

Council

Meeting

March 9, 2010

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

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

#### ANNOUNCEMENT OF MEETING

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

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

#### ROLL CALL:

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

#### APPOINTMENT:

Mayor Sapanara presented the name of Dr. Laurene DiPasquale as a Member of the Hillsdale Board of Health for the unexpired term ending December 31, 2010.

Motion to approve the appointment was made by Councilmember Hanlon, seconded by Councilmember Giancarlo.

Roll Call Vote:

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

Nays: None

DISCUSSION:

1) Sign Ordinance

Councilmember Schiavone said she would highlight some of the changes and intent of the new ordinance and procedures discussed with the Code Compliance Office.

Jason DeGise, Chairperson of the Planning Board, was present.

Councilmember Schiavone said one change will be that all signs will require a permit and included will be a sticker adhered to the sign to make it easier for the Code Official to determine that it is an approved sign.

Regarding flag signs, a flag sign is not a patriotic flag. Borough Attorney Paul did not think there was a problem with that and we are seeking to regulate that as any other sign.

Councilmember Schiavone said once this is completed this evening, a copy will go to the Planning Board. The Planning Board attorney will review it as well as our Borough Attorney and the Planning Board will provide their review and comment.

If there is a sign on a vending machine and if the vending machine is in the window and visible from the street within two feet of the glass, it is considered part of their signage; that was existing in the ordinance.

The sign permit and application process used to include a sign committee but that no longer exists and that was removed. The process is that it goes to Code as an application. We have chosen not to regulate colors; we are regulating material based on materials specifically marine plywood so that it holds up to the weather.

Prohibited Signs. Flashing signs are prohibited; signs that advertise a business that no longer operates was added. The sign has to be removed. Sculpted Neon Signs are prohibited. Nothing is grandfathered. If the main sign overhead and is not in compliance if it happens to be neon, that is not going to be included in their 60 day requirement. They would have to spend money to put up a new sign. This merely means that anything that is not compliant aside from that neon sign needs to come down. Anybody can take any window sign down and still have their main sign for their business even if it is not compliant. The rules for changing that are the

same. Sculpted neon signs can be placed indoors on the back wall if desired.

Councilmember Arnowitz said if a merchant disagrees, he would have to appear before the Council and plead his case.

Councilmember Schiavone said this governing body wants the town to look a certain way and it seems to be the sentiment of past governing bodies, people, residents, etc. It is estimated it will take two years before they get to every merchant, but it has to start somewhere.

Temporary signs are prohibited and it does include political signs, signs of any nature. People cannot tack them to telephone poles, etc. No sign is exempt on borough property. It does not apply if it is on someone's private property.

Signs that list the names of developers, contractors, etc. can put up their signs during the job but once the job is over, the sign has to come down.

Billboard is a type of sign and it is prohibited. If in our opinion there is a sign that looks like a billboard it doesn't mean it is prohibited. It means it is a sign that has to comply with the sign ordinance. A billboard or off-premise sign advertising something not related to the business it is on or free standing, that is the difference. Temporary signs are separate.

Councilmember Weinstein said the Chamber of Commerce has voice some concerns and he believed they should be present to voice their concerns directly.

Councilmember Schiavone said this ordinance has to be introduced and open for discussion. This is a review for our edification of what has been compiled.

We have always prohibited banners in town and we are still allowing the grand opening banners for a temporary period of 30 days on their property. They are regulated in size.

Existing Non-Conforming Signs. A property owner can apply for a sign or combination of signs, all other signs located on the building or portion thereof shall be removed or brought into conformance with this chapter. Non-conforming primary signs can remain with the following provisions: routine maintenance, alteration of non-conforming sign use. If a non-conforming sign needs repair, they are allowed to fix the lettering, etc. as long as it is not altered.

After merchants receive their 60 day notice and a copy of the ordinance, they have 60 days to comply. Then Code Compliance will start writing notices of violation. At that point, it becomes

subject to fines. We are not changing the fines or penalties.

Golden Dynasty is not in a commercial zone so we never had anything on paper indicating their signs had to comply with the sign ordinance. They are an unconditional use.

Permit procedures have been reviewed by Code Compliance and they are satisfied with the wording.

The size of window signs has been changed; it used to be 25% and we changed it to 20%.

Fines and penalties will be restated, up to a maximum of \$2000. That is the sign ordinance. The changes discussed will go to the Planning Board, to the attorneys for review.

2) Pay to Play Review

Councilmember Giancarlo asked for a postponement for discussion.

3) Green Team

Councilmember DeJoseph said we formed a Green Team consisting of himself, Councilmember Giancarlo and the Mayor and approximately 10 residents. We have discussed goals and objectives as well as a mission statement. A resolution has been drafted and once it is official, he will be sending sustainability to New Jersey and working towards getting us certified. We will work towards 150 points to become Sustainable Jersey Certified. He wants to be one of the leaders in Bergen County.

OPEN PUBLIC MEETING:

Mayor Sapanara invited comment from the audience, seeing no one, the public portion of the meeting was closed.

ORDINANCES:

Ord. No. 10-05 (Introduction) Ordinance To Vacate Property	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 10-05 as follows:	An
--	---	----

AN ORDINANCE VACATING A PORTION OF PROPERTY AT BLOCK 1702, LOT 7, IN THE BOROUGH OF HILLSDALE.

Mayor Sapanara asked the Council if there was any discussion on the proposed Ordinance.

Mayor Sapanara said we had an issue with a piece of property which was designated to be used as a road at the turn of the century. We never vacated the road and it has caused some difficulties for a residents as there is still an easement by the borough for that piece of property. It has been determined that the road in question will never be built and it was decided to vacate and put it back in the hands of the taxpaying public.

He indicated the Borough Clerk will advertise the ordinance with a final hearing date of April 6, 2010, at 8:00 PM.

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

Following is the result of the roll call vote on the foregoing Ordinance No. 10-05:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 10-06 (Introduction) Adopting Revisions to International Property Maintenance Code	At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 10-06 as follows:
---	---

AN ORDINANCE ADOPTING REVISIONS TO THE  
INTERNATIONAL PROPERTY MAINTENANCE CODE  
OF 2009 IN THE BOROUGH OF HILLSDALE.

Mayor Sapanara asked the Council if there was any discussion on the proposed Ordinance. He indicated the Borough Clerk will advertise the ordinance with a final hearing date of April 6, 2010, at 8:00 PM.

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

Following is the result of the roll call vote on the foregoing Ordinance No. 10-06:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

RESOLUTIONS: (Consent Agenda)

Mayor Sapanara read Resolutions from the consent agenda.

10040 Payment of Bills was introduced by Councilmember Arnowitz seconded by Councilmember DeJoseph.

10041 Approving Interest Arbitration Reform was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

10042 Transfer of Funds was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

10043 Appointing Acting-Tax Collector was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

10044 Establish a Green Team Advisory Committee was introduced by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

Motion to approve the foregoing was made by Councilmember Arnowitz, seconded by Councilmember DeJoseph.

Roll Call Vote:

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

Nays: None

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

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

(SEE COPY OF THE AFORESAID REPORT AFFIXED HERETO)

Last Go Round

Councilmember DeJoseph said the new Council person in Park Ridge is Steve Hopper.

Mayor Sapanara said in the special election as was held in Park Ridge and in Rutherford, the cost is borne by the individual town which is unfortunate and costs a lot of money.

Councilmember Schiavone said the Pascack Robotics Team won the big regional championship over the weekend in Trenton. Fifty one teams participated. They are invited to compete in the finals in Atlanta and she asked that the team come to a Council meeting at the end of the season.

The Fire Department Hose Company is having a comedy night/fund raiser March 27 at the firehouse.

Councilmember Weinstein congratulated the Pascack Pioneers.

Councilmember Hanlon said the senior luncheon will be held on St. Patrick's Day. She congratulated Dr. DiPasquale on her appointment to the Board of Health. She thanked Councilmember Schiavone on her efforts on the Sign Ordinance. The School elections will be held on April 20. There will be a Chamber of Commerce meeting on March 18 at NVE Bank at 6:30 PM. She is waiting for the mission statements from the Boards.

Councilmember Giancarlo said the Historical Committee is looking capable people. Former Police Officer Peter Hard has joined the committee.

He asked Councilmember Weinstein on the status of traffic calming.

Councilmember Weinstein responded that they are waiting for the weather to clear.

Mayor Sapanara said April is a good month to fill potholes, road work, etc.

Councilmember Arnowitz said the Football Association is looking for a number on the electric lights at Beechwood Park so the Football Association can discuss the feasibility of helping the town pay for the lights.

On Friday night, he met our Bond Attorney and we were advised that BANS are coming in at .65% where bonds are coming in at 4% so we will have to consider that. That is a substantial difference.

He asked the Administrator to remind department heads that we have not approved the budget yet, purchases should be limited to items we absolutely need, not non-essentials.

He said Montvale sent Pascack Valley High School a \$3000 bill for sewer fees for Hills. Now the schools are going to meet regarding billing the town for the services that the school provides, such as the fields, etc.

He emailed events that will be coming up at the fire department. The fire department will continue their pancake breakfasts on opening fishing day starting at 6AM, April 17. The Westwood Elks will give out free hot dogs and hamburgers from 11:00 to 2:00.

Administrator Polce said we attended a Safety Award this morning at Seasons. For the last couple of years we have not received any safety awards. We had decided to aggressively take care of a lot of safety issues, meetings, etc., watching film clips which the town should be cognizant of. The extraordinary efforts of the department heads resulted in the borough receiving an award today with a check for \$750.

He said Councilmember Arnowitz brought up the topic of BANS and bonds. He spoke to Steve Rogut today and we made a decision not to bond at this point and look to roll over the BANS until August and take advantage of the low rate.

There is a budget meeting Wednesday after the elected officials seminar in Washington Township. There is a meeting also on Saturday and next Wednesday.

Regarding grants, our Governor is potentially pulling the plug on grant fundings which have already been approved. Procuring any sort of grants will be problematic in 2010.

Mayor Sapanara said we had COAH mediation today in Trenton. It is still open ended because we did not make any commitments. We heard the objections and he believed we are well on our way to certification. They appreciated that we came and they were complimentary of our projects. The outcome is up in the air in regard to what is going to happen with COAH.

The hospital is a situation that is still in play. The Pascack Valley Mayors are trying to get an audience with the Governor who promised to support Pascack Valley Hospital during his campaign. Right now there are legal issues which can tie that up in the courts. We are actively trying to keep that on the plate.

CLOSED SESSION

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

## OPEN SESSION

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

Mayor Sapanara said we have an offer to retain a potential Tax Collector and we need direction from the Council.

Motion to hire a Tax Collector was made by Councilmember Hanlon, seconded by Councilmember Arnowitz.

## Roll Call Vote:

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

Nays: None

## ADJOURNMENT:

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

3-9-10

—

-----  
Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

-----  
Robert P. Sandt, RMC  
Borough Clerk