

## **AGENDA**

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

EXCUSED: Councilman Kearney

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

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENTS**

### **MOTION TO CLOSE PUBLIC COMMENTS**

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

### **RESOLUTIONS ON CONSENT**

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

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

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 YOUTH CENTER

R-125-11 RESO RE: APPOINTMENT OF C-2 COLLECTION SYSTEM OPERATOR FOR NARDA AND NORTH ARLINGTON/LYNDHURST JOINT MEETING

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

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Bianchi

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

EXCUSED: Councilman Kearney

\*votes no on bills list 258246, 258304, 258303

\*\* abstains from any fire department purchases

\*\*\*votes no on bills list 258246, 258304, 258450, 258451, 258452, 258449

**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:

SECONDED BY:

ROLL CALL:

**MOTION TO CLOSE HEARING AND ADOPT**

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

**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:

SECONDED BY:

ROLL CALL:

**MOTION TO CLOSE HEARING AND ADOPT**

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

**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**

**MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2074 TO THE PUBLIC**

INTRODUCED BY:  
SECONDED BY:  
ROLL CALL:

**MOTION TO CLOSE HEARING AND ADOPT**

INTRODUCED BY:  
SECONDED BY:  
ROLL CALL:

**ADMINISTRATORS REPORT**

**ENGINEERS REPORT**

**COUNCIL REPORTS**

COUNCILMAN YAMPAGLIA

COUNCILMAN BIANCHI

COUNCILMAN HUGHES

COUNCILMAN JOHNSON

COUNCILMAN KEARNEY

COUNCILMAN TANELLI

MAYOR MASSA

R- 121-11 EXECUTIVE SESSION

INTRODUCED BY:  
SECONDED BY:  
ROLL CALL:

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS

INTRODUCED BY:  
SECONDED BY:  
ROLL CALL:

**ADJOURNMENT:**

MOTION TO ADJOURN

INTRODUCED BY:

SECONDED BY:

ROLL CALL:

(\*AGENDA IS SUBJECT TO CHANGE AS A RESULT OF THE MATTERS NOT KNOWN  
AT THE TIME OF PRINTING)

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA*			X			
BIANCHI		X	X			
HUGHES**	X		X			
JOHNSON			X			
TANELLI***			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-116-11

RESO RE: AUTHORIZATION TO PAY CLAIMS

WHEREAS, There has been presented to the Mayor and Council Members of the Borough of North Arlington, the attached list of invoices requesting payment for the work, labor, services and materials to the Borough; and

WHEREAS, said attached list specify the exact line item in the budget or Ordinance to be charged therewith: \$ 756,506.20

WHEREAS, each of the purchases by said invoices have been duly authorized by the purchasing department, agent or office in respect to the goods and services received, as well as the Chief Financial Officer in regard to availability of funds;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, that the CFO is hereby authorized to pay the claims.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

\*votes no on bills list 258246, 258304, 258303

\*\* abstains from any fire department purchases

\*\*\*votes no on bills list 258246, 258304, 258450, 258451, 258452, 258449

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-117-11

RESO RE: REFUND OF MONIES DUE TO  
OVER-PAYMENT

WHEREAS, the following property had a over- payment; and

WHEREAS, a refund has been requested as follows:

Block 101 Lot 011	Rita Pane	\$4,685.00
	142 Broadway	
	Jersey City, NJ 07031	

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington that the Tax Collector issue the requested refund.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

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

WHEREAS, the Homestead Benefit was given to Block 135 Lot 15; and

WHEREAS, the new owner did not the property before 10/1/10

NOW THEREFORE BE IT RESOLVED that the former owner Margaret Fanning was to receive this Homestead Benefit of \$213.56

NOW THERE BE IT RESOLVED that a check be issued to Margaret Fanning in the Amount of \$213.56.

Margaret Fanning  
1400 Route 70  
Apt. 304  
Lakewood, NJ 08701

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terrence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-119--11

RESO RE: PER DIEM EMT'S

WHEREAS, there is a need for two (2) per diem EMT'S; and

WHEREAS, Patricia Eltringham, 42 Union Place, 3<sup>rd</sup> Flr., North Arlington, NJ and Justine Bertuzzi, 524 Palisade Ave, Garfield, NJ 07026 have been recommended by the Chief of Police.

NOW THEREFORE BE IT RESOLVED that Patricia Eltringham and Justine Bertuzzi are hereby appointed per diem employees at the rate of \$17.00 per hour if and when employed.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-120-11

RESO RE: MEMBERSHIP INTO THE NORTH  
ARLINGTON FIRE DEPARTMENT

BE IT RESOLVED by the Mayor and Council of North Arlington that after a meeting of the Board of Fire Officers, application for membership was approved for Scott P. Weeks into Engine Company #1.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R- 122-11

RESO RE:  
CANCELLATION OF SMALL TAX BALANCES

WHEREAS, there are a number of outstanding debits or credits on the Tax Collector's books for the periods of January 1 thru December 31, 2010 and any other prior years,

Now, therefore in compliance with New Jersey regulations, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, that all debits and credits of ten dollars (\$10.00) or less be and are hereby cancelled, as per listing kept in the office of the Tax Collector-Treasurer.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R- 123-11

RESO RE:  
CANCELLATION OF OUTSTANDING CREDITS

WHEREAS, there are a number of outstanding credits on the Tax Collector's books for the tax years of 2008 and 2009 in the amount of \$91,273.23.

Now, therefore, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, that all these credits are hereby cancelled to fund balance, as per listing kept in the office of the Tax Collector.

APPROVED: \_\_\_\_\_

Peter Massa, Mayor

ATTEST: \_\_\_\_\_

Terence M. Wall, RMC,QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO						

R-124-11

RESO RE: ESTABLISHMENT OF PETTY CASH  
FUND FOR YOUTH CENTER

BE IT RESOLVED, that the Mayor and Council of the Borough of North Arlington do hereby authorize and establish a petty cash fund for the Youth Center; and

WHEREAS, the Mayor and Council authorizes the Finance Department to issue a check to the following department:

YOUTH CENTER - \$100.00

NOW, THEREFORE BE IT RESOLVED that in accordance with NJSA 40A:5-21 said petty cash fund be established.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES ____ NO						

R-125-11

RESO RE: APPOINTMENT OF C-2  
COLLECTION SYSTEM OPERATOR FOR  
NARDA AND NORTH  
ARLINGTON/LYNDHURST JOINT MEETING

BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington do hereby appoint Neglia Engineering Associates to perform all necessary field and office work required in accordance with the regulations regarding the licensing of Water Supply and Wastewater Treatment Systems Operators N.J.A.C.7:10A-1.12(I)3.

BE IT RESOLVED, that any emergency call outs and construction management services will be billed under the current engineering services contract with the Borough.

NOW THEREFORE BE IT RESOLVED that the following work will be performed with the fees as shown:

Borough of North Arlington	\$ 4,500
North Arlington/Lyndhurst Joint Meeting *Currently being paid by NALJM	\$ 7,000*
North Arlington Redevelopment Authority (NARDA PS) **Based on the agreement Kearny to pay 50% of fee and North Arlington to pay 50% of fee	\$2,500**
Township of Lyndhurst ***To be paid by Lyndhurst	\$ 7,000***

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA			X			
BIANCHI		X	X			
HUGHES	X		X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES ____ NO						

R-126-11

REOS RE: APPOINTMENT TO ZONING  
BOARD OF ADJUSTMENT

BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington that the following be appointed to the Zoning Board of Adjustment to fill the unexpired term of Gene Zamora with said term to expire on December 31, 2011 or as soon thereafter as his successor shall qualify.

Leonard Aluotto  
13 Carrie Road  
North Arlington

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

**APPOINTMENT OF CLASS II MEMBER OF THE PLANNING BOARD**

**WHEREAS**, pursuant to the N.J.S.A. 40:55D-23 *et seq.* (Municipal Land Use Law) and Chapter 205-7 *et seq.* of the Borough of North Arlington’s Land Development Code, the Borough’s Planning Board shall consist of nine members comprised of four classes; and

**WHEREAS**, one of the nine members shall be a Class II member which is defined as an official of the Borough (not a member of the governing body), appointed by the Mayor; and

**WHEREAS**, in accordance with N.J.S.A. 40:55D-23(b) and Chapter 205-7(B)(1) of the Borough of North Arlington’s Land Development Code, the term of a Class II member of the Planning Board shall be for one year; and

**WHEREAS**, there exists the vacancy of a Class II Member of the Planning Board; and

**NOW THEREFORE BE IT RESOLVED**, by the Mayor of the Borough of North Arlington, that Craig Spenceer is hereby appointed as a Class II Member of the Planning Board to fill the unexpired term of Joseph Burzinski said term to expire December 31, 2011 or as soon thereafter as his successor shall qualify.

Approved: \_\_\_\_\_  
Peter C. Massa, Mayor

Attest: \_\_\_\_\_  
Terence M. Wall, RMC, QPA  
Borough Clerk

DATED: April 14, 2011

First Reading

INTRODUCED BY:				
SECONDED BY:				
COUNCIL	YES	NAY	ABSTAIN	ABSENT
YAMPGALIA				X
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI		X		
KEARNEY	X			
MASSA				
TOTAL				

Second & Final Reading

INTRODUCED BY: Councilman Hughes				
SECONDED BY: Councilman Bianchi				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA	X			
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI	X			
KEARNEY				X
MASSA				
TOTAL				

**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)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Governing Body of the Borough of North Arlington in the County of Bergen finds it advisable and necessary to increase its CY 2011 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Governing Body hereby determines that a 1.5 % increase in the budget for said year, amounting to \$216,582 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Governing Body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Governing Body of the Borough of North Arlington, in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2011 budget year, the final appropriations of the Borough of North Arlington shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.5 %, amounting to \$216,582 and that the CY 2011 municipal budget for the Borough of North Arlington be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC  
Borough Clerk

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

#### PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT AT A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTH ARLINGTON HELD ON THURSDAY, MARCH 10, 2011 THE ABOVE ORDINANCE WAS INTRODUCED AND PASSED ON ITS FIRST READING. SAID ORDINANCE SHALL BE TAKEN UP FOR FURTHER CONSIDERATION FOR FINAL PASSAGE AT A REGULAR MEETING OF THE MAYOR AND COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, BOROUGH HALL, 214 RIDGE ROAD, NORTH ARLINGTON, BERGEN COUNTY, NEW JERSEY ON THURSDAY, APRIL 14, 2011 AT 7:00 PM OR AS SOON THEREAFTER AS THE MATTER CAN BE REACHED, AT WHICH TIME AND PLACE ALL PERSONS WHO MAY BE INTERESTED THEREIN SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAME. DURING THE WEEK PRIOR TO AND UP TO AND INCLUDING THE DATE OF SUCH MEETING, COPIES OF SAID ORDINANCE WILL BE MADE AVAILABLE AT THE BOROUGH CLERK'S OFFICE TO THE MEMBERS OF THE GENERAL PUBLIC WHO SHALL REQUEST SAME.

Terence M. Wall  
Borough Clerk

First Reading

INTRODUCED BY: Councilman Bianchi				
SECONDED BY: Councilman Tanelli				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPGALIA				X
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI	X			
KEARNEY	X			
MASSA				
TOTAL				

Second & Final Reading

INTRODUCED BY: Councilman Johnson				
SECONDED BY: Councilman Hughes				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA	X			
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI	X			
KEARNEY				X
MASSA				
TOTAL				

ORDINANCE NO. 2073  
BOROUGH OF NORTH ARLINGTON  
BERGEN COUNTY, NEW JERSEY

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

**WHEREAS**, the Mayor and Council have determined to amend Chapter 187 §9(B) of the Code of the Borough of North Arlington; and

**NOW THEREFORE BE IT ORDAINED** by the Mayor and Council of the Borough of North Arlington, County of Bergen, State of New Jersey, as follows:

<u>Location</u>	<u>Side</u>	<u>Description</u>
33 Hendel Ave	South	Beginning at a point 440 feet west of the Westerly curb line of Ridge Road and extending to a point 21 feet west there from.

**IT IS FURTHER ORDAINED** that the remainder of Chapter 187 §9(B) of the Code of the Borough of North Arlington shall remain in full force and effect.

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC  
Borough Clerk

DATED: April 14, 2011

**PUBLIC NOTICE**

PUBLIC NOTICE IS HEREBY GIVEN THAT AT A SPECIAL MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF NORTH ARLINGTON HELD ON THURSDAY MARCH, 10, 2011 THE ABOVE ORDINANCE WAS INTRODUCED AND PASSED ON ITS FIRST READING. SAID ORDINANCE SHALL BE TAKEN UP FOR FURTHER CONSIDERATION FOR FINAL PASSAGE AT A REGULAR MEETING OF THE MAYOR AND COUNCIL TO BE HELD IN THE COUNCIL CHAMBERS, BOROUGH HALL, 214 RIDGE ROAD, NORTH ARLINGTON, BERGEN COUNTY, NEW JERSEY ON APRIL 14, 2011, 7:00 PM OR AS SOON THEREAFTER AS THE MATTER CAN BE REACHED, AT WHICH TIME AND PLACE ALL PERSONS WHO MAY BE INTERESTED THEREIN SHALL BE GIVEN AN OPPORTUNITY TO BE HEARD CONCERNING SAME. DURING THE WEEK PRIOR TO AND UP TO AND INCLUDING THE DATE OF SUCH MEETING, COPIES OF SAID ORDINANCE WILL BE MADE AVAILABLE AT THE BOROUGH CLERKS OFFICE TO THE MEMBERS OF THE GENERAL PUBLIC WHO SHALL REQUEST SAME.

Terence M. Wall, RMC  
Borough Clerk

First Reading

INTRODUCED BY: Councilman Bianchi				
SECONDED BY: Councilman Johnson				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPGALIA				X
BIANCHI	X			
HUGHES	X			
JOHNSON	X			
TANELLI		X		
KEARNEY	X			
MASSA				
TOTAL				

Second & Final Reading

INTRODUCED BY: Councilman Bianchi				
SECONDED BY: Councilman Johnson				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA	X			
BIANCHI	X			
HUGHES			X	
JOHNSON	X			
TANELLI	X			
KEARNEY				X
MASSA				
TOTAL				

ORDINANCE NO. 2074  
 BOROUGH OF NORTH ARLINGTON  
 COUNTY OF BERGEN, NEW JERSEY

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.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF NORTH ARLINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized to be undertaken by the Borough of North Arlington, in the County of Bergen, New Jersey (the “Borough”) as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$700,000, including a \$285,000 Federal Emergency Management Agency Grant expected to be received (the “Grant”) and further including the aggregate sum of \$35,000 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments and in anticipation of the Grant, negotiable bonds are hereby authorized to be issued in the principal amount of \$665,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Acquisition of a fire pumper and related equipment, including all related costs and expenditures incidental thereto.	\$550,000  (including a \$285,000 grant from the Federal Emergency	\$522,500	10 years

<u>Purpose</u>	Appropriation and Estimated <u>Cost</u>	Estimated Maximum Amount of Bonds or <u>Notes</u>	<u>Period of Usefulness</u>
	Management Agency)		
b) Acquisition of 4-wheel drive vehicles to be used for parking enforcement and/or fire/hazmat.	<u>\$150,000</u>	<u>\$142,500</u>	5 years
TOTAL:	<u>\$700,000</u>	<u>\$665,000</u>	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The purposes described in Section 3 of this bond ordinance are not current expenses. They are all improvements that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.92 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$665,000, and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$85,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.

Section 7. Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The Borough hereby declares the intent of the Borough to issue the bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and

to use proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 8 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 9. The chief financial officer of the Borough is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Borough and to execute such disclosure document on behalf of the Borough. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Borough pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Borough and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Borough fails to comply with its undertaking, the Borough shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC  
Borough Clerk

DATED: April 14, 2011

COUNCIL/ MAYOR	INTRODUCED	SECONDED	YES	NO	ABSTAIN	ABSENT
YAMPAGLLIA		X	X			
BIANCHI	X		X			
HUGHES			X			
JOHNSON			X			
TANELLI			X			
KEARNEY						X
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES ___X___ NO						

R-121-11

RESO RE: 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”.

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

APPROVED: \_\_\_\_\_  
Peter C. Massa, Mayor

ATTEST: \_\_\_\_\_  
Terence M. Wall, RMC  
Borough Clerk

DATED: April 14, 2011