

MINUTES

REGULAR MEETING, THURSDAY, MARCH 24, 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.

Mayor Massa – Call the roll

Mr. Wall - 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

Mayor Massa - please rise for the salute to the flag

PLEDGE OF ALLEGIANCE

Mayor Massa – Good evening Ladies and Gentlemen. At this time I would to open up 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 business and also try to keep your comments restricted to 5 minutes to give everybody opportunity to be heard. Neither myself nor the members of the Council will respond to comment on the hearing of citizens until everybody has been heard.

PUBLIC COMMENTS

Good evening gentlemen. John Parisi, 40 Geraldine Road. I was here a couple of months ago with a problem in my backyard the fence collapsing. As of yet I have not seen anybody, heard anything any kind of resolution or investigation or anything like that. Would you let me know if there is anything going on? As I understand there is a house down the street from me also corner of Silvia and Geraldine their wall has also collapsed in the back yard. I think there is a drain outside their house also which may be the same kind of problem. I don't know if anybody else wants to go down and look at it now is the time to come and see what the real problem is. Still dripping down the ravine.

Mayor Massa – Thank you sir.

Joseph Cerone – 48 Biltmore Street. The budget a couple of meetings back Mr. Bianchi here made sure he invited yourself, Mr. Massa and the rest of the Council to put some time in on the budget. I was wondering how much time or if any who is actually doing the budget? Is it Mr. Bianchi or is it culmination of both parties, how much time Mr. Tanelli has put into the budget or this gentleman on the end Mr. Yampaglia or yourself even Mr. Johnson?

Mayor Massa – this time I will entertain a motion to close the hearing of citizens

Motion by Councilman Tanelli, seconded by Councilman Kearney. Call the roll:

Mr. Wall roll call - Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli, Councilman Kearney

Mayor Massa – any member of the Council want to comment on the gentleman from Geraldine Road regarding that problem.

Councilman Bianchi – yes I would. Mr. Parisi I came down to visit you and I don't have the expertise on how to fix that problem. I know that over the last few years you had people there, Neglia Engineering and some other people from the town that know about that and to be honest with you I don't know how far that has really gotten. I don't know what to tell you and I don't really know myself and I don't think anybody knows really how to fix it unless I am wrong. I think one of the problems lies in that property that caved in a little bit under north side where the fence caved in. I don't know if that property actually belongs to you anymore. I think it belongs to the people down at the bottom of the hill am I right?

Mr. Parisi – Where the fence is? Why would it be mine?

Councilman Bianchi – What I am saying is that the property does not go back that far. I personally have not heard anything it's like it fell on deaf ears.

Mr. Parisi – Is there any pending investigation going on?

Councilman Bianchi – that you would have to ask the Mayor or Terence. Terence would probably know that answer better than I do. I do feel your pain in that situation. The people that I spoke with really do not know how to fix it except to put a pipe down the hill so the water shoots out and then down.

Mr. Parisi – that is not acceptable.

Councilman Bianchi – I would not know how to fix it. I don't know if Neglia came up with a plan a couple of years ago, the man does need help.

Mayor Massa – let's get a review of this if there is anything in the file on it from the engineer and then submit it to every member of the Council so they can take a look at it. Of course whatever is our responsibility we will assume and rectify what is the responsibility of private property owner that is something that we have no control over unless what's happened there is a result of public negligence. I don't know all the facts surrounding the issue. I know that we are dealing with the collapse right now down the street from you and that is concern of everybody there that whole ridge. We have not have any further reports of danger from anyone.

Councilman Bianchi – Can we instruct Terence maybe to contact Neglia's office again, next meeting we may have some type of answer for this gentleman.

Mr. Wall – I will contact them tonight or tomorrow morning. Your street address again? 40 Geraldine Road. If I can get your phone number before you leave I will call you personally and give you an update. If they have not conducted a sight visit, I am assuming they have if they have not then I will.

Mr. Parisi – Jason is the last person that came.

Mr. Wall – Let me get the report then and find out what the next steps are

Councilman Johnson – there should have been a report filed

Councilman Bianchi – the only thing that I can possibly think to alleviate that problem is that in front of his house, north side of his house there is a double sewer, catch basin not a sewer and when the water comes down Geraldine and hits right in front of his house, comes to fast, goes into catch basin and there is an easement between you and the house next door, the pipe goes out and shoots out the mountain. When it shoots out the mountain it is caving the mountain in because the water as it shoots out is rotting away the bottom of the mountain. I do not know how to fix it, but the only way to do that is to close that sewer in front of your house and run it to another catch basin.

Mayor Massa – I think these problems go way back to when that area was built up. Perhaps at the time not enough diligence was used in the construction or in the planning. I can't say I don't know, I can only consider that was the situation. In any event we do have to have the engineer to review so the homeowners can have an honest report from Municipal government as to what the situation is and what remedy's might be out there. Joe that is a possibility what you said.

Mr. Wall – While you were discussing I sent an email to Mike Neglia, Mike Berliner and Stephanie Santos and I should get a response later on this evening.

Mayor Massa – Mr. Cerone had a comment about the budget process. We introduced the preliminary budget several weeks ago based specifically on a requirement that we have the preliminary introduced for the purpose of applying for transitional aid which we have done, which has been forwarded to the Dept. of Community Affairs, myself and the Borough Administrator were at the DCA for review on that application last week, I believe it was the 15th of March and there were a number of issues that they raised. Council President Hughes was available by teleconference, the Borough auditor was available by teleconference. Some of the issues that came up from the member of the DCA were addressed, I don't want to comment on those issues right now, I would rather wait until I put a formal report together for myself to the community once the DCA has made a certain determination. The budgetary process here is very complicated. It involves council members that are on the budget committee, it involves Administrator, Auditor, it involves the department heads who are responsible for managing each aspect of their budget and has been done in the past everyone is taking a look at their budgets and try generate whatever economy's they can. This year is going to be increasingly difficult because of the State's imposed cap of 2%. There are a number of issues that budgetary items outside the 2% cap we are presently taking a look at a possibility of consolidating some of our departments with other communities or possibly the County. Making revisions in insurance costs, insurance plans that may be more economical. So there are a number of issues that we are doing here at our level to comply with that cap requirement. The big problem we have in this community of course a lot of people realize about 85% of the tax revenue that comes to run the community is generated from residential real estate and of course as our revenues remain essentially stable and our operating cost increase that proposes a number of challenges to us and myself and the members of the council will be working diligently to review all the possibilities.

Councilman Bianchi – Joe to be perfectly honest with you 90% of the work is being done by Councilman Hughes not myself you put me like the chairman of the committee, he has carried the ball, he has been working very hard.

Joe Cerone – My concern is that every elected official here should put in the same amount of time on this budget, everybody should have input not just one or two people. I think its only fair that both sides merge on this issue.

Councilman Bianchi – I agree with you Joe that is not the way politics works this is a vote getting situation to.

Joe Cerone – It should not be that way

Councilman Bianchi – That's the nature of the beast.

Councilman Tanelli – Point of order your honor. Not for nothing but for two years during the campaigns we were hammered on the two budgets that we produced. I was invited to a budget meeting last year, one year and was never called again to go to a budget meeting. So to sit here and say that we all should work together anything we did over two years was criticized. So now all of a sudden everybody wants our feedback and wants our input on the budget.

Joe Cerone – You did not like what transpired.

Councilman Tanelli – I brought up things at the end of last year when I voted no on the budget I brought up one particular incident the fact that they were using inter-fund receivables and we

were going to be left short with cash this year, short \$162,000 I will be bringing that out. I will let you know at the next meeting.

Joe Cerone – We are all equals up here on this Council. Everybody has the same blanket invitation to be involved in this process. To use that indication as an excuse would absolutely be wrong. Everybody should be involved.

Mayor Massa – Councilman raised a point of order. Councilman Bianchi has made his comments purpose is to comment rather than engage in an advisory, or back and forth process at this point. Your comments have been so noted and ultimately the Council will have to vote on the budget and there will be issues that some councilmen there may be areas that they may want to cut. There may be members of this body that may want to look at a lay off plan. There may be members that want to look at a furlough plan, take a look at how we do our insurance, there may be issues restructuring, issues on willingness to consolidate with other communities other areas of operations which the Governor has given us that direction. The budget process will be more than any other year very complicated, it will be very spirited say the least. We have to make sure that the things we do are in the best interest of the community. It is easy for us to say we want to cut or change services but as I just said today during an interview with a member of the press that what is important is that we maintain the level of services in our community that community is accustomed to doing and there is where we must balance the interest of how much we are able to generate in revenue from taxation, what we are willing to spend to provide those services. There is a movement in Bergen County right now to take a look at regionalizing consolidating police forces, some communities are considering consolidating their public works operations and their health service operation with the County, so if other communities take a look at these different operational issues that may save money not saying that they will save, we have to give those issues a look also.

Joe Cerone – I agree I understand.

Councilman Tanelli – point of order. Just to finish off on this, when you're running and you're not sitting up here it's real easy to say you're going to lower taxes, go door to door knock on the door and say you have all the answers, you're going to lower taxes. You know when I get in I'm going to do x, y, and z but the sobering fact is when you get up here and you actually look in the books and you see just how bad the town just how unfortunate we are financially without having the recurring revenue that we need, it's a sobering feeling when you get up here but for the last two years, that's what went on. You know, so now you're asking now you're asking us to come up with answers that we did for two years, a zero and a 2, now you're asking us to jump back in again.

Joe Cerone – I'm not asking for an answer.

Councilman Tanelli – well that's [inaudible].

Joe Cerone – I'm thinking that along with what's being said here, the more people that gave in...

Administrator Wall – I'm sorry we just I have to say unless you're speaking into the microphone, we can't take the notes properly.

Councilman Johnson – can I just make a point of order. I think Mr. Cerone makes a good point, it's not a republican issue, it's not a democratic issue...

Joe Cerone – exactly.

Councilman Johnson – it's everybody sitting up here and it's also the community whoever wants to participate if somebody has a good idea. I spent an hour and a half with a resident at J&W before this meeting and listened to all of their ideas. I've always found even though Rich has been doing a majority of the work I've always found Rich Councilman Hughes to be very fair individual and if Councilman Tanelli has something to add or I would say Councilman Hughes would never shut him out. He always has an open door whether you're republican or a democrat and he's a very fair man.

Joe Cerone – well I think [inaudible] takes that opportunity and knock on that door.

Councilman Tanelli – point of order. The comical thing here is that two years ago we had a councilman that had all the answers or candidate that had all the answers running for office, got in the office, and hasn't been on the budget committee in the first two years of him serving so I kind of find it funny, that's what I meant by saying when you run for office and you're not sitting up here you can make claims that I'm going to lower taxes, I have all the answers, and I'm going to take care of everything when I get up here; and then when you sit up here and realize that it's not that easy and that you can't make, you can't make certain decisions because they impact everything else that's going on it's a sobering feeling. I'm just saying that over two years I've heard that guys had all the answers and now that they're up here, they don't have all the answers that's all I'm saying.

Councilman Johnson – point of order. Councilman Tanelli I mean I don't think Councilman Hughes would ever shut you out if you had any ideas to contribute to him he would always listen to you whatever your ideas are. I mean you don't have to you said need to be invited. You're a councilman you don't need to be invited to participate in the budget process. I mean nobody sends an invitation to anybody.

Mayor Massa – but we do have in the past we've had budget committees that have been [inaudible] worked on the budgets and that was their responsibility to those budget committees. There were times when some councilman refused to serve or didn't want to serve and there were times when other councilman wanted to serve. And of course you're always going to look to put people on committees where their level of expertise can be best appreciated and with a level of interest is best appreciated. Everyone here on this panel has certain areas of expertise that they can bring to this council. We have financial experts. We have auditors. We have the business administrator. We have our department heads who are responsible for the day to day management of those departments. We have to trust and we do trust the fact that they will be able to tell us where the cuts can be made where cuts can't be made. And ultimately we have to be accountable to you the people to make sure that when you call the police and officers, they're expeditious to make sure that when the snow falls occur as they did this past December we had the record snow fall. Our DPW with a minimal man, minimal staffing and man power was able to get out and plow the streets. We did have to hire an outside contractor to give us assistance in that project just like every other community did. And as Mayor's across the state that I speak to have that same problem. We are compelled to do more and more with less and less. And that is going to be the name of the game in government, in local government in New Jersey whether it's North Arlington, Lyndhurst, Carlstadt, or any other community. Sitting here and making these decisions is extremely difficult process. It's a comprehensive process and as I've said many times Joe that I commend every member of this panel irrespective of their party affiliation, irrespective of their personal attitudes and opinions to the fact that they have dedicated themselves to hold elected office. because it's very easy for the general public or critics to sit out there and throw the stones. It's a lot different when you're in the arena and you're required to make the difficult decisions and you're required to deal with the problems that people have to the best of your ability with the resources that we have. Again if there are any other comments, I'll entertain otherwise we could move on with further business.

Councilman Kearney – I have a point of order to make. I sit here as one of the two councilmen that ran for a council position a couple years ago and listening to Councilman Tanelli's say how maybe I was one of the two that thought we had all the answers, absolutely not. And Mr. Mayor and fellow councilmen I just have to respond when I hear like something like that and I just want to say for the record, for the public's ears to hear and for it to be recorded that the issues that we ran on is to do something different and what we did that was different was we had an investigation of the sale of the water system that was sold by well when Mayor Pitman from the democratic administration was in power. We thought it was a bad idea. We wanted to get our rights back, we're investigating it, we're doing what we said we would do. With regard to investigating the budget to see where we can rain in any money, we did that. We brought somebody new Mr. Lerch in with his firm to investigate what if any money is out there, how we can tighten up the budget and we did that. And I may be inaccurate if somebody tells me I am because I was not in the administration at the time, Mayor Pitman was. Actually Mr. Mayor you were a councilman, I believe Councilman Tanelli was a councilman and the way my research dictates and again were here you can correct me if I'm wrong is that it was in that administration where both Mr. Tanelli and yourself Mr. Mayor voted for this Cherokee putting up all these units down the meadowlands and at the very end the third time when it came up for a memorandum of

contract is when you both tried to pull out you and Councilman Tanelli pull out and stop the momentum that was behind putting in these several units. And we had spent as an administration even though I was not part of it several years trying to reverse that trend which included closing down the baler where our people had to pay extra money for dumping of our garbage. It closed down our baler for the possibility of revenue that we were missing and in addition to that it caused us hundreds of thousands of dollars in attorney fees to dig us out of that problem and I think to be up here and to say that two councilman that ran two years ago thought they had all the answers, absolutely not. And again, I'm here this is the history that has been revealed to me and if I'm wrong I'm wrong, I am not running for election, I have no pulpit to stand on to want to make any type of a political point here but when we talked about doing this budget together in this devastating economic time we have to hold united up here is what I believe instead of trying to point to one person who gained election or re-election to say we got the answers we I believe I would like to think because I said when I was first inaugurated into office we have to stand together and work together and having this budget pass through listening to Council President Hughes speak about the budget and he's very knowledgeable and as Councilman Bianchi had stated Council President Hughes is doing a lot of the work on the budget and you're honor is involved in it as well, we all are to a certain degree, not as much of degree as Council President Hughes who is taken the responsibility on. We have to stand together and try to figure out how we can keep taxes under control, spending under control and still as Mr. Mayor you say provide the services that we've continued to provide to the public. So I just wanted to make that point of order that me being one of the two people that ran, I never said that I had all the answers when I ran, I am dedicated to the position as being a council person up here trying to figure out with everybody together how we can try to control this runaway train and still provide the services I mean opening up the baler, there's always comments made about how there's not enough money being made from it. I mean that was fair market value. There was nobody bidding on the baler. To this day, the approximate \$750,000 and free dumping that we get it's still a plus on the plus side. And economically speaking the fair market value is what we are getting for that and at least we get the free dumping. I mean it's just part of trying to help control the taxes and again if I stand to be inaccurate on anything that I say I was not in that administration when the democratically elected Mayor Pitman was involved in that administration that started this ball rolling in the wrong you know down the wrong hill but you know correct me if I'm wrong and I thank you.

Mayor Massa – well I just want to take issue with several issues comments. First I'm going to recognize Councilman Tanelli.

Councilman Tanelli – two quick things. First my comments mostly about the baler are usually about the fact that we went from guaranteed money to the Meadowlands getting guaranteed money. The fact that the baler's open is a good thing for the borough; I've never said it was a bad thing for the borough in fact that we get the dump for free I never said was a bad thing. What I've said was the deal itself, the fact that we use to get a million dollars, I've said it a million times up here that I'm not asking you for the million dollars but if they're going to get a ½ million dollars this year guaranteed money or \$250,000, why are we getting guaranteed 125 or 250 if they're getting ½ million dollars. That's always been my concern with the agreement itself. As far as the MOA which seems to come up every once and a while that Mayor Massa and I voted for the MOA, the fact of the matter is on the record at that meeting, I asked the then borough attorney Mr. Mariniello if there were any, if there's any obligation by the borough if that MOA went through that night to do with developer's agreement because I had meant with him earlier in the week with problems with the agreement itself. The reason I voted yet on that, I said it then I'll say it now was that we got a \$900,000 check delivered to the borough that night. It was handed to the Mayor. I was told that there was no obligation except for the fact that we had to negotiate in good faith so right out of the gate, I knew that wasn't happening so I knew I wasn't going to have to uphold the MOA so I gladly took the \$900,000 that went into the budget that year and when the time came to go whether I was voting for or against the developer's agreement I voted no. The fact of the matter is all the issues I brought up to the Mayor at the time and the borough attorney they made it worse on the final agreement. They basically told took all the things, all the questions and concerns I had, [inaudible] and increased everything. I was worried about the limit of the ability of adding housings, I wanted it reduced if they were going to push forward with it. They basically open ended it. It could have been if the guy hadn't received the money he was expected to receive he could do as many units as he wanted to. So the point of the matter is the MOA was voted on because of the check we received that night and the fact that I was told on the record by the then council that the only obligation was to negotiate in

good faith for which they weren't doing even at the time. So that's why the MOA was voted for. So that's my response.

Mayor Massa – with respect to your comments Councilman I thank you. With respect to my voting for the MOA, the MOA in my understanding based on the information we received from the borough attorney at the time Mr. Mariniello was an agreement to negotiate, it was not a final agreement, developer's agreement. During the course of those negotiations a number of serious questions surfaced. One of the most serious questions that surfaced was the issue regarding eminent domain. Myself and Councilman Tanelli have been told eminent domain was only going to be used against blighted properties that were essentially abandoned and nobody had an interest in. And when we did our own research we found that that was not the case. That during the course of those negotiations, many issues surfaced in executive session, questions that I had had. I publicly began to question and challenge that tentative agreement, that MOA. During the Pitman administration in 2005 and in December of 2005 I sent a letter to the newspaper requesting the mayor hold off any further action. Keep in mind that Cherokee was brought to North Arlington and to Lyndhurst and to Rutherford by the Meadowlands Commission. The Meadowlands Commission essentially admitted that during a news story interview by my 9 news in May of 2007. So at the time when the council was in the process of finalizing that agreement myself and Councilman Tanelli spent many long evenings questioning a number of issues regarding the density regarding how many houses were going to be built regarding the aspect of eminent domain. And I refuse to exercise eminent domain. As soon as I was sworn as mayor, my first term; I was taken to court by Cherokee and while I was fighting Cherokee, the Meadowlands Commission closed the baler and they sided with Cherokee. They went along with their agreement with Cherokee, didn't side with the tax payers of North Arlington at that time. They could have kept that baler opened. I don't want to be belabor any of those issues and tie up the tax payers time tonight because today we're at where we're at now and we have to deal with the current problems now. But I do want you to recall Councilman that the night that that agreement was signed by Mayor Pitman in April of 2006, when I decided to challenge him in the democratic primary. That [inaudible] that I called for a federal investigation into Cherokee. The then U.S. attorney Chris Christie was sent a letter by myself to with a number of issues that I wanted investigated and as a result of a federal investigation into that, an attorney in fact it was the very attorney who negotiated with the Pitman administration, has been indicted. State Senator has been indicted and I don't know how far this investigation's going to go til it's completed. So I think to say that myself and Councilman Tanelli didn't act in the best interest of the people of North Arlington is totally inaccurate. We didn't see any support from any other circles at that time. It was myself and Councilman Tanelli who carried the torch so to speak for the people of the community and got a lot of community support against this project. We listened to the people. We spoke to the people. We walked the streets. We took the phone call. We went and listened to the businessmen whose businesses were going to be threatened and we did what we thought we had to do in the best interest of the community. Now of course, everybody can have their opinion as to what should have been done with, what was done, but again the community has all ready been given to Cherokee as the principle developer by the Meadowlands Commission. I think the history pretty much bears that out.

Councilman Kearney – I'd like to make another point of order your honor. I'm just saying that we sit up here and like when a comment comes off how two councilmen ran a couple of years ago saying they had all the answers, it doesn't sit well with me and what I say is that we can come here and we can point fingers at each other up here and it's not exactly the most comfortable situation especially when the inaccuracies are on the record and I feel compelled to try to correct some of the inaccuracies and I'm just bringing to light that we're in part of this jam if fingers have to be pointed with the answers because of a ball that started rolling back in the Pitman administration and its not intention for me to point the finger at your honor or tat councilman Tanelli but it was voted on twice yes and the last one no and on your behalf I say that was a good decision on behalf of Mr. Tanelli and yourself in my opinion. My opinion may be alone or with the public but you know there was a ball that started rolling and you know that ball cost us tax payers a lot of money. We're in a budget jam right now and to point fingers and say that you know a couple councilmen thought they had the answers, it was not like that; that's inaccurate. It's just as inaccurate as me not living in my life at one Locust Avenue in North Arlington where I still live. I mean and that rumor is another ball that you know it's not right, it's not accurate, and you know I'm just putting on the record that we all are obligated to fix this crisis and work together. There are no political lines. We happen to be up here maybe in political

lines but there's no political lines; we joined together for the people of North Arlington which we all are part of.

Mayor Massa – well just for the record, did myself or Councilman Tanelli ever question your residence?

Councilman Kearney – I don't know, this NA Today is supposedly part of this administration's website or something like that and it's odd, I'll tell you what I mean I have more investment in this town of [inaudible] not to my face, but then when it comes and everybody says well they know that that's part of their website and it comes out and it says things about me. I'm not going to respond other than that but I'm still here, I'm still living in North Arlington and just let's not pick each other apart. Let's join together and let's work on this; that's what we were hired to do by this public. Like Mr. Cerone and all the public feel and we have to have unity up here regardless of whether there's an election coming up in November or not.

Mayor Massa – and comments, political comments of course are always a two way street, am I correct to say that?

Councilman Kearney – absolutely correct.

Mayor Massa – so we roll with the punches also.

Councilman Kearney – but we don't have to up here; thank you Mr. Mayor.

Mayor Massa – thank you councilor and thank you for your diligence and your hard work.

Councilman Kearney – and I thank you for yours Mr. Mayor.

Mayor Massa – and thank you gentlemen for that very spirited conversation. Next order of business Mr. Clerk.

APPROVAL OF MINUTES

December 9, 2010

Sine Die January 3, 2011

January 20, 2011

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Kearney

ROLL CALL: all council present vote in the affirmative

RESOLUTIONS ON CONSENT

R-101-11 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-102-11 RESO RE: NORTH ARLINGTON 2010 RECYCLING TONNAGE GRANT

R-103-11 RESO RE: INTERLOCAL SERVICE AGREEMENT PISTOL RANGE

R-104-11 RESO RE: APPROVAL OF 2011 BUSINESS LICENSES

R-105-11 RESO RE: AUTHORIZATION TO EXECUTE A DEED FOR THE TRANSFER OF PROPERTY FROM THE NEW JERSEY MEADOWLANDS COMMISSION TO THE BOROUGH OF NORTH ARLINGTON

R-106-11 RESO RE: AUTHORIZATION TO EXECUTE AN AGREEMENT FOR PAYMENTS IN LIEU OF PROPERTY TAXES BY THE NEW JERSEY MEADOWLANDS COMMISSION

R-107-11 RESO RE: THE MATTER OF THE APPLICATION OF MID-STATE CONSTRUCTION IN CONNECTION WITH DEVELOPMENT APPROVAL RELATING TO BLOCK 170, LOT 3 (76 PORETE AVENUE) BOROUGH OF NORTH ARLINGTON

R-108-11 RESO RE: TEMPORARY BUDGET AMENDMENT

R-109-11 RESO RE: TRANSFER OF 2010 APPROPRIATION RESERVES

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: all council present vote in the affirmative

*Councilman Hughes abstains from all fire department purchases on claims reso

**Councilman Tanelli votes no on purchase order #257797, 257524

R-110-11 EXECUTIVE SESSION [regarding personnel, collective bargaining, anticipated or pending litigation]

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Kearney

ROLL CALL: all council present vote in the affirmative

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS

INTRODUCED BY: Councilman Johnson

SECONDED BY: Councilman Yampaglia

ROLL CALL: all council present vote in the affirmative

Administrator Wall – you're now back in open session Mayor and Council.

Mayor Massa – a citizen would like to make a presentation or a comment.

Deborah Wertalik – well comment yes, two comments.

Mayor Massa – first off your name and address for the record.

Deborah Wertalik – 85 Exton Ave. I am here as two people, one as Tyler's grandmother and the second one is Deborah Wertalik president of Putting the Pieces Together in Special Angels recreation. As the grandmother of Tyler Banuls, as all of you know I am not a democrat I'm not a republican, I love everyone of you in some way has done something to touch my grandson's heart. But tonight I'm here just to say a special thanks to Councilman Bianchi. Tyler needed a computer, needed an apple computer and as you know Tyler was abused in school and is now being home schooled so he was going to be accepted into this wonderful opportunity an art program that was really for 16 and above children with autism but because of it's incredible talent which I forgot to bring one of his art pieces to show you guys, he was accepted into this program. He needed an apple computer. I didn't have over a thousand dollars to buy him an apple computer to put illustrator on so he learns graphic arts. Councilman Bianchi talked to somebody from Gale's Angels and Gale's Angels donated a brand new apple computer to my grandson Tyler. So I did want to say thank you so much Councilman Bianchi for being there for Tyler and as I said every single one of you has always been there, Steve, Jon, Chris, Terence, Mayor Massa, Rich, Joe, and Mark; you've always been there for my grandson, you've always been there for my family. So I thank all of you from the bottom of my heart but I did want to give a special thanks to Joe for that because Tyler is now in this incredible art program and he couldn't have done it without the apple computer. That's grandma. Now Deborah Wertalik form Putting the Pieces Together is Here. As you know, April is autism awareness month . I have been shockingly giving the pleasure by Dr. Stringham to do an autism awareness date in our public school system here in North Arlington. April 1st is world autism day, actually its April 2nd but they're celebrating April 1st because the schools are closed. So I made a flyer up and Dr. Stringham approved it and actually wrote something on it. Everybody in the town of North Arlington that's in a school district is going to be asked to wear blue for autism and what I would like the Mayor and Council to do, we're also going to be doing some autism education in the schools. There's going to be books I got donated from children's specialized in other places that kids are going to get a nice education on autism because it's really important since New Jersey has 1 in 50 boys diagnosed with autism and I've been challenged on that but it's the truth. What I would ask the Mayor and Council to do is if you could put it on your website and try to get the

word passed around in some way that Home Depot is selling autism lights and actually Empire State Building and Rockefeller Center will all be dressed in blue on April 1st and 2nd. But for the month of April, we're asking the residents in North Arlington to show support for my grandson and every other child in this town that is affected by autism by putting a blue light on their outside porch. So that was my one thing to ask you guys if you could please do that for the children in this town that suffer from autism. If you somehow spread the word on the website, however you can do it so that our people in this town if they want to support autism they certainly can. The other thing is Tyler was in a documentary called make friends with autism and I don't have a copy for everybody; I would like to give it to the Mayor and Council and ask them to each take a look at it at their convenience just to see a little bit about I know we all need education on autism; it's something that we are the baby boomer generation of and if we're penny wise and dollar foolish with autism, we're going to be paying billions when our kids grow up and there's going to be a lot of them. So I would love for you guys to look at this. The second scene is Tyler representing North Arlington at our house and then going out into the community and shopping. I hope that you guys are all proud of the wonderful work that Tyler is doing and I hope that you support him on world autism day. I also made you usually I bring medal pins, this year we're kind of type, businesses are not as generous because they don't have the money to help us, so I made everybody a pin and I hope that you'll wear it during autism awareness month.

Administrator Wall – the public information officer is here as well so if you can connect before because he'll also connect with the web master and perhaps he can load that video on the website as well.

Deborah Wertalik – it's a great video. It shows children with autism in they start out in an indoor sports facility and then Tyler does a shopping scene, and then there's little brothers that are in a movie theater and there's a restaurant scene. This movie was made by, Cold Care funded it. Children Specialized did it. Jim Wockins from Channel 11 News is the narrator on here and Mary Ellis Smith who won an emmy for a walk to beautiful is the producer/director and one thing I would like you guys to know also so you can really be proud of Tyler because if it weren't for Tyler over 200 families would not have the services that my organization provide them with but Mary Ellis Smith as I said as an emmy award winning producer/director she's doing a documentary on our [inaudible] which is our special needs shared dance wide which this Sunday I'm proud to announce is going to Atlantic City nationals and they're going to be competing with quite a few teams and thousands of people spreading autism awareness to all these people because every time they go out on that mat and perform and they're doing full extensions and stunting, every time they go out there they're showing everyone who sees them and I get lots of emails from people in the audience that track me down somehow and email me that these kids are living their dream. So a child with autism may not be able to speak, may not be able to communicate, or socialize with the rest of the world but they can follow their dream and they can succeed. So I want to thank you for your time. I'm sorry that I held you up rambling but I just hope that somehow or another you can spread the word through the town.

Mayor Massa – thank you very much Mrs. Wertalik and thank you for your dedication to the promotion of autism awareness. Gentlemen have a comment or question or problem he wants to present to us?

Ray Martin – I thank you also for reopening the meeting Mr. Mayor and Council members. My name is Ray Martin. I live at 14 Carrie Road. And if you'll just indulge me for one second to read a small paragraph that'll explain why I'm here. I have a petition. The petition becomes this petition comes before the Mayor and Council regarding the deplorable condition of borough property located behind the homes on the north side of Carrie Road and a portion of Geraldine Road. This matter has been brought to the Borough's attention before on numerous occasions and it seems to have fallen on deaf ears. Not only is it an eye sore, it also poses security risk to residents as well as the soccer field that the now non existing fence once afforded. It also takes away from the value of the property. That's what brought me here and I know that it's not a new problem or something that you folks haven't heard of. I'm just wondering what you've done in the past four years to remediate the situation. Are there any bids on new fences? I mean it's a mess. I don't think you would want it behind your homes and its there for a good four years now.

Mayor Massa – well Mr. Martin we have been to my recollection addressed that issue on several occasions and we did get some prices and I think the determination has been made as to whether

or not it was actually our property and our responsibility to build that fence. We don't know who built the original fence do we?

Ray Martin – the Bergen County Utility Authority.

Mayor Massa – the BCUA built the fence. So maybe encumbering on BCUA to rebuilt it.

Ray Martin – I believe its our property. Its no longer the BCUA's property. I can be wrong...

Mayor Massa – what I would like to do is accept your petition this evening and it refer it to the borough attorney for review and the borough administrator so we can come to conclusion as to what the responsibility is. Now, there've been several issues surrounding this problem with respect to the fact that there are fences that have been built by homeowners that would make a second fence redundant. But now there are homeowners that I've spoken to on several occasions who say that they would like to see the fence reinstalled because of the very problems that you articulated here. And again I think one of the problems we tried to resolve was who was responsible for constructing the fence, who's responsible for maintaining the fence. So if you would be so kind to submit that original to the borough clerk tonight...

Ray Martin – I'd be more than happy to do that.

Mayor Massa – we will engage in the proper or legal issues to see that this is addressed. So a responsible decision can be made by the members of the council.

Ray Martin – okay and with all due respect to you I just hope it doesn't take another four years.

Mayor Massa – well the last time it came to my attention was about a year and a half ago from one of your residents and we did discuss it...

Ray Martin – well I know for a fact that my next door neighbor has emailed you personally on several occasions within the past two years and in talking to two of the residents when I got the petitions, they said they were before this Mayor and Council at least twice in the last four years.

Mayor Massa – it's possible, I know that they may have been here as far as emails, I don't recall getting any emails but that's another problem we have. Just let the people know down there when they want to contact the Mayor's office to call 9916060, speak to our secretaries so they can get me directly.

Ray Martin – well I appreciate it and like I said I just hope it doesn't take another four years.

Councilman Hughes – comment on that as far as who owns the property. Resolution 105 which is on tonight's agenda is finally transferring the ownership of that property to the borough of North Arlington.

Ray Martin – great, now you can fix the fence.

Councilman Hughes – apparently this property was tied up for years as part of the Encap Cherokee thing so the ownership of it was not quite clear but now it's been transferred to North Arlington's ownership as of tonight for when this deed gets filed in Bergen County I believe.

Ray Martin- be a good property owner and take care of your property guys. I appreciate your time and appreciate you reopening the meeting.

Mayor Massa – can you please submit that to the clerk? Motion for executive session.

R-111-11 EXECUTIVE SESSION [resolution was previously read]

INTRODUCED BY: Councilman Kearney

SECONDED BY: Councilman Tanelli

ROLL CALL: all council present vote in the affirmative

MOTION TO RETURN TO THE REGULAR ORDER OF BUSINESS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Kearney

ROLL CALL: all council present vote in the affirmative

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Bianchi

ROLL CALL: all council present vote in the affirmative