

## **MINUTES**

SPECIAL MEETING, WEDNESDAY, NOVEMBER 30, 2011 AT 6:00 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

ABSENT: Councilman Bianchi

### **PLEDGE OF ALLEGIANCE**

### **PUBLIC COMMENTS**

Dominick Deluso, 23 Roosevelt St. The reason I am here and got up from my house saw a tag hanging on the poll from the beginning of the street to the end of the street do not park when there is snow on the street that is totally wrong. The reason why what happen if I go to sleep at 9:00 at night and during the night there is 1foot and 2 foot of snow, do you think I am going to get up and move the car? No. Number 2 the way we are right now people have driveway and nobody park the car in the driveway, they all got them on the street. The way it is now the sunshine you realize when there is snow on the ground there be murder. You people put the tag on the street you take away about 30, 40 parking spaces, where am I going to park I have 3 vehicles, I got a driveway for one car. I got two more cars where am I going to put the other 2 cars, you tell me, 4,5,6, blocks away when I am taxpayer. I don't stay in front of my house at least near my house. I think it is totaling wrong the way it is.

Mayor Massa – No parking when the road is snow covered is that what the sign is?

Mr. Deluso – one side of the street, no parking. Somebody has a bright idea they put tag on.

Mayor Massa – so you are having a problem parking your car when there is a snowstorm?

Mr. Deluso – if you saw they way I have to park the other two vehicles. People have a habit not to park in the driveway and beside that they have a can in the street.

Mayor Massa – it is illegal. It is inconsiderate.

Mr. Deluso – what are you going to do, you can't expect me to go over there and take the can away, no, that is not my job, that you people job. You have to do what is proper here. Do you think I am going to get hurt or killed to do that? No.

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

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Kearney

ROLL CALL: All Council present vote in the affirmative

Mayor Massa – any councilman want to comment on the gentleman’s complaint and issue?

Councilman Hughes – Mr. Mayor if you recall this is an ordinance we done several months back on certain narrow dead end streets around town for snow emergencies. The reason we instituted it was we have been finding repeated problems with the abundance of cars that have been being parked on the streets on these small dead end streets that we can’t get in and effectively clean. What we worked out with our Fire, Police, EMS our DPW people that there was a recommendation that there would be no parking when the streets covered with snow on one side of the street to allow the DPW to get in and effectively clean the street. It is the same as street cleaning, there is no parking on one side of the street there is no parking on the other side of the street. It is not more above and beyond what is already in existence for street cleaning, and what it does it allows the DPW to get in and clean the streets effectively, we were finding with our fire apparatus, our EMS ambulance we could not get into the dead end streets when there are emergency’s during snowstorms. That is the reason we put this into effect. One the road is plowed you can park back there.

Councilman Tanelli – I understand what Councilman Hughes is saying

Mr. Pearce – I am not sure if counsel who just walked in wanted to speak tonight. I did receive a call from Mr. Trank, I don’t want to prejudge what the governing body will do in terms of reopening the hearing, he may not even want to speak, but I know he called me for directions today. I see Mr. Trank came in, so if the governing body is interested in reopening the hearing I think Mr. Trank wanted to address the board, I am not sure.

Mayor Massa motion to reopen hearing of citizens on the recommendation of the Borough Counsel

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Kearney

ROLL CALL: All council present vote in the affirmative

Richard Trank (Attorney), West Orange – we represent Cali Carting. We appreciate just a couple of quick minutes. We did submit a letter on October 31, 2011 after Future Sanitations bid was received. We set forth the issue as you are all aware of from public bidding, it is important that everybody plays by the same rules. The bid specifications said you issued for solid waste collection which are totally in conformance with the uniform specs issued by the DEP required financial statements. It seems to me it is clearly good policy that in this day and age where financial aware especially corporations including American Airlines that filed bankruptcy yesterday is a critical issue that everyone here especially the governing body. There is obviously no important service to the health, safety of the residents then the collection of solid waste. The bottom line is what Future Sanitation gave you in terms of financial statements just doesn’t cut it. Its not the most recent two years, they gave you something dated Friday, February 12, 2010, I haven’t a clue what that is, clearly the documents that they have given you do not conform with the specs, do not conform with the uniform specs that the DEP, and certainly don’t help you evaluate in any way, shape or form to fill this contract. So, our position quite clearly is they are fatally flawed under the Meadowbrook decision of Justice Stein, financial ware with all is a very legitimate concern in any government and based upon that we believe respectfully that Cali Carting is the lowest responsible bidder and should be awarded this solid waste collection contract by the Borough. Unless there is questions I do not need to add anything. We also submitted. Future Sanitation has a result of not only our firm, for other clients they have their suffering judgments’, state tax liens, other issues. Our firm has a judgment on behalf of a disposal sight for \$132,000. Whatever their financial condition you do not want to be their partner, I certainly do not want to be their partner and certainly thinks it raises enough red flags that this Borough be on very strong footing to reject their bid.

Mayor Massa – thank you

I will reserve comment from the council on that issue in light of the fact that we have we will be reviewing this matter later on.

Councilman Kearny – being we reopened hearing of citizens I know that Dominick Caruso had something else to say could we please allow him to say what he wanted to say.

Mr. Caruso – I got 2 cars to park. Snow, 9 o'clock, 10 o'clock, we got 2 foot of snow. The other side of the street that's all full. You take away 40 parking spaces, where am I going to park my car when I see the truck pass, 11:-00, 12:00, 1:00 do you think I gonna move the car. Even if I am up where am I going to put those cars to move on the other side of the street?

Mayor Massa – I can't tell you where to park Mr. Caruso

Mr. Caruso – so we got a problem. I am a taxpayer.

Mayor Massa – you don't have a driveway?

Mr. Caruso – I got one car driveway. I got three cars. Where am I going to put the others? Right now if the sun shines outside you can't find a parking space because people do not use their driveway. Can you realize when there is snow?

Mayor Massa – That is what I tried to say before, people have to cooperate

Mr. Caruso – right now they have tow, three cars on street. I can't tell those people to put the cars in the driveway. That is not my business.

Mayor Massa – Do you want the police department to order people to put their cars in the driveway?

Mr. Caruso – they can't do it.

Mayor Massa – do you mean that people in that neighborhood don't talk to one another?

Mr. Caruso – I don't have the guts to approach you. You got to put your car inside, “who the hell are you”?.?

Mayor Massa – I am going to make a recommendation to the Community Relations police department take a look at this.

Mr. Caruso – I will not move my car when there is snow, where am I going to put it? I put it on my back? To make the rule is easy, but to follow that's hard. If you want to stop over for coffee I show you the problem.

Councilman Hughes – We have been having a lot of difficulty plowing these streets, cannot get the plows down the street there is not enough room. Everybody piles the snow in the street. We keep hitting cars right and left and we can't have our guys getting into accidents all the time. You have to give us a period of time to work to clean the street and also emergency apparatus.

Mr. Caruso – nine, ten years ago there was no problem.

Councilman Hughes – ten years ago everybody had one car or two cars, now everybody's got three or four cars.

Councilman Hughes – how do we regulate that? If you call the residents on your street and agreeing that we do not plow the street and let you have parking on both sides during a snow storm?

Councilman Hughes – Mayor, how many motor vehicle accidents are we getting into on a regular basis?

Mayor Massa – this all costs the taxpayer money. I do not want to belabor the issue, I think the council president and myself have tried to explain our policy position. What I am going to do on my own emotion is have the Borough administrator put together a letter to all the people down in that neighborhood and maybe we can have a community meeting with some of the folks and thrash this thing out and this way if they want to holler at somebody they can holler at the Mayor. Winter is upon us and a few weeks ago the end of October we had a heck of a snowstorm and we will probably have a few more. If the people in the neighborhood would

cooperate with one another I think that might solve some of the problems. After that there is nothing I can tell you.

Mr. Caruso – there is three houses like mine with one parking space. I saw the sign two weeks ago.

Mayor Massa – the sign is there to give notice to the community of the Ordinance and in fact if there is a violation of the Ordinance any violators will be subjective to a summons.

Mr. Caruso – do you think that is fair to me?

Mayor Massa – I can't be the judge of what is fair and not fair. If you get a ticket you can always come in front of the judge and plead not guilty.

Councilman Hughes – Mr. Wall had asked somebody to come from Real Good Solar. Do we want to hear him now Mr. Wall?

Mr. Wall – If you have, you came from Connecticut?

Audience member – Rockland County, New York

Mr. Wall – basically there is no action required this evening because we have a meeting coming up December 8<sup>th</sup>, but part of the project as far as the roof program down at the firehouse, we additionally included solar. We have gone through a process trying to secure cost effective quotes that meant the needs of the community as it relates as to what can fit properly on the other building down at the firehouse off Schuyler. Met a gentleman from a large successful solar company and so if you can give him a few minutes he can tell you what his concept is and what he saw and there is not action required tonight. If you have any questions about solar we can get them answered this evening.

Mr. Wall – Neil please come up if that's OK Mr. Mayor?

Neil Weiss, Real Goods Solar, 2 Early Drive, City of New York, 10956 – I represent Real Goods Solar. Every person who deals with Solar in our company is an employee. We are the largest residential and small commercial solar company in the country. We installed over 14,000 solar systems around the United States and the bottom line is you have a roof that is perfect for solar and you can offset upwards approximately 80 to 85% of your bill there plus generate an income which will have the ability of having a pay back any where from 5 to 7 years at the most. Real Good solar basically no third party contractors and we are licensed in every State we are represented in and anybody who represents any of your houses or commercial will basically be an employee of Real Good Solar. We are licensed in NAPSA which basically means that we are licensed by a certain organization for PV installations. As for myself I am certified as well, so I am required by certification to present to you and any client a quote that fits the criteria. I cannot go over a certain amount of either percentage or I can't do anything wrong because my work gets checked basically by the State.

Mr. Wall – If you can explain your proposal the one that is suitable for the sight and explain the proposal just briefly and also discuss SREC and how they work and they benefit the municipality.

Mr. Weiss – there are two proposals. One that I was given a request to do 7.5 kilowatt proposal and what I did is I looked at the sight, took a photograph of the meter then came back here and I actually have a copy of a bill is for that building. Based on the bill that I received, the bill actually is showing that you are actually your usage there is 13.8 kilowatt hours per annum and 7.5 would only actually satisfy roughly 54 to 56 percent of your actual usage. We were actually able to put together a proposal that actually is going to be roughly 11 kilowatts for your system. It will actually satisfy over 85% of your actual uses. Now the SREC in New Jersey for every kilowatt

Mr. Wall – can you define SREC?

Mr. Weiss – an SREC is a solar renewable energy certificate in the State of New Jersey, there is something called the ACP which is the Alternative Compliance Payment and what this is, is every utility needs to produce a certain amount of energy from a renewable source. If they can't produce that much from a renewable energy source, they need to go out into the market and purchase SREC to meet their requirement. As of this year they have the ability of meeting that requirement. Now in two years time the State actually increases that production over a certain percentage and what they are doing next year they are actually increasing that percentage on a dramatic basis. As we sit here now SREC (solar renewable energy certificate) are sitting at approximately \$200 for SREC. At the end of next year 2012 which will then be the 2012-2013 year you find that the SREC production is going to increase and it probably will be going up to around \$300 - \$400 per SREC. The quote that I gave you was actually sitting at \$200.00 for SREC. Those SREC's can then be sold out on the market for the next 15 years and what we put together is any solar energy system should actually include an SREC production. Now there are two different ways you can go down the way that I am suggesting is, there is one that is a PPA where the solar installer or the finance company keeps the SREC's and charges the actual system per kilowatt hour per rate. The other way is you purchase the system outright and you actually have the ability of selling SREC's. The system that we put together any good solar installer should put together, basically we are actually showing that on one of the systems that I put together here, you should be saving roughly at least \$1,000 per year on that system. With the production of SREC's of 11 SREC's a minimum that's actually producing \$2,200 based on \$200.00 per SREC plus a thousand so you are really looking at over three and a half to four thousand dollars per year on both making money and saving money on that system. Once the alternative compliance increases to around \$300.00 to \$400.00 that will then accelerate your pay back which is where you have a 5 % paycheck on this on a system that is correctly sized for your roof. Also, we will actually guarantee and warranty the entire system, anything that goes wrong with it we will correct it and generally the systems that we are putting in, we suggested the larger size system. Everything is American manufactured, its sharp modules that are American made. Everything on there is basically American manufactured.

Councilman Tanelli – Let me see if I can explain it. My question that's how bad this is getting. I am curious, you are saying that your system the 11 kilowatt system that you designed will satisfy 80% percent usage of that building.

Mr. Weiss – approximately 80 to 85%.

Councilman Tanelli – and then Walsh be able to sell of the certificates at the very end, we are only going to save \$3,000 from that building?

Mr. Weiss – that is as we sit here now and what you are actually looking at the SREC's as 11 SREC's minimum because that is what we are going to guarantee. We probably when we put together a quote we usually have, we take the production of what it is and there is a total that everything installer needs to use and its called PDWATTS from the National Renewable Energy Laboratory and the nearest base that they take the average over the last 25 years is in Newark, NJ. What we done is taken that production that they are guaranteeing that the system should produce, and we are actually taking what the system will produce and we are reducing that by 10%. So when we say that is it going to produce a minimum of 11.1 kilowatt hours per annum that is acutallythe minimum of what it will produce, probably in all honesty we will be producing any where from 11.5 to 12 on an average basis. So taking that \$200.00 per SREC and multiply 11 x 200, that is \$2,200, savings of \$11,000 acutally it is really about \$1,800 per (inaudible). Now, I am keeping that \$1,800 as we sit here now, if PSE&G does not raise rates for the next 20 years and keep those rates at 18 centers per kilowatt hour. We all know that PSE&G is going to raise rates, in the first year you will be saving at an income of \$3,800.00, conservative end \$3,500.00. When the alternative compliance target goes up in 2013 that will be a very large jump with utilities and they have a minimum requirement that they need to pay that will turn to compliance will be roughly about \$550.00 and on the open market those SREC's will actually be a minimum we are anticipating between \$350.00 and \$400.00, I am actually thinking that it is going to be a little bit more so lets say even if I am keeping the rates at \$200.00 over the next fifteen years, your payback is roughly about 8 – 9 years. Once it jumps up to \$350.00 - \$400.00 per SREC so \$400.00 per SREC times 11 is \$4,400 in two years time and it should remain in that market for at least five years that basically makes your return on your investment roughly about 5 – 6 years.

Mr. Wall – the investment would be \$35,000.

Mr. Weiss – the investment being \$35,000, yes.

Councilman Hughes – you said you recommended one way of doing one where we either buy it outright and one where we lease it?

Mr. Weiss – one way you are leasing it, but you are not able to cash in the SREC's that goes to the leasing company.

Councilman Hughes – what is the benefit of that?

Mr. Weiss – the benefit of that you basically have a very low out of pocket expense up front, but what you are still doing is paying both PSE&G and a per kilowatt per hour rate with the leasing company and that could conceivably be a fixed rate and that would be anywhere in the regional anywhere from 10 cents to 12 cents or even up to 13 cents per kilowatt hour for the next 20 years but you are not able to get the SREC's on that. There are pluses and minuses both ways, what I am thinking from your standpoint is actually much better to buy it outright because you are in control of your own system now. Also, one of the benefits when I went by the firehouse I met up with the Chief, what we are able to offer is any resident who is a member of the core or any other fire station, the police force, or the ambulance, anyone who decides then to take on a system with us, we are going to be offering the Township of North Arlington \$250.00 per system that the resident takes with us, that goes to North Arlington after the first five systems from 6 systems up to 15, its \$500.00, anything over 16 and over the Township of North Arlington get \$1,000.00 based on the system that the customer is purchasing from us.

Councilman Hughes – is that per system?

Mr. Weiss – that is per system

Councilman Johnson – Mr. Weiss, we want to get to the nine year period because that is when the system is fully paid for.

Mr. Weiss – at the \$200.00 per SREC but they will be going up.

Councilman Johnson – so in other words it could come sooner than nine years? My question is in terms of guarantee of your materials, you said that you would come out and fix everything.

Mr. Weiss - with a warranty on the modules is guaranteed for a minimum of 25 years. The inverter I am guaranteeing for a minimum of 10 years, plus what my manager and I discussed today we are willing to extend that out for another 10 years to make a total of 20year warranty on that, so if anything should happen to the inverter, the inverter is the heart and brain of the system, that is basically the only thing. There are no moving parts, its all circuits and its basically moving electricity in and out. The thing that is most likely to I don't want to say break down is the inverter and that's around the 15 – 18 year mark. Modular's have a 25 year warranty based on the production of it, and usually if the modular will go out it will happen in the first year, you will be another thing with my system, the mono-crystalline on this system, where there are two different type of mondulars, there is modular and there is poly. Polycrystalline is made up of lots of patch work, you will see some modules that are patch work inside the moduclar. Mono is one whole wafer cell of one entire, its literally one entire cell and basically what that will create a more efficient module and if something is going to go wrong it will be in the first year, we will come out and completely replace it free of charge. Once is reaches the 18 month mark its going to be there for the next 35 – 40 years.

Councilman Johnson – that is my main question. You get some company in and they say well our panels are guaranteed for five years but we are not going to reap a profit off of the system untill nine years.

Councilman Tanelli – We thought about this for a few years now and kind of building on what Councilman Johnson was saying. They say that a lot of them recommend leasing because the industry changes so quickly, so that the solar panels that you put on our building maybe outdated

in two years. What would be the benefit in keeping that system in tact versus leasing it and not only the equipment and then being able to upgrade and get the new and latest equipment?

Mr. Weiss – I hear you. When you take a system out now and you do it under the leasing one of the terms that is in there is basically we will replace modulars that not working up to spec as per when the system get installed. If you then start changing modulars you are then going to start creating a patch work on them, I don't think you are going to find any installer that's going to replace an entire system. You will find is if you are purchasing an entire system what we are going to do is we are finding that we are organizing and ordering in number of modular's in this time from say from January to December of this year and next year we are going to be ordering a huge consignment of the same modular's, where as a smaller installer will then have to keep on going out to the industry and start buying patch works. You will find that this system that you are going to be having is going to pretty much the same system that will be in place 5 to 10 years. I know what you are saying but the leap in terms of the innovation in modular's is not great, we are talking efficiency ratings anywhere from 15 to 19 percent, we have been at this rate for the last 5 to 7 years. For you to move over 20% you are talking major additional expenditure and in technology unfortunately its just not there yet.

Councilman Hughes – in essence on a leased system they don't come in and replace the whole system, they just replace what is broken.

Mr. Weiss – they just replace what is broken.

Councilman Hughes – is there any maintenance on this sytem that the town would have to do?

Mr. Weiss – there is absolutely nothing that actually needs to go on, because there are not moving parts, all the wiring because we use a dual racking system which basically means that the modular's are set up up on one level, all the wiring is set up on another level, so the biggest thing that you find with certain systems, you will find animals make chew through some of the wires, but because of dual system that we use, they are actually literally snapped inside, no moving parts. Int terms of maintenace, if we were in the middle of Arizona where we have a lot of sun and maybe some dust but very little rain you may need to wash the modular's down, but because we are in an area where this is actually a lot of heavy duty rain sometimes, there is really nothing. At that sight there is not trees over there, just one evergreen tree that may be needed to be topped every once in a while to get the full efficiency, but there really is nothing that needs to be fixed on it at all.

Councilman Hughes – can you walk us through the process of selling SREC's. If the town were to buy the system outright how are these SREC's generated, how do we get the certificates, how do we sell them?

Mr. Weiss – every kilowatt that you produce you get one SREC.

Councilman Hughes – from where?

Mr. Weiss – It comes from the basic on when it comes in from the sun, it comes in a direct current and hits the modular's that's where the inverter comes in, all the system and the way we designed it is that we actually got four, five strings on there. You are actually purchasing one whole system, but you are actually getting five separate rays. Lets so one ray has an issue where you have either some shading or some kid throws a rock up there, that one modular could conceivably both on a parallel and on a serious basis make that one ray have less production. Now, because of that all those different rays that we constructed and it is actually a redundancy and a protection for yourselves goes into a combiner, that combiner box all combines into one main string that goes into the inverter. The inverter will calculate how much production you are actually producing. It then goes into the meter. The meter will actually be a digital meter, you will see the meter running backwards, it is very intense to see the meter running backwards. Once the meter is running backwards you are making production that if you are not using at all, you are actually sending it back into the grid. Once it comes back into the grid you are still producing electricity and if you are using all the electricity you are actual getting to an equilibrium. If you are producing more that you are actually using you are getting a credit from PSE&G. That credit will then be at nighttime when you are not producing SREC's goes back into the property but you are not paying for that, so because you are not paying for it, you are

using your own electricity that you put into the grid. There may be some points in the winter where it is shorter days, it may be more cloudy that you may be needing to pull off of the grid. Now, those SREC's that you are producing whether you use it, whether the building or the township uses that production or it goes into the grid you are still getting it. Based on NJBPU you are required to set up an account with PJM GATS which is a clearing house. It does not cost you anything to set it up. You will then need to find a broker, I could walk you through a list of approved brokers that NJBPU or you could find your own its perfectly up to you but they will have a list of acceptable brokers that you can then sell to. What we are finding is that a lot of municipalities are joining together to create a larger basket on SREC's. If you were just to go out and sell your five SREC's per quarter or two SREC's every quarter because they come out to you every quarter, I personally would suggest to a client wait half a year or wait a year, join forces with other municipalities. I will send an email over to Mr. Wall tomorrow to show you the most recent sales that have happened with SREC's production and you find that townships are joining forces together to put all their SREC's into one basket. Utilities are trying to get the most amount of SREC's as fast as possible and that is where you are really looking at. If you have someone in your local township that is a broker I can almost tell you, you probably do, so you may want to find someone there. There are some installers that are saying the SREC's are non taxable, but because you are a municipality you will not be paying tax on it, they are taxable but you do not get certificates from the broker saying that this is a taxable income. If you go on to PJM GATS they will literally talk you through it.

Mayor Massa – wehre in NJ is this in operation?

Mr. Weiss – Sparta, NJ,

Mayor Massa – you said that the municipality would get a fee if residential units signed on?

Mr. Weiss – even with other building that you want to do, we would be more than happy to give, it is more or less a finder's fee. Every installer does it, we are willing to make it accelerated as ore people join on. We are going around to some homes in the area, and be willing to come forward and work with you.

Mayor Massa – based upon the electrical capacity of this facility on our building, how many residential units feed in North Arlington?

Mr. Weiss – If we put all on there. NJ only allows for the meter that is on the building to actually service just that particular meter. We have to put a system on per meter basis. The average household in this area, you are talking any where from 5 – 10 kilowatt hours per year based on house sizes and based on the grid that you have in this area.

Mayor Massa – How many households could this system feed?

Mr. Weiss – This system can feed this building only. We can talk to Public Service about this and do this under a net metering rule, that will be the next stage of what we can move on to. Net metering can then be if you are meeting your full capacity and you have access usage on this you can then off setting other meters. Germany has a feeding tower and I will send this to Mr. Wall, and right now Germany is a electricity exporter. A feeding tower is the amount of energy that you put back into the grid you are actually getting a fee for that. It is halfway between the retail rate and the wholesale rate.

Councilman Kearney – How long have we been at a 11.1 kilowatts being able to harness that amount of kilowatts?

Mr. Weiss – you are using up 13.8 kilowatt hours. Based on the last 12 months of your usage. I can work with Trish downstairs and I can ask for the previous bills.

Councilman Kearney – I am asking you the solar systems are able to harness you are saying approximately 11.1.

Mr. Weiss – that is keeping underneath the \$36,000 level based on this bid. You can put more on there.

Councilman Kearney – but the bid would go higher.

Mr. Weiss – the bid can go up higher.

Councilman Kearney – do we have any information on the intelligence about this, how many kilowatts we could get?

Mr. Weiss – the kilowatts you can owe and produce on the roof is 13.8, that is the most you can produce based on what your usage was and that what NJ law only allows. I looked at the roof line you have another fire station over there, you have a lot of places that can go solar here guys.

Councilman Johnson - Construction Management question. We are going to put a new roof on that building. Do you put the solar first?

Mr. Weiss – put the roof first. You have to remember when you put a solar system on the roof it actually extends the life of the roof as well. It is not being hit with all the elements as if it were a naked roof.

Councilman Johnson – would you have to work in conjunction with the roofer or put the roof and then your guys come?

Mr. Weiss – works better if you work in conjunction them, then we are able to look at the joists in the rafters inside on the roof. You can work with a virgin roof. Generally my rule of thumb is anywhere from 12 to 15 years is actually the top end where I would put a solar system. Anything from 12 to 15 and below your gold.

Councilman Kearney – I wanted to go back to building on what Councilman Johnson and Councilman Tanelli were asking you about the system possibility it becoming outdated somehow with regard to technology. I don't know where you are by state law the most we can get is 13.8 and you saying that is possible for a different denomination of money with regard to a bid to obtain that.

Mr. Weiss – you are talking a long process then.

Councilman Kearney – OK, my question is before we are able to achieve this I am trying, I do not know anything about solar energy, I am trying to gauge any future decision making. I would like to know where were we before harnessing this, how could this technology, you are saying it is a very slow process where we are 19 to 15 percent.

Mr. Weiss – at the top end, those are modulars are extremely expensive. For example the quote that I have in front of you is 4.10 per kilowatt hour. When you are talking those modulars that are higher efficiency rate, you are talking \$6.00 to \$6.25 per watt. Now, last year these same modulars were roughly we are talking sharp modulars 235's. Last year we are really talking 220's or 215's, so that is as slow as it is going. There are modulars up there that are doing 250, but again they are much modulars which take up more surface area, so you can't get as many modulars up there. There is always balance between the size of modular, the roof space, and how much kilowatt usage you got, that is where the balance comes in. Also, we like to engineer it so that it is not just one whole system, so that if one part of the ray goes out the whole ray goes your building in redundancy so because of that you are not ever going to be at a loss of generating those SREC's.

Councilman Johnson – I am just afraid at being at a loss if there is a technology jump all of a sudden.

Mr. Weiss – You are talking at least 7 – 12 years at the earliest where we will be making that large leap. We are at the same technology that we were back in the ninety's. It just that the modulars have gotten larger and more efficient but it is not huge leaps. It is unfortunate that is the only way you can get energy out of a cell.

Councilman Tanelli – you basically said that most homes are between 5 and 10, so the fire department uses more kilowatts than an average single family?

Mr. Weiss – my experience is, is that a lot of homes in this area you have a lot of people who are out during the day that are not really using the electricity, it just happen to be that this meter is just reading 13.8. We can do a free energy audit, you should actually be using LED and CFL's in the building. I really did not get a chance to look to see if you are using regular light bulbs, what type of energy usage, type of heating that is there. There are a lot of energy saving that you can make in that building, but the law is basically saying you can change all the light bulbs to a complete energy audit in the entire building you can down to nine but you are still only, your using the last twelve months usage, you are actually ahead of the game at that point.

Councilman Tanelli – so would the price tag for residential be the same as pretty much as we are paying?

Mr. Weiss – your talking around the same. There may be certain things to be used in a home because your roof here is so good there are homes that will have a different east – west aspect which won't produce as much. You are looking for that south facing roof, that 180 degrees, yours is sitting at about 200 degrees which is pretty good.

Gary Giordano, Wilson Place, North Arlington – Can you just explain to me about benefit if a resident signs up?

Mr. Weiss – My manager and I are know what we are doing is going around and putting leaflets like this. The residents of North Arlington still do decide to take up the solar, first and foremost we are going to give them three months free of electricity before the system is installed. We are also going to give them a \$1,000, basically lower the system cost by a \$1,000. There are very few trees in your area and this actually a perfect area for solar.

Mr. Gordano – is the town going to get the credits for the 612, 20 and the whole nine yards, the residents with the \$1,000?

Mr. Weiss – there will be two sets. The township can benefit but also if a resident gives a referral they will also benefit.

Mr. Giordano – why don't you talk to your manager and the people and say if the town people join in the town will get the same benefit?

Mr. Weiss – that's what we are talking about that promotion.

Mr. Weiss – what had happened was the alternataive compliance was at a certain level. If you go on the NJ Clean Energy website you will see actually the percentage of each year of the amount that needs to be produced by a renewable energy source by the utilities. This year from last year was the smallest increase. Next year and the year after there are two large jumps. Because there has been so much solar by solar farms that have been installed over the last 18 months the utilities have met their minimum requirement. If they do not produce a certain amount of what they are suppose on renewable they have to pay a fine. That find is the equivalent of roughly what the SREC's are. The fine is say \$250.00 they are going to pay you \$200.00, they are going to try and save that little extra money. Next year and the year after there is a large jump of the amount of percentage that they need to produce. Percentage will increase the amount of SREC value.

Cerone – 48 Biltmore Street – They just took a tremendous drop. What you are talking about does not bring it back to what they dropped from.

Mr. Weiss – You have to remember when they were originally at 600, 650 the alternative compliance payment was at a very large gap, once they met that gap, it then dropped but caused the percentage that they need to produce is climbing substannally higher from 2012 to 2013. When you go to the NJ clean website, you will see the SREC's and the alternative compliance payment schedule plan, this year was the lowest increase that they had over the last ten years.

Mayor Massa – Do you have any literature you can give these people?

Mr. Weiss = they can go on the webstie New Jersey Clean Energy.org

Mayor Massa – if the citizens of the community had questions they would be able to get those questions answered?

Mr. Weiss – Yes

Mr. Cerone – my major concern is that when they were at \$600.00 people were making some the money back to cover the cost of the installations and equipment. Now, that the SREC's have dropped and as this gentleman said they certainly are not going back to what they were at when this whole thing was put out to the people. If we were to put solar in our town now it would take us three times as long to recoup our money for the equipment and the installation then it would have a year ago, so where are we actually show any kind of gain by doing it?

Mr. Weiss – I know exactly what the gentleman is saying. Here is the thing. NJ has the highest SREC value in the nation. If you were to look at the SREC values of other states such as California, Texas, Oregon you are looking at \$36.00 but that is because the other states do not have the same requirement as they do in NJ. Governor Christie has basically said he is behind this and he has continued to continue this until 2025. If you look at what the utilities need to produce it is a huge jump, there is no way they will be able to meet that demand. It will not go up to the 600 value.

Bob McClintock – 198 Rutherford Place – are we spending any money to shore that roof up or will it hold the panels as it is?

Mr. Weiss – they will hold the panels as is. Imagine like a snow shoe because what it does it disperses the weight of the entire thing and these modulators do not weight as much as they look. roof can currently hold it.

### **MOTION TO CLOSE**

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

Mayor Massa – Motion to suspend regular order of business regarding contract matters

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Yampaglia

ROLL CALL: All council present vote in the affirmative

Mr. Wall read the Executive Session Resoluion, Resolution 276-11

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

Anticipated or pending litigation

Contractual matters that fall under attorney/client privilege

“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.

INTRODUCE BY: Councilman Hughes  
SECONDED BY: Councilman Johnson  
ROLL CALL: All council present vote in the affirmative

Mayor Massa motion to return to the regular order of business

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

### **RESOLUTIONS ON CONSENT**

R-274-11 RESO RE: PER DIEM EMT'S

R-275-11 RESO RE: CONTRACT FOR LOWER ROOF REPLACEMENT AT SCHUYLER  
FIREHOUSE #2

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

R- 276 -11 RESO RE: EXECUTIVE SESSION

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

Mr. Wall – We have three additional items

Contract Solid Waste and Recycling  
Solar proposal  
Professional Services

Would you like to take them in any specific order Council President?

Councilman Hughes, by number

R-277-11 RESO RE: CONTRACT SOLID WASTE AND RECYCLING COLLECTION

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

**WHEREAS**, the Borough of North Arlington is in need of solid waste and recyclable collections services; and

**WHEREAS**, by way of Resolution R-140-11, the Borough Clerk was authorized to advertise for the receipt of bids for solid waste and recyclable collection services; and

**WHEREAS**, pursuant to New Jersey Local Contracts Law (N.J.S.A. 40A:11- 1 *et seq.*) and N.J.A.C. 7:26H-1 *et seq.* the Borough published the required specifications and a request for bids; and

**WHEREAS**, a total of five (5) bids were received and a public bid opening was conducted on November 4, 2011; and

**WHEREAS**, the bid specifications published by the Borough requested bids for contracts of one, three and five year durations, for three separate solid waste collection schedule options and for an option whereby the Borough would own and market the collected recyclables and for an option whereby the hauler would own and market the collected recyclables; and

**WHEREAS**, in accordance with the specifications published by the Borough, the Borough has the option to award the contract in any form it chooses including for one, three or five years and with the solid waste collection schedule option it deems the most beneficial to the Borough and with the option with regard to the ownership and marketability of recyclables which it deems most beneficial to the Borough; and

**WHEREAS**, in accordance with the specifications published by the Borough, the Borough has the option to award one contract for both the collection of solid waste and the collection of recyclables or two separate contracts for the collection of solid waste and the collection of recyclables; and

**WHEREAS**, the Borough has reviewed the bids submitted and determined that there is a bid utilizing the options it deems most beneficial to the Borough which is the lowest responsive and responsible bid in accordance with N.J.A.C. 7:26H-6.8; and

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Council of the Borough of North Arlington, Bergen County, New Jersey, hereby awards the contract for the solid waste and recyclable collection services as follows:

**Solid Waste Collection**

Contractor: Cali Carting	Amount: \$1,248,000
Collection Schedule: Current	Duration: 3 years

**Recyclable Collection**

Contractor: Cali Carting	Amount: \$474,000
Marketing Option: Hauler Markets	Duration: 3 years

**BE IT FURTHER RESOLVED** that such award shall be subject to the certification of availability of funds by the Chief Financial Officer; and

**BE IT FURTHER RESOLVED** that the Chief Financial Officer shall certify as to the availability of funds; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Tanelli

Mayor Massa – there has been a great deal of deliberation on the part of the Council and myself with respect to these proposals. The municipality in the interest of the taxpayers had some very complex specifications for these proposals. One proposal was for a one year contract involving solid waste collection with three different schedules and solid waste collection with two schedules. Second proposal was for three years, with solid waste collection with current schedule, alternate schedule, recycling schedule involving all the markets and town markets. Third proposal was for five years. Based upon an evaluation of the economic impact to the taxpayers and based upon an evaluation of a better responsibility and based upon an evaluation of what is most compliant with the law of course the council has made a determination to enter into this agreement with Cali Carting, based upon a three year contract.

Councilman Hughes – I think we need to have the Borough attorney comment on the fact that the actual low bidder for this was disqualified because of the fact that they did not meet the common bid specs, so maybe Mr. Pearce can explain that.

Mr. Pearce – for the record the bidding process requires when the Mayor and Council chooses the option being most beneficial to the Borough that the option be awarded to the lowest responsible, responsive bidder. Having reviewed the application, the bid submitted by Future,

it is my determination, my opinion clearly that the bid specs required the submission of the most recent annual report as well as financial statements for the most recent two year period. The bid submitted by Future did not include the financial statements for 2010 only for 2009 and a balance sheet dated, February 12, 2010, I am not sure why that was submitted with a strange date, but the bid rules and particularly the NJAC which governs this particular area provides that failure to comply with all requirements in the bid specifications shall result in disqualification of the bid proposal. It is clear from the application of the bids submitted by Future that they are not a responsible, responsive bidder and therefore the option chosen by the governing body of the three year contract done by one provider, lowest bidder for that particular option was Cali Carting and so therefore we are in compliance with the bid rules.

Mayor Massa – thank you

Councilman Hughes – I think it is also important to point out that everybody did a good job sharpening their pencils and one thing we have been able to establish is that the bid that was submitted by Cali Carting looks like it is going to save the Borough over the three years about \$280,000 what we are currently paying now to get rid of our garbage so that is a good thing for the residents of North Arlington saving about \$80,000 or \$90,000 a year. One of the few areas that we get consistent compliments about in North Arlington is the fact that they are very happy about their garbage collection. Cali seems to do an extremely commendable job and some of the other departments we get compliments on but we consistently get a lot of good compliments about the work that Cali Carting does, so I am kind of glad they really were able to come in with a substantially low bid.

Mayor Massa – besides the compliments we get no complaints or minimum complaints. Obviously all these company's that bid are very respected company's in the waste collection and the recycling business and it is on the record by the Borough Attorney our reasons for disqualification of one particular contractor.

Councilman Tanelli – I would like to commend our Administrator Mr. Wall and Mr. Pearce because these are long drawn out processes that take a lot of man hours to weed through and come up with the legal opinion that they guide us with and I would like to thank you guys. One of the commitments that this Mayor and Council as far as I am concerned has done for the last two years is we are really making a conscious effort that everything we do is a cost saving measure and while we are back there playing with numbers for the last 3,4 days and we are in the backroom and we are throwing every single scenario up on the bulletin board to see what kind of savings we can generate for the taxpayers in this community which is our responsibility I think it is a great day when you can enter into a three year contract and save close to \$100,000 a year for each year for the life of the contract I think we did a great thing tonight with the savings and hopefully this is the way this Council is going to move through the remainder of the year, we are going to continue to find substantial cost saving measures to transfer the saving to the taxpayers. Thank you Mr. Wall.

Councilman Hughes – I concur with Mr. Tanelli's comments. I think we did a very commendable job and a very long tedious process.

ROLL CALL: All council present vote in the affirmative

John Cali – can I say just one word. I would like to say thank you to the Mayor and Council and just let the town know that we are going to continue to give you the service level that you require and that you deserve. On behalf of myself and my company I would like to thank everybody very, very much.

R-278-11 RESO RE: SOLAR SYSTEM

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Johnson

ROLL CALL: All council present vote in the affirmative

BE IT RESOLVED that a proposal in the amount of \$35,624.00 for Real Good Solar for Solar Program installation at the Schuyer Firehouse, 550 Schuyer Ave, North Arlington is hereby approved;

The CFO have certified that the funds are available

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Johnson

Mayor Massa – I just want to commend Councilman Hughes for his diligence in the last year or so that I can recall in moving this project forward.

ROLL CALL: All council present vote in the affirmative

Mr. Wall - R-279-11 RESO RE: SOLICITATION OF PROPOSALS AND QUALIFICATIONS FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of North Arlington wishes to retain the services of the following professionals for calendar year 2012:

BOROUGH ATTORNEY  
BOROUGH ENGINEER  
PLANNING BOARD ATTORNEY  
ZONING BOARD ATTORNEY  
CONSULTING ENGINEER  
PLANNING BOARD ENGINEER  
ZONING BOARD ENGINEER  
BOROUGH AUDITOR  
BOROUGH PROSECUTOR  
ALTERNATE BOROUGH PROSECUTOR(s)  
PUBLIC DEFENDER  
BOND COUNSEL  
BOROUGH PLANNER  
RISK MANAGEMENT CONSULTANT  
PUBLIC RELATIONS  
INFORMATION TECHNOLOGY AND WEBSITE SERVICES

And any other professional services that may not have been mentioned here.

Councillman Hughes – did you mention Borough Engineer?

Mr. Wall – I did

Councilman Hughes – I believe that we are in the middle of a three year contract with the Borough Engineer, that may not be necessary.

Mr. Wall – to the extent that there is a pre-existing contract, that contract will apply.

Councilman Hughes – We did consulting engineers but I don't think the actual Borough Engineer position is available for appointment this coming year. I think we appointed them in January , 2010.

Mr. Wall – so noted. The Mayor and Council may supplement or delete from this list

WHEREAS, the Borough intends to receive and review Requests for Proposals and Qualifications simultaneously; and

WHEREAS, the Borough intends to appoint said professionals upon receipt of Requests for Proposals and Qualifications; and

NOW THEREFORE BE IT RESOLVED that the Borough Administrator is directed to advertise for Request for Proposals and Qualifications for said positions in accordance with New Jersey Local Public Contracts law (N.J.S.A. 40A:11-1-20.4, et. seq.)

BE IT FURTHER RESOLVED that the Requestes for Porposals and Qualifications for said positions shall include a requirement that all respondents certify as to compliance with all Sate and Local "Pay-to-Play" laws including the Borough of North Arlington Pay-to-Play Ordinance enacted by the Mayor and Council of the Borough of North Arlington on Febraury 10, 2011.

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

## **ORDINANCE**

### **FIRST READING OF ORDINANCE**

Mr. Wall - ORDINANCE NO. 2091

AN ORDINANCE TO AMEND CHAPTER 25 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED "EMERGENCY MEDICAL SERVICES"

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Tanelli

Mayor Massa – Perhaps the clerk will give us a capsule on this, thumbnail sketch of what the ordinance involves.

Mr. Wall – The ordinance involves maintaining parity between our Emergency Services and Fire Services in relation to allowance.

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

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