

Council Meeting
October 11, 2011

Minutes of a Council Meeting of the
Borough Council held at 7:30 P.M. on
Tuesday, October 11, 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 11th day of October 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.

Mayor Arnowitz asked everyone to pause and meditate on the events of 911 and the people who were lost.

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.

APPROVAL OF MINUTES:

On motion by Councilmember Giancarlo, seconded by Councilmember Hanlon, and unanimously carried, the Minutes of the Council Meeting of October 4, 2011, and Closed Meeting of October 4, 2011, were approved as presented.

CORRESPONDENCE:

1. DR. CHARLES KAUFMAN SEEKING RELIEF FROM BROOK DAMAGES.

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

Councilmember DeJoseph said the Borough Engineer is adding this to our FEMA request with regard to Hurricane Irene.

DISCUSSION:

1) Town Web Site Contents.

Councilmember Schiavone said she was prepared for a presentation for this evening's meeting.

Borough Clerk Sandt said the presentation was going to be done on line by the company and everything would have been prepared for this evening.

Mayor Arnowitz suggested instead of doing this publicly, have the committee review it, become familiar with it, look to other companies and then have a presentation.

Councilmember Frank said he, Councilmember DeJoseph and Councilmember Schiavone started with a meeting originally; Councilmember Schiavone volunteered to begin a search.

Mayor Arnowitz directed the committee to advise the Council when they are prepared for a presentation.

Councilmember Schiavone said the process we had was a presentation so that everyone could be brought up to date as to what types of things are available.

Councilmember Frank said the presentation should be screened by Committee with the Clerk's involvement and come to Council with something that has been filtered and then a recommendation to the Council.

Mayor Arnowitz asked the Council if they want to go forward with a committee that consists of Councilmembers DeJoseph, Frank and Schiavone, review, have the company come in and speak to the Council. He would like the public to see this also.

The Council unanimously agreed to the Mayor's suggestion.

2) Joint Court Feasibility Study.

Councilmember Weinstein said many of the Councilmembers went to a

presentation by the Tri-Boro combined court; Montvale, Woodcliff Lake and Park Ridge. It was impressive and the Court Clerk recommended that if Hillsdale was interested she would encourage us to go through a feasibility study as they had done, since each town has unique needs.

Councilmember DeJoseph said he spoke to the county as we are attempting to get a grant to cover the cost of the feasibility study for Hillsdale. His concern was whether we get a grant to do this or pay for it ourselves, are we serious about doing this. If not, we should not spend our money or grant money, \$4200.

Councilmember Weinstein did not believe it is strictly a financial decision. He was willing to go ahead with a feasibility study to see what it entails, what the results would be, what it includes and weigh financial savings against convenience and inconvenience, etc.

Councilmember Frank said it appears to be functioning well and the only problem was someone picking up the tickets from Woodcliff Lake and delivering them to Montvale which doesn't seem like a serious problem. He was in favor of going ahead with a feasibility study.

Councilmember Hanlon was also in favor of going ahead with the feasibility study.

Councilmember DeJoseph said he too was in favor of the study and hoped the Council, once they get the feasibility study, would move forward with it.

Mayor Arnowitz said if Resolution 11149 passes this evening, that means that the Council has interest in proceeding predicated on what the report says. Any type of merger such as this has numerous components, one is dollar savings. It has to improve the service and at least maintain the existing service.

GENERAL PUBLIC HEARING:

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

Steve Moshac, 41 Rawson Court -

He suggested that in the calendar of events residents be advised that Council meetings are televised and channel numbers given where they may tune in to view the meetings.

Geraldine Standler, 6 Jane Court -

She referred to seasonal apple and pumpkin picking at Demarest Farm and the problems it has created for the residents of the surrounding area and police department and what they have to endure

every weekend from the beginning of September to the end of October. There are No Parking signs that have been posted on alternate sides of the street on Bedford and Jane, the problem continues. Cars continuously park directly under the signs; the police issue tickets and the problems continue. There are no No Parking signs on Fairhaven. Demarest Farms does not compensate the Board of Ed for the parking that their patrons use at the Smith School; there are no garbage pails at the school and garbage is left there and at the fields. Over the years the problem has increased considerably, people are walking everywhere and no one is directing traffic. It is time for Demarest Farm to supply parking for their patrons, rent space needed and provide shuttles service. The owners are running a for profit business at the expense of the community.

Mayor Arnowitz said the Farm Act gives them a lot more rights than any other business that exists in the state as to what they can or cannot do. The police are constantly monitoring the traffic in front of the farm. We are in a quandary as far as what we can get them to do but he will personally speak to the police chief and to the Demarests.

Marissa Cefali, 6 Manson Place -

She resides next to the Walsky woods and noted a surveyor, giant orange marks in front of her driveway and curb. She was informed that construction is being considered and the entrance would be on Patterson. She was concerned that when something is being done to a property, it should be baited before any work is done. If Mr. Walsky will be doing things on the property will he be required to bait? They noticed there is an asbestos pipe that is visible and would he be required to remove that?

She went to the website trying to find information but could not find it anywhere. She suggested the public be asked what they would want to look for on the website.

She is receiving certified letters from Walsky informing them that he is applying to the Department of Environmental Protection and received a second such letter.

Jim Moldow, 21 Overbrook Place -

He said there is a lot of debris under the Demarest bridge.

Don McLachlan, Attorney Upper Saddle River -
Plaza 2, 2 Parkway

He is here to introduce to the Council the Hillsdale/Westwood Flood Solution Group. It represents Hillsdale and Westwood residents who are determined to find solutions which will eliminate flooding their properties. He has Henry Gluckstern, former Associate

Regional Council, US Environmental Protection Agency who he has associated as co-counsel in this matter. Mr. Gluckstern was in charge of the Clean Water Act enforcement to this area, supervision of the NJDEP, NJPDES, oil prevention programs, Superfund, RCRA and TOSCA programs.

The group is committed to the acceleration of the flood solution evaluation process and ultimately approaching United Water in an attempt to arrive at a negotiated, true resolution of these problems. They are requesting a resolution supporting the H&W F.S.C. in its efforts to assist the Westwood Study in achieving its publicly stated goals of identifying real solutions and petitioning the N.J.D.E.P. Also to resolve that it will agree to pledge the efforts and knowledge of the Hillsdale Engineer to identify aspects of the flood solution process. They are requesting a copy of each meeting report, report of findings, recommendation or resolution relating to United Water or management of the Pascack Brook or flooding. They are requesting that Hillsdale issue a statement of its specific goals and objectives as well as tangible action it will take to identify and eliminate sources of flooding.

The H&W F.S.G. requests the scope of the study be amended to include an engineering analysis of potential alternatives to United Water's reliance entirely upon a public waterway, the Pascack Brook, to transport the water owned by United Water from Woodcliff Lake Reservoir to the Oradell Reservoir. The analysis should include evaluation of the installation of a pipeline sufficient to transport significant quantities of water the 304 miles from one reservoir to the other.

The H&W F.S.G. requests the scope of the study be amended to include an analysis of what portions of the current Woodcliff Lake rehabilitation Project will have a potential negative impact upon the flooding of Hillsdale and Westwood and should not commence or be halted until the negative impact is resolved. The group requests that Mr. Boswell and all other firms involved in the study disclose the details of their prior work for United Water, confirm that they are not currently doing any work or bidding on any work for United Water and related entities.

The group requests that Mr. Boswell pledge they will not bid, engage, or provide any services to United Water or any other water utility until these issues are fully resolved.

The group thanked the Mayor and Council for its consideration of these requests. He urged this Council to consider that fact that they are ready to jump in here and work with the engineer and Westwood and let this be a meaningful process. He also asked the Council to check if there are any conflicts of interest with United Water, any members that work for United Water, any problems. He

asked the Council to take a pledge not to accept any campaign contributions or any remuneration or favors. He suggested taking a fresh look at this, get down what can be done for Hillsdale and Westwood. The group will press forward and we believe we will be much more effective if we can press forward with the governing bodies together.

The Council was in agreement to provide \$700 as their share for expenses for the study.

(Inaudible) 19 Legion Place, Westwood -
In reference to the Cooperative Waterway Task Force, she gets the impression that it is advancing very slowly, possibly due to lack of resources. It was formed in 2009, and a resolution by the PV Mayors Association and the documentation that Mr. MacLachlan has doesn't begin until this year. She wanted to make this point and she was in favor of his willingness to support the residents. The residents are willing to put their money to help our municipalities to achieve results. It is very encouraging to see that Hillsdale is willing to help because the group's resources are limited. She encouraged everyone to continue and make sure we get results. We want our results in four to six months because we don't have a lot of time. We have put pressure on the counsel and the engineers to produce results. She asked how many residents are participating or trying to get Blue Acres funding. She said there are six in Westwood and seven in Hillsdale. She has been in contact with Blue Acres and she found that it would be beneficial for everyone both in Hillsdale and Westwood to join the effort. There will be a meeting on Friday and invited members of the Council to attend and she will email the information. She said a bill is being introduced to allow municipalities to establish trust funds for the purchase of property.

Jim Moldow, 21 Overbrook Place -
He asked the name of the current task force. He asked if anyone sits on the task force from the County of Bergen. He said previously former Executive Schuber set up a task force of the Pascack Valley Flood Management Coalition and there were representatives from the Bergen County engineering office, citizens from Hillsdale and Westwood.

Mayor Arnowitz said they never did anything, they don't exist today. The task force from the county is the Driscoll Task Force that he is part of and Cynthia Warnack from Westwood is part of it and the rest representatives throughout the county.

Mr. Moldow (Contd).

This task force that Mr. Berkley set up has no one there from the county. Unless you have people on the task force that can implement policies and effect change and get funding, you have to

get County Executive Donovan involved so that she can appoint someone from her office to attend these meetings. You need someone with teeth to get money. In 1998, he was part of the task force and that task force was effective; the brook was cleaned and dredged, money came from the county to replace bridges, funding for the Patterson Street bridge, funding for the early flood warning system. We got United Water to cooperate and provide flood mitigation which they are not doing now. If we are going to have a task force now we need people to help bring in dollars. In regard to Mr. Boswell's study for \$7000, Hillsdale did the same thing with Mr. Statile. You have a resolution and within the resolution explain what the study would be for and he assumed that Westwood has a resolution that has a synopsis of what the money is going towards.

Councilmember Schiavone suggested using the questions the attorney presented here when we offer the \$700 stating these are the guidelines that we want answered. If necessary, use the services of this attorney to have a letter drafted to the DEP to halt the permitting.

Mayor Arnowitz said the attorney addressed that, he would be doing so.

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 DeJoseph requested Resolution 1114934 be removed from the Consent Agenda.

11148 Payment of Bills was introduced by Councilmember DeJoseph, seconded by Councilmember Frank.

Councilmember DeJoseph clarified the resolution regarding Payment of Bills. It states that the bills are approved by the Finance Committee to be paid; this has been discussed. He clarified the wording saying that the Finance Committee does not approve these, the bills are approved by individual Councilmembers.

Councilmember Weinstein stated that this appears in the By-Laws.

Borough Clerk Sandt said Councilmember Frank brought this to his attention also and this will be addressed prior to the Re-Organization Meeting if the Council wishes to change the wording.

Motion to approve the foregoing Resolution on the Consent Agenda was made by Councilmember DeJoseph, seconded by Councilmember

Frank.

Roll Call Vote on Consent Agenda of Resolutions:

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

Nays: None

Absent: Councilmember Hanlon

11149 Authorize Court Feasibility Study was introduced by
Councilmember DeJoseph, seconded by Councilmember Giancarlo.

Roll Call Vote on Resolution 11149:

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

Nays: None

Absent: Councilmember Hanlon

(SEE COPIES OF THE AFORESAID ORIGINAL RESOLUTIONS AFFIXED HERETO)

DEPARTMENT REPORTS:

Chief Financial Officer report for the month of September 2011.

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

(SEE COPIES OF THE AFORESAID ORIGINAL REPORTS AFFIXED HERETO)

COUNCIL COMMENTARY

Councilmember Weinstein referred to the sensitivities of the
Demarest Farm issue. He has been in touch with the police
department about this and learned that the problem was unwieldy
this past weekend and the weekend before. Dozens of citations were
written this weekend. We should look into the possibility of Smith
School parking and shuttles and other alternatives. He will also
check into the signage at Fairhaven, entrance to the Parkway.

Mayor Arnowitz said the garbage at Smith School should be Demarest
Farm's responsibility. He will reach out to Demarest Farms and the
School Board about rental of the parking lot. He did discuss this
in the past with the police chief who said no one has given
permission and Demarest does not advise people to park there.
Without the school giving permission, they don't take on any
responsibility; police can't stop it because it is school
property.

Councilmember Weinstein said the Ell Woods issue, Northgate
Condominiums in Washington Township, has been successful in getting

the New Jersey State Supreme Court to hear their issues which is the development of that property which has been tied up in court over five years. One way or another we will get a resolution in the next few months.

He wished everyone Happy Halloween and asked that the children be careful as they are walking door to door in the streets.

Councilmember Frank said St. John's Fall Fest will be held on Saturday in their parking lot. It is open to the public. He congratulated St. John's for being selected as a Blue Ribbon School in 2011. Only 304 public and private schools are selected as such.

We neglected to thank the people who worked on Town Day and for their contributions. It was a great day; our sponsors were the Hillsdale Chamber of Commerce, TD Bank, Pascack Bible Church, Hillsdale Fire Association, NVE Bank, Boiling Springs Bank and Davey's Locker and Seven Eleven. Hillsdale Library celebrated their 75th anniversary and the Pascack Junior Womens' Club contributed to the library and the boy scouts cleaned up.

The leaf program is on the website. Operation Take Back will be held October 29 where you can turn in unused or used drugs that you don't use anymore. They can be taken to the police department.

He commended the police department for stepping up their activities for pedestrian safety and for particular concern for crosswalks and the danger trying to get across the street.

The Open House held by the Fire Department and Police Department on Sunday was a great event. There were demonstrations and a good time was held by all. The kids were able to go through the Police Department, the jail area, the firing range and go over to the Fire Department to see the trucks.

Councilmember Hanlon said the Senior Lunch will be held on October 19, October Fest. The senior van is running, we don't have the sign on it as yet.

With regard to leaf pickup, she noticed driving around Ralph Avenue and that area landscapers are putting out piles and piles of leaves everywhere. They are three weeks ahead and it is difficult to walk in the street; also Halloween could present problems.

On the last Wednesday of the month the senior cinema will be held at the library and we are showing The Conspirator. She also congratulated the police department with regard to the safety of the jaywalkers.

The summer concert program, Care One, is on board. The feedback she got from the people that attended said they loved the fact that it was held in the center of town.

Mayor Arnowitz said when they put up the light for the monument the electricity needs for the concert were taken into consideration. We should check to see if additional work needs to be done so that we do so beforehand.

Councilmember DeJoseph did not receive a response to his email regarding shared services with Mahwah. He said Mahwah would be one recommendation and Ridgewood would be the other.

Election season is coming up and wanted everyone to understand what everyone does and does not do on the Council.

Councilmember Schiavone said she had a request from the Honors Italian Class at our high school. They will have an exchange program and at our November 1st meeting the Italians will be here. The Italians would like to come in for a brief visit to see the local governing body and she suggested that the Mayor give them a Proclamation that they could take back to Italy to hang in their classroom. It is the Leonardo da Vinci School of Math and Science that was chosen by our Italian teacher as the best school for this exchange.

Councilmember Giancarlo said we seemed to be bogged down this evening with esoteric arguments. He heard tonight for the first time about the Mayor's gang and he believed that to be a breach of decorum and way we have been conducting ourselves here. It is a reminder that the silly season is upon us and he was looking at the negative ads about this Mayor and Council prior to this election season. There was one in the last three years which was remarkable when you compare us to our neighbors. Let it not make us enemies, we are all friends and this too shall pass in about a month and a half. We all have our favorite candidates, however, it should not appear on the dais. There are newspapers for that, there is campaign literature.

Mayor Arnowitz said October 19 the hospital is having the meeting with the state health board at the Westwood Regional High School at 6PM. He asked that everyone come and support opening Pascack Valley Hospital. On October 15, the Cub Scouts are having Fright Night at Beechwood Park at 6PM. He mentioned the Flood Coalition Meeting; the Fall Festival at Sapienza Gardens will be held October 23 from 12PM to 3PM. The Ragamuffin Parade will be held on October 28 at 6PM in the borough parking lot.

With regard to the debris beneath the Demarest Avenue bridge, he asked Councilmember DeJoseph to possibly get prisoners to clean it

up.

Councilmember DeJoseph said there is no one to supervise them.

Mayor Arnowitz will speak with DPW Superintendent Durie about this. He congratulated Councilmember DeJoseph who will be getting married on November 4th.

ADJOURNMENT

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

10-11-11

Robert P. Sandt, RMC
Borough Clerk

APPROVED AS PRESENTED

Robert P. Sandt, RMC
Borough Clerk