

MINUTES

REGULAR MEETING, THURSDAY, OCTOBER 27, 2011 AT 7:00 P.M. OR AS SOON THEREAFTER AT BOROUGH HALL

OPEN PUBLIC MEETINGS ACT.

BOROUGH CLERK: this meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Mayor and Council.

ROLL CALL:

COUNCIL MEMBERS: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Tanelli and Councilman Kearney

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS

Bob McClintock, 198 Rutherford Place – FEMA reimbursement for \$18,963 was that for the snow? On page 17 I see we received a few grants, one was the Cops grant, one was the Fire Department Savor for \$104,000 what are they for? On page 22 under General Government functions I see the administrative salary and wages it jumped from \$214 to \$245, thirty one thousand dollars I thought that was a little high, maybe someone could explain that. On page 19 the Interfund receivable I believe that is revenue, its says from other trusts, \$188,000, I really don't know what that is if someone could explain, I don't know if the town has trust accounts or trust funds, and on page 23 with the legal services engineering just I see two different things, I see like \$65,000 amount and then \$125,000 what is each one. What do we get for one and what does the other entail that's not, I just see that every year where, I am just curious to know what that is, like with the engineering is \$60,000 for everything or is there additional things and that just a salary, and with the shade trees, I did a few years. 2007 we spent \$19,000, 2008 we spent \$24,000, 2009 we spent \$33,000 last year we spent \$67,000 almost \$68,000 that double. I think that is a lot of money, I just feel we need to cap that at a certain amount, stick to it. I don't know what criteria used to take down a tree or something like that but almost \$70,000 that kind of high for me. On page 27 the public works function it just says other expenses, I was assuming that was the budget was \$200,000 was allocated but we went to \$238,000. Under public works function we have building and grounds it did not have anything under salary but other expenses we had \$195,000 and we spent \$227,000, so I don't know what the other expenses are for the public works function, if that budgets, but under building and grounds, I don't see any salaries but I see other expenses. So if someone can touch on that if they know anything. On page 28, the dog warden, we spent \$25,000 a year on other expenses. I don't know what that is if someone knows and call tell me. Every town in Bergen County pays that, but if every town in Bergen County pays that, there is 67 towns at \$25,000 a town I don't really know what it is, that \$1.2 million dollars for that. One page 49 a capital improvement fund I see we put \$50,000 in there, is that for future improvements we plan on making, I didn't see any last year but is that something we started or what that \$50,000 would be used for and just curious to know what our town debt is at this time, where we stand. I did OPRA a copy of the bills list for 10/13/2011 and on page 5 code 225000, I see here Marinello and Marinello, \$7,300 civil action order with the defendant I didn't really know what that was, I know what a Civil Action law suit is, I don't know if a civil action order is the same thing. I was just curious to know what the situation is with that. That's it gentlemen, thank you for listening to me.

Ann McClure, Riverview Gardens, apt 9I – the first thing I want to say is I want to thank you and the Council for all your well wishes while I have been laid up. You are one hell of a good Mayor and don't let anybody push you out, we need you. Secondly, when it comes to Chief Ghione something I want to see you about after the meeting pertaining to him. I think you can do a little better personality wise the way he talks. Also, there is an awful big change over at the school with the kids, when I say a big change I mean the way the kids are getting along together better. The kids you don't see them out in the playground anymore, I go over there every once in a while because there is a lot of kids over there I know and you don't see these kids flipping cigarettes all over the place, throwing garbage all over the place, throwing cans of soda all over. You don't see that no more. The kids have really tapered down and they're really doing a good job over there. The teachers are doing an excellent job. I think should be made aware of that. The one thing a lot of people are complaining about is over at Queen of Peace parking lot after 11:30 there's nothing the priest can do about it because they're in a [inaudible] coma. I think every once in a while that parking lot over there should be checked out because I took a couple of rides over there myself and it was holy hell with what was going on over there with the kids. Like I

said I haven't been over there for a couple of months now but a lot of people are complaining about it. So if we can get Monsignor [inaudible] I think it'll clear up. That's all I have to say.

Mayor Massa – thank you M'am. What specific problems with the parking lots? Youths [inaudible] causing a problem at QP parking lot?

Ann McClure – it's directly across from the furniture store. They just opened recently directly across right from there.

Mayor Massa – what [inaudible] the problems?

Ann McClure – in fact I'll give you an easy way to get there. You know where the nun's building used to be?

Mayor Massa – sure, the old convent.

Ann McClure – right there.

Mayor Massa – is that where children, youths are causing a problem over there?

Ann McClure – the teachers park their cars there during the day.

Councilman Johnson – the back parking lot.

Ann McClure – it's directly across from the side entrance of the rectory.

Mayor Massa – what is the problem at that location that you see?

Ann McClure – before I never seen the gangs hang out there at night and a lot of people come in they were telling me [inaudible].

Mayor Massa – well I wish that they would call the police when the youths are there because...I'll address it after the hearing...

Ann McClure – twice I've seen them over there but I found out it was because they were just coming back from a party. They had a special party for one of the kids so that's understandable. But it's not an every night deal. You know what I'm saying. But the cops are on patrol out there pretty good. But that parking lot should be checked out every once and a while. And that's it.

Mayor Massa – thank you ma'm.

Ann McClure - By the way it's nice seeing you guys again.

Mayor Massa – It's nice seeing you again. Anyone else?

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All Council present vote in the affirmative

Mayor Massa – anyone wish to comment on the questions on the issues raised by Mr. McClintock? I think in light of the fact that those are very extensive questions, I'd like to refer them to the borough clerk, administrator to review and perhaps he and you can get together during the week if that's acceptable Mr. McClintock?

Mr. McClintock – that would be [inaudible].

Mayor Massa – thank you.

Councilman Hughes – some of them we can answer Mr. Mayor. The FEMA reimbursement is from the December's snow storm of last year that happened after Christmas. As you know because of that lateness of that storm in the year we incurred a lot of expenses that we did not have in the budget; fortunately FEMA reimbursed them but it also led to the fact that we ended up last year with a slight deficit in the budget because we had to pay for the expenses that reimbursement for FEMA was actually reimbursing a large part of that. As far as the grants, the cops grant is \$100,000 that we received to hire two police officers about three years ago. We finally collected the money from the federal government. The savor grant is a FEMA grant that the fire

department managed to collect utilizing for recruitment and retention for training. It's like a whole myriad of things that they're actually utilizing for including the fire department's website and different recruitment things that they're actually doing that to recruit volunteers. Shade tree, the numbers you're looking at for year after year after year we're actually the appropriated amounts. What we actually spent kept going up and up and up every year and largely because of the storms that we were having. So okay dog warden, that's what we pay to the County that's the bill they send us for animal control. It maintains the shelter up there. The care and feeding of the animals. They keep them for I don't know how many days. Hopefully trying to find a rightful owner. Capital improvements that's the amount that we have to do whenever we do a bond. We have to put out five percent down payment so whenever we do any kind of a bonding we have to have money in the capital improvement account to cover five percent of the down payment. And what were some of the other ones?

Borough Attorney Pearce – try to eliminate the need for you to meet with Mr. Wall. Try to answer some of the other questions if I may Mr. Mayor. Mr. McClintock, the legal services engineering etc. they're based upon a preset retainer at the beginning of each year for just ordinary every day work. Coming to meetings doing certain letters and interacting with certain people. When litigation occurs when there's disputes when there's labor negotiations, this is true with the engineer as well you can either have the borough attorney or the engineer do nothing else other than the retainer work and hire outside people where you can have those people do the work and do it on an hourly basis. So both my office and Mr. Neglia's office will do the basic retainer work and bill for things that are above and beyond that. The Mariniello matter that you mentioned Mr. Mariniello sued the borough was successful before a judge in Bergen County very unhappy it made me very unhappy but unfortunately we had to abide by the judge. So those are the issues that I could respond to.

Administrator Wall – and Mayor briefly the item with administratively salaries I was just going to briefly say Katie Moore was moved to full time and her salary will be incorporated in the administrative budget.

Mayor Massa – Councilman Bianchi.

Councilman Bianchi – my concerns with the trees. Jimmy has been asking for the last couple of years for the town of North Arlington to repair one of his trucks, the chipper truck. We have a chipper but we don't have a truck to shoot the chips into. So whenever a tree had to be cut down small one big one whatever we had to call in an outside service just to come in and chip the trees to take it away. And that's how these bills start to accumulate and we also had a lot of big big trees that had to come down with cranes this year and that's where that figure comes in real high. But if we could get a chipper truck I think we are getting it fixed aren't we? Once its fixed you'll see that bill drop a lot. And because the guys can't pick up those big big logs and put them in the trucks, no place to dump them. So once that truck is fixed, you'll see that figure drop quite a bit.

Councilman Hughes – also we've had a lot of major storms in the last three years between snow storms, ice storms, wind storms, hurricanes I mean every time you have a big storm you get a lot of trees coming down. I think we've had thirty some odd trees or thirty nine trees come down this past hurricane last two months.

Mayor Massa – it was inordinate amount of work that the tree services had to be called for due to the inordinate storms we've been, we had not only the Irene storm from last month, but the winter storms also caused a great deal of damage to the trees. If the trees cause a hazardous condition we have no choice we have to take immediate steps and get them removed.

Councilman Hughes – now as far as the interfund receivables we have different funds different bank accounts just like we do at home. And what we do sometimes is if we're running short of cash we borrow from ourselves. And what that does is it then we don't have to go out into the open market and get either a tax anticipation note or bond anticipation note so as much as we can we borrow from ourselves that money has to be repaid before the end of the year so that's why it shows up as a debit and a credit in the various accounting procedures so that the auditor is satisfied every year.

Mayor Massa – Mrs. McClure I want to thank you for your kind comments and the comments you made regarding parking lot at QP that's well taken. One of the problems with fining is that these large groups are very transient. They come by the neighborhoods they hang around a little they make a racket, they cause an annoyance, they wake people up they disturb young children sleeping and by the time somebody gets mad enough to call the police and the police get there they're gone. Police have made a number of traffic checks and traffic stops here. Some of these youths are on foot some of them are in cars. I remember years ago we had some bad problems Councilman Burns would probably remember this from the old days when the young people were cruising on Ridge Road. So and our officers do make arrests they make drug arrests on occasion fighting narcotics, they do [inaudible] some of these kids these young adults, will [inaudible] ordinance violations on occasion they've picked them up for possession of alcohol by the minors and it keeps our guys busy because you very well know that we're working with a ...

Ann McClure – every time I came up here with a gripe it was always taken care of.

Mayor Massa – you know we’re working with a lot smaller police department than we did in the past. And many times we only had several officers on duty at one time. And many times the officers are what we called police work chasing the radio, they’re continually responding to radio calls and I can recall many times having the same frustrating problem with some use unfortunately a lot of them come from out of town. And also what the officers have been doing quite effectively is checking them out and finding some of them have arrest warrants. Once the officers find somebody with an arrest warrant they have to take them into headquarters book them bail them that keeps the cop off the streets sometimes for an hour.

Ann McClure – they’re not that bad though, the kids are bad over there. It’s just that you have a lot of maybe six or seven crazy old ladies over there complaining about them.

Mayor Massa – well we want these senior citizens to have a peaceful evening too just like ...

Ann McClure – by that time they have no place to go.

Councilman Hughes – a point of order Mr. Mayor. We shouldn’t be engaging in dialogue here.

Mayor Massa – well I just wanted to try to make the point clear. I stand corrected Council President. But in any event...

Ann McClure – I’m surprised Father Kelly doesn’t go out and say something to them.

Mayor Massa – I wanted to answer your question as good as I could. Last week former Councilman Burns came to the microphone and had some questions about a letter that I sent to the state of New Jersey Department of Local Finance Board. And he wanted to know if I had read the judge’s decision. That was one of the questions. I did read the judge’s decision. I was part of that judge’s decision and I think what happened with the judge’s decision it was rendered quiet to the investigation initiated by the United States Attorney’s Office which I had asked for on a night the former Mayor signed a contract and prior to the time when the former governor directed the state inspector general to conduct an investigation into Encap’s finances and ultimately pulled the plug on the Encap situation. With respect to my feeling on a redevelopment committee just to have my position, the council majority has their position, I respect everybody’s position. The state will conduct an inquiry and conduct a hearing prior to granting approval for redevelopment authority and will abide by the decision of the state. Motion to close public comments have been passed already. We have approval of minutes next.

APPROVAL OF MINUTES

- Regular Council meeting, February 24, 2011
- Regular Council meeting, May 3, 2011
- Special Council meeting, May 19, 2011
- Regular Council meeting, May 26, 2011
- Regular Council meeting, June 9, 2011
- Special Council meeting, June 30, 2011

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Johnson
ROLL CALL: AYES: Councilman Yampaglia, Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Kearney*
NAYS: Councilman Tanelli

*Councilman Kearney abstains from voting on the May 19, 2011 minutes as he was not present for the meeting

RESOLUTIONS ON CONSENT

- R-244-11 RESO RE: AUTHORIZATION TO PAY CLAIMS
- R245-11 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00
- R-246-11 RESO RE: MEMBERSHIP INTO THE NORTH ARLINGTON FIRE DEPARTMENT
- R-247-11 RESO RE: CONTRACT AGREEMENT WITH BERGEN COUNTY, DEPARTMENT OF HEALTH RE: FLU/PNEUMOCOCCAL VACCINATION PROGRAM
- R-248-11 RESO RE: PROFESSIONAL SERVICES FOR CONSTRUCTION MANAGEMENT 2011 CDBG ROAD PROGRAM, 5th STREET, BRANDENBURG PLACE AND UNION PLACE

Administrator Wall – I’ll note the construction begins on November 2nd.

R-249-11 RESO RE: PROFESSIONAL SERVICES FOR PREPARATION OF OPERATION AND MAINTENANCE MANUALS FOR PUMPING STATIONS

R-250-11 RESO RE: CHANGE ORDER 2010 ROAD RESURFACING PROGRAM SUNSET AVE (RIVERVIEW TO RIDGE ROAD)

R-251-11 RESO RE: APPOINTMENT OF PERSONNEL FOR YOUTH CENTER

R-253-11 RESO RE: AWARD OF CONTRACT FOR PLAYGROUND EQUIPMENT

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

*Councilman Hughes recuse from voting on the claims reso for all fire department purchases
** Councilman Tanelli with the exception of purchase order 259847 for \$1,953.00 for Passaic Valley Water Commission lawsuit

ORDINANCES

FIRST READING OF ORDINANCE

ORDINANCE NO. 2085

AN ORDINANCE TO AMEND CHAPTER 360 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “WRECKER SERVICES”

INTRODUCED BY: Councilman Hughes
SECONDED BY: Councilman Tanelli

Mayor Massa – discussion? I’d just like to comment this is long overdue ordinance that we have to make amendments to with respect to who the borough’s hiring of wrecker services that come into the community. They tow damaged vehicles, they tow impounded vehicles. An ordinance sets schedules of compensation and I think this is pretty much in the line with the model ordinances that are pretty much used for wrecker services throughout New Jersey. Any other discussion?

Councilman Hughes – actually we were able to negotiate with the wreckers that work for the community to actually provide us with a lower rate than most of the surrounding communities. So we’re able to save some money for the residents of North Arlington on this.

ROLL CALL: All Council present vote in the affirmative

ORDINANCE NO. 2086

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

(HANDICAPPED PARKING SIGN TO BE REMOVED BY ROOSEVELT SCHOOL ON FIRST STREET)

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Hughes

Mayor Massa – any discussion? Call the roll.

ROLL CALL: All Council present vote in the affirmative

ORDINANCE NO. 2087

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

(HANDICAPPED PARKING SPACE 132 LOCUST AVE)

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Tanelli

Mayor Massa – any discussion? Call the roll.

ROLL CALL: All Council present vote in the affirmative

SECOND READING AND ADOPTION OF ORDINANCES

ORDINANCE NO. 2084

AN ORDINANCE TO AMEND CHAPTER 187 §8 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “VEHICLES AND TRAFFIC”

(203 PROSPECT AVE, PROSPECT DELI & LIQUOR, 2 HOUR PARKING)

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2084 TO THE PUBLIC

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

No one wishing to be heard on Ordinance 2084.

MOTION TO CLOSE HEARING AND ADOPT

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

Mayor Massa – before we executive session I just want to comment and let the public be aware and especially the members of the public safety committee be aware of outstanding achievement award that the North Arlington Police Department received from the triple A, [inaudible] automotive association of North Jersey for outstanding achievement in minimizing the number of traffic safety injuries and traffic accidents in the borough for this past year. That was awarded to the borough yesterday on October 26th at an award ceremony at the Brownstone of Paterson New Jersey. So I’m quite proud of our police department again working with minimum staffing and the great job they’re doing [inaudible].

Councilman Hughes – point of order Mr. Mayor. I’d like to give three quick reports on various things on the budget that have come up that I don’t want to wait until the next council meeting on. I’d like to report back to the Council because one of them we were directed to take action at the last closed session. The first thing I would like to bring up...

Mayor Massa – point of order so recognized.

Councilman Hughes – thank you sir, the first thing I’d like to bring up is we’ve been having ongoing meetings with the New Jersey Meadowlands Commission concerning the outstanding tax bill on the Kingsland landfill and then sometime of agreement going forward that would recognize the fact that that property does have some value and they should be paying some type of a pilot. So we are probably 95% of the way there. I’d like to report I think we have the dollar numbers down in agreement and the Meadowlands actually passed a resolution at their meeting the other day for these dollar numbers but there are a couple of issues yet that we want to add to that and we’re going to be going into some further negotiations to just kind of like cross the T’s and dot the I’s. So I’d like to turn it over to Mr. Pearce right now. And he can explain where we’re at with some of these outstanding back payments that they’re going to be [inaudible].

Board Attorney Pearce – as the Mayor and Council recall we passed a resolution in September with an attached PILOT agreement and sent it on to the Meadowlands Commission. They wanted us to act first before they would act. So then they acted two days ago but it was not exactly identical to what we had passed so the numbers are the same that is we'll be receiving \$270,000 within the next 30 days, another \$280,000 in 2012, and \$210,000 in 2013 to cover the PILOT portion once the taxes are reduced but we still have to make sure that the as Councilman Hughes indicated that the I's are dotted and the T's are crossed with regard to the future of that property. And making sure that if the property is developed for solar [inaudible] or any other use that the borough will be receiving appropriate compensation for those taxes. So I'm very optimistic that on Tuesday Mr. Hughes and I will be meeting with the Meadowlands Commission again to finalize the PILOT and hopefully we can approve [inaudible] with our next meeting.

Councilman Hughes – alright thank you Mr. Mayor, we discussed this last week at the last council meeting the fact that the library has seemed to have been over expending their budget by a fair amount. As you recall back in the beginning of the year we had meetings with the library and we're putting the responsibility on the library that they pay their own way. As you know they receive a third of a mil or I think the number is \$541,000 this year is established by state law to run the library. For the last number of years as far back as anyone can remember the library has been spending well and excessive at if you take into account the employee expenses such as health care insurance taxes on the employee payrolls and pension payments and various other expenses that we've been funneling into the library. So last year at this time and then the beginning of the year we had several meetings in fact you and I were in one meeting with Mrs. Burke the director and we explained to them that they would have to come up with a partial payment this year we weren't going to require all of it to be done in one year because it would put a real severe strain on the library and we asked them to come up with \$100,000 towards I think \$167,000 of additional employee expenses. Well when Mr. Mangin started running the numbers on some of the appropriations we found out that they [inaudible] in excess spent over and above what they were supposed to be spending. They never seemed to take into account that \$100,000 appropriation that should have been in their budget. So Monday night Councilman Tanelli and myself with the library board. We worked out an agreement that there's really no way to get back the money that they've spent. They've spent it on programs, they've spent it on payroll, they've spent it on personnel, they've spent it on different buying books and everything. So we're going to start the program next year but next year they are going to be responsible for all of the employee costs. They're also [inaudible] decent communication as to who knew what and who got told what and everybody that's playing well nobody told me nobody explained this to me so everybody on the board agreed that starting right now they are going to start taking the steps to cut back on their spending whether however and it's really up to them. We have no jurisdiction over the library except the money that we appropriate to them. Their board is going to start coming up with a plan and a program to start rining in costs and expenses on the library and they will be responsible for the entire amount of the healthcare for their employees, the pension payments for their employees, and the taxes for their employees so that all of the library expenses will be born by that library in that dedicated fund or dedicated amount that they're giving every year by state law. So that is we're right now expecting waiting for some kind of report to come back from the library on that to tell us how they're going to implement this. The last thing I have is another department that seems to be over expending their budget is our planning board. Mr. Mayor if you recall I believe it was February 23rd you and I had a meeting with David Charowsky the planning board chairman. He had inquired at that time about doing a master plan review which at that time was had just expired. We explained to him at the time that there was no excess money in this year's budget to do that because it's a very expensive proposition to do a master plan rewrite. We also knew at the time that legislation was there was pending legislation that had already passed the assembly was waiting to pass in the senate that would extend the period of time for a master plan review after ten years. So we specifically told Mr. Charowsky that there would be no money appropriated this year for a master plan review. Unfortunately on September 7th 2011, Mr. Doug Bern the attorney for the planning board submitted a bill for \$1,435.00 for a master plan review. So I find this very troubling when we tell them that there is going to be no money for appropriated for that action for the planning board to take that action is very troubling. I also find it troubling that they had inquired about hiring a planner I believe and also putting out RFQs and RFPs for the position. If you recall at that time explained to them that the town had already retained a planner if they needed the use for services of a planner they would be provided to them without any additional billing to the planning board budget and we also told them that it is the town's responsibility to put out RFQs and RFPs at the beginning of the year so that they are in complete compliance with the various pay to play laws. And there was a list of planners and attorneys and various other professional positions in the entire borough that had been collected by Mr. Wall's office and actually published and distributed to each of the council members. Well then we paid Mr. Bern to do an RFQ. So I find that troubling also because we've already done that work once and now the planning board is duplicating it for no apparent reason that I understand. The third thing that I find very troubling is we established escrow funds for every applicant that comes before the planning board where based on the type and the nature of the application they are putting in there's an escrow fund that's calculated. This fund now is for any of the professional people that have to do any type of review of this application so that these expenses are not incurred by the borough, engineers, planners, and attorneys will draw from this fund based on the amount of work they do. Now in the past this fund that has been established we generally give money back at the end because we always had more than enough in that escrow deposit to cover

all of the expenses. Unfortunately, it seems like the bills of our attorney for planning board are far exceeding the bills that Mr. Sarlo charged and I'm told that the bills that Mr. Sarlo charged were far in excess of what Mr. Pearce charged when he was planning board attorney because most of those bills were actually covered by his retainer most of the services that Mr. Pearce provided and I believe that's the way it really should be. But I think we really need to look into this and I'd like to have Mr. Pearce do actually a review of all the bills for the planning board and look into them. We had one application for the parking variance at Ridge Road where an escrow was collected of \$2350 for the variance professional services and then we were billed \$3241 by the attorney and \$540 by the engineer. We did one on 582 Ridge Road which was outdoor dining a very minor variance that was required; they put up an escrow fund of \$1000. The bill came back \$3374. I mean you have said numerous times that we want to encourage businesses to relocate to North Arlington to set up business here in North Arlington. We want to do that. We're not going to do it if we keep giving them this tax this hidden tax on these escrow fees that seem to be exorbitant. I'm not an expert I'm not an attorney but I think just looking at past billing for similar items they just do seem exorbitant. So with your permission I'd like to turn this over to Mr. Pearce and ask him to actually do a review and give us a report maybe next month.

Mayor Massa – Mr. Pearce can do a review. He can also be in contact with the planning board. I'm not an expert on land use law although I did attend a class on one last week but your comments are noted and Mr. Pearce can review this and transmit your concerns to the planning board. The planning board is an autonomous body; does have a specific legal responsibilities under land use law and of course with respect to cost and fees I don't have in front of me the schedules that are required and what the requirements would be for these particular costs so what we will do is have Mr. Pearce put his report together and he can transmit it to the planning board and the planning board attorney can review all of these concerns.

Councilman Hughes – thank you sir.

Mayor Massa – executive session?

Administrator Wall – I just have one item Mayor. From time to time we meet with citizens on various issues including business owners as well and just a quick item because a few folks came tonight to say hello but I think they didn't realize the public portion came so quickly in the beginning. We're working on a parking issue up near the corner of the Bell Pike and Ridge Road and one of the property owners Mrs. Elaine Yaccarino we've been working with and discussing the parking situation in the borough lot that is on the Bell Pike going west and also working with Mr. Kairys on potential solutions. One of the business owners who's here today has had some challenges with the clientele being able to park for a short period of time, to be able to go in transact business and be on their way and there's no decision to be made this evening. I just want to bring it to your attention because the folks they come here a little bit late. Mr. Kairys and I have been trying to figure out a way to have a 15 minute ability to have a meter program there in that area and taking a look at what our meter fees are in that area but also overlapping that the folks that had a permit to park there can still park wherever they wish. But to try to create a to the Mayor and Council's directives over the years a business friendly environment. I just want to bring that item to your attention because the folks were here this evening to let you know that there are ongoing parking concerns as it relates to folks going in and out of stores for brief periods of time.

Councilman Bianchi – on behalf of Mrs. Yaccarino, the businesses up at the Pike times are tough. And we need parking and we need parking in and out. somebody wants to go in and get a cup of coffee and a newspaper on the corner somebody wants to get a haircut somebody wants to go to the store and get something, we have to have and we have to be able to be able to accommodate these people because what's happening is the businesses at the Pike are starting to hurt so I would like to work with Robert Kairys and Frank Guanci because they have some very good ideas on putting meters up there that 15 minute meters, ½ hour meter maybe because it is hurting the people up there that have businesses, it's not fair to them. And one of the complaints I got was the Kearny people use it you know good let the Kearny people use it they have to live too. People have to live. So we have a lot up here that really cant be used so lets see if we can work with Mrs. Yaccarino. She's got some very good ideas and maybe we can fix that little problem in that little area at the Pike. The one restaurant across the street went out of business Virgils because there was just no parking. Food was very good but there was no parking. So and even the bar down the street in the pizzeria down the street on the Pike. They're hurting also too because there's no more parking now on Union is it. Union you need a permit. On the Kearny side, the two streets on the Kearny side there's permit parking there also. So if a guy wants to go in and get a pizza or if he wants to get a glass of beer there's no place to park. So maybe we have to take this as priority and really get that parking fixed on that block and I'd like to see all meters in there 15 or ½ hour meters so they can come in and out to eat. And if a guys going to be in a store longer than ½ hour he'd run out and put in another quarter in the meter. Okay.

Mayor Massa – I'd like you to work on that project that's a very viable issue that we have to take a look at. We want to do everything that we possibly can to keep this a business friendly community and perhaps Councilman

Bianchi and other municipal personnel can get together put a report in place. We can make the amendments to the appropriate ordinances, get the meters and get it off the ground.

Councilman Bianchi – being Mrs. Yaccarino comes a long distance she came in a little late tonight, maybe she would like to say something a little out of order. Would you like to say something m’am?

Mayor Massa – if you’d like to address this issue m’am specifically? Just please come to the microphone say your name and address for the record.

Elaine Yaccarino, 124 Country Lane Clifton, owns property on 1, 3, 5, 7, 7.5 Ridge Road – discusses parking problems and appreciates the beautification provided

Mayor Massa – councilman.

Councilman Bianchi – I would like to have the Chief of Police in this little thing too, the chief, Robert Kairys, Frank, and myself will sit down and see if we can start helping these people at the Pike because we kind of chase the businesses away. I know our meters run out people get tickets and they realize they don’t come back, but when we have a parking lot that’s not being used we got to do something. We really have to do something because we don’t want to lose the people we have at the Pike now. We have all good businesses up there I’d like to keep them. And so let’s see if we can help these people and maybe the Chief and we can come up with a nice idea how we can do this.

Mayor Massa – I think we’re all essentially in agreement to use whatever municipal personnel you need to properly evaluate and thoroughly vet the situation so that we can take the appropriate action with respect to whatever we have to do. Any recommendations bring them to the council and will act appropriately.

Councilman Bianchi – we need the meters because heres what happens if you don’t have meters, you have people that’ll park their cars there and get on the NYC bus and go to work. You have people that work there that’ll park their cars there and people in the apartments. Really what I’m worried about right and concerned about, about the businesses up there that are hurting. So we have we need the meters and we need that parking lot opened on the other end of town. that’s all I can say.

Mayor Massa – any other business?

R-252 -11 RESO RE: EXECUTIVE SESSION – personnel, collective bargaining, contractual matters that fall within attorney client privilege, and anticipated or pending litigation

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

MOTION TO RETURN TO 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 Kearney
ROLL CALL: All Council present vote in the affirmative