

Council Meeting
November 1, 2011

Minutes of a Council Meeting of the
Borough Council held at 7:30 P.M. on
Tuesday, November 1, 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 1st day of November 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 Frank, Giancarlo, Schiavone and Weinstein. Also in attendance Borough Attorney Paul. Absent: Councilmember Hanlon.

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Frank, and unanimously carried, the Minutes of the Council Meeting of October 11, 2011, were approved as presented.

PRESENTATION: Student Cultural Exchange -
PVHS and Liceo Scientifico, Treviso, Italy

CORRESPONDENCE:

1. PATRICK WILKINS, TAX ASSESSOR, REQUESTING CLARIFICATION

ON SOLICITING APPRAISAL SERVICES.

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

Councilmember Frank stated that he spoke with the Tax Assessor today and the decision was made to have the Tax Assessor present at next week's meeting at which time he will have a presentation and advise us where we are at that point in time.

Councilmember Frank explained that the Tax Assessor is looking for some direction as to how we want to operate in terms of authorizing outside expert appraisals when there is a tax appeal. It is a matter of creating a format to do it. His recommendation is as long as it is budgeted, when we have an Administrator or CFO, the Tax Assessor should take direction from that position. Until such time, the Finance Committee could be a good source to give a green or red light.

2. DORIS STREICH, 38 HOPKINS STREET, CONCERNED ABOUT SIDEWALK CONDITION.

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

Councilmember DeJoseph consulted with Borough Engineer Statile who will research this.

Mayor Arnowitz will contact Ms. Streich to advise her of the findings.

DISCUSSION:

1) Town Web Site Contents.

Borough Clerk Sandt said the Committee met with three vendors to date and received information and data from them. We will also meet with a fourth vendor. We will compile all of the data and hopefully this will be brought to the Council in December for their decision.

GENERAL PUBLIC HEARING:

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

Marisa Cefali, 6 Manson Place -

She has been before the Council with regard to the woods next to her home. She believes Mr. Walsky plans to develop the area. She said the streets were marked up and asked if there has been

information in this regard. Instead of cleaning up the limbs from the trees that came down in the storm, he had someone spray over 50 trees with giant, iridescent paint dots. She contacted the Mayor because adjacent to her property there is a paper road. He sprayed numerous trees on the opposite side of the paper road which the town owns.

Mayor Arnowitz said in addition to spraying he had property markers with pink ribbons installed. If we don't have a right-of-way, it is a paper street on our map that goes from Esplanade to Lake. It was pointed out that either right adjacent to the paper street or on part of the paper street is a pipe that goes from Lake Street where the water is bubbling up straight down to the stream. Mr. Walsky's marked trees are either on borough property or they are on the Cefali property.

Ms. Cefali (Contd).

On the opposite side of the paper street, he actually crossed the paper street and marked a dozen trees. She wondered if he had purchased the paper road as she did not know why he marked these trees.

Mayor Arnowitz said the borough did not sell any parcels of land to Mr. Walsky. He has not appeared before the Council. He is before the DEP but did not believe he had a right to go in and mark our trees.

Ms. Cefali (Contd).

If Mr. Walsky was to develop the land, there is a buffer between property lines.

Borough Engineer Statile said Mr. Walsky had filed an application with the DEP to develop the property. We received the application and sent it back to the State saying it was not proper. Mr. Walsky had not accounted for the proper drainage area of the site, therefore, that would trigger a county buffer along his property line because there is a Public Service substation. He believes with these little markers that he is outlining the edges of the wetlands or may be preparing a site plan application. He has to show all the trees on the property with a plan that shows all different sizes of trees. The development plan will probably include putting a road through the paper street. Statile received no permits for tree removal, all he received was the application which he sent back to the State saying it was incorrect. Mr. Walsky contacted the engineer as he was not happy that he faulted the application. There is a pipe that goes under the RR tracks which was put up 20 years ago and goes over to Colonial Village. They didn't realize there was a pipe under the tracks and there are certain environmental elements that it would trigger. He sent back the application but hasn't heard from the State. In the paper

street there is a sewer line as well as a storm drain. The paper street is 50+ ft. wide.

Mayor Arnowitz said he could not develop anything within that 50 feet.

Engineer Statile said he could improve the roadway but cannot build houses on it.

Mayor Arnowitz said Mr. Walsky owns property along the paper street that is zoned residential but it is 25 ft. short in depth. He would require a zoning variance on depth. With FAR, he now has the FAR to contend with. The Council at that time did not want to see us grant a variance and/or change the zoning to make the commercial property narrower to increase the zoning. Our recommendation was that should be a buffer between the homes and any commercial property he builds there. We would have the 50ft. buffer plus the 75ft. buffer or a total of 125 ft. of total buffer to protect the people. These homes are under water at times, they have a lot of water in the streets, a lot of water in their homes. If you remove the trees, pave and build we are going to create a problem for these residents who live there.

Engineer Statile said the streets were marked out because we were doing tests in Lake Street. We discovered an old clay storm drain line and water from this pipe was coming up to the pavement. There was water pressure in that pipe, either water is getting in from ground water or the pipe is somehow still active above the hill and coming down. In any case, we have a sewer jet to see if there is something in that pipe. The pipe might still be active; if so, we will find a solution.

Ms. Cefali (Contd).

It is her understanding the trees that are marked to the right could possibly be on her property. If he proposed to put a street in there he would have to show which trees would come down.

Elizabeth Santos, 32 Hillsdale Avenue -

She came before the Council three years ago to talk about the sidewalk on Hillsdale Avenue. We are the only three blocks on Hillsdale Avenue that don't have sidewalks. This evening, someone was hit by a car. She has children and is concerned and asked what is going to be done.

Mayor Arnowitz said this will be looked into.

Councilmember DeJoseph has spoken to the Borough Engineer about this and was advised there is a new Safe Routes to School Grant coming up.

Borough Engineer Statile said we will qualify for this grant and the application is due on December.

Mayor Arnowitz suggested that Ms. Santos contact the people who were in favor of this sidewalk to write an endorsement letter; the letter could be sent to the Borough Clerk who will forward the letter to the Engineer.

Michael Brinzey, 33 Highland Avenue -

He said after the October storm was over we realized how many homes were without power. He had a lot of tree damage; the town did a great job picking up limbs last year and asked if this will be done this year.

Mayor Arnowitz said you should put the branches out to the curb and they will be picked up. He has authorized the DPW to hire extra help to give them a hand in getting this done. It will preclude picking up leaves for at least a week. This storm was a shock and due to the fact that the trees had leaves on them, the wet snow caused them to break.

Sean Kavanagh, Hillsdale Police Officer -

Vice-President BPA Local 207

Hillsdale BPA Local 207 is a Chapter of the N.J. State Police Benevolent Association. It represents sworn police officers to serve towns and counties. They are local cops who are proud to serve the citizens of this town. They have been following newspaper coverage of recent conversations to modify the ways the Police Department manages telephone, 9-1-1 requests, and radio dispatching among the three branches of public safety. They know first hand how important this function is when seconds count. No matter how serious or routine the matter, it always starts with a phone call. The PBA would like to get involved in this conversation as they can bring strong ideas. There are many dispatch solutions and the PBA can be an important voice in the process of deciding where, when and how a phone call is answered and how a police officer is sent to help a citizen. He asked that the Council please include the PBA in these decisions that will affect everyone that lives, works or passes through Hillsdale.

Mayor Arnowitz said nothing will be done until this is thoroughly researched and both the Chief and Membership will be part of that decision. At this point in time we are gathering information.

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

Council Commentary - Professionals

Police Chief Stalter said he believed the investigation will show

that the accident on Hillsdale Avenue had nothing to do with the sidewalk.

Officer Cruz is now on his own; he completed his field training and did very well. He backed up Westwood on a car burglary call and caught two burglars. Hopefully we will have continued success as his first night.

He said the volume of calls we received this weekend was unprecedented. The officers were out there dealing with one issue after another and could not have done their job without the assistance of the DPW. In the absence of Keith Durie, Pat Delehanty and his crew did a fantastic job. We were overwhelmed, they made it work. A power line went down by the high school and with the assistance of his officers and the fire department, we were able to get the pupils past the downed power lines safely. We had crews coming from Florida and Georgia that were ready to come up to address some of the situations.

Mayor Arnowitz was impressed with the Captain who came in on his day off and with the Dispatchers. Mahwah stopped taking calls; that is a concern we have when we are talking about dispatching.

Chief Stalter said this should be considered; there would be more towns to cover where we can have four people answering the calls at headquarters in a similar situation.

We were planning a safety breakfast and three days later the Iron Horse was on fire. It is on hold; our insurance rates are set on our safety history and performance. For this year we are up for a few more financial awards based on our performance and the safety committee will continue to go forward and look to expand some of the things we are doing to enhance our insurance rates. We are in the process of purchasing some equipment for the various departments from the awards we received last year.

Captain Niego said Sergeant McLoughlin and he completed the Pedestrian Safety Class so this week we will be doing our first pedestrian safety enforcement. We will not give out summonses to the first five or six, it will be strictly warnings. We will start on Thursday.

We met with FEMA today with regard to Hurricane Irene. This will take a lot longer than we thought. We did Operation Take Back on Saturday when we took in drugs. It was a slow day, we took in 33 lbs. and assumed it was due to the weather.

He answered the phone with an old timer who lives in Hillsdale but skidded off the road in a town north and could not get through to the Police Department. We called for a tow truck for him; he could

not get through to the Police Department up there and didn't know what to do. There were two other people who called who could not get through to a dispatch center.

Borough Engineer Statile said in the last month we filed a letter under the Hazard Mitigation Program for acquisition of properties in the various flood plains in town. There is 75% funding through FEMA. We have one application for razing a house, we have 12 applications for acquisition.

Mayor Arnowitz said we are doing everything we can do, we filled out all of the forms, signed them. There are 11 houses and one raze. People can no longer apply under this program.

Borough Engineer Statile said the contractor for the road program has completed milling and resurfacing of Ralph Avenue; one side on Kinderkamack Road will be done next week. He will be milling and surfacing Cherry Place. He expects they will be done in two weeks.

Mayor Arnowitz said when they dug up the apron at the fire house to put in the curbing, they cut a wire. It looks like the wire went to the street lights, there are no street lights there now.

Councilmember Frank said we have a resolution to award the contract for the architect at Stonybrook. Statile had raised some questions about a month ago and asked if this was reviewed.

Engineer Statile said the architect sent back a memo to Patty Hughes which she sent to Statile. He doesn't want to change anything in his contract, he wants to leave it the way it was.

Mayor Arnowitz said unless Statile signs off on it he did not believe this should be voted on.

Statile had a few concerns.

Mayor Arnowitz said he was assured by Jay Campbell that before he got to the stage that he had everything taken care of, that the concerns of the Borough Engineer be put in writing.

Councilmember Weinstein said that was the understanding and we had a Stonybrook Commission meeting last week and the understanding was that Patty Hughes was going to coordinate a meeting with the Mayor and the Borough Attorney to make sure everyone was on the same page and acceptable to the Borough. Stonybrook said that is the way they were going to proceed. We should wait with the resolution.

Mayor Arnowitz said based on what we have heard, he recommended that the resolution be removed from the Agenda. It will go on for

next week but if we don't hear that this has been resolved, he will also remove the resolution next week.

Councilmember Weinstein asked that this not be placed on the Agenda next week but wait until December.

Mayor Arnowitz asked the Engineer about the speed limit on Hillsdale Avenue. He said the Ambulance Corps reached out to him stating that their apron needs replacing and some curb work. We own the building and did not know whose responsibility. Some were willing to pay for it themselves but if the town would pay for it, they would wait until next year. He asked the engineer to make a determination so we can advise what will be done.

RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions. He stated that Resolution 11154 authorizing Award for a Fair and Open Contract for Architect will be removed. We will also vote on Resolution 11156 separately.

11150 Authorizing Reduction/Increase in Assessments due to County Board Judgments was introduced by Councilmember Giancarlo, seconded by Councilmember DeJoseph.

11151 Authorize Community Development Grant Agreement with the County of Bergen was introduced by Councilmember Giancarlo, seconded by Councilmember DeJoseph.

11152 Community Development Block Grant Endorsement was introduced by Councilmember Giancarlo, seconded by Councilmember DeJoseph.

11153 Authorize Refund of 2011 Tax Overpayment, Block 1909, Lot 21 was introduced by Councilmember Giancarlo, seconded by Councilmember DeJoseph.

11155 Developers Agreement Block 1603, Lots 1, 2, 3 was introduced by Councilmember Giancarlo, seconded by Councilmember DeJoseph.

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

Roll Call Vote:

Ayes: Councilmembers DeJoseph, Frank, Giancarlo, and Weinstein

Nays: None

Absent: Councilmember Schiavone and Hanlon

11156 Authorize DEP Green Acres Enabling Resolution was introduced by Councilmember Giancarlo, seconded by Councilmember

DeJoseph.

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

Seeing no one, the public portion of the meeting was closed.

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

Roll Call Vote:

Ayes: Councilmembers Frank, Giancarlo, Weinstein, DeJoseph

Nays: None

Absent: Councilmember Schiavone and Hanlon

(SEE COPIES OF THE AFORESAID RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Fire Department report for the month of September 2011.

Motion to receive and file was made by Councilmember Frank, seconded by Councilmember Giancarlo, and unanimously carried.

Tax Assessor report on Reassessments/Revaluation.

Motion to receive and file was made by Councilmember DeJoseph, seconded by Councilmember Frank, and unanimously carried.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

COUNCIL COMMENTARY

Councilmember Weinstein commented on the outstanding performance of the DPW, Fire Department, Police Department, Ambulance, Office of Emergency Management and everyone else who got involved. It seems like Hillsdale has been hit with a stream of unbelievable weather circumstances that has caused an enormous amount of damage and stress. It is remarkable how much work is being done, residents are frustrated due to the lack of power. PSE&G is here and we need to be patient with the amount of devastation for such a large area. Everyone is working for the best interests of the town.

Councilmember Frank said as a reminder that Friday, November 11, is Veterans Day and the American Legion will be conducting a ceremony at Veterans Park. We will be dedicating the new granite monument and flag pole that was just installed and the public is invited at

11AM.

At the last meeting Councilmember Schiavone announced that the lights at the train station were out for quite a while and it was a safety issue. He met with Bill Franklin and this is being held up due to miscommunication with insurance and money availability. The bulk of the lights are on from Hillsdale Avenue to the DPW now; they are not on from Hillsdale Avenue north. Bill Franklin obtained new breakers and put in a control panel which was under water; we are still operating with a Public Service meter that was under water. We have all new ballasts for all lights along the train track and at least we have enough lighting to keep the parking areas safe.

Councilmember DeJoseph expressed his thanks to the Police, Fire Department, DPW, Ambulance, OEM and Police Auxiliary for all of their work during the past weekend and this past week. The DPW was plowing snow and picking up branches the same day which is quite awkward. We now have part-time employees coming in to help. He worked today with prisoners from the County and will be working with them tomorrow and hopefully we will have them two additional days to help clean up the parks.

He has contacted the County in regard to a grant for the Shared Court Study and hopefully we will have a Resolution on November 22 for \$4,200 for that study.

The road program is underway and should be complete in two weeks. Leaf pickup is delayed at least one week; everything should be left at the curb.

Mayor Arnowitz said the DPW is open this Saturday for the collection of branches. They will be open from 8AM to 2PM; the normal hours are 8AM to 12PM. We will have shredding on Saturday as planned as it takes a long time to get this set up and the hours are 9AM to 12PM.

He thanked Councilmember Schiavone for the Presentation - Student Cultural Exchange and said it was pleasant to have the young people here.

Councilmember Giancarlo thanked all of the emergency personnel; this is on-going and there will be weeks of work ahead of us. There were many downed power lines complicating the issue.

He congratulated Councilmember DeJoseph who will be married on Friday.

Mayor Arnowitz attended the County Coalition Meeting at

Hackensack. We spoke with representatives from Steven Rothman's office and Scott Garrett's office about the concerns the committee has about funding received by Bergen County compared to other counties. We discussed solutions to flooding; it is not a matter of lowering the Woodcliff Lake dam, they have to lower all the dams in succession starting with the lowest one. Next month they hope to have United Water present and get various representatives from the Mosquito Commission and make our wishes known. We picked a Chairman and Secretary and Assistant Chairman.

He spoke to Attorney Paul about reviewing changing the time people could solicit at our doors. People were knocking on doors around 9PM and it is disconcerting for people to have someone knocking on their door in the winter and it is dark. He wants to see that changed if possible.

He contacted the County regarding Mr. Moldow's question about debris at the Demarest Avenue bridge.

He asked if there was a way to use grant money to replace the benches and possibly put in a few more benches in Veterans Park. The wooden benches there are pitted .

Councilmember Frank said the grant is a matching grant and if we can come up with matching funds there is money available in that grant.

Mayor Arnowitz asked Councilmember Frank to look into this; he also received a request from the American Legion who requested a bench or two facing Hillsdale Avenue. He would like the existing benches replaced and put in an extra bench or two and tie the 9-1-1 Monument Flag with the entire project and possibly get it done in the spring.

Councilmember DeJoseph said there is money available as we issued a bond ordinance for that last year to do the full improvement. He will look into this and will advise the Mayor.

Mayor Arnowitz said we have a meeting next Monday. Councilmember Hanlon did not feel it necessary to have that meeting, the night before election. He spoke to the Borough Clerk who said it is important because we pay bills at that meeting.

On December 7 we will have our Tree Lighting Ceremony; there will be no newsletter for November. He was advised that the cost would be \$1300 but Mayor Arnowitz did not feel we had the money to do so. We will have to consider our option if this continues. They do not have sponsors and if they don't have a sponsor they will not put out the Hillsdale Newsletter. We did that ourselves at one time, it wasn't as colorful but at a cost of \$10,000/year. This

was done twice a year. Then we used \$10,000 and sent out a monthly letter with information and then we went to Community Life. We will have to find out their intentions.

Last week he and Councilmember Frank and Councilmember Hanlon attended a meeting at the Westwood High School with regard to the hospital. He had the opportunity to speak and was pleased with the speakers, he has a positive feeling that the hospital will reopen. He asked the public to keep writing letters, keep the signs up, the time is coming close. He has a meeting in Trenton in the future that he will be attending; the meeting similar to Westwood's but on a smaller scale.

Mayor Arnowitz said the water company will be increasing our rates for water by 20%.

Councilmember DeJoseph asked for a Resolution at the next meeting opposing the increase.

Mayor Arnowitz said leaf collection is delayed for at least a week. He authorized additional employees at the DPW. Even though the Governor declared a State of Emergency, at the present time there is no funding to help reimburse us for these expenses, but these are expenses we have to incur. He spoke to Public Service on Sunday morning and they assured him that power would be back on Wednesday. On Monday and Tuesday he had emails indicating that is not guaranteed, they are working hard and did not know when power would be restored. He contacted the Mosquito Control Commission about the trees in the brook and once again we have been placed on a list. We have to get our streets open and don't have the manpower to clear the brook.

He received confirmation from Hollenbach from Public Service that our solar panels will only be located in the industrial area, they will not be in front of anyone's home and will not be placed in the commercial areas.

Borough Clerk Sandt complimented DPW employee Patrick Delehanty who has done a great job during this emergency.

Mayor Arnowitz asked if the prisoners could clean the windows at RR station.

Councilmember DeJoseph will have the prisoners do this within the next few weeks. They are cleaning up both ballfields and Beechwood and Memorial Park.

ADJOURNMENT

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

11-1-11

Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk