

## **MINUTES**

REGULAR MEETING, THURSDAY, APRIL 14, 2011 AT 7:00 P.M. OR AS SOON  
THEREAFTER AT BOROUGH HALL

### **OPEN PUBLIC MEETINGS ACT.**

BOROUGH CLERK: this meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Mayor and Council.

### **ROLL CALL:**

COUNCIL MEMBERS: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli

ABSENT: Councilman Kearney

ALSO PRESENT: Mayor Peter C. Massa, Borough Clerk, Terence M. Wall, Borough Attorney, Randy Pearce

### **PLEDGE OF ALLEGIANCE**

Mayor Massa – ladies and gentlemen at this time I'm going to open the meeting to the hearing of citizens. Anyone who wishes to be heard, please come forward, state your name and address for the record. Please confine your comments to municipal matters and municipal business. I respectfully request that you confine your comments to five minutes to give everybody an opportunity to be heard. Neither myself nor the members of the council will comment on the hearing of citizens until the hearing of citizens is complete. Please state your name and address for the record.

### **PUBLIC COMMENTS**

Hanna Laura Reilly – my address is 69-71 Devon Street. It is not my residence; I am the landlord and owner of the house. I'm bringing this matter to the court. I have, my sidewalk needs to be repaired and in order to do so the tree that's between the streets and the sidewalk, well I'm not quite sure what to do with it. I know that when I make the repair, the sidewalk is high and we're going to have to dig down very deep into the root system of the tree. I know that the tree is leaning into the street; I know that the tree has been struck by lightning; I know that the tree is very big. I believe that the tree needs to be removed. I believe it is the matter for the township to remove it, I'm not quite certain of exactly what needs to be done. I would like to make the repairs to the sidewalk and I would like some guidance on time frame for it. Making my repairs in relation to the removal of the tree and the stump and who needs to do it or what exactly needs to be done. A little bit of I guess just guidance on how to go about it. I've spoken with a few contractors actually this week and they're ready to rock and roll, I guess it's in a time they haven't yet quite got a lot of work but they're willing to take on jobs and they're ready to go so I would like to make the repair. I also, I've been trying to contact the DPW concerning the tree. I spoke with Jimmy, Mr. Jimmy McCabe on occasion and I think you've had the chance to go down and look at the tree, I'm not sure if he has or if he hasn't. Yesterday, I was in the department of construction and I had a chance to speak with Mike Golon. He's familiar with the tree and the house. He told me that it did need to be removed and that I should seek Jimmy out. When I sought Jimmy out, he said to come to the council to Mr. Bianchi or Mr. Tanelli I believe, and I am not really sure where to go from here.

Mayor Massa – You are on the record with contacting DPW and the Construction Department.

Ms. Reilly – I believe so

Mayor Massa – You have spoken to Mr. McCabe about this?

Ms. Reilly – Yes

Mayor Massa – All right. We will have the Borough Administrator contact you. Please leave your name and address and telephone number with him and we will set it up for the proper inspections and reviews to make the determination as to what can be properly done by the Borough.

Mayor Massa – Anyone else wish to be heard

Greg LaScola, 15 Veterans Place – I have several issues. First one would be the bond for the new fire engine and Haz-Mat issue. I think \$600,000 of our money is unreasonable at this time we could spend the money better, our children, the Little League is like falling apart, the grounds and everything like that. Fisher Field has deteriorated. I have lived in town quite a long time. I think we have too many firehouses. I think we should sell off two of them and the associated equipment to lessen the debt, that would lessen real estate taxes. We would not have to pay gas and electric, insurance. I think the building department should be regionalized and its people. I don't think the building department serves its purpose or covers itself in expenses. I also want to say that Mr. Stringham was always looking for ways to save money. I think Mr. Stringham as the Superintendent of Schools should have been willing to take one of the schools as a principle and his position now, take his staff and replace that. These are several cost saving measures that we could do.

Mayor Massa – Not to interrupt sir, but the Board of Ed issue should be raised with the Board of Ed. We do not have jurisdiction would be to review their budget if it were defeated in the polls.

Greg Lascola – I read in the paper about the fire truck that is why I am here. I just think that the money we are putting out there is exorbitant. We have so many fire truck we do not have enough people to man them. We have too many building that we have to take care of. Now I understand that we approved the bond to repair one of the fire houses down on Schuyler Ave. Should have made the repairs and sold the building and get rid of the equipment. I really don't see a town 1 square mile needing that much equipment. Those are my issues.

Mayor Massa – Well we have a public hearing on the bond issue so you can make your comments again if you want to expand on it.

Greg Lascola – I read in the paper today tonight was the public hearing, right?

Kirk Delrusso – 473 Riverview Ave – Mayor, Council. It has been brought to my attention that a certain individual had a question with regards to the two trees in front of my house. I have written permission from the Borough to remove both trees and replace same. For the record I paid for the trees to be removed, no cost to the Borough. Furthermore it has come to my attention that Mr. Tanelli is very concerned about my personal business and what I do. In the future I would suggest Mr. Tanelli should you have any questions contact me about my past and present and be a man do it directly instead of hiding behind someone else or a computer, I have nothing to hide. Thank you.

Mayor Massa – thank you sir.

John Parisi – 40 Geraldine Road – I was here at the last meeting and you were going to contact, Mr. Wall you were going to contact the engineering department and you were going to let me know that night or the next day what they came back with.

Mr. Wall – Yes, I communicated with the Stephanie has the engineer in here today and she has a report on 40 Geraldine Road and she can speak. I actually emailed from the dias to make sure it was sent out that night, perhaps you can speak with her during the engineers report.

Mr. Parisi – it's the end of the meeting?

Mr. Wall – It is coming up shortly, it's on the agenda.

Bob Norcia – 108 Sunset Ave – I received the letter after you had stated that the Attorney was going to look into it. I did receive a letter at the beginning of the year that construction violation was to be corrected. Because of the snow they had to allow for the snow to melt. Up to now I had given two photos to Mr. Pearce of the floods in the yard. No snow melted out to allow the

flow flow of water no more. It just keeps getting up and up and it keeps building higher. She was suppose to correct it she is saying she did, took two photos nothing was done. That is all I can say, I keep coming back. The last problem with this same person was 6 1/2 years to resolve and finally got resolved because of you, you did it in 3 months. Now we are into this one, 3-1/2 years, have an agreement what she was suppose to do with 2 councilmen and you had the town lawyer look into it and try to come to a resolve, I didn't want to do it, I said just fine let's do it just allow the water to (inaudible) they agreed to do it still nothing done. Now it is April 15 or something like that it is getting ridiculous. If you resolve that issue in three months why is this one taking 3-1/2 years? Is it a personal thing what do they got against me, I really feel that somebody got something I don't understand. Is it a woman that a woman has a different law than men this is what it amounts to.. She has four separate violations, I am just for the fact and nobody is doing nothing about it. She just does what she wants to do all the time, it is very frustrating..

Mayor Massa – thank you sir.

Richard Minic – 20 Truman Road – I am a cliff dweller. I have a quality of life issue. Back of my property looks out into the Meadowlands and right below the cliff where the warehouse is where they have the road they have speed bumps. I have listened to the speed bumps for the last 10-12 years and it is very, very annoying. You can't sit and enjoy your backyard in the summer time, the trucks hitting the speed bumps all the time. If you are in your house in the winter time with the windows closed you hear it, this can go on 24 hours a day, seven days a week. After seeing this in the paper about the wall falling down last week, I went back behind my fence line property and I looked the mountain there is slowly but surely dropping down it is going away. There is a drain pipe that comes off my property that I have never seen before and know it is sticking out about 8 inches out of the ground so that hill is moving down and the reason I believe it is because of these speed bumps. I listen to them, I wish they could do something about it. The cliff goes down, there is a road, a warehouse, there are no pedestrians' down there why do they need speed bumps down there with these trucks especially when they come back with empty pallets and they hit them speed bumps, very annoying..

Mayor Massa – thank you sir

Eileen Tita – Bernice Road – I have a few issues. First positive. I am thrilled that the streetscape is continuing as far as I am concerned I am a homeowner and one who has lived in town a long time its vital to our community to have a beautiful Ridge Road to attract homeowners and attract businesses which have been coming into town. We have seen the small little mall off of Jauncey Ave and Ridge Road it is wonderful, I want to see it continue. Secondly, I now there have been discussions about the individuals from Kearney who did a presentation for the Spring Air property and I hope that they are going to be successful because it is such an eyesore that's been going on since the early 2000's and it is the first positive individuals that have come up with a wonderful plan to revitalize that piece of property and also open it up to more businesses not just there's, so I hope that is going through. A couple of other issues why our town did not get the grant for Trenton that we deserve is probably due that we still are being penalized because we blew the whistle on Encap when everybody else thought we were crazy, we were the smart ones because where are they today they are bankrupt and we are struck with a piece of the weirdest edifice over Route 3 that is slowly falling apart because who wants it and Trenton spent three hundred million dollars not knowing where the money went because nobody followed up. In the interim every time North Arlington names come up that red flag must go up and say we can't give them anything they blew the whistle because they are trying to cover up what there shortfall was and that's the problem with the tax increase which is coming down the pike for everybody in town. The assessments for all the property's yes it was necessary it has been a long time but triple the amounts and that's going to impact on the taxes. We want to keep the businesses that are here and we want to keep the new businesses that have opened up here. If you hit them with a 12 to 25% tax increase its going to kill this town people just cannot afford it and as far as I am concerned floating a loan if the town does not have money you don't go out to buy equipment. I worked in the business world a long time, if a company was having trouble they froze everything from top to bottom, nothing was bought, nobody had to lose their job either, you didn't have to furlough anybody and you didn't fire him you just froze everything and everybody just went along with it because you kept your job and you kept your security. You can still go home and pay your bills and put food on the table. So, as far as I am concerned I think people have to go back to the drawing board and look at the whole situation. I am sure we do not have to get rid of

firemen or police or EMS or the DPW its vital to our town there at the minimum now. Maybe administration but I think that is all at a minimum and we can't get rid of the services that we provide in town just as our Library and other institutions that are vital they serve the children and they serve the adults and they are the backbone to the community. So gentlemen all I am saying is go back to the drawing board and like your GPS does in your car, recalculate and recalculate until you come up with something that is beneficial to everybody in the town. Thank you very much.

Mayor Massa – thank you anyone else? This time I will entertain a motion to close the hearing of citizens.

Motion by Councilman Tanelli, seconded by Councilman Yampaglia. Call the roll.

Mr. Wall – Councilman Yampaglia, yes, Councilman Bianchi, yes, Councilman Hughes, yes, Councilman Johnson, yes, Councilman Tanelli, yes

Mayor Massa – any members of the Council wish to comment on the hearing of citizens.

Councilman Tanelli – yes Mayor. First of all I guess it is that time of the year but I would like the record to reflect that Mr. Del Russo left after he made his comments.. I am not quite sure what he meant by me being interested in his personal business, but I did inquire about the trees because there was email sent out by a neighbor requesting information why the trees were taken down after this Council sat up here. Number 1 looking to try and keep some trees in the Borough and not cut all the trees down, repeatedly we said that in these meetings he wanted to know why a Republican Council candidate can cut the two trees down in front of his house, so I did inquire about that Mayor, so that is a fact. As far as the personal information I am not sure what he is talking about but thank you.

Mayor Massa – thank you Councilman. Anyone else?

Councilman Hughes – I would like to respond to Mr.Lascola. Your comments about the fire truck are little unfounded because frankly the reason we are purchasing this truck is because we got a federal grant for almost \$300,000 for half the cost of that truck and we are taking advantage of that opportunity to replace a truck that is 26 years old. As far as reducing the amount of fire department you have a volunteer fire department, you have one of the best volunteer fire departments in the State of New Jersey. The equipment, training and the manpower of a volunteer fire department in this town directly saves you in the area of \$50.00 to \$100.00 dollars a year because we have one of the highest ISO ratings in the State of New Jersey for a volunteer fire department. If you were to start doing away with pumper or equipment or fire houses the way are distributed you would significantly reduce the amount that rating on the Borough and you would immediately see an increase in your insurance rates to the tune of \$50.00 - \$100.00 or more per year because of the rating that this department has. So to take this opportunity to replace a 26 year old truck and have the Federal government pay for half of it, we have to bond the entire amount of the truck only because we have to fund it ahead of time. As soon as the truck is delivered we put into the Federal government, they usually pay us within 30 days, they reimburse us for about half of the value of that truck and then what we do is we cancel the rest of the bond. We are not borrowing the entire \$600,000 to purchase we are borrowing significantly less than that but it is just a funding material that has to be put in place in order to qualify for this grant that has been awarded but you don't get the cash until you actually make the purchase. As far as closing fire houses the way they are distributed right now, its not a one square mile town, it's a 2-1/4 square mile town, the layout of the fire houses in the town is more less determined by ISO which is a rating company that determines what insurance rates you buy on your house. They sell that information to all of the insurance company's and the insurance company's assess the risk based on the different factors that are involved, the Construction department is part of that, the type of construction that we have, the type of building codes that we have in place, the type of fire prevention codes we have in place as well as the water system, training of the fire department, the equipment that the fire department has, all of that is put into the mix and they come up with a rating and right now North Arlington has a class II rating which is the highest rating of a volunteer fire department in the State of New Jersey. I know there is right now we have just been recently been reevaluated, there are some issues there that have to be corrected, but the fire department is working very diligently to correct those situations and hopefully we will maintain that class II rating. It will directly cost you if you start making the changes that

you suggest and the cost of the fire truck is not going to be as high as you think it will be. (Inaudible)

Mayor Massa – sir, excuse me the hearing of citizens has been completed.

Councilman Bianchi – I have to say this. I think the fire budget for the year is about \$150,000 that is what the North Arlington Fire department gets to run our fire department. If you live in Kearny or Jersey City that pays for 1-1/2 fireman, you got 85 firemen in this town with the best equipment going. So if we did away with our volunteer fire department or cut it in half and had to pay for drivers, night time drivers, your taxes would go through the roof,

Mr. Lascola – I didn't say that

Councilman Bianchi = you implied it. Your taxes will go through the roof. Lets say \$150,000 to pay the \$85 firemen that we have, the \$700.00 a year that they get, plus we have very good equipment if we did away with all that the taxes of everyone in this town would go up a couple of hundred to \$300.00 just this first year. Let's thank God that we have the 85 firemen that we pay \$700.00 a year to and let's thank God that they are doing it for the \$700.00 because if we had to pay for it like Kearny does or Jersey City then you would really be screaming.

Mr. Lascola – I didn't imply that

Mayor Massa – excuse me sir. The hearing of citizens have been closed, the Councilman is responding. If you wish to comment further during the hearing of the Bond ordinance you can comment on it.

Councilman Bianchi – the reason why volunteer fire department get real good equipment, better equipment than paid cities like Newark or Jersey City is because the firemen work for free. So you spend \$600,000 for a new fire engine that last for 20 years to keep our fire insurance on our houses low. \$600,000 for a new fire truck and the \$300,000 that we are getting from the government. In the city of Jersey City, 3 captains make \$300,000, so you see what I mean. You have to take care of your volunteers. Your volunteers are your volunteers, whether it be EMS, whether their fire, police volunteers you gotta take care of them.. I know what your saying, let's not spend the \$300,000. So we don't the \$300,000 what happens? You might lose a lot of volunteers that you have to pay for a fire department. You would be willing to do that?

Mr. LaScola = I am not saying that.

Councilman Bianchi – Okay, alright. That is just my point.

Mayor Massa – any other Councilmen wish to comment on hearing of citizens.

Mayor Mssa – the lady from 69 Devon is not here. I would like to have had the opportunity to address her problem but I am going to make certain that the Borough Administrator contacts her regarding that tree situation and has it reviewed. Many times people ask us to remove trees which are healthy trees which we normally don't do. I do not know what the situation is regarding the problem at 69 Devon we have to review that and take whatever legal steps we can and make any determination how her problem can be resolved.

As for the gentleman from Veterans Place I understand your concerns, I understand no one better than myself and the people sitting here right now can understand the frustration that a lot of citizens in this community and from a largest fear the citizens of municipalities, the 566 municipalities that are going through right now with the current economic crises that the nation is in and the world for that matter, but putting that to rest the important issue is this, making certain that the public safety of this community is protected. You made some comments about shutting down fire houses and selling the real estate that would be a quick fix, would it be in the best interest of the public safety of the people of this community, I really don't so. I do not believe that would be the situation then .and the buck stops with me when it comes it comes to the public safety of this community and the gentlemen sitting here with me, we have to make these determinations as to how we will allocate this equipment. I just want to go on the record to say that this is the second time that the North Arlington Fire department has applied for a Federal grant. Very few volunteer fire departments in the country not in New Jersey not in Bergen

County in the country get grants to put towards the purchase of fire apparatus. As the Council president did say before this particular piece of equipment is being replaced is over 26 years old, it needs to be replaced it has a direct impact on the insurance ratings and it could conceivably have an impact on the public safety of this community, so that's why it is the decision of this Council will have to make a determination as to funding the balance of that grant and their decision will of course impact the future of the volunteer fire department equipment status.

Mr. Parisi from Geraldine Road we want to have the Borough Administrator review your problem and continue to take care of any issues that you have there. Are you aware of the problems?

Mr. Wall – the speed bumps? I am going to defer to the engineer on that.

Mayor Massa – Okay. What I am going to do is direct the municipal engineer to meet with you at your residence so you can completely articulate with him or her the problem you are having and we will get a written report placed on file with the Borough Clerks office where the Council can review.

Councilman Hughes – actually there is a report that was generated last year Mr. Mayor and we do have it.

Mayor Massa – Ok. Thank you.

Mayor Massa - Mr. Norcia as an issue with respect to violations and if there are violations, tomorrow I will have the clerk and the construction department give me a report as to what the status of these violations are and if complaints have been filed accordingly with the courts and what those violations are..

Mayor Massa – Mr. Minnic from 22 Truman, I don't know if the speed bumps are causing a problem in the back of your house I can't say that, I am not the engineer but again I am going to have the municipal engineer review that situation. With respect to speed bumps I can tell you very much from my own experience, I don't know how the rest of the gentlemen on this panel feel, there are people in neighborhoods they say they love them, they want them, its keeps traffic slowed down, there are other people that tell us they don't like them, they are a problem because of the specific reasons articulated by users, it may be a good idea if we talk to the neighborhood, see how the rest of them feel about that speed bump see if it's doing its job or if it is fact contributing to the undermining of the street and the geography in that neighborhood lets what we are going to have an engineer tell us.

Mr. Wall – the location of the speed bump is where? There down below the speed bumps.

Mr. Minnic – there between the cliff and the warehouse.

Councilman Bianchi – I sympathize with him because I know how those speed bumps are and really I don't those speed bumps belong there, but if our engineer if she can go down and check into it along with Mr. McCabe maybe both of them can go down, maybe the company can take the speed bumps out. It is really only a driveway, I don't see why there are speed bumps down there and if it is really annoying to people, maybe the constant banging is making (inaudible)

Mr. Wall – We may either have them removed or unless they are not more of the new technology speed tables that have a far more subtle sound effect they made be able to be replaced with a equally effective but far less intrusive from a noise perspective solution as well I will work on that issue to.

Mayor Massa – What I would like you to do is just leave your telephone number with the Administrator so that he can contact you and let you know what we can do about that situation at the end of the meeting or you can contact him at the office tomorrow, just leave your phone number so he can reach you.

Councilman Johnson – are they on the side of the H&M warehouse?

Mr. Minnic – No, they are on the west side between the cliff and the warehouse.

Councilman Johnson – so it's not really Porete Ave? It's along the side so when the trucks empty their load they come down the side.

Mr. Minnic – Yes

Councilman Johnson – its private property

Mayor Massa – gentlemen let's just keep the decorum of the meeting please if we could

What we want to do is make certain that the Administrator contacts Mr. Minnic regarding this issue and we have the engineer take a look at it, put whatever sketches together we need, formal reports and then the governing body can precede accordingly.

Mayor Massa – Ms. Tita you commented about Spring Air rehabilitation it's in my hopes that we do get something that is viable for the community in your neighborhood and not only viable for your part of the community but the entire community and the Zoning Board did approvals to that application and that is presently going forward according to the legal process that are in place. As far as the State of New Jersey not giving us any money because we are whistle blowers I can't answer that question that strictly speculative, I have had my own speculation in the past what kind of punishment we've endured since the Encap situation but that's yet to be proven. We did call for an investigation into the whole situation some years ago myself and Councilman Tanelli, I understand that is still going forward by the US Attorney's office. I can't comment on that any further. As far as the reassessments are concerned, why sure I got my reassessment in the mail and it went from \$170,000 to \$330,000 and the biggest problem I have to deal with is the charming young lady with whom I share my home whose name is on the deed like the rest of you. I can reassure you that the budget is cast based upon the tax rate and the tax rate is cast based upon the budget that the amount of money that the Council is going to have to raise to run this community. With respect to recalculating like that gadget says in my car whenever I get lost coming off the turnpike in South Jersey, yes we have been doing a tremendous amount of recalculating myself and the Council president, the Borough Administrator, other members of the Council are reviewing our operating cost, reviewing our mandatory costs and we are working to provide this community with as good as economically, viable and fiscally responsible government. I can't the gentleman made a comment about the Board of Education before, I can't comment on the Board of Ed, the Board of Ed has its own controls, its own legal instruments to make its decisions and essentially if the Board of Education budget fails then it's the only time that the Mayor and Council have any authority over the Board of Education finances. I would welcome anybody if they feel the need to go to a Board of Ed meeting just as they come here and make their feelings known to Board of Ed administration.

Mayor Massa – Anybody have anything else further to say?

Thank you gentlemen. Would the Clerk read the consent agenda?

Mr. Wall – Yes, Mayor

### **RESOLUTIONS ON CONSENT**

R-116-11 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-117-11 RESO RE: REFUND OF MONIES DUE TO OVER PAYMENT

R-118-11 RESO RE: REFUND OF MONIES DUE TO HOMESTEAD BENEFIT

R-119-11 RESO RE: PER DIEM EMT'S

R-120-11 RESO RE: MEMBERSHIP INTO THE NORTH ARLINGTON FIRE DEPARTMENT

R-122-11 RESO RE: CANCELLATION OF SMALL TAX BALANCES

R-123-11 RESO RE: CANCELLATION OF OUTSTANDING CREDITS

R-124-11 RESO RE: ESTABLISHMENT OF PETTY CASH FUND FOR THE YOUTH CENTER

R-125-11 RESO RE: APPOINTMENT OF C2 COLLECTION OPERATOR FOR NARDA AND THE NORTH ARLINGTON JOINT MEETING

R-126-11 RESO RE: APPOINTMENT TO ZONING BOARD OF ADJUSTMENT

Next item would be Mayor's appointment of Class II member subject Planning Board not subject to Council approval. That would be the final item, but we would have a vote on the Consent agenda.

Mayor Massa - Motion on the consent agenda

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Bianchi

ROLL CALL: Councilman Yampaglia\*, Councilman Bianchi, Councilman Hughes\*\*, Councilman Johnson, Councilman Tanelli\*\*\*

EXCUSED: Councilman Kearney

\*Yes on the consent agenda with the exception of the bills list on 258246, 258304, 258303

\*\* abstains from any fire department purchases I have to recuse myself

\*\*\*Yes, with the exception of Purchase order 258246, 258304, 258450, 258451, 258452, 258449, thank you

Mr. Wall – thank you as mentioned previously Mayor's appointment Class II member of the Planning Board not subject to Council approval

Mayor Massa – at this time I am going to make appointment as Class II member, Craig Spencer who is a fire inspector of the municipality, subject to the regulations of State statutes and the Borough code which require a municipal official to be a member of that board. His appointment will be effective at the date he is sworn in at the next reorganization of the next regular meeting rather of the Planning Board

Mr. Wall – thank you

Mayor – Ordinances?

Mr. Wall – Yes Mayor

## **ORDINANCES**

### **SECOND READING AND ADOPTION OF ORDINANCES**

#### **ORDINANCE NO. 2072**

**BOROUGH OF NORTH ARLINGTON CALENDAR YEAR 2011 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

#### **MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2072 TO THE PUBLIC**

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Bianchi

ROLL CALL: All Council present vote in the affirmative

Mayor Massa – Ladies and gentleman at this time if anyone wishes to be heard on Ordinance 2072 please come forward, state your name and address for the record and please restrict your comments to Ordinance 2072. No one wishing to be heard I will entertain a motion to close and adopt

**MOTION TO CLOSE HEARING AND ADOPT**

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Bianchi  
ROLL CALL:

AYES: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli

NAYS: Councilman Tanelli

**ORDINANCE NO. 2073**

**AN ORDINANCE TO AMEND CHAPTER 187 §9(B) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “VEHICLES AND TRAFFIC**

**MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2073 TO THE PUBLIC**

INTRODUCED BY: Councilman Johnson  
SECONDED BY: Councilman Hughes  
ROLL CALL: All Council present vote in the affirmative

Mayor Massa – Ladies and gentleman at this time if anyone wishes to be heard on Ordinance 2073 please come forward, state your name and address for the record and please restrict your comments to Ordinance 2073. No one wishing to be heard I will entertain a motion to close and adopt

**MOTION TO CLOSE HEARING AND ADOPT**

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Tanelli  
ROLL CALL: All Council present vote in the affirmative

**ORDINANCE NO. 2074**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS OF THE BOROUGH OF NORTH ARLINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$665,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF**

Mr. Wall – This will be a motion to open the public hearing on Ordinance 2074, please come forward, state your name and address for the record and please restrict your comments to Ordinance 2074. No one wishing to be heard I will entertain a motion to close and adopt  
Mayor Massa motion to open public hearing on Ordinance no. 2074 to the public

INTRODUCED BY: Councilman Bianchi  
SECONDED BY: Councilman Yampaglia  
ROLL CALL:

AYES: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli

ABSENT: Councilman Kearney

Mayor Massa – this time anyone wishing to be heard on this Ordinance, Ordinance 2074 please come forward, state your name and address for the record and please restrict your comments to Ordinance 2074. No one wishing to be heard I will entertain a motion to close and adopt

In no way did I wish or intend to attack

Mayor Massa – excuse me sir, just put you name and address for the record

Greg Lascola, 15 Veterans Place – No way did I wish or intend to attack our fine fire department that was not the intention. The intention was to not get I can only speak about the bond I am against it for simple reasons that we simply don't have the money. I mean we are scratching our heads. The taxpayers in this fine town are really getting hammered we really are and bonding that we are doing we have to pay for. It's not like we can kick it down the road anymore, we just can't that is my concern. I understand we need the equipment, I understand we have a fine fire department, we have to find some more ways without like the fine woman said before, without chopping anymore of our public servants. We have to do something. If I offended anybody in the fire department it was not my intention. We should find some cost saving measures in the town and I know there is enough fat in this town where we can get some more. That's all I want to say.

Mayor Massa – thank you sir. Anyone else wish to be heard on this Ordinance.

Mayor Massa – Need a motion to close the hearing and adopt

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Johnson

Councilman Yampaglia – Mr. Mayor, 4 vehicles. How many vehicles?

Mayor Massa – the Councilman wants an explanation of the total number of vehicles that would be included in this Bond other than the piece if fire apparatus.

Mr. Wall – other than fire apparatus there would be a ranger pick up truck for parking violation officer to use in all season would be 4 wheel drive for their work as they are currently driving marked police cars which they should not be. Two of those to replace vehicles that have been auctioned off and the cushion's are shot and they basically have been disposed of. Additionally a modestly priced pickup truck, these are all State contract to enable the fire company to transport, tow their hazmat trailer in the event of a life safety incident and additionally not primarily but additionally be able to assist in the winter time with snow removal by having a plow attachment on the vehicle, so, three additional vehicles, total cost approximately \$90,000, roughly \$27,000 each, so if you said \$30,000 each, 30, 60, 90 there is an appropriation of \$150,000 in there we would expect to not use \$60,000 of it regardless so that line of credit would never be utilized and that would be the extent of it. There would be not additional purchases other than those identified, two parking violation vehicles which essentially also generate revenue thru their work and also to enable the fire company to tow their hazardous, hazmat trailer to incidents.

Councilman Bianchi – This winter we had a tremendous snow fall, we had to bring in outside equipment our DPW supervisor is here and we all know in the town of North Arlington that our trucks our plow trucks are just about at wits end. So, with this pickup truck it's going to be able to serve many more services than just towing a hazmat trailer. We will be able to use it in the winter. Jimmy right we will be able to use in the winter to plow and we can really use it. Last year we have to sub contract out and it costs us hundreds of thousands of dollars to sub contract out for people to come in and plow for us. If we can use this vehicle to help plow in the wintertime plus for the fire department I think we definitely need it.

Councilman Hughes – Mr. Wall do you have current assessment of what the current bond rates are?

Mr. Wall – I don't. I know its low single digits. It is exceptionally low single digits.

Councilman Hughes – I think it is around 1 or 1-1/2 percent in that area so we do have the advantage to borrow money at historically low rates. If we wait anytime or delay it one you would lose the grant and the other thing is you would be funding the full amount of it at considerably higher rates, where in the past I know we purchased fire apparatus somewhere in the neighborhood of 5, 6 or 7 percentage interest. When you paying these vehicles off over 15, 20 years that does add a significant amount of interest to the town, so by purchasing now you can say that we don't have the money but the fact that you are borrowing it now at a historically low rate, you are getting a grant for almost half the cost of it in the overall picture it probably is more wise now than to delay the purchase of it. Unfortunately we can't borrow money to fund operations. We can't borrow money to pay salaries, can't borrow money to pay health benefits, we can't borrow money to borrow paper for copy machines, but we can borrow money legally under State law to purchase capital equipment that would benefit the town over a period of at least 5 years. Most of our fire apparatus has lasted in the neighborhood 20-25 years, so we have well gotten our value out of these pieces of equipment that we purchased. There are six major pieces of fire apparatus that the town has, we staggered the purchase of them over several years so that we are not funding them all at one time and I think right now to not take advantage of the historically low interest rates and the fact that we have gotten a grant for ½ of it would be foolish.

Councilman Johnson – Councilman Yampaglia I think the Ford Ranger that you had inquired about I think that's a smart purchase for the town not only the PVO's can use it right now they are driving around in marked police cars and they are unarmed. If we do have an incident that is not a good situation legally as you know, but the Ford Ranger serves a multipurpose, the Police can use it for cones, different situations. The State contract price it's a smart purchase for the town.

Councilman Tanelli – I covered this with the last bond we did I am going to say it again tonight, I said it again at the last meeting that I voted no on this introduction, we have people driving around in new trucks, new town vehicles, people are out of work having trouble paying their taxes, I am 100% in favor of the bond for the fire truck based on the fact that we received a grant, we need the truck if we don't get it this year we may it next year or the year after and give up half the truck being paid for by federal government would be crazy. I am going to do the same thing I did on the last bond earlier in the year, I am going to say yes to the Bond but I am going to line item veto these vehicles when they come in and not purchase these vehicles.

Mayor Massa – Any other councilman want to comment on this?

Mayor Massa – with respect to the bond to purchase this piece of fire apparatus, I find that a prudent move on the part of the governing body if they approve it only because of the fact that it is a piece of equipment that we need and were are getting half of it pretty much being paid for by grant from the Federal government. As I said previously I don't want to be labor the point, repeat myself. With respect to other vehicles there's some disagreement among members of the Council as to how they should be paid for. Should they be paid for out of this bond, should they be paid for otherwise, or should they not be purchased at all? I have to give respect every member who has their opinions on these types of purchases especially today. With respect to some of the comments that were made I do have to agree with in part with most of the gentlemen who commented here. Councilman Bianchi did make mention of the fact that the pick up truck could be used to plow the snow. One of the problems I recall coming in contact with personally number of complaints made by people in the community who live on dead end streets, our large equipment cannot get down the dead end streets.

Councilman Bianchi – Your right Mayor

Mayor Massa – The biggest problem is because many residents just don't cooperate with us by parking their cars in driveways. When it snows overnight, come out at 7:00 in the morning we find the street with a couple feet of snow and now we expect one of those big rigs to get down a dead end street over on Union Place and some other neighborhoods just can't happen. A small plow, small pick-up truck with a plow maybe able to resolve that problem. As far as whether that should be paid for out of this bond that's another issue. I would prefer to see it paid for differently coming out of capital budget for the DPW, the operating budget for the DPW. In any event I will entertain a vote on this ordinance.

ROLL CALL: Councilman Yampaglia, can you come back to me on this?

AYES: Councilman Bianchi, Councilman Johnson, Councilman Tanelli, Councilman Yampaglia

Councilman Hughes, I have to recuse myself because of my involvement with the fire department,

Mr. Wall – measure passes

### **ADMINISTRATORS REPORT**

Mr. Wall – A couple of brief items. Periodically I have give you grant reports and want to update you just on a couple and then go over some administrative things we working on. One of the older T-Ball grants actually 2003 that we had discovered had not bee funded some years ago. We did receive the \$50,000 approximately that money is in the bank. Another grant housing and urban development grant that was funding the streetscape a prior streetscape for \$377,000 there is so dynamics with having that grant closed out, that money is now in the bank. That grant is done. The grant for the Senior bus which also had some procedural challenges. The Federal Transportation Administrative has completed their review and now it is the draw down process so they have passed muster on processing internally, the process of the bid and their various regulations based on most recent report from last week, we are not moving towards that process of getting that funded and closed out as well. Checks are in the bank on behalf of your taxpayers.

We do apply for essentially every and any grant we can whether we win or lose. The governing body chose unanimously to move forward on transitional aid grant to do our best apply for it, it was a difficult complicated grant we worked very hard for it and the award did not go to the Borough of North Arlington. In discussions with Trenton because I have been asked by folks what the dynamic was with the grant, why did we receive or not receive any funding because you did successfully \$400,000 last year to your credit. This year Erin Needler who is the Trenton representative, she is a public employee as well and folks can feel to reach out to her directly, she stated very simply that 5 other communities that had more dire financial straits were awarded no aid. My question related to why we would not receive aid and she stated that the finances were cut and because of the financial profile we did not receive any aid. If anybody has any questions regarding Trenton's assessment and rational on the aid they should certainly feel free to call Trenton as well, I wanted I received a number of questions on that particular issue, I wanted to clarify Trenton's official response to the Borough why we did not receive aid in this particular application process and they indicated one reason alone to the Borough Administrator which was strictly financial. We do continue spending freeze, we've frankly been in a very strict spending profile for several year's now. The departments have been wonderful in that spending requisition and request for approvals are really based on need anyway, generally, we are trying to confine it more to the most urgent issues related to life safety. We are also evaluating all the telecom contracts, garbage contracts, recycling contracts, the disposable dynamics as it relates to how we are handling type 10 waste, street sweepings, we are trying to carve down any particular area that we can, and we are seeking to extract the savings working in partnership with the PBA, Blue and White collar folks and non affiliated folks to develop a solution which results in approximately \$500,000 of additional savings. We have a meeting with the PBA scheduled for April 20, pending schedule confirmations and we hope to have a productive meeting. We have a meeting the following day with the Blue and White collar folks to also try to work together to develop a solution that works within the mutual relationship and responsibility that the employee's have with the taxpayers who fund their salaries and to see what we can collectively put together on every line item to extract further savings and further tax relief for the folks who are buying everyone's salary in this Borough. So we also would encourage I have encouraged all the folks that we work together with to download the budget from the website, northarlington.org, the budget can be downloaded. I suggested to the shop stewards, department heads that the union representatives, tear it apart, take a look at it, see what you see and more hands make lighter work and so we think the introduced budget was a it is a work in progress, we are continuing to cancel the referendum we did locate approximately \$400,000 of savings to cancel that referendum on your behalf at your request and we are continuing to parse this budget line by line, department by department and we would encourage and it's a group effort and we are engaging the employees who are responsible in that mutual trust that we have with our bosses

the Mayor and Council and the taxpayers who fund our salaries to create a solution for a stabilized budget. I just want to let you know that we are working aggressively to that end to secure these savings by April 28 and that would conclude my report.

Councilman Bianchi – Mr Wall, in your dealings with Trenton on all of the issues with transitional aid have they ever expressed to you a concern or questioning as to North Arlington not living up to the MOA that we signed to qualify for last years transitional aid or was that ever pointed out that they were disappointed with us or had displeasure with us because for some reason we avoided the contents and the requirements of that memorandum?

Mr. Wall – No. The question that Erin Niedler had related to they have specific forms that you would complete and you would send in, in anticipation if you were hiring new folks or professional service contracts and things of that nature. The different considerations that the Mayor and Council had contemplated relating to police promotions as an example were submitted in December of 2010. The staffing in Trenton is light they have a tremendous workload and from my perspective, my experience I think they are working as hard as they can with what they have but from our perspective the fact is I resubmitted to them prior data for their consideration because the certain essential positions there is not permission required under the MOA. Certain positions you simply notify them and after certain period of time you could fill those positions. Working in conjunction with personal, different promotions to avoid overtime were also taken with a 12 month waiver on salaries so there was a zero impact. On the other higher considerations they were submitted prior in accordance with the MOA. Other items that are no personal related, revenue reports, expense reports, transition plan these documents were due within certain periods of time, they were all submitted in a timely fashion. The feedback and the response rate is a different story and I think because their workload was extreme down in Trenton, so there were questions about our processes and I quickly reminded the folks by resubmitting the emails and re-forwarding the resolutions and the different items to show that the concerns that were expressed during one meeting about there forms had actually been completed two months prior to the date where the question was asked. In brief they asked about certain requirements, I reminded the folks that they were sent two months earlier and I re-submitted the forms that were sent two month earlier for that particular issued that addressed their concerns and so at the end of the day Erin Needler had reflected to me in a phone call and in an email that a financial profile for North Arlington was a more positive environment financially then a number of other communities which received no weight at all. One of the municipalities that received a tremendous amount of aid was Asbury Park. They received 10 million dollars in funding and the Administrator there I think interestingly was just appointed to the local finance board. I can't speak to the dynamics of how it is awarded nr not awarded. I can express my own frustration because I think the employees in the Borough are working real hard and the departments have really tightened the belt and the Mayor and Council have made it plainly obvious in a concerted effort in a concerted way that we are working on bare bones funding and doing the right things. Your expenses last year went up including pensions, health care went up 1 point, the biggest problem we have here is a revenue issue by not having active development and hopefully it will begin in the various areas of town. So the official answer I received was financial, the process questions I addressed to their satisfaction based on my phone calls with Trenton and I am certainly available to provide any documentation to that effect or any other certifications that may be required to the extent that are requested.

Councilman Hughes – thank you.

Councilman Johnson – Mayor can I ask a question? Terence you are smart guy and I respect you talk to the people in Trenton daily on this issue, was it your feeling that there might have been somebody in this town who was working behind the scenes possibly to inform Trenton about certain things that jeopardized our chance to get the \$400,000 dollars?

Mr. Wall – The only item I can speak to is a concern from a representative in Trenton that had asked if we had hired eight people at one particular meeting, and that was a call that they had received from a citizen and I had advised her that no that was not the case, they did it fact promote 2 officers and the officers had agreed working in concert with the taxpayers that we are charged to represent and work for a twelve month waiver at the request of the Mayor and Council for tax stability to waive any salary increment for a period of 12 months so they would have the elevated position which would assist on addressing the ever concerning over time issue, so my two response were that's not the case, the information is not accurate but the folks that

were promoted which I would just hasten to add once you notify you do not need permission to make essential changes in the from a police standpoint, you do let them know. My records show that we did and that the cost impact, which they are concerned about, their concerned about exorbitant spending, not raining spending in, superfluous spending that is what they are concerned about if you have a relationship where you are receiving transitional aid.

Councilman Johnson – So in other words a resident in this town did make a call to Trenton and gave miss information to the representatives in Trenton about certain hires that we made.

Mr. Wall – What I can simply represent is that Trenton represented to me that they received a call from a resident in North Arlington relating to hiring eight folks and I clarified the record so they had the correct information.

Councilman Johnson – Would it be possible to OPRA who made that phone call? In other words for the people in the audience to find out who made that. You can go and request documents, letters, open public records, because I would like to know who jeopardized our chance thru misinformation possibly to get that \$400,000.

Mr. Wall – Trenton I am sure has their public records process and they have an intake process for any open public records request.

Councilman Bianchi – I also heard that rumor to. I wan not going to say nothing, I maybe just wanted to go on after Terence’s eloquent speech but I heard that rumor around the town of North Arlington that an email was sent down to Trenton telling them about how we hired one cop, we made a couple of promotions, we were buying this buying that and the reason I heard it was because the auditor Lerch I think he went down with Terence, when they went in to present their case it took them two hours to defend themselves because of this information that the person they went down to see am I right or wrong and they were defending the town of North Arlington, no we didn’t do this, no we didn’t do that, they knew things that supposedly they had gotten an email and I heard it from more than 1one person and I don’t know who sent the email down, I don’t even know how you send an email down, you have to have some kind of knowledge where to send it and supposedly when those guys left that meeting are our guys from North Arlington left that meeting,

Mayor Massa – March 15<sup>th</sup>, 11:00 in the morning

Councilman Bianchi – you guys had to defend yourself on who we hired, made promotions of the cops.

Mayor Massa – I wouldn’t characterize it as a defense but I can put on the record the questions that were asked of me but I will do that later on.

Councilman Bianchi – I heard that rumor around the town and I just wanted to back up Councilman Johnson that it is true that the rumor is floating around town.

Mayor Massa – any citizens has a right to contact a State agency and question anything a local government is doing, that’s something that is routine for the DCA.

Many times the people call the Council they will ask about the operation of municipal departments par for the course.

Mr. Wall – Just to clarify she indicated it was a financial decision to the extent its frustrating because you work so hard on the application and it was such an intensive application that it is frustrating that to the extent its true if not so be it. There would be an undermining of the attempt to secure additional tax savings. With that said she indicated it was a financial profile and so any questions that they had it certainly, anyone has right to contact or call with the things that are accurate or frankly not accurate. We clarified the items as they were presented to the best of our ability.

Councilman Tanelli – Phone call or email, email is a lot easier to trace, I am just as interested we are all tax payers, we are struggling with revenue in this Borough, with the re-evaluation gonna hurt us, fact that the revenue every year has gone down is going to hurt us, I am just as interested

as everyone else. As far as an email, I am sure Terence can call her again and ask her if there was an email, everybody saves their emails, maybe she can just forward it to us, maybe she can send us a copy of it, maybe we can track that down. A phone call obvious is a lot more difficult to find out who is calling down there.

Mr. Wall – I will let you know for the record it sounds like the folks on the dias would be interested in having that done. I did that already and I am waiting for a response, and I spoke to Tom Neff, the director and I shared with him that I thought he was incredibly distracted by the dynamics and he indicated that was not the case but I did share my disappointment that to the extent he was distracted it was a more frustrating aspect of the process and I did share that with him and I did ask for that information.

Councilman Bianchi – What I get out of this conversation is that when our team went down to Trenton, Mayor, Richie, our auditor Lerch they weren't expecting this confrontation that's what I have heard.

Mr. Wall – we were expecting a collaborative discussion on the merits of the application.

Councilman Bianchi – instead it was more of a defense.

Mayor Massa – point of order

Councilman Johnson – Just expanding on what Councilman Bianchi said that was perpetuated by misinformation and that what the 8 hires and Terence just confirmed everything was done appropriately, everything has to go through Trenton, but it was perpetuated and it got the ball rolling with 8 new hires so that got something started and that was untrue so now Trenton started to ask more information and put the Mayor in a bad spot, put Councilman Hughes in a bad spot, it didn't make us look good and put on the defense. So I would like to know who made that phone call, sent the email like Councilman Tanelli said.

Councilman Bianchi – Point of order to Mayor before we beat this to death. Whether or not the information that was sent down to Trenton was true or false or partly true, I don't think the phone call should have been made from one of our residents. We are suppose to be a team here, Democrats, Republicans, whatever, we are suppose to be a team and whoever did it, was not right and now I know that it happened, before it was only here say that I heard it on the street, but I know that it actually happened, so whoever did it shame on them, Tokyo Rose.

Councilman Tanelli – the biggest problem I have is just the aid formula in general. This town hosted for New Jersey for years, bringing in all of this garbage, were we paid for it, that was great, Bergen County decides that we are not going to take in garbage anymore and the State decides that they are going to leave us with a two million dollar hole. As far as I am concerned it should have been their responsibility for the last five years to make this town whole by continuing to contribute to this community the same way they contribute to other communities that don't have to go down and beg for aid every year, the Candem's, the Newark's, the Passaic's. They have built money that they don't have to do down begging hand in hat every single year. To see a town ask for \$10.5 million dollars and get \$10.3 million dollars is a disgrace. If you look at the towns that are getting the money there are the towns hand over fist, every year are asking for the same amount of money, they are not improving, something is wrong, the formula they are using is not right. Why couldn't they give them the nine million dollars and give us the million dollars? Why couldn't the five towns that got passed over that got no money, you don't give them seven and spread a million dollars each, we didn't ask for a million dollars. I just don't understand what the States thinking, they keep giving money to communities that are mismanaging it and towns like North Arlington that are screaming for help are being ignored, it is a disgrace.

Councilman Bianchi – and Harrison is one of them. Harrison got a ton of money this year, they got a ton of money the year before, built new schools, and we can't get five cents.

Mayor Massa – Unfortunately Councilman, as the Councilman articulated so well failure seems to be the formula for success when it comes to applying for State aid. We are penalized because we run this town effectively. We comply with the conditions that are set forth but the gentleman and the lady on the panel did have some questions they posed to myself and the Borough

Administrator. For example one of the questions as I recall please correct me if I am wrong Mr. Administrator, this was an issue regarding the tax rate that Mr. Lerch had originally sent down had to be corrected. Mr. Lerch was present by conference call and Council President was present by conference call, they did have a concern about our operating deficit last year of \$217,000, that had a concern about why it took so long to pass the pay to play ordinance, they had a concern about why raises were given to the Prosecutor, Public Defender and the Borough Attorney, this fine gentleman here without their approval and did they have some concerns at the time we made the application we did not have in place a layoff and furlough plan, and it was mine representation to them that we would do everything that we could conceivably do to take whatever action we had to do to meet their approval. That being said, municipalities would even with a lot less need than what we had and as I said before there seems to be a formula for success where there failure, so well spoken by the gentleman here on this dias, but again we don't want to be labor the issue whether or not somebody made a phone call to Trenton is kind of disappointing but people call and make false complaints to governing bodies, we see that here, we see that many times, we get telephone calls about something wrong and then we investigate it and we find out that the information we got was erroneous. With that being said its unfortunate that we were denied this application and we will take a look at the other possible legal avenues to try and remedy that.

Mayor Massa – Being that the Council had quite a spirited discussion regarding this issue and some very good opinions, I did think it was important we addressed it.

## **ENGINEERS REPORT**

Mr. Wall- Engineers report

Stephanie Santos – Good evening Mayor and Council. Just the one item that is not on the report is 40 Geraldine Road. I did speak to Mr. Parisi just now, got his phone number, we will be scheduling a site visit with him to prepare a report for your consideration and move forward from that. We did get a request from Terence and we just pulling all our files, the installation of the (inaudible) goes back to the ninety's, just we were pulling all of our files so we have complete history on that.

The Ridge Road Streetscape started up again, now the weather is clear and the one item that came up which was reported in our March 30 letter that some of the lights had to removed from the scope. There was a conflict with gas lines, so we couldn't really move the lights any further back in would be in the middle of the sidewalk and there was not a lot of room to play there.

The Municipal Aid program we have scheduled a preconstruction meeting for next Tuesday, so we will be continuing with that.

The curb ramps have been completed by Bergen County on River Road. The grant application for the CDBG funds I will follow up with the limits as per Councilman Bianchi's request.

The Archdiocese has his application down to the DOT for the sidewalks in front of the cemetery, as soon as we receive that we will report further and see what their schedule is to get that going.

The 76 Porete Ave project, I did speak with Guzzo & Guzzo the architect who came in did their presentation, they still don't have there revised sets of plans but we are anticipating that as soon as they get those we will review them, issue a final letter to see if they complied with both conditions of the resolution.

The DPW storage tanks we were able to tract down the testing agency that did the original test for that. We got them on board, we are going to schedule a site meeting with Jimmy McCabe to get site access to the DPW yard get that all resolved.

On the 20 Geraldine Road wall collapse, we did get the final payment voucher from Montana Construction and we are just formulating a final report on that to submit to the Borough and it has been deferred to the Borough Attorney on direction on that. We got a call on the Municipal parking lot wall that Is under the Melray's furniture store there was bid solicitations to I believe to reconstruct that wall. We are now preparing a proposal to get some design work done on that so the wall can be constructed and play safely in that area.

The final item I have is 145 Morgan Place, we issued a report on March 23 about a ponding issue that a resident complained about in front of his driveway. We are just waiting for direction on how to handle it, we suggested some drainage improvements and we are just waiting on that.

Mayor Massa – any questions on the engineer's report?

Councilman Bianchi – On the 147 Morgan I pass that everyday. This big major thing that you might have on your board to put a drainage issue in, can't the paver who paved just come in and just crown it a little bit? I think there is a little hollow there when the steamroller must have pressed the tar down.

Ms. Santos – The problem with that roadway there is not a steep enough pitch there, it is a very flat roadway. so there is not much we can do with that without causing another issue somewhere else, if we came in and put some asphalt and crowned it a different way now you would have ponding somewhere else because you don't have the pitch to play with there.

Councilman Tanelli – Was that the property that Mr. Neglia mentioned last week that has just come out the two year after being paved and had come out like a few months if there would have been reported a few months earlier they would have to come and rectify the situation? If there anyway we can discuss that with the contractor to see if they would come in and maybe possibly do that area?

Councilman Hughes – It is several years old I am not sure.

Councilman Tanelli – They want to continue to do work for the Borough it is a small little spot in the street, I mean I am sure it is worth making a phone call.

Councilman Bianchi: I am sure even if that section of street from there to Abbott may be 10 feet from the curb out all the way to the corner was ripped up and repaved and pitched toward the sewer I think that would work. I don't see no big drainage thing there.

Councilman Tanelii – Can I request that maybe we have Mr. Pierce give them a call or Mr. Wall to inform them of the responsibility them taking a look at this and see if this was something they would be able to help us out with.

Mr. Wall – You can submit the documentation to the attorney's office so they can review of any particular issue and then you can report back in executive session.

Councilman Hughes – Ms. Santos, I don't know if you have been given this yet or not, but before we get out of the performance bond on the original paving on Sunset Ave, I understand it was brought to my attention yesterday by Mr. McCabe, there is a tree there that when they put in the curbing they damaged the roots and its caused the tree to lean severely into the roadway, probably the tree is in danger of collapse at this point and probably should be remove but my opinion is if the contractor who did the work there did the damage to the tree they should be responsible for removing the tree. Can you look into that before the bond is expired?

Ms. Santos – We actually did a call on that today and will follow up.

## **COUNCIL REPORTS**

Councilman Yampaglia - Thank you Mr. Mayor. Mr. Mayor just one point. There is some controversy regarding the Passaic Valley Commission sending shut off notices or lack of notice and to shutting off the water to residents. I was at the Board of Health meeting last month and they had mentioned to me that it might be a good idea to notify the Construction Official before going ahead and shutting the water down. Think there concerns is got to be if it is an elderly or ill person it might be a good time to notify the officials maybe they can take some safety measures before the shutting the water off. I just wanted the Mayor and Council to know that and I understand that they do the shut off notice 30 day's before.

Councilman Hughes – The homeowner is suppose to get a notice 30 day's before. We are getting a lot of antidotal evidence that, that's not happening and we also requested from Passaic Valley that the Construction department be notified and that seems to be hit o miss also. They do not seem be consistent in the application of the agreement, what little agreement we do have with them they don't apply it it consistently. That is one of the things Mr. Pierce is working on with the lawsuit that we have proceeding against them right now.

Councilman Johnson – I see Mr. Giordano here. In relation to Passaic Valley they fixed your water main on the side of Jauncey Ave and once again they filled it with asphalt. I know you probably spent a lot of money on all that new cement, you have beautiful cement and now there is an asphalt patch there, so if the Borough Administrator could contact Passaic Valley maybe tomorrow and have them come in, I know that they have worked with us in the past.

Mr. Wall – Its typically an asphalt patch it what put in on an interim basis and they schedule the sidewalk. Is is still an asphalt location? We will contact them about expediting the sidewalk.

Councilman Bianchi – I have the recreation report for April. We are having a free movie day, April 16th at the Lincoln Theatre, sponsored by the Recreation committee. April 9<sup>th</sup> we had our softball parade that took place. There were 100 athletes, they marched from Borough Hall to Allan Field. Mrs. Mary Elsner, was honored by the Little League as one of the people who was one of the founders of that Allan Park, girls recreation softball. April 2<sup>nd</sup> the Little League parade took place, 200 plus athletes marched from Borough Hall to River Road. May 30<sup>th</sup>, the Memorial Day Parade is getting planned with the recreation commission and the VFW and American Legion. Parade will step off at 2:00 pm from its usual location down at Canterbury Ave. Adult recreation program. Zumba is held every Thursday at Washington School. Women's volleyball is concluding next week, highly successful season. Men's open basketball continued to get a strong number of guys playing basketball beginning April 25<sup>th</sup>, playing on Monday from 7:00 – 10:00 pm and on Thursday from 8:00 – 10:00 pm. The recreation commission is gathering information for the next Broadway venture into New York for the next play. Gold opportunities will be offered through Bergen County Pioneers program as well as golf camps throughout the spring, so we will have our young little tykes learning how to play golf early.

Councilman Hughes - Thank you Mr. Mayor. As far as the EMS goes many of you have seen coming in tonight the first aid squad had their new first responder vehicle outside on display. This vehicle replaced a vehicle that was 12 years old and it almost used on a daily basis as a quick response vehicle for our EMS personal that may be able to get there before an ambulance can actually arrive on the scene with vital medical equipment. One of the neat things about this vehicle that is has an onboard computer tied directly into Revenue Guard which is our new contractor for EMS billing so all of the EMS billing would be handled almost immediately from the vehicle. As you know one of the things I was very disappointed in last year and responsible for some of the defecate we had was our previous biller for EMS over estimated the amount of money we anticipated collecting based on previous year's revenue by almost \$200,000 or \$150,000, so that was revenue that we did not collect. Just so you know we are proceeding with an audit of that, we are trying to recoup as much of the money that should have been collected, so that is actually going forward and our new billing company Revenue Guard is actually helping us in doing that.

As far as the budget as many people have said tonight we are making a lot of progress on that. We are working with all the departments to try and identify different areas that we can make cuts and it gets more difficult every year because we have been in a cutting mode for year, after year

around here and it gets to the point where there is very little left to cut. We have had to create or instruct administration to come up with a lay off plan. It is our firm hope that we do not have to go there, I am not a proponent of layoffs, I am not in favor of layoffs but unfortunately we are in a position because of the lost of transitional aid and the fact that we have lost all the revenue from the landfill and the baler over the years that we are in a very cash poor position right now. I think we have a good future, we have a good redevelopment plan on the books that is going to come on line hopefully soon, the property should be going up for sale and once they go our for sale then developers will start coming into North Arlington to build something. We are working on other things to get some of the outstanding tax bills straightened up.

Mr. Pearce is working a lot with the Meadowlands right now on some of the landfill properties that were part of the Encap golf course, they owe us a lot of money, hundreds of thousands of dollars in back taxes but unfortunately they are broke, they have no money, they have no assets and we don't want to take possession of a landfill. With all the associated clean up costs that goes with that it would be a very foolish decision to foreclose on that property for several hundred thousand dollars in taxes to incur 25 million dollar environmental cleanup. So we are trying to negotiate things right now with the Meadowlands to try and recoup that but one of the other holes in our budget last year we had almost one million dollars in uncollected taxes, about half of that was the Meadowlands property but the rest of it was residents in North Arlington, homes that went into foreclosure, properties that people have walked away from and that does put a difficult spin on everything for everybody eventually the town should recoup all that money but unfortunately it does create a short term hole in the budget because we now don't have the ability that cash to spend we have to make it up.

As other people have expressed I was very disappointed in the lack of awarding transitional aid. I was very troubled by the fact that somebody felt it was their mission in life to call down there with a lot of baseless acquisitions that we had to spend time defending ourselves for. It's troubling in the fact that somebody would risk putting the entire community in a position where taxes may have to be raised just to prove some kind of point I have no idea what that point might be, but I just find it very troubling that an individual would do that. I continue to read all these or hear about all these different information about being put around out there so I would like to clarify some of it. One of the things we were accused of doing was giving raises to all our professionals at the beginning of 2011 and there were actually only 3 people that received what I would not call a raise. The Borough prosecutor for the last 10 years has received \$15,000 per year for his work. In the beginning of 2010 because we were at that time we facing a 52% deficit in the budget or a 52% tax increase, we asked all of our professionals to take a substantial cuts in their pay with some of them being told that they would be restored to them the following year. We were anticipating being in a better place this year than we were last year. The million dollar short fall in tax collection that was something that was unanticipated and we did not foresee that. So, in 2010 the Borough Prosecutor salary was \$13,500, in 2011 it was restored back to \$15,000 which is the price we have been paying for a prosecutor who comes to court every month and prosecutes all the cases on behalf of the Borough to the tune of \$15,000 the same price is has been for the last 10 years or so. Public Defender for the last 10 years or so has been getting a salary of \$10,000. He is the one that the Borough has to provide public defense for anybody who cannot afford it. We asked him to take a cut in pay and he agreed to take a cut of \$2,000, so in 2011 he was paid \$8,000. In 2011 his salary was restored to \$10,000. Our Borough attorney here, I have found in this past year or so to be highly capable. In the 3 years that our previous Borough Attorney was our Borough Attorney he was paid a salary of \$75,000 but he was also paid \$185.00 per hour for attorney work not related directly to Council meetings. Mr. Pearce because of his love for this community and growing up here in the town and his willingness to help and do his part had agreed last year to work for \$65,000, a \$10,000 pay cut but he also agreed to work at \$150.000 rate which was substantially lower than \$185.00 rate that we had been charged previously. In fact our entire legal bills were several hundred thousand lower than the preceding year. So at the beginning of this year because the Borough Council chose to go to two meetings a month and then increase the workloads substantially for Mr. Pearce he was brought up to \$70.000 which is still \$5,000 below what had been awarded as the Borough Attorney salary for the previous years. Our tax appeal attorney which is one of the other professionals that we have on staff right now preceding that the Borough Attorney was handling tax appeals. Our current tax appeal attorney is \$125.00 an hour rate. So, there were no raises given out to any of our professionals, many of our professionals were still working sell below what the rates and salaries were that had been established for years in this community because they are doing their part to help the community. I did find it a little disappointing Mayor that you took the opportunity in last weeks South Bergenite to take a cheap shot and say we gave

out raises. You quoted here “you were not surprised that we didn’t get transitional aid because of the raises that we are giving to the Borough professionals by the Republican majority”. I find that misinformation very disappoint quoting as saying that. That is the end of my report sir.

Mayor Massa – Well Councilman I was responding to questions asked by DCA on March 15<sup>th</sup>. I did not characterize whether or not these raises were appropriate, inappropriate, I was not subjective, I answered there questions, they had a concern as to why the raises were given without their approval. I don’t recall when these professionals were hired at the lower rate in 2010 that there was ever anything in the resolution that I remember seeing that their salaries would be restored to the previous levels so I would not call that a cheap shot. I was answering questions posed to me by Mr. Riccadella, Mr. Euber and other members of the panel in the process of the Borough Administrator. If you recall I was sitting at the foot of the table the rest of the gentlemen was sitting along side the table and Mr. Lerch and yourself was on a conference call. I take exception to the face that I took a cheap shot, I was answering a question the press, I tried to answer it as directly as directly as I can. I can’t answer to how the story is put together, press puts together and reports the facts and reports the information given them. All I did was answer those questions that were posed to me and address those issues and those concerns with the Administrator

Councilman Hughes – I don’t consider any pay raises, they were just restoring what was cut the year before.

Mayor Massa – thank you Councilman, Councilman Johnson

Councilman Johnson – thank you Mayor. The number one problem right now facing the DPW in terms of complaints or the pot holes, the DPW is daily going around fixing pot holes, they utilized several tons of asphalt and cold patch to do the best in repairing the roads. They have been prepping the playing fields where necessary, they been fixing some street signs, they cleared four sewer back ups, they clean the youth center daily, just today they been doing some stump grinding work around town. On a different issue Mark, I read your article in the South Bergenite last night and you said that, it seemed like you were a day late and a dollar short with what you had said. If you remember last week or two weeks ago we cancelled that referendum to exceed it and I was a little bit shocked when there was an article in the paper that reviewed how we went through that process and then you wrote a letter, it seemed like you were trying to strike a little bit of fear in the citizens saying that the Republican majority up here is going to raise taxes 12% and the people are like well that’s clearly not true. By cancelling that referendum we can’t exceed the 2% cap. I mean maybe in your mind with the Republican majority raises you would have a better shot at getting elected again but I mean you got to put the politics aside and you gotta come on board with Richie Hughes and myself and Councilman Bianchi, you gotta work to reduce this budget. Instead of striking fear with articles in the paper which is misinformation the same thing the misinformation that came down to Trenton that possibly jeopardized our transitional aid, so take a look at that.

Councilman Yampaglia – Councilman if you have an issue, again I want what is best for the town. It is not political.

Councilman Johnson – My whole point was that letter to the editor was clearly off base, I mean it is against everything that we are working here. Councilman Bianchi, Councilman Hughes were working to reduce this budget to come into compliance with the Governor wants the 2% cap. Just be careful don’t jeopardize the work that is being done here.

Mayor Massa – Is that the close of your report Councilman, Any comment you want to make regarding that. I would prefer that political issues be (inaudible) political forums, but being that the issue was raised.

Councilman Johnson – I just want the facts to be accurate and you would be in agreement with that.

Mayor Massa – Councilman you could respond to the news through the media.

Councilman Johnson – Its against what we are trying to do here Mayor. We are trying to do the best for the taxpayer and lets clearly trying to insinuate fear among the taxpayer, because there is clearly not going to be a 12% tax increase municipally.

Councilman Yampaglia – that is not the intent or purpose.

Councilman Johnson – I don't know what the intent or purpose was. There is not going to be a 12% tax increase. We made that clear.

Audience member – Where?

Councilman Johnson – By cancelling the referendum.

Mayor Massa – report concluded.

Eileen Tita – The public does not know that

Mayor Massa – Please

Mayor Mssa – Councilman does that conclude your report or do you want to continue.

Councilman Johnson – Let me say something to Mrs. Tita if I could. Respectfully, you just said that the public does not know that, your right.

Eileen Tita – The 12% was in an article way before this letter to the editor came out. It was out there a month ago.

Councilman Johnson – but the letter was in yesterday's paper. It was clearly not timely.

Mrs. Tita – People do no know that the referrendum cancels out that 12% sir.

Councilman Johnson – Right, but by Mr. Yampaglia saying that we are going to raise taxes that is misinformation. He had the opportunity to tell the truth and he didn't.

Mrs. Tita – I was very surprised when I seen my tax bill that is was only 2%. Last August it went up way above the 2%.

Mayor Massa – This is suppose to be his report on occasion we allow questions that may be germane to the report.

Councilman Johnson – I appreciate that Mayor thank you.

Mayor Massa – With respect to political forums I would ask that all the participants, that is what the newspapers are for, 1<sup>st</sup> Amendment. Those issues can be I'm sure Mr. Ansen is here and would love to get more letters. I am not even going to ask him a question, I am going to stick to the protocol of the meeting. In any event I am sure he would love to get more letters. He calls me up on the telephone and we have some good discussions about a number of issues and I am sure he contacts the council president and the rest of the council lets democracy. Any further comments on Councilman's report?

Mayor Massa – Councilman Kearney is not here tonight.

Councilman Tanelli – Just a couple of quick things before my report. First of all we can't control when we all know that when we submit things to the newspaper you can't control when they are published, so obviously, I would assume that the letter was put in before this week, before the referendum was cancelled. The other thing was we don't know what the tax rate is going to be because the only part, there is only a few things that fall under that 2% cap none of the heavy lifting which is health care and pension payments fall within the 2% cap so we really don't know where we are going to end up at the end of the year. As far as I am concerned I read the letter and there were a lot of things prior to us cancelling the referendum that were fact.

Anyone can write a letter so if you are not happy with letters to the editor feel free to write your own.

As far as my council report goes I would like to thank the police department and our fire department for their assistance in helping make both the Little League parade and the Girls Softball very successful. It is great to follow our guys and the police do a great job in controlling traffic to keep everybody safe.

I also would like to report that the North Arlington Police Department received a pass through grant from the Bergen County Prosecutors office. This grant is for the purchase of an automated license plate reader, the installation, equipment and hardware, software and training and three years of service. The reader will be installed on a marked patrol car. As the vehicle travels the Borough it will read license plates, the reader passes on either side of the vehicle registering the data at the Bergen County Prosecutor's office, Central Data Base facility. If the vehicle comes in contact with a wanted vehicle or a vehicle who may have a wanted person within, a felony vehicle or a vehicle that may have a bolo which is be on the lookout alert, the system will alert the officer operating for appropriate contact with the operator and occupants. In addition stored data can be reviewed to identify actors who may have committed a crime in the Borough by accessing data to identify who was in the area at the time bolstering the systems capabilities is the fact that 36 other communities will also receive the system. Data base will include data from all communities bolstering investigative datum During the early part of this month Lucky 7 was burglarized. The front door was opened by removing the lock Knowing the method of operation was unusual Detective Walton and Detective Ballantyne began the investigation and consulted with other jurisdictions to identify if other communities had experienced similar crimes using that MO. Several communities had expressed a similar crime and via shared unified services of the detective bureau they are able to identify the actor and with the use of GPS tracking system that was deployed on the actors vehicle we were able to identify the actor. Monday Lieut. Walton typed, actually last Monday, this report was prepared last week, typed up a warrant for the actors arrest and was presented to the Bergen County Prosecutors office for processing of the actor along with many other jurisdictions that participated in the shared service effort. I would like to congratulate our detectives for the great job. Thank you.

Mayor Massa – thank you Councilman

For my own report tonight I would like to address some of the concerns again that a lot of the residents have with regard to taxes in the community. Of course taxes and the cost of running local government is always one of the primary things that are on our mind other than the safety of the community that is paramount. I could say to you that our Borough attorney, our Administrator, our working according to the direction of the Council to address every aspect of operating costs with respect to personal expenses. We are in negotiations with our employee staff and those negotiations will be quite spirited. We will look to hold the line on spending at every turn.

I want to say that I also had the opportunity to throw out the first ball at the Girls Softball League opening last week and had the opportunity to congratulate Mrs. Mary Eshner who decades ago started that league and was present for the opening day last week. One of our very well respected senior citizens who has done so much for this community. Every time we have the opportunity to recognize some of our senior citizens we like to do that.

I also do want to comment on some of the issues that were raised during the hearing of citizens with respect to the operating cost of our public safety, specifically Councilman Bianchi did make mention of the fact and Councilman Hughes both of them as a matter of fact have been members of the fire department, Joe is retired, Rich, the Council president is still active and responding to fires so both of these gentlemen know full well the reality of what it is like to engage in life saving activities at the scene of a fire. I see them all the time at fire scenes, some quite serious and I see them in cooperation working with our men in blue our police department. I just want to take an opportunity to give our fire department, our EMS, our NAVES emergency responders, all of those people who are there whether it is 6:00 in the morning, 6:00 at night or 2:00 in the morning when anyone needs the services of emergency operations.

I think I am pretty much complete with my report at this time, I would like to entertain a motion for Executive session.

## **EXECUTIVE SESSION**

Mr. Wall – Yes, Mayor resolution 121-11 regarding Executive Session.

WHEREAS, the Open Public Meeting Act, Chapter 231 permits the exclusion of the public from a meeting in

certain circumstances, and

WHEREAS, the Mayor and Council is of the opinion that such circumstances presently exist; and

WHEREAS, the Mayor and Council wish to discuss:

Personnel  
Collective Bargaining

“Public release of the discussion will only occur after counsel approval. Action may or may not occur after discussion”.

Me. Wall may we have a motion

Councilman Bianchi - I will be glad to make that motion

Mayor Massa – Motion for executive session by Councilman Bianchi

seconded by Councilman Yampaglia,

Mr. Wall = All in favor, AYE, opposed carried unanimous,

NOW, THEREFORE BE IT RESOLVED that the Mayor and Council are now in executive session.

Mr. Wall – Have a motion to go back into regular session

Mayor Massa – motion by Councilman Tanelli

seconded by Councilman Hughes

Mr. Wall – I will call the roll:

Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli

## **ADJOURNMENT**

## **MOTION TO ADJOURN**

Mayor Massa – motion to adjourn

Councilman Tanelli  
Seconded by Councilman Bianchi

Mr Wall – All In favor

Aye

Mr. Wall – opposed

Motion carried unanimous