

Council

Meeting

June 6, 2011

Minutes of a Council Meeting of the Borough Council held at 7:30 P.M. on Monday, June 6, 2011, 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 6th day of June 2011. Notice of the time and place of this meeting has been provided to The Review, Pascack Press, The Record and Community Life; a copy was posted on the bulletin board outside of this meeting room and provided to any interested parties.

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

ROLL CALL:

Borough Clerk Sandt called the roll those present being as follows: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon, Schiavone and Weinstein. Also in attendance Borough Attorney Paul, DPW Superintendent Durie, Police Chief Stalter.

APPROVAL OF MINUTES: On motion by Councilmember Hanlon, seconded by Councilmember Giancarlo, the minutes of the Council Meeting of May 10, 2011, were approved as presented.

PRESENTATION: Pascack Pi-oneers Robotics Team

CORRESPONDENCE:

1. ROMEO & VIORICA CIFELLI REQUESTING PERMISSION TO LOCATE SHED ON BOROUGH EASEMENT.

Received, filed and approved on motion by Councilmember DeJoseph, seconded by Councilmember Giancarlo.

Roll Call:

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

Nays: None

2. BOARD OF FIRE OFFICERS SEEKING APPROVAL OF ROBERT CULHANE AND STEVEN TIMPANARO AS MEMBERS OF THE FIRE DEPARTMENT CADET COMPANY.

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

3. ANTHONY DE ROSA CONCERNED WITH HILLSDALE'S FIELD USAGE.

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

DISCUSSION:

1) Field Usage.

Councilmember Giancarlo said every five years or so independent groups want to use the fields. HSBA and the Rec Department do have some laws administering the use of the fields and people not affiliated feel that they are arbitrary in the application of those laws. He did not believe it was the Council's role to make these decisions. He believed the Rec Department should make the decision as they are more capable.

Councilmember Giancarlo said he received an email from Patty Hughes and put forth the Rec Department's point of view. They have a concern that teams are handpicked without tryouts; there is a concern that every coach has to be Rutgers certified and fingerprinted. The Rec Department stated communication needs to be better and he could sit in at the meetings and bring information back to the Council.

Councilmember Frank has seen a number of emails over the past week or so about usage of the field and the fact that it is totally blocked out from various groups even when it is not being used. He believed this is an issue for the Rec Department; a by-law was passed stating that if anyone coaches a team that is not part of the Baseball Association, they would be banned three years from coaching within the Baseball Association. That sounds like a by-law to protect some power interests.

Mayor Arnowitz said the Rec Department has handled this and they have been very successful. The fact that a field isn't specifically being used on a particular day, they have rain dates that have to be accommodated; DPW Superintendent advised that these fields can't be continually played on, they have to have time to recoup. The Associations have scheduled these fields to our satisfaction and it is a herculean task.

Mayor Arnowitz opened the meeting to the public on this subject only.

Patrick Kissane, 96 Queen Court -

He read that the Rec Commission have administrative and authority over the policies and procedures put forth and adopted by the Mayor and Council. It appears that residents do have a right to use the fields and he is aware that two applications were put in to use the fields and neither were responded to. Despite the policy all of these children are playing with the Recreation Commission Baseball Team. What does a resident have to do to get field usage? The rules in 2004 of which he has a copy state that you can't block out time and yet from April 1st to November 12th, every available minute to play is blocked out.

He said he has not received any responses from emails and communication leaves a lot to be desired.

Councilmember Giancarlo said we will have to have a meeting to make certain that rules are adhered to.

Mr. Kissane (Contd).

We have 11 families with children that go to school, we support our town, are in the Recreation program. We decided to put our kids together which is a parental right to decide who we want our children to play with in a travel program. Most people go outside of town to join other travel leagues. He never received any responses to requests to use the fields; the minutes of the Rec Commission indicate that residents have the right to use the fields. We are in the Recreation Program and did not understand why this is being made in HSBA vs. us issue. We did not join the travel program and the fact that they ban people from coaching, they are private and non-profit and they make their own rules. If you don't like the rules you leave and that is what we did. We feel we have the right to use the fields as residents, we pay a lot of taxes and many moved here because of the sports programs and yet 11 children suffer because we have adults that have been elected to these positions who have done nothing. You are sending us back to a commission who hasn't done anything either. If we wanted to host a baseball party for these children, we have insurance, why can't we do that?

Mayor Arnowitz said Rec has to duty to answer these questions not the Council. We have to find out why they are not accommodating these children. We have an agreement that if someone else wanted to use the fields under the lights they would not be reimbursing the town; HSBA pays 25% for lights and it would lower the cost for them.

Mr. Kissane (Contd).

He asked for a copy of the contractual agreement. People would be willing to pay.

Councilmember Frank said we do have a responsibility.

Mayor Arnowitz said some of the people from Mr. Kissane's group were invited to a Rec Commission meeting and they refused to go and came to the Council instead.

Councilmember Hanlon said we are looking at rules from 2004; things change and she believed that the Rec Commission has to come up with something.

Mayor Arnowitz said the Rec Commission is saying that the rules they have established haven't been followed. You give the rights to Rec to run the program and if the ordinance does not say that, we will change the ordinance. He recommended that Mr. Kissane meet with Councilmember Giancarlo.

Mr. Kissane (Contd).

He said all the kids in the team are playing in Rec but they are not part of their program. They joined the Rec Program but not the travel program. We have 11 families that came together and our children are playing baseball together and we want to use the fields in our town. There are 11 children and all the parents are Hillsdale residents and we want to use our fields. There are all kinds of leagues, tournaments. He said not any child can play on their team.

Mayor Arnowitz had a problem with that. We have been striving to stop the exclusiveness for our kids, that everyone has the opportunity to play and every cheerleader has the opportunity to cheer for all programs. If you want to play on the fields on Sunday, we have no rules against your playing; we are talking about the organized sports. Recreation takes precedence so if you went to the field and Rec was playing, you cannot say you want to play. It means any resident can go to a field and play a pickup game but the organized games are scheduled and they have teams and everyone is eligible to play. We have 600 children that want to play and he is not going to upset them.

Mr. Kissane (Contd).

He said that is the Recreation Program. If we want to form our own team and play, it is a free country.

Mayor Arnowitz did not wish to discuss this further. He wants the Recreation Commission to do their job and he directed Councilmember Giancarlo, Liaison, to straighten this out so that everyone can be accommodated in a fair manner.

Mr. Kissane (Contd).

He said we didn't get two applications which he has copies of the email sent and never saw the official copies of the denial forms. They are mentioned in the minutes, there is mention of policy, mention that HSBA controls the fields. We haven't received an answer. Everyone is saying we are residents, we are allowed to use the fields; we are asking to be treated like every other citizen that pays taxes.

Mayor Arnowitz said we have an agreement with Arthur Street residents that we weren't going to do organized games on Sunday unless it was a special event so that they have some peace. Neither this Council nor any future Council is bound by it because it was an agreement between the Council at that time and the Arthur Street residents.

Councilmember Frank said the real issue is we give an exclusivity to the HSBA to control the fields and it is up to them to set fair priorities and let other people use them. He would encourage them to do that.

Councilmember Weinstein said between HSBA and Rec there needs to be a formalized response. If the process hasn't been done properly that needs a response; if the process hasn't been done properly that needs a response. If the process has been done properly and there are conflicts that needs a full circle of responses.

Councilmember Schiavone said HSBA is not in charge of the fields, the Recreation Director specifically is in charge of field scheduling.

Mr. Kissane (Contd).

In one of her emails, she said that HSBA controls the fields and that is where the issue is.

Mayor Arnowitz said the Rec Commission needs to have a meeting as soon as possible so that we can a report.

Ann Cron, Member of the Rec Commission -

She will speak with the Recreation Director tomorrow because she has had extensive talks and Dave.

Andy Puller, 84 Large Avenue -

For the past four years he has received emails from Kate and now Patty. He is in charge of the school fields, Memorial and Beechwood. Within a day or two, I provide an answer. He did not know if there is a process in place.

Mayor Arnowitz said the Recreation members need a meeting on Thursday and invite the players that should be invited; if they choose not to come so be it. He would like a report next Tuesday; if you think our by-laws have to be changed, that is something that can be brought up and we can start the process.

Angelo Stathes, 177 Lincoln Avenue -

Rec is in control of the fields but we do the scheduling primarily for the fields. In essence, we control the scheduling of the fields for the hours but Rec Commission is in charge of the fields. For Rec to handle the schedule is a tremendous load so they leave that to HSBA and every single event we have has been addressed. We only denied one which was usage of Memorial Field for the 11th from 4:30PM to 6:30PM because we are hosting our playoff games at the same time and we can't accommodate them. Every single request we have received from Rec is looked into and he did not believe we denied any except for the one just mentioned. We are open to scheduling fields but there are bigger issues here than just scheduling fields.

Mayor Arnowitz said you have to handle this with our Liaison, this has to be taken care of one way or the other. There are limited fields, a lot of people want to play and he would like everyone to be accommodated. Whatever can be done to make this happen is appreciated.

Mr. Stathes (Contd).

He said he has to keep the best interest of HSBA as well. He has 700 families he has to consider and we are not excluding anyone.

Councilmember DeJoseph asked if both of these applications came across Mr. Stathes desk.

Mr. Stathes (Contd).

I don't see the applications, he just files permits and they are approved, there is nothing that comes across his desk. He believed Patty Hughes, Director, gets the applications. He is not familiar with the two applications in question. Sometime we do have empty fields for a very short period of time, such as rain, and we very rarely have an open field. We should sit down with Rec and the team in question and talk and see if we can work it out. Last week he was aware of something going on concerning this; but he is willing to sit down and do what is best. We have to do what is

best for everyone in the organization; we have never said these kids cannot participate in our travel program. We have never denied them playing ball and the kids are always more than welcome to come with us. Sometimes it is the actions of the parents that make it tough for the children. That is where we need to come to an agreement.

Patrick Kissane, 96 Queen Court -

The gentleman who spoke before him whom he never met summed up the situation. He has to be concerned about the people in his organization, you have to be concerned about everybody in town and that is where you are missing the point here. You have to be responsible for the membership. He had minutes from the April 7, 2011, Recreation Commission meeting. There is a list of everyone present; on the field use permits which are always in the minutes, Gabe Lengua, Travel Baseball Teams denied because there were no tryouts for this team. Policy is that a team cannot use field if there are no tryouts; all kids in a grade must be allowed to try out for travel team and the locations must be publicized. That is their policy and that is where he has a problem with your policy because your policy should effect everyone, not an individual, private, non-profit. It is clear in the minutes of the Commission that they are going by something that Patty Hughes is telling them and she is going by whatever someone else told her. At the end of the day, there are 11 families that live in town that didn't join the travel program and there is no one in the Council that is going to tell us we have to. By the same token, we are entitled to use the fields despite whatever policies you are going to make and you still have to follow the rules that are in place now. That is where we are running into an issue.

Mayor Arnowitz said that is why he is asking for a meeting and Mr. Kissane is invited to attend. He asked Rec to meet on Thursday and the players can work this out. He wants a report for the Council by next Tuesday, June 12.

Mr. Kissane (Contd).

What do you anticipate coming from that meeting?

Mayor Arnowitz has no idea, he is hoping that Mr. Kissane can be accommodated.

Mr. Kissane (Contd).

Throughout this process we are trying to get some field time. Just in the past three weeks he has sent emails to Patty Hughes with no response. There is a citizens rights issue vs. sports associations issues and if he hears from Mr. Scandariato that a field is available, this tryout rule doesn't apply; how do softball teams get to use the fields? He puts the onus on the Rec Commission and he puts the onus on the Council. The Rec Commission is not elected

by the residents but the Council is and the Rec Commission has a responsibility for all the residents, not be selective.

Councilmember Giancarlo said Gabe Lengua was banned from coaching for three years, there needs to be tryouts, we have to understand this now because we are now involved and we will not come up with this issue with your need for a field as quickly as you are. Right now he doesn't know why you are banned and he doesn't know if it is right to have such a rule and he has to start from scratch. He has to hear from everyone.

Mayor Arnowitz said Mr. Kissane sent us emails; between the time this Council received the emails and tonight, this is the first meeting we have had. He put this matter on the Agenda so that we can deal with this problem and he explained how we are going to handle the problem. When we get the report back on Tuesday, if it is not satisfactory to this Council, then we will take action. We can't take action until we get more information. There is no need for a Rec Commission or have any Commissions if we are not going to allow them to do their job. If we will find there is a problem, we will have to address it. This Council should not do anything until we have an opportunity to hear from the Rec Commission as to what has been done. There are other teams that have similar problems that we have to address; we have a limited number of fields, we don't have enough fields. It has to be managed properly so that the maximum amount of people can use the fields without destroying them, we don't have artificial turf and we will not be putting in artificial turf. Get this worked out and we will resolve it.

Mr. Kissane (Contd).

We made a request for the field this past Sunday, Centennial Field was empty other than a parent playing with a child. There were no organized games. We had no response and he hasn't heard anything from Patty Hughes in a month. Town Travel Programs have a lot more competition than they ever did, if someone is not happy with their Town Travel Program they should have other options. We came together as a team and we thought it was great from the standpoint that they played in the manner and fashion they wanted to play. He believed this will continue, you will see other teams with the same issue.

Michael Cuffe, 5 Large Avenue -

He is President of Hillsdale Hoops. He is not for or against whether these teams should get fields but every time a group of parents are not happy with a situation you do have to consider the precedent because it will be happening more and more in every other sport.

2) Cell Tower Downtown.

Mayor Arnowitz said we have to make a decision on what we will be doing here.

Councilmember Frank said he received an email late this afternoon that gave a lot of technical detail on RF around the cell tower. It appears it answers the questions but he would like more time.

Mayor Arnowitz does not want to delay too much longer so that the cell tower companies will proceed to put up the towers on private property and we would have no control. We are going to have to decide by next Tuesday what we are going to do. We have invited the cell tower people to numerous meetings and they are not willing to come to a meeting. What the council has in their possession is all they sent us.

Councilmember DeJoseph said our Borough Engineer is working with River Vale. The cell tower people went for a Planning/Zoning Board approval and then River Vale agreed to put it on Borough property. In Hillsdale, they are already speaking to private landowners and it can go on private property if we don't provide the space. Metro PCS is going to show an area of need in Hillsdale for a coverage gap; we are not going to win and we will have a cell tower on private property and Hillsdale will not receive any revenue.

Mayor Arnowitz said the Council is in accord, we chose a location, but Councilmember Frank has some questions. We invited the cell tower company and their attorney was present at a past meeting. We invited them to another meeting but they never came and we invited them again and they didn't come again. He doesn't understand their hesitance to come to a meeting but they are still reaching out to others. We would lose money for the town but also lose control of the style and location if it goes on private property. All they have to do is prove a need and you would have a difficult time denying it.

Councilmember Frank said the problem is he would like to understand some of the technical issues better than he does now.

Borough Attorney Paul said the next step if the Council so desires, a bid could go out patterned from the last bid.

Mayor Arnowitz said he is concerned that we are not moving forward with the tower and he wanted to do something next week. We are either going to go out for bid or we are going to stop the tower.

Councilmember DeJoseph said the report the Council has is brand new for the facility at the DPW and it show the coverage gap in Hillsdale for Metro PCS.

Mayor Arnowitz asked Attorney Paul to invite AT&T and Metro PCS to come to the meeting on Tuesday. He directed the Borough Clerk to write a letter to these vendors inviting them to come to the meeting.

Borough Engineer Statile spoke with PCS this afternoon and they forwarded information to Councilmember DeJoseph. The next step is up to Hillsdale.

3) Solar Panels - PSE&G.

Mayor Arnowitz said we met with Public Service at Centennial Field to get a feel for a solar panel fields to eliminate most of the panels on poles in town. He did not believe we were successful.

Borough Engineer Statile said Public Service wants to install between 200 to 350 pole mounted solar panels in Hillsdale. We met at Centennial Field to potentially use the south embankment to locate all 350 panels; Public Service was hesitant in not changing their program, they want to do what they want to do. We are suggesting they could put all their panels in one place. Public Service derives out of these panels a tax credit from the government and credit for the stockholders. They are making money off the solar panels. They were going to go back to their upper level of management to see if they could put them all together as a group. River Vale wants to do the same thing and Ho-Ho-Kus is looking to do the same thing as well. There are a number of Mayors in the area who are looking to put these panels together as a group vs. all over town.

Mayor Arnowitz said they have not gotten back to him, he did not feel reassured after the meeting because this is a federal program. When we suggested the field, they said that was Plan 2 or Stage 2 which means they are going to come back and look for locations to rent.

Borough Attorney Paul said the Northwest Bergen Mayors are going to be meeting with PSE&G on Saturday. After that meeting we will see the results. Perhaps we could do something together to voice concern.

Mayor Arnowitz didn't have a problem with the solar panels, it is the future, it is a great idea but he did not think it is cost effective to put them on every single pole. Pascack Valley Mayors were not willing to join together. We are limited to poles that are facing a certain way, they showed us a map with the poles that are selected.

Borough Engineer Statile said we will go to the BPU. We have a better program and would generate more power. He has spoken with

the BPU staff. He believed the Mayor should write a letter and the Engineer will compose a letter and the Mayor would present it at the Pascack Valley Mayors meeting.

Councilmember DeJoseph said Ridgewood also fought this and they are getting solar panels. They did decrease the number of units than proposed through correspondence and meetings so it should have some benefit for Hillsdale.

4) FEMA Grant to Raise 46 Glendale.

Borough Clerk Sandt did not receive information that he needed. Ms. DeCaro called him on Tuesday and FEMA was going to reach out to him. He saw a phone message late Tuesday, called him back Wednesday and left a detailed message, called him again on Thursday and left a detailed message, then called his cell phone number provided by Ms. DeCaro. He still has not received a response.

Mayor Arnowitz said this is the same property that Ms. DeCaro wanted the Borough to take over the property. We opted not to do that about two years ago. She is now trying to raise the house but we received an email from the Borough Engineer stating this can't be done because of the way the house was built. He did not believe this is our problem, it is Ms. DeCaro's problem, and it is his feeling that there is no expense to the town, we do not assume any property, and we don't lose the taxes we are concerned with. Any resident who wants to take advantage of Blue Acres funds to raise their property so be it. They would need all the guidelines and specifications of today's flood standards. We don't have a problem with that. That is a beautiful area and people love living there which has a huge problem of flooding. If she believes she can raise the house and make it habitable he has no problem with that.

It was the general feeling that the Council was in favor of this. When we get the information from FEMA we will adopt a Resolution.

GENERAL PUBLIC HEARING:

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

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

He asked about the raising or razing of 46 Glendale. What are the Planning Board implications as far as raise the building up and the requirements of distance from the ground for the height of the building.

Mayor Arnowitz said they would have to meet all the requirements as to the present laws. He believed it is a non-conforming lot and it has to go before the Planning Board for approval. All the Council

is doing is saying fine, but Ms. DeCaro has to follow all the rules and regulations established by the state, county and the town to make that happen.

Mr. Murphy (Contd).

Property owners have to be made aware of this and go before the Planning Board.

Helen O'Brien, 35 Glendale Drive -

She asked if the town will pass a resolution with United Water that they would lower the dam. With the recent storm we had when they wouldn't lower the dam, what impact would the resolution have on United Water.

Mayor Arnowitz said there is no resolution, there was a letter Westwood had that we supported their resolution to lower it to 88. He spoke to Mr. Henning numerous times about it and thought he copied Ms. O'Brien. Mr. Henning said that was a one-time event, they approved 88 only to accommodate replacing of the bridges at Fairview and Broadway, it was not agreed to in perpetuity. When he spoke to Westwood, it is not that we feel that they made an agreement with us to lower it to 88 but that they can go to 88 so why don't they go to 88, and again said they are not in the water control business. They are not willing to discuss this and the legal advice he has received is that he will not prevail in any kind of lawsuit.

Ms. O'Brien (Contd).

We don't know if we can get back into our houses in such an event. Her son said the fire sirens don't scare him but the flood sirens scare him. Her 8th grader said if the flood siren goes off when they are at school, do they need to come home and that is the effect it has on her kids that they go to school with this anxiety which we never had until this year and the two floods.

Mayor Arnowitz is frustrated and doesn't know what to do. He had numerous meetings with Mr. Henning who is Vice-President of Public Relations. He sees absolutely no reason why that gate can't be lowered before flooding; we know three or four days prior to a possible flood. If it would be lowered another four feet that is minute compared to their total inventory, and if it doesn't flood, raise the gates. It will fill up again. He doesn't feel it affects the environment to make it easier for us to get in there and take something out of a stream, he hopes to rip rap. We received four calls saying we can't rip rap because it will make the water go faster and flood. All the approvals are there for the replacement of the bridge and we hope the repair will begin in the fall.

Ms. O'Brien (Contd).

We are not giving up, we write to Senators.

Councilmember DeJoseph said the Bergen County Freeholders are putting together a Flood Advisory Committee, and they are looking for a volunteer from Hillsdale. They want an elected official to be on that committee and the county is definitely working on this as well. It is not limited to Hillsdale, it is going to be the Pascack Brook to Hackensack River and Saddle River. It will be a county-wide area.

Mayor Arnowitz is willing to do that and would need a backup.

Thomas Kelly, 41 Sycamore Avenue -
Charlotte Vandervalk and Schroeder had a meeting and one of the things coming out of the meeting is that lowering the reservoir won't help because so much water comes down when there is flooding that lowering it won't do anything, which is true for a 100 year storm. We are talking about five and 10 year storms, four or five inches of rain, and we are flooding and we shouldn't be. If we can somehow work as a Borough with Westwood and get to our Congressmen, DEP and convince them that lowering this minute amount of water compared to their total holdings, gives United Water a lot more time respond for a catastrophic flood. They could start letting out water, they don't have to do it all at once; it gives us a lot of buffer for these smaller storms where we are flooding. This is how we can prevent the small storms from flooding us; the only thing it costs them is the water. They will not do it on their own, they are trying to tell you it won't do any good. That is correct from a Floyd type rainstorm but for everything else below that, the problems we have been having since Floyd, this will take care of it. This is getting them to change policy at the DEP.

Councilmember Frank said what United Water is doing doesn't make sense from a neighborhood, practical standpoint. The amount of water is not that significant for them to lower it. There has to be a different motivation. If they start lowering the reservoir to restrict flooding they have become part of the problem and part of the solution. If they choose not doing it at a particular time, they end up being liable. There has to be some way to get them to be willing to take the risk and get involved in the process without a fear of failing to do it at a particular storm and there is a lot of damage, they become liable.

Mr. Kelly (Contd).

We have to get the state and the DEP to do this; they are the only ones who will be able to do it. We need to get our state legislators to get involved because United Water will never do this on their own.

Borough Attorney Paul said this is a situation where there is

reticence and United Water wants to keep out of incurring any liability. It does not have a quick answer; everyone suffers and it is hard to get liability on anyone's part when you have a situation like this. It has to be dealt with carefully and there is no easy answer on the liability issue because of the great potential of damage involved. One possibility is to see what possible indemnification we could get and it is something he could explore.

Mayor Arnowitz said if it works and doesn't cost us anything we should try. Residents are being chased out of their homes, their basements are filling up with water, United Water does things to accommodate them and they don't care about individuals.

Councilmember Frank said it is worth exploring indemnification and what is their liability now. Did anyone sue them now?

Mayor Arnowitz said they have many lawyers.

Borough Attorney Paul said the first people he will reach out to be our insurers because they would have an interest in what type of indemnification and they would know more about the overall scheme. That will be his next step, contact our insurers.

Grace Biener, 649 Hillsdale Avenue -
Stephanie joined our team and she configured the logo for the Green Team Hillsdale and now we set up the pictures that will be on the recycling bins and Stephanie can talk about the designs and different ideas for each one and the options she has created.

Stephanie said the bins all show the main logo, the "H", we include recycling signs; you find that in the center piece and then we have two alternatives; we have an "H" in the middle and then we have one with the borough seal and one without. We always have one slogan in the lower part and the second alternative shows the "H" in the right spot and Hillsdale in two lines with the underline slogan. That is the main difference with or without the borough seal.

Ms. Biener said we feel that important on the bin and Clean Communities or a version be on it because that is what the slogan is. We want the Council to look at the basic design and logo.

Stephanie said we should talk and decide about any kind of design and any kind of slogan could be incorporated and that is the second step. The first thing would be the overall image of the logo and the second step would be do you wish to have a borough seal incorporated or not. She did not know how important this information about the borough seal would be but she tried to incorporate it in one alternative where we have the text on the left side and "H" on the right with or without the seal. She feels

the borough seal works like a trademark and appropriate way to incorporate the seal. The third step is to think about any kind of logos and slogans to combine. She wanted to display four kinds of slogans.

Councilmember Giancarlo said we have three recycling canisters downtown and we have an option of placing ads, which we did not want to do, or put a slogan or logo on all of the canisters. Much work has been done on developing and giving the Council some choices about which way they wanted to go.

Councilmember DeJoseph said recycling containers have to first be ordered which will take approximately eight weeks. This is a separate item and we have approximately a month to provide the Council's decision.

Councilmember Giancarlo said the decision to be made is what kind of slogan is chosen and whether it is a logo or not.

Councilmembers Hanlon and Giancarlo liked same No. 4. We recycle, we care.

Councilmember DeJoseph said in regard to wording, we are using grant money and we may have to say something about Clean Communities. We are receiving \$15,000 this year and we will find out for sure and have more information next month.

Ms. Biener (Contd).

She asked if the Council would agree on whether or not you like the direction we are moving, whether or not you want the seal, and then we can still play with the wording and come up with a final option.

Mayor Arnowitz said we will vote on this as soon as Councilmember DeJoseph gets further information as to what will be required on the containers.

Mayor Arnowitz closed the meeting to the public.

GO ROUND:

Police Chief Stalter said one of the two officers who have been out since the Township incident, one is working shifts as an extra person. We hope within the next week or two he will be back full time. We notified last Friday that one of our officers has a shoulder injury and is going for surgery consult next week.

After conversations with Councilmember Frank and members of the Traffic Safety Bureau within the Department, we are looking long term to do a pedestrian safety push. We want to do more as a

Department and a municipality. We will be meeting with the Engineer and the Traffic Safety Bureau because it involves education and long-term we will be coming back to the Council as some ideas may involve money.

Mayor Arnowitz said he desires a traffic light either at Saddlewood or Colonial so that people can get out of their driveways on Hillsdale Avenue. He believed the preferential spot would be Saddlewood, and if not approved, the second choice would be Colonial. Residents are in favor and suggested the process begin.

Chief Stalter said he receives mail and emails thanking and praising a police officer, Adam Hampton. The email from Pastor Chet Klope thanked him for his ministry to a family and he showed compassion beyond what he is paid for. It is an example of what he gets every week and is a tribute to the versatility of all the people we have.

Councilmember Giancarlo said he believed that the speed limits of 35MPH are much too fast in this town where people are backing out of their driveways and they don't have reaction time. It is just too fast on Kinderkamack Road and Hillsdale Avenue and something has got to give.

Councilmember Frank thanked him for getting the Hillsdale website which he hopes more people look at. It is education and more and more people have to recognize that the pedestrian has the responsibility not to jay walk and step in front of a car in a crosswalk when a car doesn't have enough time to stop. The biggest danger is the driver and they have to be much more aware when someone is standing on the curb waiting to cross.

DPW Superintendent Durie said we had our spring shredding event on Saturday at the recycling center and were able to dispose of much borough material including Police Department files that needed to be destroyed properly.

The Code Office has been receiving an enormous amount of complaints regarding their neighbors. It would be nice if the residents of Hillsdale could be a bit more neighborly and get along with their neighbors and work together and work out their problems and it becomes quite nasty when we get involved. Be a neighbor and be nice to each other and it is better to handle complaints between neighbor and neighbor instead of having a third party come in and issue a violation on the property.

Police Chief Stalter said Neighborhood Dispute resolution actually operates out of the courts and that is still a viable option but there has to be a formalized complaint. That committee still exists.

Mayor Arnowitz said he would be willing to initiate a committee where residents would volunteer to serve to meet with both sides and try to solve a problem before it gets out of hand.

Councilmember Frank said he was advised that we are getting more complaints in a week than we received in a month and most are property maintenance and neighborhood type issues and we need a way to resolve them.

DPW Superintendent Durie said we have three or four court cases pending now that will be coming up at the end of the month. We have issues dividing houses illegally, people die in fires because houses are divided illegally, and that is one of our concerns.

Mayor Arnowitz asked if a letter was sent to Sheriff Saudino thanking him for the prisoners that cleaned up.

Superintendent Durie said he is in the process of making contact with the Sheriff and he will take care of it. He will email a copy of the letter to the Mayor.

Mayor Arnowitz thanked the DPW for Memorial Day and all the parks looked fantastic and he congratulated his people for the work they did in setting everything up.

He thanked Durie for Ronnie's Bagels and Starbucks garbage situation and the times he visited the sites, the garbage was cleaned up and he appreciated his intervention.

We have a problem in town with signage that is being posted, such as the pancake breakfast the boys had. We have to remind people that if they are putting up signs they must take them down when the event is over. We should also do that with regard to garage sales so that the people are more responsible for removing their signs.

Councilmember Weinstein thanked the DPW for responding so quickly in cleaning up the glass in the west lot.

Patterson Street Bridge

Borough Engineer Statile said not much has happened, we did receive the permit from the state for the bridge and we have to put together the final design for the project. The old bridge will stay in place until the new bridge is commissioned.

Mayor Arnowitz said he has received information regarding Church Road and the causeway in Woodcliff Lake. Church Road is now at 100 and the causeway is 97.6 and they will lower Church Road to 96.7. He is concerned because Church Road will be closed on a more

frequent basis than we have now and we have to address that when we go to the DEP about this.

Engineer Statile said there is an application in Trenton now that is getting close to approval. You can express an objection to that at any time and the Mayor and Council would do that. The second application would change the dam.

Mayor Arnowitz said he met with the water company who agreed to provide the funds for a camera to measure the height of the stream. It will be put on the website and anyone can dial into it and we will locate it at the library. Does the engineer's office get involved in this? We will be placing a camera on Councilmember Giancarlo's property next to the stream and do we need approval from the library. A proper measuring guide will be placed that will have the height of the stream and the police desk in flooding situations will have that on their monitor 24/7 instead of having a police officer go there. The water company or the resident can dial in.

Statile and Bill Franklin will work this out.

Councilmember DeJoseph said he, Councilmember Frank, Engineer Statile and Keith Durie met with regard to the road program. We prioritized everything, put in an optional street if there is enough funding. The Police Chief mentioned a couple of areas of concern for thermo plastic on the streets so we wanted to get some numbers together.

ORDINANCES:

Ord. No. 11-12 (Introduction) Amending Hillsdale Code, Signs	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 11-12 as follows: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 310 ENTITLED "LAND USE LEGISLATION", SECTION 310-4 "DEFINITIONS", AND ARTICLE XV "SIGNS."
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Mayor Arnowitz asked the Council if there was any discussion on the proposed ordinance.

Councilmember DeJoseph said this ordinance was just received on Friday and should be delayed. It is a very lengthy ordinance.

Borough Clerk Sandt said the Council has examined this over the past six months and Councilmember Schiavone agreed that it is fine as it is, even though the Planning Board has a few minor, suggested

changes. She asked that it be introduced tonight.

Councilmember Hanlon was concerned with the enforcement of this ordinance. It is different than what is going on in town.

Councilmember Weinstein said we have to make the decision to pass the ordinance and then discuss with the Code Officer the lack of enforcement in the past.

Mayor Arnowitz said the Code Officer reviewed this ordinance, made suggestions.

Councilmember Giancarlo said we are not enforcing the current ordinance, have not given out any violations with the current ordinance and we are passing a more restrictive rule. Overall, is it feasible to have another law if we are not enforcing the current law.

Councilmember Hanlon said the current law is not known by the merchants in town.

When this was started five years ago, the feeling of the Code Department and attorneys that were on Council and the Borough Attorney at that time was that the current ordinance was not enforceable so we had to write a new ordinance to make it enforceable. We never gave out any tickets and now we have come to this but it was started because an ordinance supposedly was not enforceable.

Councilmember DeJoseph said with the present economic state, he believed such a restrictive ordinance as this and added additional burdens on the businesses, he did not think it a wise choice. They do not want grandfathering of pre-existing signs and it would be a real burden.

Councilmember Frank was not in favor of leaving this ordinance open and go another five years and keep modifying it. He agreed that if we have been working on this for five years we probably waited for the worst time to introduce something that would be restrictive to the small businesses in the area. He would suggest this be placed on hold for a year and introduce it as it is today, he would be in favor of that.

Councilmember DeJoseph said the previous administration wanted to make Hillsdale a Ridgewood, we are not Ridgewood. The signs are going to be a sign that businesses are older.

Councilmember Weinstein did not believe that was intent of the sign ordinance, the sign ordinance was to attempt to clean up some of the clutter that has occurred because we didn't have an enforceable

sign ordinance for years. It has gotten out of control when going down the street, you couldn't see into the stores and in certain circumstances, an eyesore. He said in the sign ordinance that it includes that until there is change of ownership in a shop then changes do not need to be made and the attempt was to clean up and bring some continuity to signs being put up on a go forward basis.

Mayor Arnowitz said we have been working on this for so long, we have made a concerted effort over the past year and a half to make this happen. We have had discussion after discussion and now we come to a vote and we are saying to put it off for a year. We haven't been enforcing the existing ordinance and we should do something because we have to stop the proliferation of these signs and have some sort of control. We do need a sign ordinance, we have to pass something that is enforceable. The overhead signs do not have to be changed until ownership changes.

Councilmember Hanlon said we should rely on the Code Office that the enforcement they use will not be oppressive.

Motion

Motion by Councilmember Hanlon to table this ordinance until the first meeting in September, seconded by Councilmember Weinstein.

Roll Call Vote:

Ayes: Councilmembers Frank, Giancarlo, Hanlon, DeJoseph

Nays: Councilmember Weinstein

Absent: Councilmember Schiavone

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz asked the Borough Clerk if the fees have been increased on Resolutions 11094 and 11095.

Borough Clerk Sandt replied that we are still at the maximum.

Mayor Arnowitz read the Consent Agenda of Resolutions.

11091 Requesting Approval of Items of Revenue and Appropriation - Clean Communities Grant was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11092 Requesting Approval of Items of Revenue and Appropriation - Body Armor Grant was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11093 Appointing Community Development Representatives was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11094 Liquor License Plenary Retail Distribution Renewal was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11095 Liquor License Plenary Retail Consumption Renewal was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11096 Award Municipal Cleaning Services was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

11097 Award Stonybrook Swim Club Cleaning Services was introduced by Councilmember Weinstein, seconded by Councilmember Giancarlo.

Roll Call Vote on Resolutions 11091 through 11097

Ayes: Councilmembers DeJoseph, Frank, Giancarlo, Hanlon
And Weinstein

Nays: None

Absent: Councilmember Schiavone

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Fire Department report for the month of April 2011. Received and filed on motion by Councilmember Frank, seconded by Councilmember Hanlon, and unanimously carried.

Finance report for the month of May 2011. Received and filed on motion by Councilmember DeJoseph, seconded by Councilmember Hanlon, and unanimously carried.

Board of Health report for the month of May 2011. Received and filed on motion by Councilmember Hanlon, seconded by Councilmember Giancarlo.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

LAST GO ROUND

Councilmember Weinstein said Stonybrook opened Memorial Day weekend and it was crowded by far more than he has ever seen it. Stonybrook has a new concession manager and they have been in the food business for quite some time and he has been hearing very good reviews.

The issue with regard to field usage does have to go back to the

Rec Commission rather than taking decision making out of their hands.

There was a shared services committee meeting this evening and Councilmember DeJoseph and Schiavone were there. We met with our Chief of Police and our judge with regard to ongoing conversations with regard to our court services.

Councilmember Frank thanked Councilmember Hanlon and the parade committee for all the work done for Memorial Day Parade. He also thanked Demarest Farms for providing the trailer for use by the American Legion and we were able to have vets present who would not have been able to attend the parade. One in particular was John Campbell, 91 years old, Bronze Star recipient from WWII who rode on the float.

We have had preliminary discussions about holding Town Day at Stonybrook in September. We are in the early stages and are looking for support from some of our local businesses if possible and possibly changing some of the past practices. It would be an opportunity to showcase Stonybrook to all the residents and perhaps help with membership next year.

Hazardous waste disposal is scheduled for June 12 at Bergen Community College between 9AM and 3PM and paint, etc. can be disposed of. The information will be posted on the town website.

He had a meeting with the Department Heads and the Mayor with regard to the replacement of the Borough Administrator. We have more information now in terms of what the needs are within the offices of the borough. The Department Heads feel it is very important to have one person as the main Borough Administrator present at all times and the concept of combining the CFO and Borough Administrator jobs would be the best way to go. This has to go into the Council's considerations because the next couple of months we have to plan to fill these roles.

Mayor Arnowitz would like a job description by the fall and potential candidates so that we could hire in October or November. We cannot move forward until the Council agrees to that direction.

Councilmember Hanlon said she spoke to the DPW and the Police and Auxiliary and she thought it was one of the best. We need a marching band, we only had two, and the reason we only had two was money. We did have an excellent band but they were unable to work for less money. Some of the parade prizes are not picked up by the children by August 31 deadline or the troops. She asked that the bond applications be brought in so that the bonds can be purchased. All parade prizes will be given out on June 17 and will be available at the borough hall.

The seniors are having lunch at the pool and we are having hot dogs and hamburgers, macaroni salad and ice cream, tea, lemonade and coffee. If you don't want to pay \$2.00 please make a food donation to the food pantry.

She thanked Ann Cron, Rich Gazzilla and Peter, judges for the parade.

Councilmember Giancarlo said the Borough of Oradell is having an ethics seminar for people on Council on Wednesday, June 8, at 7:30AM at the borough hall council chambers. It will be presented by a law firm and there will be a question and answer period afterwards.

In terms of the indemnity issue at the flood area, he said it was a very good idea, we need to think like that. We need to come up with some other ideas also; the bridge will be a big help but things take a while.

Regarding the Borough Administrator, we are looking at a different position than we may have been looking at. Nothing is a substitute for experience for what needs to be done for the borough.

He thanked the Green Team for the artwork for the canisters. They did a great job. With regard to Memorial Day, it is hard to commemorate war dead because we can't do it adequately. We do a great job in Hillsdale and thanked everyone who made that possible.

Councilmember DeJoseph thanked Jim Moldow who worked diligently with USGS in reference to changing the meter reading frequency at the spillway. That will get done every 15 minutes. When we replace the Patterson Street bridge, we might include a meter from USGS to give the height elevation as well as a camera at the library.

We met with shared services this evening and spoke about a couple of different options. There are grants available from the Prosecutor's office to look to shared services, the deadline being the end of this month.

On July 1st in the My Hillsdale, Pascack Press and Community Life, we will go by the law of recycling. If someone puts a cardboard box out on garbage day it will not be picked up any longer, a sticker will be placed on it. It seems to be an ongoing problem and a little education will hopefully go a long way for Hillsdale.

The Finance Committee met two weeks ago and we will meet again at the end of this month. We looked at our fees and we will come up

with recommendations for the Mayor and Council to discuss some items that should be adjusted yearly. Next month the meeting is on the 12th and he will not be able to be present. Purchase orders and vouchers will have to be signed the week before for accounts payable. He asked that purchase orders not be signed during the meeting, come in before or after the meeting and pay attention to them.

Mayor Arnowitz said he apologized to Scout Pack 109 we did a cleanup on Saturday at the Park Section and they were marvelous and he took a picture. However the picture won't print; we will be honoring them at a future meeting.

Councilmembers Frank and DeJoseph walked the stream and he thanked them, they brought back a lot of information for the Council and the public. We can go into the stream and do almost anything to get out the blockage without a permit. Anybody in the flood zone and wants to get on the email list he would be happy to add names to the list.

He does not know where we stand with Waste Management but if they plan to come back to us to talk about doing recyclables in Hillsdale, he want it on the board so that the residents have the opportunity to come down here and voice their concerns or agreement. He leaves it up to Waste Management to set up a date with the Borough Clerk to come back and answer questions.

On June 3rd, he was very proud to attend the New Jersey/New York Firemens Association Convention in Cresskill. Marianne McDevitt, a member of the Ladies Auxiliary, received the first annual Volunteer Firemens Association Ladies Auxiliary Leadership Award. He presented her with a Proclamation from the Mayor and Council and congratulated her and we are very proud of her.

Ray Albano who was interim Superintendent of our local schools has been appointed the regular Superintendent. He has given a three year commitment.

He was asked why we waited so long when our Administrator left in January, we had to pay Mr. Polce through April and we are paying his benefits through May. For budget reasons we couldn't afford to put someone on. He thanked Councilmember Frank and Borough Clerk Sandt so that we could get to this point.

He believed we had a great program going with our sports and kids in town. The Rec Department with Patty Hughes at its head is doing a great job in arranging these things. It is not easy to arrange fields for all of these programs going on and still have days for rain and days for the grass to grow. If we start accommodating one we will be accommodating them all; he spoke to residents whose kids

belong to different leagues that are not being accommodated now because they know the rules. Our programs come first because they are the fairest programs; he has a problem with the select groups, select teams. He is proud of football, baseball and soccer that they can find a place for every child to play.

ADJOURNMENT

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

6-6-11

Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk