

AGENDA

REGULAR MEETING, THURSDAY, MARCH 10, 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 and 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:

ORDINANCE

FIRST READING OF ORDINANCE

ORDINANCE NO. 2072

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)

INTRODUCED BY: Councilman

SECONDED BY:

ROLL CALL:

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:				
SECONDED BY:				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA				
BIANCHI				
HUGHES				
JOHNSON				
TANELLI				
KEARNEY				
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

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

RESOLUTIONS ON CONSENT

R-84-11 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-85-11 RESO RE: APPROVAL OF PURCHASES OVER \$3,000

R-86-11 RESO RE: TEMPORARY BUDGET AMENDMENT

R-87-11 REO RE: TRANSFER OF 2010 APPROPRIATION RESERVES

R-88-11 RESO RE: REFUND OF MONIES DUE TO DUPLICATE PAYMENTS

R-89-11 RESO RE: REFUND OF MONIES DUE TO OVER-PAYMENT

R-90-11 RESO RE: RESIGNATION OF FIREFIGHTERS

R-91-11 RESO RE: MEMBERSHIP INTO THE NORTH ARLINGTON FIRE DEPARTMENT

R-92-11 RESO RE: CERTIFICATION OF FIRE DEPARTMENT PERSONNEL FOR 2010 LOSAP QUALIFICATION

R-93-11 RESO RE: AUTHORIZATION TO REMAIN ELIGIBLE TO APPLY FOR TRANSITIONAL AID FOR 2011

R-94-11 RESO RE: RESIGNATION OF PLANNING BOARD MEMBER

R-95-11 RESO RE: APPOINTMENT OF ADMINISTRATIVE SECRETARY TO PLANNING BOARD

R-99-11 RESO RE: FORM BASED ZONING

R-100-11 RESO E: AUTHORIZING PUBLICATION OF NOTICE OF AVAILABILITY OF MAIL IN BALLOTS

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Kearney

ROLL CALL: All Council present vote in the affirmative

ABSENT - Councilman Yampaglia

RESOLUTIONS NOT ON CONSENT

R-96-11 RESO RE: WAIVER OF READING IN FULL OF THE 2011 BUDGET

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Kearney

ROLL CALL: All Council present vote in the affirmative

ABSENT – Councilman Yampaglia

R-97-11 RESO RE: INTRODUCTION OF 2011 BUDGET

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Kearney

ROLL CALL:

AYES; Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Kearney

NAY: Councilman Tanelli

ABSENT – Councilman Yampaglia

ORDINANCES

FIRST READING OF ORDINANCES

ORDINANCE NO. 2073

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

INTRODUCED BY: Councilman Bianchi

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.

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Johnson

ROLL CALL:

AYES: Councilman Bianchi, Councilman Johnson, Councilman Kearney

NAYS: Councilman Tanelli

Councilman Hughes recues from voting

ADMINISTRATORS REPORT

ENGINEERS REPORT

COUNCIL REPORTS

COUNCILMAN YAMPAGLIA

COUNCILMAN BIANCHI

COUNCILMAN HUGHES

COUNCILMAN JOHNSON

COUNCILMAN KEARNEY

COUNCILMAN TANELLI

MAYOR MASSA

R-98 -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			
HUGHES*	x		x			
JOHNSON			x			
TANELLI			x			
KEARNEY			x			
MASSA						
TOTAL						
ON CONSENT AGENDA ____ YES ____ NO						

R-84-11

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: \$ 7,021,628.34

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
Borough Clerk

DATED: March 10, 2011

* abstains from any fire department purchases and appropriations

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

R-85-11
RESO RE: APPROVAL OF PURCHASES OVER
\$3,000.00

WHEREAS, the departments listed have requested to purchase the enumerated items on the attached list; and

WHEREAS, prices for the requested purchases were either obtained through written quotes, county contracts or state contracts; and

WHEREAS, certifications of funds have been received for these expenditures from the Chief Financial Officer of the Borough of North Arlington;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey, that the attached list of purchase requests are hereby authorized.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-86-11
RESO RE: TEMPORARY BUDGET
AMENDMENT

<u>Budget Account</u>	<u>Number</u>	<u>New Appropriation</u>
Assessment of Taxes S&W	10-11-1-1050	\$8,000
Buildings & Grounds OE	10-11-1-1120	\$75,000
Planning Board S&W	10-11-1-1200	\$5,000
Planning Board OE	10-11-1-1200	\$2,000
Zoning Commission S&W	10-11-1-1200	\$3,000
Snow Removal S&W	10-11-1-1510	\$40,000
Snow Removal OE	10-11-1-1510	\$30,000
Youth Center OE	10-11-1-1760	\$5,000
Telephone	10-11-1-2060	\$25,000
Water	10-11-1-2070	\$2,000
Pension – PERS	10-11-1-2200	\$289,555
Pension – PFRS	10-11-1-2220	\$970,962
Library – S&W	10-11-2-1800	\$90,000
NA / Lynd Joint Sewer	10-11-2-1900	\$40,000
Passaic Valley Sewerage	10-11-2-1910	\$300,000
Interest on Notes	10-11-2-5500	\$35,000

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-87-11

REO RE:
TRANSFER OF 2010 APPROPRIATION
RESERVES

Inside Cap

<u>Budget Account</u>	<u>Number</u>	<u>From</u>	<u>To</u>
Admin & Exec S&W	10-10-1-1020	\$2,500	
Finance S&W	10-10-1-1040	\$1,500	
Employee Group Insurance	10-10-1-1240	\$3,000	
Fire Official S&W	10-10-1-1290	\$3,000	
Police Dept S&W	10-10-1-1310	\$43,000	
Police Dept. OE	10-10-1-1310	\$5,601	
First Aid Organiz OE	10-10-1-1320	\$8,500	
Juvenile Confer OE	10-10-1-1340	\$2,000	
Sanitation OE	10-10-1-1520	\$2,500	
Board of Health S&W	10-10-1-1600	\$5,000	
Board of Health OE	10-10-1-1600	\$3,000	
Youth Center S&W	10-10-1-1760	\$15,000	
Utilities	10-10-1-2020	\$7,000	
Street Lighting	10-10-1-2040	\$2,000	
Telephone	10-10-1-2060	\$4,000	
Social Security	10-10-1-2210	\$1,500	
Admin & Exec OE	10-10-1-1020		\$400
Admin & Exec Outside	10-10-1-1020		\$3,300
Finance OE	10-10-1-1040		\$600
Finance Outside Serv	10-10-1-1040		\$1,400
Legal Services OE	10-10-1-1070		\$11,100
Municipal Court OE	10-10-1-1080		\$3,700
Public Defender S&W	10-10-1-1100		\$1
Buildings & Grounds OE	10-10-1-1120		\$13,300
Planning Board OE	10-10-1-1200		\$2,000
Shade Tree Comm OE	10-10-1-1230		\$9,300
Fire Dept OE	10-10-1-1300		\$1,000
Road Repairs & Maint OE	10-10-1-1500		\$46,000
Recreation OE	10-10-1-1700		\$1,000
Youth Center OE	10-10-1-1760		\$400
Gasoline	10-10-1-2010		\$15,000
Water	10-10-1-2070		\$600

Total **\$109,101** **\$109,101**

Outside Cap

<u>Budget Account</u>	<u>Number</u>	<u>From</u>	<u>To</u>
Employee Group Insurance	10-10-2-1240	\$14,500	
Library S&W	10-10-2-1800		\$4,500
NA / Lynd Joint Sewer	10-10-2-1900		\$10,000
Total		\$14,500	\$14,500

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence. M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-89-11

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 075 Lot 011	Mr. John Lentini	\$400.00
	191 Boston Ave	
	North Arlington, 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
Borough Clerk

DATED: March 10, 2011

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

R-90-11
RESO RE: RESIGNATION OF FIREFIGHTERS

BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey, that upon the recommendation of the Board of Fire Officers of the North Arlington Fire Department that the following resignations are hereby accepted:

Firefighter Anthony Bruno, who has been a member since October 7, 2010, Hose Company #1 is hereby accepted, effective October 7, 2010.

Firefighter Crystal Mahlbacher, who has been a member since June, 2007, Hose Company #1 is hereby accepted effective October 7, 2010.

Firefighter Gerard Kerr, who has been a member since April, 2010, Hose Company #1 is hereby accepted effective January 1, 2011.

APPROVED: _____
Peter C., Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-91-11

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 Gabriel Roldan, into Engine Company #1.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall
Borough Clerk

DATED: March 10, 2011

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

R-92 -11

RESO RE: CERTIFICATION OF FIRE
DEPARTMENT PERSONNEL
FOR 2010 LOSAP QUALIFICATION

BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey, that the following list of North Arlington Fire Department Personnel, upon the recommendation of the Fire Department LOSAP Committee, is hereby accepted as the certified list of Fire Department members who have qualified for LOSAP benefits in 2010 for a total amount of \$67,850.00:

(SEE ATTACHED)

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

* abstains from any fire department purchases and appropriations

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

R- 93 -11

RESO RE: AUTHORIZATION TO REMAIN ELIGIBLE TO APPLY FOR TRANSITIONAL AID FOR 2011

WHEREAS, the State of New Jersey offers municipalities the opportunity to apply for grants awarded under the Transitional Aid to Localities program to the most fiscally challenged municipalities in order to ease the burden on local tax payers; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services has set forth extensive application procedures which must be completed by municipalities wishing to remain eligible to be considered for an award of Transitional Aid from the State of New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services requires that municipalities wishing to remain eligible to make a formal application for grants awarded under the Transition Aid to Localities program complete certain procedures and adhere to certain deadlines throughout the course of the year preceding the award of aid; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of North Arlington that the Borough Administrator be and is hereby authorized and directed to complete all necessary procedures established by the Department of Community Affairs, Division of Local Government Services in order for the Borough of North Arlington to be and remain eligible to make a formal application for an award of Transitional Aid from the State or New Jersey for 2011 in the event that a formal decision is made to apply for such aid during the budget review process.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-94-11
RESO RE: RESIGNATION PLANNING BOARD
MEMBER

BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington that they do hereby accept the resignation of Joe Burzinski, Planning Board Member, Class II. with term expiration of December 31, 2011.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-95-11

RESO RE: APPOINTMENT OF
ADMINISTRATIVE SECRETARY TO PLANNING
BOARD

BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington that they hereby approve the decision of the Planning Board to appoint Kathleen Moore as Administrative Secretary to the Planning Board, at an annual salary of \$2,000.00. Said appointment is a one year term and will expire December 31, 2011.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-96-11

BOROUGH OF NORTH ARLINGTON
BERGEN COUNTY, NEW JERSEY

RESO RE: WAIVER OF READING IN FULL OF THE 2011
BUDGET

WHEREAS, N.J.S. 40A:4-8 permits that the Budget as advertised may be read by its title providing that at least one week prior to the date of the hearing a complete copy of the approved budget shall

- a) be posted in a public place where public notices are customarily posted, and
- b) is made available to each person requesting the same during said week and during the public hearing, and

WHEREAS, the Borough of North Arlington has complied with the aforesaid requirements.

NOW, THEREFORE, BE IT RESOLVED, the Borough is hereby permitted to waive the reading in full, of the Municipal Budget for the year ending December 31, 2011.

APPROVED: _____
Peter C, Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-97-11

BOROUGH OF NORTH ARLINGTON
BERGEN COUNTY, NEW JERSEY

RESO RE:
INTRODUCTION OF 2011 BUDGET

BE IT RESOLVED, that the following statement of revenues and appropriations attached hereto constitute the local Budget of the Borough of North Arlington, Bergen County, New Jersey for the year 2011.

BE IT FURTHER RESOLVED, that the said budget be published in the Record in the issue of May 9, 2011, and that a hearing on the Budget will be held at the Municipal Building on May 26, 2011 at 7:00 PM or as soon thereafter as the matter may be reached.

ATTEST:

Approved: March 10, 2011

Terence M. Wall, RMC
Borough Clerk

Peter C. Massa
Mayor

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

R-99-11

RESO RE: FORM BASED ZONING

WHEREAS, the Borough of North Arlington was opportunity of new and advanced Zoning techniques; and

WHEREAS, this process resulted in new zoning opportunities worthy of discussion in the Borough of North Arlington; and

WHEREAS, the Borough greatly appreciat4s the efforts of the agencies and Individuals involved and the Mayor and Council will further review this document.

NOW, THEREFORE BE IT RESOLVED that the form based code study is accepted by the Borough, taken under advisement, and is referred to the Planning Board as a matter of record.

APPROVED: _____
Peter C. Massa, RMC

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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

R-100-11

RESO E: AUTHORIZING PUBLICATION OF
NOTICE OF AVAILABILITY OF MAIL-IN
BALLOTS

WHEREAS, the Borough of North Arlington intends to apply for Transitional Aid for the Calendar Year 2011 from the State of New Jersey; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services, has notified the Borough of North Arlington that eligibility for such aid requires that the Borough provide notice that the Borough may seek voter approval to exceed the municipal property tax levy cap pursuant to NJSA 40A:4-45,45 et.seq., and the appropriate caps pursuant to NJSA 40A:4-45.3 in the event such aid is not granted; and

WHEREAS, the Borough of North Arlington may only exceed the statutory levy caps Only through the passage of a referendum, which election as to the referendum question must Take place on April 27, 2011, at the same time and place as public school budget and board member elections; and

WHEREAS, NJSA 19:63 requires the Borough of North Arlington to publish a "Notice of Availability of Mail-in ballots" for such upcoming election in the official newspaper at least 50 days before the election; and

WHEREAS, publication of such notice does not bind the Borough of North Arlington to hold such an election.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of North Arlington that the "Notice of Availability" of Mail-in Ballots" placed according is in the Form required by the State is hereby accepted.

APPROVED: _____
Peter C. Massa, Mayor

ATTEST: _____
Terence M. Wall, RMC
Borough Clerk

DATED: March 10, 2011

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:				
SECONDED BY:				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA				
BIANCHI				
HUGHES				
JOHNSON				
TANELLI				
KEARNEY				
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: March 10, 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:				
SECONDED BY:				
COUNCIL	AYE	NAY	ABSTAIN	ABSENT
YAMPAGLIA				
BIANCHI				
HUGHES				
JOHNSON				
TANELLI				
KEARNEY				
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: March 10, 2011

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

R-98-11

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: March 10, 2011