

Council Meeting  
November 7, 2011

Minutes of a Council Meeting of the  
Borough Council held at 7:30 P.M. on  
Tuesday, November 7, 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 7<sup>th</sup> 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, Hanlon, and Weinstein. Also in attendance Borough Attorney Paul.

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Weinstein, and unanimously carried, the Minutes of the Council Meeting of November 1, 2011, were approved as presented.

CORRESPONDENCE:

2. DONALD MAC LACHLAN, MAC LACHLAN LAW OFFICES, REQUESTING ASSISTANCE OF THE BOROUGH ATTORNEY AND BOROUGH ENGINEER WITH SOLUTIONS TO FLOODING ISSUES.

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

Mayor Arnowitz recommended that this be taken under advisement and have our Borough Attorney review it and provide the Council with his opinion.

1. PATRICK WILKINS, TAX ASSESSOR, REQUESTING CLARIFICATION ON SOLICITING APPRAISAL SERVICES.

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

Tax Assessor Wilkins was present and said he was interested in starting a communication with the Mayor and Council with the understanding how his office should generally operate. Municipalities operate in many different ways; as a specific example he stated there is a pending tax court case that he believes we should solicit appraisal services for consultation purposes. It is a fraction of the cost for a full appraisal to move forward trying the case and he wanted to be sure the Council will accommodate that consultation and move forward with those determinations.

Councilmember Frank recommended that the direction the Council should give to Tax Assessor Wilkins that anything he feels is justified in his budget, he would have the authority to work on as long as he consulted the Borough Administrator when we fill that position. Should it fall outside the budget, he would expect that it come before the full Council. In the interim until we have an assigned Borough Administrator, his recommendation would be anything within budget could be run by the Finance Committee, if that is acceptable to the Council.

Mayor Arnowitz said if the money is in the budget and it is deemed necessary, the Tax Assessor has to guide the Council. We have to protect ourselves; we have been hurt over the last year with the appeals.

Councilmember Frank said our CFO should be kept informed as to what is being expended and the potential liability in terms of the appeal.

Tax Assessor Wilkins said there is a difference between the appraisal consultation and full appraisal. The consultation is something that would help us to defend the appeal without the much larger expense and would help the Tax Attorney to negotiate a settlement.

Mayor Arnowitz said we are considering a revaluation next year and the Tax Assessor will be working on that.

Tax Assessor Wilkins said he did prepare a summary of his findings. The Borough will have to take a few steps and he believed the most appropriate course from his analysis of the sales and speaking with the County Tax Administrator is revaluation. The other option would have been a reassessment but due to the State's timing restraints for that program we are past the State's deadline. The cost savings between a reassessment vs. full revaluation is not going to be that significant at this point and it would be appropriate for the town because of the timing. It would have to be done by the end of this tax year.

Mayor Arnowitz said the Council believes we will have to go with the full assessment.

Tax Assessor Wilkins said in his report he is indicating that the assessments are too high at this point; the assessments were done in 2007 based on the 2006 market. We will be able to capture a number of permits and newer construction which need to be addressed.

#### DISCUSSION:

- 1) Pending Tax Appeals.

Mayor Arnowitz said that is our pending Tax Appeal discussion.

#### GENERAL PUBLIC HEARING:

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

Paul Kapu, 115 Legion Place -

He referred to the solar panels installed on the roof of Shop Rite and said he never was given notice that they would be installed. They are extremely unsightly. The entire roof is covered with at least 100 solar panels and installed at an angle and at certain times of the day it is difficult to look out of his back window. His property abuts that property and in 2009 a storm knocked out many trees. They never replaced any of the trees that were knocked down and actually cut more down than they felt would be a hazard. At that time, five trees from their property hit his deck and roof

causing significant damage. He has a clear view that was not so in the past.

Mayor Arnowitz said they adhered to the Engineer's specifications to stabilize the hill. Everything that the Engineer required was done.

Mr. Kapu (Contd).

The trees that are there now are regular trees and leaves fall in the autumn. In the summer it is not as bad but now there are bare trees which are not blocking his view. He has no problem with solar panels if they would plant trees and block his view. It is also an issue with his neighbors.

Mayor Arnowitz said he could send a letter from the Borough to Inserra saying in 2009 quite a few trees were lost due to a storm and we would appreciate if they would plant sufficient trees to block the view of the solar panels, etc. He will also reach out to the Borough Engineer.

Councilmember Giancarlo said they have one of the largest businesses in this town, their property looks atrocious. He thought they could give more to this town.

Mr. Kapu (Contd).

Their trucks come in at 6:45AM and in November they will have a separate freezer truck for the turkeys and that noise runs through the night.

He has been reading about the interest of going to a central dispatch for the police department and emergency services. Our department with a couple of others went to the central dispatch in Mahwah and the police officers are not happy with services. During the storm we just had, they were overwhelmed, residents were calling, the phone was ringing 25 to 30 times and no one answered. They called 9-1-1 and the calls that went through were answered by an answering machine that said if there was an emergency, hang up and dial 9-1-1; if it's not an emergency, leave a message. If a house is hooked up to a fire alarm that goes through central dispatch, those central dispatch stations are not located in the town, they may be out of state. When they call in to the police department saying it is an automatic alarm, they can't hang up and call 9-1-1. Nobody is answering the phone and nobody is getting that dispatch. We are not happy with it; on a daily basis if there is a street in Norwood and a street in Northvale, the next town over that has the same name such as Cedar or benign street name, they will give it out to the wrong town. Dispatchers are not familiar with the area; they don't know the shops, landmarks, etc. He does not want Hillsdale to go to central dispatch in Mahwah. The system is not working well and asked to keep the local police

involved. They are at risk as well as the residents, they should have a voice, and you should get their input. He did not want his family to rely on that in case of an emergency.

Mayor Arnowitz assured him that our police department will be part of that decision. No decisions have been made yet, a lot of research has to be done.

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

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RESOLUTIONS: (Consent Agenda)

Mayor Arnowitz read the Consent Agenda of Resolutions.

Councilmember Frank commented on Resolution 11157, Payment of Bills, that the wording needs to be changed in the By-Laws because the bills are not approved by the Finance Committee, they are approved by the individual Council Liaisons.

Borough Clerk Sandt proposed that the By-Laws be reviewed during the month of December, corrected or adjusted, and then resubmitted at the Reorganization Meeting.

11157 Payment of Bills was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

11158 Resolution to Amend Budget - Amendment #2 was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

11159 Opposing a United Water Rate Increase was introduced by Councilmember Weinstein, seconded by Councilmember Hanlon.

Motion to approve the foregoing Resolution on the Consent Agenda was made by Councilmember Weinstein, seconded by Councilmember Hanlon.

Roll Call Vote on Consent Agenda of Resolutions:

Ayes: Councilmembers Frank, Giancarlo, Hanlon and Weinstein

Nays: None

Absent: Councilmembers DeJoseph and Schiavone

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Board of Health report for the month of October 2011.

Motion to receive and file was made by Councilmember Hanlon, seconded by Councilmember Weinstein, and unanimously carried.

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

## COUNCIL COMMENTARY

Councilmember Weinstein said a meeting was held last week to further discuss the Montvale/Woodcliff Lake/River Vale/Hillsdale/Pascack Valley Regional High School Issue. It has not been discussed for a while because we had difficulty getting the right players in place. The next step would be to review proposals from both financial and educational experts who would be designated to write the River Vale/Hillsdale prospective of what dissolution of the school district would mean to us and to the quality of education and the finances in the community. It was difficult to get those people on board to interview; Mayor Arnowitz and Councilmember Weinstein were there along with representatives of River Vale and DeCotiis Law Firm. We had an expert CPA who would do the financial side and the educational expert who brainstormed with us on different issues we raised and concern for our constituents. There was a review done of the published work from Montvale and Woodcliff Lake.

The next step would be to have them give us the formal proposal about what they would do for us, how much it would cost, and we would come back to both River Vale and Hillsdale Councils to further discuss what makes sense for the next steps and hopefully we will have something to contemplate and discuss at our next meeting.

Mayor Arnowitz said nothing is going on at this point in time, however, if Montvale and Woodcliff Lake would apply, we have a very short window to get our information together and appeal. If we are not doing the report prior, we could conceivably be late and it sends a message to Woodcliff Lake and Montvale that we are not going away. This could be extremely expensive to Hillsdale, the estimated cost to Hillsdale a million dollars a year in increase. Any money expended, which was budgeted, is worthwhile for this appeal.

Councilmember Weinstein said he is satisfied that we are speaking with professionals. He encouraged everyone to vote on election day.

Councilmember Frank said this Friday, November 11, is Veterans Day and we will be holding a ceremony in Veterans Park downtown at 11AM. During that ceremony we will be dedicating a new flag pole monument that was erected during the past month. The public is welcome. He also encouraged everyone to get out and vote.

Mayor Arnowitz said the flag pole and monument did not cost the

town, it was done through grant money and Mr. Moshac's family donated the matching funds. He is extremely proud to have the monument there.

Councilmember Hanlon said on Wednesday, November 9, between 6PM and 8PM the annual rabies clinic will be held. Licensing for pets will also be done for 2012. This clinic will be held at the DPW.

Senior luncheon will be held next Wednesday. It will be a pre-Thanksgiving luncheon, cold turkey sandwiches. She said the American Legion hut is coming along well and it looks absolutely beautiful. Our senior van is still running every Tuesday and Wednesday; our driver Howard Minnick had open heart surgery and is doing well.

Councilmember Giancarlo thanked the emergency service personnel who are still working with the remnants of this bad storm; the DPW workers are on the streets every day. He also thanked all veterans for their sacrifices.

Mayor Arnowitz said the DPW is doing an outstanding job. The residents have to cooperate. We have a problem with residents continuing to put out brush. Waste Management does not pick up vegetative waste anymore; we are in our leaf season and he wants the DPW to work on the leaves so that we don't plow them back onto residents' property. Residents are still putting out huge amounts of brush. We will set a final date and after that date we will no longer pick up brush; residents can bring brush to the DPW which is open five days a week and two Saturdays a month.

He will have a meeting with OEM officers and committee to discuss the last storm and anyone who had any problems will be discussed.

Mayor Arnowitz said we are having a problem with Cablevision, they are working to bring the meetings back on the air.

He said the Commander of the Legion is coming along quite well; he was one of the persons who injured by a car at Woodcliff Lake.

#### ADJOURNMENT

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

11-7-11

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Robert P. Sandt, RMC  
Borough Clerk

APPROVED AS PRESENTED

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Robert P. Sandt, RMC  
Borough Clerk