (Contd).

We are being told that we are using scare tactics, you yourself just used one in his opinion in front of the whole town. He was told that the Mayor tapped someone on the shoulder as they were signing the petition in front of Ronnie's that if they sign that that will cost another \$400 a year. That is a scare tactic, let the person make their own decision. Under the county plan, if you go to Mahwah are you going to be able to maintain a 24/hour, seven day a week police headquarters open to the public with the staff personnel inside. In effect, you are closing headquarters.

Mayor Arnowitz said the Chief's report did not include basic information like pensions, health benefits, etc. All of the costs have to be included and that is what the committee is trying to do now. There are a couple of hundred of thousands of savings and if you look at all the costs involved in tax increase, the taxes will go up \$400 between the two schools, the county and the borough. We have to find money somewhere and we can't just raise taxes.

Bob Greenberg, Colonial Village Drive -

Does the \$400 include police or does it include the schools. He was not coerced to sign and the citizens should have the right to sign whether we want to keep it here or not and a referendum should be passed.

Kim Hampton, 43 Crosley Terrace -

She saw unity this evening when earlier this evening Mr. Costello stood up and spoke about the boy scout project and immediately the PBA and Baseball Association chimed in. That is a great example of what Hillsdale means to her. She is discouraged this evening because Councilman Frank expressed his disappointment publicly and is not giving us the opportunity to respond to that. It is unfair to make statements that she believed to be false and then state he will not discuss this only in the committee. She will address several points regarding the letter to the Editor and will appreciate a response to help her understand how it is that there is such a growing rift between the Council and Emergency Services and how to fix that. In the article it was stated that almost every town in our area has already moved to central dispatch or is planning to do so. She asked for a confirmation which local towns are doing that or have already moved to central dispatch.

Councilman Giancarlo said we have a committee and the committee will make all the findings public to everyone and did not want this Council meeting move into a campaign platform for a new party to get going.

Ms. Hampton (Contd).

She is a resident and has a right to make her voice heard. She said comments can be thrown out which can be challenged and are not true but it is not acceptable to ask for the facts that prove or disprove them? If the local towns in the area are doing this, she doesn't know and she would like to know because she would like to do her own research. Is she not allowed to challenge thoughts or opinions? She is being told they have a right to voice their opinions as public servants but you are not required to prove them or defend them to the public after you wrote a letter. This was not a private discussion, this was a letter written to the Editor and basically accusing people who are out asking for people to sign. She is not afraid or not willing to share it. She is discouraged that you are saying that she is trying to scare people into thinking it is a good idea. The emotion that was expressed by the many residents that she spoke to was not fear, it was gratitude.

She asked how this committee was formed and the purpose of the committee. She was told it would give emergency services the opportunity to better understand the need for county dispatch and to compare Mahwah vs. Ridgewood and review the Chief's plan vs. the county. She is a long time member of the Fire Department and is discouraged with the process. You are working to fix that and when the public asks her questions, she doesn't have a lot of answers and they are not coming. Why do the employees of Hillsdale think that Hillsdale is different? The next time you write something that we are not going to be able to talk to you about, she posed the question why do the residents of Hillsdale think that Hillsdale is different? She asked why Councilman Frank did not think Hillsdale is different, that is what she asked everyone to think about.

Elizabeth Ward, 47 East Liberty Avenue -

She came before the Council on May 8 to inquire about the summer concert series. She sent some ideas to Councilwoman Hanlon and Patty Hughes and to the Mayor. We have a working committee of three people and met on May 16. These concerts will be happening; Patty Hughes sent out a letter from the Mayor to the local businesses seeking funding; the responses are less than enthusiastic, we intend to follow up with phone calls, personal visits. We are focusing on funding, drew up a list of possible performers; we will have outreach to the food businesses in town making a night out on the town and once the concerts are lined up, we have a plan for publicity. We have three dates already, July 11, 18 and 25 and this will be on the website.

Tom Kelly, 41 Sycamore Avenue -

He received a call from a past Fire Commissioner saying that Councilwoman Hanlon told him that she thought ex-Councilman Capawana should not have said what he said but if it is true, it is true. We don't need this, we don't want this, he is getting calls from the public and he doesn't want them. At a meeting last week with the Fire Department President and Assistant Chief, Councilman Frank stated that he would like the Fire Department to give an apology. We don't know what the apology would be for. Why does he want the Fire Department to apologize?

Councilman Frank said perhaps what ex-Councilman Capawana said was regrettable, he should not have said it, he spoke to the Deputy Chief and the Chief before the meeting of May 8 and asked them to cool it, let this die down, and it did not happen. The Fire Department came back here and made a number of statements that he should be replaced as Fire Commissioner. He found it very insulting such as drinking at the public safety building. That was the topic.

Mr. Kelly (Contd).

That was not the topic. The topic was the insult to the Fire Department and we were taking what we thought was an insult. He spoke to the Council with respect on behalf of the Fire Department.

Mayor Arnowitz said he wanted to stop this conversation. The Chief of the Fire Department and he spoke the other day and Councilman Frank is planning to make a statement next week. The Chief is aware of it and he wants this to go away. He received 101 phone calls from people that he is allowing an illegal activity to take place. What ex-Councilman Capawana said is true but drinking is legal, over drinking is not legal. The bottom line is it was said, he resigned, it is over. Now we have to solve the problem so he can allay the fears of the residents who are calling saying that we have an illegal activity there. The Fire Department is taking very strong steps to solve this slight problem that we have, it is not a problem that is insurmountable, it is not a problem that can't be cured. Alcohol is a legal beverage in moderation. They are an asset to our community.

Mr. Kelly (Contd).

He asked that the people who don't know what is going on there to stop bashing one of the most honorable organizations he has ever been part of. We don't deserve it, we don't want it, respect for what we do.

Richard Corrieri, 21 Clayton Street -

Perhaps we should consider Councilman Frank's letter to the Editor a sophomore mistake, maybe we should move forward with trying to solve the issue of dispatching. What has happened to this town? He is hearing of so much animosity from people, from our workers, and it is very disturbing. Things can be done with respect for each other, not the way it is being done now. He understands the dispatch committee is together now and trying to put facts together but there is so much misinformation coming out and maybe we should be quiet until we get all of the information and have Plan A, B and C. There is so much misinformation that he doesn't know what to believe and he wants to keep it in house because that is the best option. Maybe the county is better, but he doesn't know. He has not seen any information with regard to the county plan and he asked questions a couple of meetings ago. There are so many things that are not being discussed. He asked if there will be an escape route for us if we decide the county is not workable for us. What would it cost to back out? This is an important issue.

Chris Donaldson, PBA, Local 207 -

The Police Department is at an all time low at this time, 17 officers, two officers retired. We will have three retired officers as of August 1<sup>st</sup>.

Mayor Arnowitz wanted to be sure we are not jeopardizing the safety and well being of residents. We need two people on the road at all times and he wanted to be sure that we are not cutting into that. When you lose three police officers in two years and a report that we are cutting two more, where are we going? You have to replace them, you have to plan. He does not want to jeopardize people in this town.

Mr. Donaldson (Contd).

He said the purpose for his being up here is to let everyone know that three officers fully retired as of August 1<sup>st</sup>.

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

ORDINANCES:

Ord. No. 12-11 (Adoption) Amending Chapter 212, Outdoor Cafes And Chapter 138, Fees of Code Book	At the Mayor's request, the Municipal Clerk read by title only proposed Ordinance No. 12-11 as follows:  AMENDING CHAPTER 212, OUTDOOR CAFES AND CHAPTER 138, FEES OF THE CODE BOOK OF THE BOROUGH OF HILLSDALE.
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Municipal Clerk Witkowski confirmed to the Mayor that copies of the ordinance have been posted in the Municipal Building and that no written objections to the ordinance had been received.

Mayor Arnowitz then opened the public hearing on the proposed ordinance and asked if anyone in the audience cared to discuss it. There being no response, the public hearing was closed on Ordinance No. 12-11.

Mayor Arnowitz asked the Municipal Clerk to read the resolution adopting the ordinance on final reading.

Following is the result of the roll call vote on the foregoing Ordinance No. 12-11:

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

(SEE COPY OF THE AFORESAID ORIGINAL ORDINANCE AFFIXED HERETO)

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions.

12105 Approval of Raffle License No. 682, St. John the Baptist Church was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12106 Authorize Snow Plowing Agreement with Bergen County for 2012/2014 was introduced by Councilmember Frank, seconded by Councilmember Derosa.

12107 Opposition to Senate Bills 1451 (OPMA) and 1452 (OPRA) was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12108 Requesting Pascack Valley Regional High School Tax Payments changed to Fiscal Year was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12109 Authorize Agreement with Somerset County Cooperative Pricing System was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12110 Opposition Freeholders Resolution 27-2012 regarding bridge culverts was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12111 Authorize Mayor to sign Developer's Agreement, Block 1526, Lots 14, 15 & 17, Nagler was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12112 Approve Quasi entities to be included in the insurance program was introduced by Councilmember Frank, seconded by Councilmember Derosa.

12113 Authorize purchase of gasoline under state contract #58885 was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12114 Authorize estimated Tax Bills for 2012 was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12115 Authorize Renewal of PRC Liquor License, Bensi, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12116 Authorize Renewal of PRC Liquor License, Golden Dynasty, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12117 Authorize Renewal of PRC Liquor License, The Cornerstone, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12118 Authorize Renewal of PRC Liquor License, Lou's Tavern, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12119 Authorize Renewal of PRD Liquor License, Shop Rite, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

12120 Authorize Renewal of PRD Liquor License, Bottle King, was introduced by Councilmember Frank, seconded by Councilmember DeRosa.

Borough Administrator DeJoseph commented on Resolution 12114 Authorize Estimated Tax Bills for 2012. Our tax rate is struck for two local schools and the biggest problem right now is that the county does not approve their open space levy as well as the regular county levy.

Mayor Arnowitz said the budget has not been approved so we can do a tax bill. He said you can't take the estimated tax bill and multiply it by four and think that's your taxes for the year. It is usually an inflated number, an estimated tax bill, wait until we send out the regular tax bill and that will be the bill.

Motion to approve the foregoing Resolutions was made by Councilmember Frank, seconded by Councilmember DeRosa.

Roll Call Vote:

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

Nays: None

Abstain: Councilmember Pizzella

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED  
HERETO)

DEPARTMENT REPORTS:

Fire Department report for the month of April 2012. Received, filed and approved on motion by Councilmember Giancarlo, seconded by Councilmember DeRosa, and unanimously carried.

Board of Health report for the month of May 2012. Received, filed and approved on motion by Councilmember Hanlon, seconded by Councilmember Giancarlo, and unanimously carried.

(SEE COPIES OF THE AFORESAID REPORTS AFFIXED HERETO)

COUNCIL COMMENTARY

DPW Superintendent Durie said the Public Works Department is now occupying the space that was taken from us last year from Hurricane Irene. We were able to do most of the work in-house in between projects and were able to do at a cost much lower than the insurance company allowed.

The fields have been restored for the year and we are moving forward sign repair and concentrating our efforts on patching and filling pot holes.

Mayor Arnowitz expressed concern for Ronnie's Bagels. We passed the ordinance this evening that completes the new sidewalk dining ordinance which requires empty their garbage from their sidewalks. There more stains on the sidewalk at Ronnie's that he pointed out to Durie caused by putting out the garbage with leaking grease. His property should be kept clean and he gets many complaints about the tables being placed together and no room to move around. These rules have to be enforced. Handicapped and elderly people have a right to walk on these sidewalks and they should be clean. The garbage should not be the responsibility of the DPW.

Superintendent Durie said he had a meeting prior to Memorial Day with Starbucks reinforcing the sidewalk ordinance in regard to outdoor dining. He also had a meeting with the new manager at Ronnie's and his assistant; he met with Ken's Deli to patrol their curb and sidewalk and a meeting with Karl Elmer and he believes he has accomplished his goal. He has since not seen any garbage containers overflowing, they are taking care of their table situation. Ronnie's plans to have a company in to steam clean the sidewalks and Durie suggested he get together with Starbucks and get the job done at one time. There is no garbage overnight any longer at Ronnie's, they keep it inside and it is put out by 7AM.

Police Chief Stalter said May is a very active month. He appreciated those coming to the DARE graduation; an officer chaperones the middle school trip to Boston, Senior/Junior prom at the high school. We had a new auxiliary graduate from the police academy; retired patrolmen Novakowski and Donaldson were honored by the 200 Club of Bergen County. This Friday between 8:30 and 9:00 the Special Olympics Sports Run will be coming through town, stops at Shop Rite, and it is special to see with some of the special Olympians and police officers running through town. We have our Junior Police Academy with Washington Township in Westwood the last week of June. Our new temporary interim dispatchers are in training and later on the month will be staffing the Pascack Valley and George White graduations.

Borough Engineer Statile said the replacement of the dais in the Council Chamber will begin after July 27; the August court will be recessed as he needs two months to construct. We had a preconstruction meeting for the Fire Department bathrooms which will also be done barrier-free and the same contractor will do both jobs. He received cost proposals for the landfill for methane sampling for the buffer zone, not too costly. We also completed the update of the Tax Assessment maps for reappraisal, tax maps quickly because there will be a lot of changes to deeds. All comments, detailed requests by the Department of Treasury in Trenton will be provided and all updates.

Mayor Arnowitz said be sure that the Chamber has coat racks included when the improvements have been made.

Councilmember Hanlon asked if a projection screen will be installed as part of the plan.

Engineer Statile said there is no provision for a screen in the Chamber. The grant is for handicapped accessibility and it is an option. Wiring can be added on. He received a notice from the Green Acres Program that blue acres is out of money for property acquisitions. Green Acres asked if we were going to be on their list and applications are shifted over to the Green Acres Department. Hillsdale has never participated in Green Acres before because once you do that, all the open space, all recreation fields go into a roster and that roster is frozen. You can't divert use of those fields without permission.

Councilmember Pizzella said it was his understanding that it becomes a problem when you have an under developed town, whereas, Hillsdale is fairly developed. It doesn't appear to be an issue to use Green Acre funds for open space funding.

Mayor Arnowitz said he has requested the Borough Attorney and Borough Administrator to research this. The last time we looked at Green Acres there was a problem with our dual rate structure with Stonybrook and you had to have a rate for everyone. The high school wants county land that involves Green Acres so before we make a decision, we have to really know the impact and ramifications for all of our fields.

Engineer Statile said he has been working with the Administrator on the cell tower bid package and identified two locations at the DPW and have ground space for up to four carriers.

Administrator DeJoseph said we are charging a special assessment on the sidewalks downtown. They are not paid off and they are starting to lift up already and he has received complaints from business owners, from Starbucks up to Matsu, going northbound.

Statile referred to the café ordinance and washing of sidewalks. He said you can't use soap to wash the sidewalks and it is illegal in New Jersey. They can be power washed with water.

Councilmember Becker said the parade was her first parade here and being up on the podium was very interesting and it was a very nice parade. She said people should not complain when they see the Special Olympics go through town and said step out and cheer them on.

Councilmember DeRosa thanked the Republican Committee for providing some very good candidates. He attended the local

school board meeting in an effort to address some of the test scores among other things. The district is moving toward a more focused reading work shop where students read at their own pace within their own classrooms and is a more individualized approach.

He attended the consolidated court meeting with Councilmember Frank and Administrator DeJoseph for the Pascack Joint Court looking for a proposal from them. He was happy to attend the DARE graduation at George White School, it is a great program, and it is great to see the kids interact with the police officers.

Councilmember Giancarlo congratulated Councilmember Pizzella. Tonight we heard a lot about dispatching and it is an issue that is raising concerns in town. We do have a good idea about how the residents feel about this and we realize all the emotional issues get wrapped up into one thing. He believed people are deliberately engaged in getting a hostile back and forth situation; people have strong opinions, we are trying to keep that at a minimum and work towards keeping the focus on Hillsdale and what is best for Hillsdale and not tear the town apart. There is nothing good when the officials are a question and the police are questioned, it doesn't do the town any good.

Borough Attorney Paul congratulated Councilmember Pizzella.

Borough Administrator DeJoseph also congratulated Councilmember Pizzella.

Councilmember Hanlon also offered her congratulations on selecting Councilmember Pizzella. She thanked the PBA and Abby Lundy and Fire Department with the scout project and the projects are very good. The final senior luncheon will be held June 12 at the pool. On June 27, the Artist will be shown at the Library. The Board of Health is sponsoring a cancer screening at the pool and the dates will be posted on the website. She thanked everyone who participated in the parade and she sent a letter to Chief Durst and the Fire Department complimenting on their creativity since they did not have a band. Having the Pipers was icing on the cake.

We definitely have three Concerts in the Park, July 11, 18 and 25, beginning at 8PM and run to 9:30PM.

She thanked everyone who participated in the parade and the DPW set things up so well and the Auxiliary Police.

Councilmember Frank also welcomed Councilmember Pizzella. He has taken the path tonight in not escalating anything, trying to run things through the committee. There is concern that we could create damage than good.

He said the 68<sup>th</sup> Anniversary of DDay is this week, June 6. Our website is basically done and will be turned over to Susan Witkowski and Denise Kohan for maintenance. It will be a big plus for the residents.

Councilmember Pizzella said he is honored in the trust he has been given and will put his best foot forward in representing the residents. It is important to get involved and not just reap the benefits of the committee but also to serve the community. He's lived in Hillsdale since 2004, first generation

Italian American, received his undergraduate from Rutgers and Law Degree from Seton Hall. He has never been shut out in getting involved and it was concerning to see what happened this evening. He enjoyed getting involved, CCD teacher and lector at St. John's, co-President for MFFA at Meadowbrook School, Treasurer for UNICO in Westwood, on the Rec Commission. He is a member of an amazing community that he cares about and looks forward to serving with everyone.

Mayor Arnowitz welcomed Councilmember Pizzella. What went on tonight has to go on, trying to make change. Everyone likes status quo and it is easier to stay in status quo. He is extremely concerned about losing three good, strong police officers over the past two years and we can't keep doing this. The committee needs discussion, make a decision.

The parade was a great parade. He has been meeting with Councilmember Frank and the Administrator and we have to make a decision on what we are doing with the Ambulance Corps and the riding member. He asked for more involvement.

CLOSED MEETING

Motion to go to Closed Session was made by Councilmember Giancarlo, seconded by Councilmember DeRosa, and unanimously carried.

OPEN SESSION

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

ADJOURNMENT

A motion to adjourn was made by Councilmember Frank, seconded by Councilmember DeRosa, and unanimously carried.

6-4-12

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Susan Witkowski  
Municipal Clerk

APPROVED AS PRESENTED

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Susan Witkowski  
Municipal Clerk