

Council

Meeting

May 3, 2011

Minutes of a Council Meeting of the Borough Council held at 7:30 P.M. on Tuesday, May 3, 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 3rd day of May 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 Giancarlo, seconded by Councilmember Hanlon, the minutes of the Council Meeting of April 12, 2011, and Closed Meeting of April 12, 2011, were approved as presented.

APPOINTMENTS: Lt. Michael Niego promoted to Rank of Captain. PTL/SRO Sean Kavanagh appointed to the Position of Detective.

Borough Clerk Sandt administered the Oath of Office to Captain Niego and PTL/SRO Kavanagh.

CORRESPONDENCE:

1. KATHLEEN MC GRATH, 1A RAWSON COURT, THANKING MAYOR AND COUNCIL FOR THEIR WORK ON THE BUDGET.

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

2. BOARD OF FIRE OFFICERS SEEKING APPROVAL FOR JONATHON COURI AS A REGULAR MEMBER OF THE HILLSDALE FIRE DEPARTMENT.

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

3. FRIENDS OF THE PASCACK BROOK THANKING THE MAYOR AND COUNCIL FOR THEIR SUPPORT WITH THE ANNUAL FISHING CONTEST.

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

DISCUSSION:

- 1) Cell Tower Downtown.

Mayor Arnowitz said we are awaiting AT&T or Metro PCS to advise us who chooses to be located on the cell tower in the center of town and to advise if the site at the DPW is acceptable for their frequencies, etc.

Borough Attorney Paul said he was advised by phone from AT&T that a preliminary look at the site and they would very likely be interested in bidding on the site, however, they did not express a great interest in expending a lot more professional money until the bid goes out. He suggested to the AT&T Representative that they may want to provide this Council with a sample of what a safety study looks like that is typically done for a project like this to give the Council something to go on.

Mayor Arnowitz said AT&T did not see a problem with having their representative, engineer or group to answer Councilmember Frank's questions.

Councilmember Frank said the question he had was whether the fact that we have a tower at the Fire Department and another at the DPW and the overlap, what would the effect be on the safety factors for anybody living between the two towers.

Councilmember DeJoseph spoke with Metro PCS the other day and they do not want to expend money on an area like that; as far as legal

fees, research and professionals, that would be an area in which they could put up a cell tower. They also stated they were talking to a local commercial property owner to put a tower downtown. If we don't give approval on our own Borough property, this could potentially go on a commercial landowner or private landowner and the town would receive zero revenue.

Mayor Arnowitz said we understand that but we have questions that have to be answered before we move forward. The ordinance we have on the books allows us first opportunity but we need more information before we move on.

Councilmember Weinstein said our understanding at the last meeting with the AT&T Representative was that they were going to do a preliminary site review to make sure it met part of their criteria and that was the one site we agreed to let them do that and assuming that it did meet it, they were going to come back.

Councilmember DeJoseph said that was Metro PCS, not AT&T. Attorney Paul spoke to AT&T.

Mayor Arnowitz said the bottom line is whatever AT&T does, Metro PCS is in the same boat. They have an opportunity to come to the meeting and answer our questions, they opted not to come.

Councilmember Frank sent a portion of the press release around to Council during the week about the AT&T Cellular and TMobile consolidation. They are going to consolidate their wireless businesses and this is a concern when we hear that if we don't go along with cell towers, some of these companies are going to go to commercial properties; if they can show a need for coverage, we can't stop them. This is what it said in the press release that the merger of AT&T and TMobile should go forward. It said AT&T mobile traffic group 8000% over the past four years and by 2015 it is expected to be eight to 10 times what was in 2010. All the mobile traffic volume AT&T carried in 2010 is estimated to be carried in just the first six to seven weeks in 2015. This may be a huge tsunami that is coming at us and he did not know how we are going to deal with it.

Mayor Arnowitz said one cell tower can hold five or six tenants; the problem we have at the fire house is it was built for the four tenants that are on it and it cannot be extended.

Councilmember DeJoseph said he can call Metro PCS and ask if they would come to the Council's next meeting.

Borough Attorney Paul said he will do the same with AT&T.

Mayor Arnowitz said they should explain what was said tonight. We

have specific questions about overlapping and he did not believe a study is needed. They have to know site distances from one cell tower to another cell tower.

Councilmember Frank said we asked to give us an idea of what a justification would look like when they do a study to show they have a strong enough signal. If they can't do that as part of conversation and if we should proceed with a bid package, we should put that as a requirement that they provide that with a bid.

2) Waste Management Proposed Permit Modification.

Mayor Arnowitz said Waste Management is not present tonight, we will put this off until next week. Waste Management has reached out to the town about putting a transfer of recyclable materials, cans, paper, bottles at their site. This would require additional trucks in and out of the site; it would not be source separated but they would be dropping on the ground similar to the way they drop garbage and putting it on bigger trucks and hauling it away.

3) Recycling Containers Downtown.

Councilmember DeJoseph said the Council was provided with a picture of proposed downtown recycling containers. We have been attempting to get recycling in the downtown area for a long time; the first option was to use a firm to do the advertising. The purpose of discussing it this evening is if the Council was in favor of the proposal. We can purchase the containers without the advertising. We have Clean Communities grant money that could be utilized.

Mayor Arnowitz said we could purchase the containers without any impact on the residents and they would not have advertising. They would look cleaner. He asked if they could be put up in a manner that would allow the Council to have a message about recycling on them.

Councilmember DeJoseph left this open for the Council's decision.

Councilmember Giancarlo said the idea is to get recycling into the town and we decide how it will look.

DPW Superintendent Durie said you have a very proactive Green Team working aggressively and we need to recognize them in their efforts. You could have a positive message from the Green Team that could be displayed on the front of these containers in a green atmosphere, soft colors, etc. It would be more advantageous than just having the unit just sit there; it would send a positive message without advertisement.

Councilmember Weinstein said this design is different than what was

placed at the train station. We have two recycling bins at the train station, one for bottles and cans and one for paper. They are different from this program.

Councilmember Giancarlo said we are behind in terms of recycling stations in our downtown area. We are proposing eight or nine containers at the train station and Memorial, Smith, Centennial Field.

Councilmember DeJoseph said the Green Team spoke with Waste Management and they are open to picking up the containers for us. There would be no labor impact on the borough.

Councilmember Frank was not in favor of advertising as it cheapens the look of the downtown and as long as the message is done discreetly it is a great idea.

Mayor Arnowitz though the Green Team should come to the Council with messages for our approval. We will go forward with the program without commercial advertising but with a message pertaining to recycling and environment and the recommendation by the Green Team.

Councilmember DeJoseph asked for approval from the Council to order the containers through the grant and Council approval of a design from the Green Team.

Mayor Arnowitz said Green is the color of recycling and that is the whole message; Hillsdale's color is green.

Motion

Motion by Councilmember DeJoseph to move forward with the recycling units for the downtown as well as Memorial Field, Centennial and Smith School, seconded by Councilmember Giancarlo.

Roll Call:

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

Nays: None

4) Centennial Field Permit Use

Mayor Arnowitz said Jim Moldow does an annual wooden bat tournament on Memorial Day after the parade. It is an annual event and he is seeking approval from the Council. The proceeds will be donated to the concert series or Town Day and Senior Luncheon.

Councilmember Hanlon said Mr. Moldow called her when he heard that the senior luncheons were going to be cancelled and wanted to know

if he could run another tournament. She advised that we were set this year for the luncheons and suggested he do so next spring.

Motion

Motion by Councilmember Giancarlo to approve the Centennial Field Permit Use, seconded by Councilmember Schiavone, and unanimously carried.

GENERAL PUBLIC HEARING:

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

Barbara Ganin, 3 Hopkins Street -

She is a victim of the terrible flooding; she had 10 ft. of water with Hurricane Floyd and eight feet with the Northeaster. In the last few weeks she has been stressed with the water coming down in the brook constantly. She reopened the issue because when she speaks to people in town, she feels she is met with cynicism and resignation that nothing can be done. The market value of her home has deteriorated and she cannot believe there is nothing that can be done.

Mayor Arnowitz said Senator Cardinale has introduced a Bill in the Senate and another Congressman introduced a Bill in the Legislature to make it easier to clean and desnag the brook.

Ms. Ganin (Contd).

She said as long as she has electricity, she is o.k. The two times she had eight to 10 feet of water in the house and it filled her house. She felt a person should be at the dam when flooding is threatened. She asked the Mayor to speak on the issue as to why we cannot take any recourse with a private, for profit company whose actions caused so much trouble.

Mayor Arnowitz said they are a public utility regulated by the BPU and DEP. They will not admit or attempt to control the water. They are going to lower Church Road and widen it so if we reach a flooding stage, they feel the dam is not capable of handling the water volume that it presently has in there. If the dam fails, the whole town is flooded.

Ms. Ganin (Contd).

She asked if they could erect a tank which would hold water temporarily. She asked if borough engineers could look at her property specifically because the water is coming across her neighbor's property and across her back yard and into the next back yard. Could the land be built up there that has been eroded over the years.

Mayor Arnowitz said we do not go on private property. Ms. Ganin could get proper permits from the DEP and it has been his experience that nothing can be done to protect private property at the expense of someone else.

Ms. Ganin (Contd).

It is ridiculous because her property has eroded over the years and become a target that she is not allowed to do anything to build up her property back to where it should be. Why does a neighbor down the road have more of a right not to have water than she does. Why aren't we all equal?

Borough Attorney Paul said it would be premature for him to comment, it is more appropriate for the Council to hear the concerns of the resident. She cannot advise the resident directly. It doesn't mean that a town can't visit and have ideas but that is a decision of the Council what scope of observation and suggestions they want to make.

Councilmember DeJoseph asked as far as losing or gaining land through a waterway, whose responsibility is that?

Attorney Paul said it is no one's specific responsibility, it is a situation beyond control of human beings in general. Streams and water ways are regulated areas and even legally, that would be the first consideration you would have to have. Anything done by residents, town, anyone would have to meet the standards applied to the water ways.

Ms. Ganin (Contd).

She understood the Council has to protect itself but she doesn't know if the answers she is getting are accurate or protected answers as opposed to what she is really allowed to do or not allowed to do. She does not understand how much of her back yard does not belong to her to do with what she wants and why she can't do something in her back yard and put up a stone wall in her back yard.

Mayor Arnowitz said she cannot bring in fill, even if your property isn't by a stream, without borough permits. We cannot allow someone to do something that could be illegal.

Councilmember Schiavone said no one knows how much soil, if the soil moving permit would be approved or not. Anyone is allowed anywhere to apply to do something on their property and it would have to go through a professional review process. She will not recommend what she should do because she will have to spend money to do that; the process would be that her property would be surveyed, get the proper engineering done to see how much soil

would do what and where, and then apply properly to the borough. Because of the location, it would have to go to other authorities, we just can't allow this to be done because it is out of our purview. We could give approvals but the Planning Board would be required to pass the information and application along to the DEP because it is a stream encroachment issue.

Ms. Ganin (Contd).

Is there someone at the DEP she could speak to about what she is allowed or not allowed to do.

Councilmember Schiavone said she thought they would have information on the distance from the brook; each property is unique along the brook and you had erosion. They just can't tell you to put three feet because they don't know how much erosion took place. They would tell you to hire someone to tell you what to do.

Ms. Ganin (Contd).

If she hires someone, would they be knowledgeable about what you are allowed or not allowed to do.

Councilmember Schiavone said there are engineers/attorneys/surveyors who are experts in that field.

DPW Superintendent Durie said there are various engineers that will handle strictly the process of flood remediation because they are cognizant of the laws that the DEP allows or doesn't allow and they are trained in that field.

Ms. Ganin (Contd).

She asked if there are really laws.

Kurt Walkenauer, 19 Hopkins Street -

Water comes through his property and there was a plan to cut 10 feet off his property to make the brook wider. They never did it and a wall was put up. He didn't know who put the wall up.

DPW Superintendent said we had permits to do that and that was part of the desnagging permit we had acquired 10 years ago.

Mayor Arnowitz said recommendations will be made to all the Mayors and Councils as to what can or cannot be done with various sections of the brook where there is actual flooding. He will mention these properties at a meeting.

Gerry Robbin, 3 Hopkins Street -

What are the long term prospect.

Mayor Arnowitz said we are meeting on the 5th and the walk is scheduled for the 13th. Senator Cardinale's Bill hasn't passed yet

so if they choose to go into desnagging and cleaning and desilting now, they have to go through the long process which can take months, possibly years. It is usually about a three or four month process to get desnagging permits. They take out snags, trees, stumps, silt but they don't widen the stream, don't deepen the stream other than what the silt is. It makes the stream move faster and easier but when you get the volume of water that we get coming down, it is not going to be that big a help.

Mr. Robbin (Contd).

He was told when the computer runs the dam, it doesn't flood, but when a person runs it, it is a lot better. One night it was markedly different when a person was there, it might make some difference. Officials told him they don't do anything about adjusting the water, they only care for the preservation of the dam. If the dam broke, the water level in his neighborhood would be 35 feet. He asked if there was any efforts going on to address the possibility of catastrophic events.

Mayor Arnowitz said that is the reason why they want to lower Church Road. The water coming out now is still the same water coming down. The reason for this movement was the feasibility of the gates not being able to release the water fast enough or if the gates should fail that there is a secondary method of the water going out. We haven't given up, we want to protect the residents. There is a concrete wall with dirt on both sides.

Tom Kelley, 41 Sycamore Avenue -

During the March flood, we weren't notified; if there is someone monitoring the dam, why didn't they open the gates? The next thing we knew, there was two feet of water in our house. They not only did not monitor the dam but they didn't notify anyone. They claim it is monitored 24/7.

Mayor Arnowitz said he was told there was a surge from Park Ridge.

Mr. Kelley (Contd).

No one has heard of any flooding in Park Ridge because there was no flooding in Park Ridge. He said United Water is not being truthful, they are saying that the amount of water coming in from Park Ridge is comparable to past major flooding situations. Normally when we have major storms, Park Ridge floods also; these two times it never happened, someone is not telling the truth. He knows the Borough Engineer in Westwood and the Borough Engineer in New Milford, two major flooding towns, both work for United Water and the Borough Engineer in New Milford stood up for six minutes and told the residents of New Milford, who flood much worse than we, that United Water was helping them, not hurting them. Westwood has already passed a resolution supporting Senate Bill 54 and he asked that Hillsdale do the same. We knew the last storm was

coming, it was no surprise, flood warning went out at 8:43. Around midnight there was no one there from United Water; 3-1/2 hours after the flood warning went out. This is a huge corporation, we are asking them to send one person. He has been in the building when they monitor the water, he watched them do it. We need them to admit they help us, they need to send a union person and they are competent. He asked when there is the potential for floods, United Water should be asked to send out a person.

Mayor Arnowitz said he again stressed to Mr. Henning to have a person monitor the dam hours earlier when there is potential flood, not when it is flooded.

Mr. Kelley (Contd).

With regard to lowering Church Road, have we done any studies on the effect of the loss of the area for the water to go. This means more water now.

Mayor Arnowitz said Engineer Statile brought that up at a meeting and has written letters to the DEP, to the water company opposing it because, in his estimation, take up areas that water would normally absorb. Neither party agrees with Statile's position. At some point in time, this Council will have to decide what we will have to do; one concern is that on the south side of the dam, they will put up a huge concrete wall that will have steps. It will be a very attractive place for kids to climb and we will have to figure out how to get them off when they get hurt, it will also increase the flow. He asked the height of the causeway in Woodcliff Lake and what will the height of Church Road lowering be, but they still have not responded. The causeway is closed periodically for wave effect and heavy wind and will they do the same thing to Church Road, thus release more water. They keep assuring us it won't happen.

Councilmember DeJoseph spoke with the engineer's office today and the DEP has our application for the Patterson Street bridge.

Mr. Kelley (Contd).

He asked if the lower elevation of the bridge itself will be higher than the current elevation.

Mayor Arnowitz said yes, more water will pass under the bridge because there is more room. He arranged for the Scouts to come to the area on Saturday at 9AM to clean it up. This will be a yearly occurrence in April before the foliage comes out. The Green Team will lead this and your area is first and they will spread out to other areas. We will leave the trash at the curb for the DPW.

John Gerity, 60 Large Avenue -

He commented on the Ordinance that will be adopted this evening

regarding the background checks of employees and volunteers. As a coach he has not had favorable comments from anyone he has spoken to. We are volunteers, we don't take kids away for the weekend, they don't come to our homes and we coach them for a few hours per week. He thought this was unnecessary, it is an invasion of his privacy, he doesn't have a criminal record and he doesn't want the Police Department to have his fingerprints on file. Some persons said they will not coach anymore; it is hard enough to get people to coach and this is an extra burden on them. If the system was not broken, why fix it? He understands the reasoning behind it, the intention is good, but he doesn't agree the way this is being handled. As a coach he understood that a police officer would be monitoring this, the police chief and a committee if someone wanted to appeal a decision regarding fingerprints. In the football program, every parent is asked to volunteer so do you fingerprint every parent who has a kid in the football program? If he cannot coach he will call a parent to cover for him; in the future he presumes the answer will be no because he is not fingerprinted. If that happens, we don't have a practice or a game and this happens a lot. The intention is good, kids are being protected, but he thought that protection was already in place.

Mayor Arnowitz said we have an obligation to protect our children and if one person who could harm our children, that is one too many.

Mr. Gerity (Contd).

If you put this into practice and someone slips through, you will be open to additional problems because you put this system into effect. You have a Rec Commission but no one knows who they are; he knows one member on this Commission who is his neighbor. According to him, no one on this Commission has any children involved in these programs. He complained that you are putting the responsibility on the coach away from the parent and it is an invasion of my privacy.

Police Chief Stalter said the police department does not maintain a fingerprint file on the coaches. The borough and Rec Commission are participating in a program run by the State Police so it is a state-wide program that fingerprints of volunteers, whether it be coaches, Rec Programs, or Youth Programs. He understands the inconvenience factor in volunteering that they have to go to Paramus to get fingerprinted, but we do not receive or hold onto fingerprints. If someone is disqualified because of a criminal record, the criteria is set up by the State Police in the program. If someone has a disqualifying offence, the only thing we are informed is that Mr. John Doe is not qualified to coach on the criteria that is published for the program. It is upon them to choose whether or not they want to challenge the disqualification. The Associations are not made aware of it, it is not advertised.

If is challenged, it heard by myself and two other professionals within the borough and will be handled professionally and discreetly. You are dealing with criminal records, it is not perfect, but it is turning out to be a majority in the state of Rec programs, sports programs, that are doing this because it is one more thing we can do. Right now there is nothing to stop someone who was arrested as a sex offender in another state from moving into this state; they have to voluntarily come in and tell us they are living in our borders. We don't know who it is unless they voluntarily come in. As far as resident's rights being protected, it is a good system. We haven't had anyone rejected at this point.

Ms. Woodward, 20 Sycamore -

She lives in the flood zone, it is a complex problem, but every problem has a solution. Can we devise a short solution for the flood while you devise bridges, desnagging of the brook, whatever you are going to do. It floods cars, doesn't allow people to go to work; it leaves bodies of water that attract bugs which can produce disease, garbage in the neighborhood. The flooding needs to be addressed; United Water could let out a little water each day when they see the forecast. Rules can be changed when residents are affected and there needs to be a short term solution. This has affected too many people's lives. This whole night has been mostly about flooding; can we get anything in writing from United Water, something legally binding, a hand shake does nothing. The flooding is a humongous Issue and everything should be written, documented and available for the public to see.

Councilmember DeJoseph said even though we have done so, send a letter to the BPU and United Water directly, it would help.

Councilmember Frank suggested that contact information be placed on the website for any residents to contact whoever it may be so we can give them a focal point.

Anthony Crane, 33 Hillside Court -

He has a drainage easement on his property and asked what will be done by the DPW and they have his permission to take the fence down.

DPW Superintendent Durie said he learned that possibly the fence was illegally erected on borough easement property which would be a problem. It must be taken down to do the work and move it to parameters where the borough right-of-way and possibly the fence could be moved back to a location on his property. The fence has to be relocated to a legal location. He will check this with the Borough Engineer and we will take care of it. With the road program, we will put in some rip rap stone around the pipe to

protect the integrity of the pipe.

John Gerity, 60 Large Avenue -

He asked the law regarding crosswalks; he complained that pedestrians are at the crosswalk on Magnolia and car after car drive right by.

Police Chief Stalter said if a pedestrian is crossing when safe to do so, a car has to stop; a pedestrian standing on the curb, a car does not have to stop. He asked for something at Magnolia to make people more aware of the crosswalk and safety.

Mayor Arnowitz closed the meeting to the public.

ORDINANCES:

<p>Ord. No. 11-09 (Adoption) Amend Chapter 51 Officers and Employees (PIO)</p>	<p>At the Mayor's request, the Borough Clerk read by title only proposed Ordinance No. 11-09 as follows:</p> <p>AN ORDINANCE AMENDING CHAPTER 51, OFFICERS AND EMPLOYEES, TO DISCONTINUE THE POSITION OF PUBLIC RELATIONS DIRECTOR, AND TO ESTABLISH THE POSITION OF PUBLIC INFORMATION OFFICER IN THE BOROUGH OF HILLSDALE.</p>
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The Borough Clerk 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. 11-09.

Mayor Arnowitz asked the Borough 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. 11-09:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-10
 (Adoption)
 Establishing
 A Cap Bank

At the Mayor's request, the Borough
 Clerk read by title only proposed Ordinance
 No. 11-10 as follows:

AUTHORIZATION TO EXCEED THE MUNICIPAL
 BUDGET APPROPRIATION LIMITS AND TO
 ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)

The Borough Clerk 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. 11-10.

Mayor Arnowitz asked the Borough 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. 11-10:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

Ord. No. 11-11
 (Adoption)
 Establishing
 Mandatory
 Criminal
 History
 Background
 Cheks

At the Mayor's request, the Borough
 Clerk read by title only proposed Ordinance
 No. 11-11 as follows:

ESTABLISHING MANDATORY CRIMINAL BACKGROUND
 CHECKS OF EMPLOYEES AND VOLUNTEERS INVOLVED
 WITH BOROUGH RELATED RECREATIONAL PROGRAMS
 INVOLVING MINORS.

The Borough Clerk 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. 11-11.

Mayor Arnowitz asked the Borough 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. 11-11:

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

Nays: None

(SEE COPY OF THE AFORESAID ORIGINAL RESOLUTION AFFIXED HERETO)

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions.

Councilmember Frank requested removal of 11049 from the Consent Agenda.

11049 Authorize Tax Appeal for United Water Property was removed from the Consent Agenda.

11082 Awarding Shade Tree and Stump Removal Contract was introduced by Councilmember Hanlon, seconded by Councilmember Schiavone.

11083 2010 Recycling Tonnage Grant Application was introduced by Councilmember Hanlon, seconded by Councilmember Schiavone.

11084 Tax Reimbursement Certification was introduced by Councilmember Hanlon, seconded by Councilmember Schiavone.

Roll Call Vote on Resolutions 11082, 11083 and 11084

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

Nays: None

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

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

Chief Financial Officer report on 2010 audit Corrective Action Plan. Received and filed on motion by Councilmember DeJoseph, seconded by Councilmember Hanlon, and unanimously carried.

Board of Health report for the month of April 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

Police Chief Stalter said last night, Lieutenant Niego at the time and I attended the Police Auxiliary Graduation. We have one new member. Last Thursday Lieutenant Niego went to the Hillsdale House for the Operation Take Back collecting of old and unused drugs and on Saturday he was at headquarters. We turned the drugs to the Academy and for Hillsdale alone we collected 54 lbs. of drugs. Regarding fingerprinting, Captain Niego said things are running smoothly and we haven't had any issues. There is no change with regard to our two staff members are out and we will put some pressure on Bergen Risk to see where we are going. We will be attending a meeting tomorrow for all police chiefs who have N.J. Transit or Amtrack lines going through their jurisdictions.

Councilmember Giancarlo referred to the light on Hillsdale Avenue and Patterson Street and when he crosses it on a frequent basis, passing St. Johns and he does find people are looking to the left and they are going to the post office, it seems for a good spot for a No Turn on Red. How would something like that be implemented.

Chief Stalter said he did not believe it would be an issue to get something like that. He will discuss it with the Borough Engineer regarding when pedestrians are present, do it during school hours; it would make a traffic impact. We have looked at it many times and we will have further discussions.

DPW

DPW Superintendent Durie said we are finished mopping up the second flood. We concluded our first go round with the insurance company regarding our losses and it will be o.k. with the loss of equipment at the DPW garage. We lost one car, paint machines, small tools, drums of oil and we have that under control.

He has been working aggressively on the recycling report. The combination of commercial and residential tonnages that went out of Hillsdale this year was 9,634 tons of recycled material. You take the 9,634 and add it to the 4115 tons of solid waste that we dumped at Waste Management this year, totaling 13,700 tons, divide it by the recycling, it gives a 70% recycling rate. He is pleased to state that we are doing a fantastic job commercially and

residentially. He expects to get a good rebate this year.

Mayor Arnowitz said he has noticed a lot of garbage that has bottles and cans in the garbage and there is no recycling at the senior lunch because there are no recycling bins there.

Superintendent Durie said Waste Management has to support our efforts because there is day labor involved and you are not going to get the quality of performance you would expect from a regular employee because they don't understand the concept.

Councilmember Weinstein said we had the occasion to honor two of our police officers, Mike Niego and Sean Kavanagh and recognize them with promotions. Our police force does an outstanding job and the opportunities to recognize them in a public way don't happen often enough.

On our regional high school issue, we are attempting to get together with the attorneys and with the experts to help us to create that document that we discussed a while ago. We have submitted several dates and we will finally have an interview with them to see if they can help us create that document in case our issues with Woodcliff Lake and Montvale escalated. Last week there was a referendum vote between Oradell and River Edge which went the same way ours did. Interestingly, that battle has been going on for quite some time and the referendum they just voted on was what we did last year. Someone was pursuing this in the opposite direction we were but it went the same way we were. He thanked everyone who voted last week, the school budget and elections turnout was not great but the budget passed.

Councilmember Frank seconded everything Councilmember Weinstein said about the police promotions, they are well deserved. The Fire Department will be having a service on Memorial Day for departed members at 9AM in Veterans Park; police and ambulance. He wanted to recognize the efforts of the fire department and all first responders, police and OEM on the floods. When he was there at 5AM he saw Chief Durst, Deputy Chief Durie and Butch Franklin who were there all night long. He thanked them, the staff, the police officers and also the mutual aid. Westwood, Emerson, Woodcliff Lake provided equipment and support and the residents should recognize the volunteer efforts of the people who were there providing this support. The Fire Department carnival is in progress and will run through Saturday which is a major fund raiser for the department. May is Poppy Month for the American Legion and veterans will be out and every penny raised will support the active duty personnel who need help, their families and veterans who need help.

Councilmember Hanlon congratulated our two police officers. The

Pancake Festival was one of the best we had and done strictly by volunteers and a small expense. The Memorial Day Parade is ahead of schedule and the theme has been selected. There will be a meeting on Monday with some of the principals involved with the parade. The Parade starts at 10:30AM and we are using the same route.

Councilmember Giancarlo said the Council will be photographed at the next meeting.

Councilmember Schiavone said the Pi-oneer Robotics Team has concluded their season, they went to St. Louis and made the semi-finals by going undefeated the first day but then they were knocked out. With the conclusion of their season there are only two dates for them so she proposed that we bring them in on June 7.

She asked about the status of the Sign Ordinance; it has been seven months. She worked very hard and asked that this be checked on.

Councilmember DeJoseph said we will have our recycling bins downtown, we are going to promote not picking up recyclables on garbage day. The Green Team will get something together for My Hillsdale and also for the Green Team's blog, on our website. He asked why we haven't received a response on Resolution 11049 and we have pulled this off the Agenda several times already. It is disappointing that we haven't received a response as yet.

Mayor Arnowitz said he and Councilmember Frank have met with Mr. Mohr, the Assessor, and we were advised that he has part of the information but not enough information.

Councilmember Frank did not believe we should get a resolution on a tax appeal that included a refund without knowing how much was being refunded and why, especially on some of the assessments that didn't appear very logical. Before we vote on this, we will get a spread sheet and he asked on what basis this is being done. He did get a copy of some of the attorney's letters to our tax attorney explaining that some of the land might be under water and things that did not make sense to him and he hoped to get some clarification. He doesn't feeling comfortable kicking back that much money in a tax appeal without understanding more than what he understands.

Councilmember DeJoseph said River Vale is doing their COAH units off Cedar Lane and he thought we should get in touch with the River Vale Council to see if we could get our own update for that as well. It will not directly affect Hillsdale property but it will affect our residents and we should look out for the best interest of our residents.

Mayor Arnowitz said we authorized the Borough Attorney to attend the meetings to watch out for Hillsdale. There is a traffic problem and we have to be cognizant of it. We will let the council know how we will vote on it. It is within 200 ft. of our border.

Councilmember Schiavone said we should start by requesting the plans.

Borough Attorney Paul will request the plans.

Mayor Arnowitz said he has been visited by peddlers involved in driveways. That was the most common complaint when he worked for consumer affairs. Before anyone is hired, check with the Better Business Bureau and do not sign anything, be very cautious of a scam. He said there are a lot of young children that go to the Carnival and he asked that drivers drive carefully.

CLOSED SESSION

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

ADJOURNMENT

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

5-3-11

Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk

