

SINE DIE MINUTES

SINE DIE MAYOR AND COUNCIL MEETING, JANUARY 3, 2011 AT 6:30 P.M.

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 Bianchi, Councilman Hughes, Councilman Johnson, Councilman Kearney, Councilman Tanelli and Councilman Yampaglia

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

PLEDGE OF ALLEGIANCE

Mayor Massa – at this time I will 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. I respectfully request that you keep your comments restricted to five minutes to give everybody a chance 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. There being no one present wishing to be heard, I'll entertain a motion to close hearing of citizens.

PUBLIC COMMENTS

[No comments made]

MOTION TO CLOSE THE HEARING OF CITIZENS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL: All Council present vote in the affirmative

RESOLUTIONS ON CONSENT AGENDA

R-1-11 RESOLUTION RE: CANCELLATION OF GENERAL CAPITAL FUND GRANT RECEIVABLE

R-2-11 RESOLUTION RE: CANCELLATION OF CURRENT FUND GRANT RECEIVABLE

R-3-11 RESOLUTION RE: AUTHORIZING THE CANCELLATION OF GENERAL CAPITAL ORDINANCES

R-4-11 RESO RE: CAPITAL BUDGET AMENDMENT

R-5 -11 RESO RE: TRANSFER OF APPROPRIATIONS

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All Council present vote in the affirmative

ORDINANCES

FIRST READING OF ORDINANCES

ORDINANCE NO. 2067

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$60,000 FOR SANITARY SEWER IMPROVEMENTS TO BE UNDERTAKEN BY THE BOROUGH OF NORTH ARLINGTON AND TO APPROPRIATE \$60,000 FROM GENERAL CAPITAL FUND BALANCE

INTRODUCED BY: Councilman Kearney

SECONDED BY: Councilman Johnson

Mayor Massa – discussion?

Councilman Bianchi – yes. The \$60,000 for the sanitary sewers, explain it to me where these...

Administrator Wall – my understanding is that these are items regarding during the year we've had certain catch basins that needed to be repaired...

Councilman Bianchi – yes, I was involved in that...

Administrator Wall – that had not had adequate funding made available to secure those repairs.

Councilman Bianchi – so those people who repaired some of those catch basins along like Birchwood Drive and Locust Avenue and places like that, they weren't paid yet these people.

Administrator Wall – no, well we have to set up a funding vehicle for certain repairs that were council direction were ordered during the year without adequate funding but due to emergency circumstances and catch basin failures and what have you, we needed to make those repairs and I'll confirm that information but this is to set up the funding to allow payment for those services to accept bills as yet unpaid.

Councilman Bianchi – they're not paid yet.

Administrator Wall – there are bills that are paid and bills that are not paid.

Councilman Bianchi – okay, and this \$60,000 will finish paying off those catch basins along the streets that were really very very bad condition, caved in, roots clogged, those the ones we are talking about?

Administrator Wall – bills of that nature.

Councilman Bianchi – okay.

Councilman Johnson – Mr. Wall, is some of this money appropriated, is it proactive for 2011?

Administrator Wall – my understanding is that there are bills that were incurred and paid and bills that are incurred but not yet paid. And when items are ordered during the year to be repaired from be it citizen concerns or other activities that the council members would hear about and want to react to we would endeavor to make those repairs regardless of the funding cycles because of an emerging [inaudible] but you have to have an adequate funding source identified to appropriately fund that and that is the objective of this ordinance.

Councilman Johnson – thank you.

Councilman Tanelli – point of order. The simple, I think it's a simple answer. We're putting 60,000 aside for repairs that were already done or for repairs that are going to be done in the future? Is this money spent, all of it or is some of it going towards bills and some is going to be sitting off to the side [inaudible] vehicle to go after when you need to make emergency repairs this year? I think that's the question [inaudible].

Administrator Wall – to answer it specifically I'm going to ask you to [inaudible] because my understanding is that there are bills that have been paid from different accounts...

Councilman Hughes – I thought it was basically we didn't have the budgetary; we didn't have it in the budget to handle these repairs. What we were doing is putting it under capital budget whether, it says it's not bonding it so I imagine are we taking it out of another bond? Is that the case?

Administrator Wall – I would suggest you table it so I can better explain the or better answer your questions.

Mayor Massa – I recall the council president's concerns with this. I think at one time the municipal auditor identified this as an issue that we had to address.

Councilman Hughes – we had some old bonds that were overspent and we had to appropriate money to cover them which was never, which we'd been doing little by little over the year and I'm not as familiar with this one as I should be but...

Administrator Wall – we've had bills that were paid out of a bicycle path ordinance that were inaccurately paid out of a bicycle path ordinance so part of this housekeeping here is this ordinance was submitted by the auditor is to do our financial housekeeping to make sure we're taking funds out of the appropriate buckets and but to the valid questions of what specific dollars are going where, I would have to get you more direct answers on that. I don't want to give you incorrect information.

Councilman Bianchi – the reason why I brought that up is this, I know that there was some emergency repairs done throughout the summer on catch basins around the town that were...

Councilman Hughes – that's not sanitary, that's storm sewer.

Councilman Bianchi – I mean storm sewer. Now sanitary I know that on the corner of Ridge Road and Jauncey Avenue they had to dig it up twice from the new building that Giordano put up they had some problems with the sewerage and I know one of them must be really really expensive because they had to dig down about 15, 20 feet across Jauncey Avenue. Twice.

Administrator Wall – that was at least \$10,000. I was on that site. Now this is an introduction by the way. This is not the public hearing and passage. This is a first reading that's listed.

Councilman Bianchi – so what is your opinion? What should we do?

Councilman Hughes – well it says on section 2, it's not a current expense. It's the same as an improvement which the municipality may lawfully make and that's all in section 2 here and that no part of the cost of said improvement has been or shall be specifically be assessed on properties specifically benefited so there's no assessment to properties. And it says we're not going to added to the, it's coming out of the current capital fund balance so it's not being there's no new bonding taking place. We can introduce it and pull it on the second reading. What we can do is we can introduce it tonight as the first reading as an ordinance but I seem to recall because we had a number of bonds that were overspent and some we were able to cover through other bonds that had similar descriptions but others had to be, they were overspent so you have to fund them. We actually took the money out of either short term notes or were taken out of reserves and you know we can't keep doing that. So my recommendation would be lets introduce it and we'll have a better explanation by the time it's adopted.

Mayor Massa – I'm in agreement with that. I'd also like to get the administrator to get a brief report from the auditor on this particular issue so all members of the council and myself are fully aware of all the parameters concerning this issue.

Councilman Bianchi – basically where the money's going you know because we appropriate \$60,000, I don't know where it went, who it went to pay or whatever, and I'm in full agreement of having it. That's for sure.

Councilman Hughes – it's been a few years since we've done sewer work, major sewer work so who knows.

Mayor Massa – I appreciate the fact that you brought that to the attention of [inaudible] the council. Okay, so we'll introduce this and then we'll discuss it further once we get a report from the municipal auditor. Motion introduced?

Councilman Hughes – we already did that. We have [inaudible].

Mayor Massa – I'm sorry. Excuse me, call the roll.

ROLL CALL: all council present vote in the affirmative

ORDINANCE NO. 2068

A CAPITAL ORDINANCE APPROPRIATING THE SUM OF \$84,985 FOR THE PURCHASE OF A SENIOR BUS TO BE UNDERTAKEN BY THE BOROUGH OF NORTH ARLINGTON AND TO APPROPRIATE \$84,985 FROM GRANT PROCEEDS

Administrator Wall – this is to create the financial frame work from which you will be reimbursed a grant and I confirm the listings with NJ Transit today in coordination with the thorough confrontation administration regarding these grant proceeds. So we're still in process and once that grant, that money is brought in, that will go against this item here but you still need to set up a financial framework for the project.

Councilman Kearney – may I ask a question [inaudible] how much is it going to cost, what's the difference between the amount of the grant than what is going to cost the taxpayers for this bus?

Administrator Wall – the net cost to the tax payers will be zero for the bus. The grant was \$95,000 total plus the bus is 84,985 so it cancels out the balance between 84,985 and 95 so you wouldn't receive that balance but the pricing came back in through the bidding process underneath the grant award which would result in tax payer's paying a net cost of zero for from the ...

Councilman Bianchi – point of order.

Councilman Hughes – what happened on this...I'm sorry.

Councilman Bianchi – now the 84985 was paid to who built the bus, Arcola? Was it Arcola? Whoever built the bus, were they paid for the bus?

Administrator Wall –they're paid.

Councilman Bianchi – where did that money come from that \$85,000?

Administrator Wall – the current fund. They're paid.

Councilman Bianchi – did we have to borrow that money?

Administrator Wall – no, we did not borrow that money. But the grant payment has been delayed to the borough.

Councilman Bianchi – I understand that because I've been talking about that for the last 6 months where is the money, where is the money, but what I don't understand is what is it's over a year now, what...

Councilman Hughes – well why don't you ask Congressman Rothman tonight when you see him?

Councilman Bianchi – no I had approach Pete about this about 6 months ago. If Pete's good friends with him, I said to Pete you talk to him, pull him aside.

Mayor Massa – we did get a phone call from his office after I made a call to the office advising us that the money would be forthcoming and I think you also spoke to somebody at the

Congressman's office also.

Administrator Wall – yeah the...

Councilman Hughes – yeah, part of what happened with this was we got a \$100,000 grant from the Meadowlands Commission part of their MAP grant, it was supposed to be used for a bus. When we got the grant from Rothman's office with a notification of a grant from Rothman's office, they took the money from the MAP grant and bought police cars. Unfortunately, the funding vehicle which is a bond was never put in place for the bus. So this is cleaning up that aspect of things so that now the funding is in place for the bus; we will never actually go out and sell the bond because this will be cancelled out as soon as we get the reimbursement from Congressman Rothman's office. Like many of our bonds they actually never ever go to sale, they just if they're grants funded by grants when we get reimbursed they cancel the bond.

Mayor Massa – I recall that most of those aspects of that issue Councilman with respect to using a MAP grant for police cars and getting the grant and having a delay in a payment, I think it had to go through the state [inaudible].

Councilman Hughes – no we actually never sell the bonds [inaudible] bonds counsel.

Councilman Johnson – no bond counsel.

Mayor Massa – but in any event, the Congressman's office did tell us that we were going to collect on this so what's the status on that collection?

Administrator Wall – were anticipating collection, we hope to have collection before the end of the year. But there still is a couple month process with the folks at NJ Transit. So they are assisting us with the programming and I was on the phone with them today again and I believe we are in a good path.

Mayor Massa – we'll expect that the administrator will continue to monitor this until the funds are received from the state. Anyone want to introduce the ordinance?

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Kearney
ROLL CALL: All council present vote in the affirmative

Mayor Massa – council reports. Any short reports by any of the council members?

Councilman Hughes – I make a motion we dispense with council reports tonight.

COUNCIL REPORTS

MOTION TO DISPENSE OF COUNCIL REPORTS

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

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman Tanelli
SECONDED BY: Councilman Yampaglia
ROLL CALL: All council present vote in the affirmative