

AGENDA

REGULAR MEETING, THURSDAY, NOVEMBER 13, 2008 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 Bianchi, Councilman DiBlasi, Councilman Ferriero, Councilman Granell, Councilman Hughes, and Councilman Tanelli

ALSO PRESENT: Mayor Peter C. Massa, Terence M. Wall, Acting Borough Clerk, Borough Attorney, Anthony V. D'Elia

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS: No Citizens wished to be heard

MOTION TO RETURN TO CLOSE HEARING

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman Ferriero

ROLL CALL: All council present, vote in the affirmative

RESOLUTIONS ON CONSENT AGENDA

R-256-08 RESO RE: AUTHORIZATION TO PAY CLAIMS

COUNCIL MEMBERS BIANCHI AND HUGHES RECUSED THEMSELVES

R-257-08 RESO RE: SOLICITATION OF PROPOSALS FOR PROFESSIONAL SERVICES

R-258-08 RESO RE: GRANT AGREEMENT WITH THE COUNTY OF BERGEN

R-259-08 RESO RE: CHANGE ORDER UPGRADES TO NORTH ARLINGTON PUBLIC LIBRARY

R-260-08 RESO RE: OFF PREMISE RAFFLE NORTH ARLINGTON VOLUNTEER EMERGENCY SQUAD

R-261-08 RESO RE: OFF PREMISE RAFFLE HSA QUEEN OF PEACE GRAMMAR SCHOOL

R-262-08 RESO RE: 50/50 RAFFLE HSA QUEEN OF PEACE HIGH SCHOOL

R-263-08 RESO RE: OFF PREMISE RAFFLE HSA QUEEN OF PEACE HIGH SCHOOL

R-264-08 RESO RE: APPOINTMENT TO ZONING BOARD OF ADJUSTMENT TO FILL UNEXPIRED TERM

R-265-08 RESO RE: SUPPORT OF YMCA GRANT

INTRODUCED BY: Councilman Ferriero

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present, vote in the affirmative

RESOLUTION NOT ON CONSENT AGENDA

R-266 -08 RESO RE: TRANSFER OF APPROPRIATIONS

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

ORDINANCES

FIRST READING OF ORDINANCE #2003

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

INTRODUCED BY: Councilman Tanelli
SECONDED BY: Councilman Granell
DISCUSSION: All council present, vote in the affirmative

FIRST READING OF ORDINANCE #2004

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

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Granell
DISCUSSION: All council present, vote in the affirmative

FIRST READING OF ORDINANCE #2005

AN ORDINANCE TO AMEND CHAPTER 187 §10.1(A) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “VEHICLES AND TRAFFIC”

INTRODUCED BY: Councilman Ferriero
SECONDED BY: Councilman Hughes

Councilman Bianchi – This here is Union Place, how is it worded?

Terence Wall – Similar to the prior ordinance regarding Albert, with the exception of adding Union Place. The entire length of Union Place.

ROLL CALL: All council present, vote in the affirmative

APPROVAL OF MINUTES

OCTOBER 9, 2008

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

ADMINISTRATOR’S REPORT

No report at present time.

ENGINEER’S REPORT

Dominick Villano – Ridge Road Streetscape we are nearing completion, we have some trees in, a couple of them are not exactly straight, but he is coming back to fix that. We do have the lights in place; we are waiting for the street furniture that should be coming in a couple of weeks.

Councilman Tanelli – Two quick questions regarding Streetscape. One, there was a water leak in front of the new photo studio, and it wasn't repaired properly, so I was hoping you would work with Terence and the contractor who initially did the work to come back and re-set the pavers. Also with the grant that we received, the \$26,000.00 that we are looking to put benches along the entire length of Ridge Road, can we have them price out the benches to maybe order additional to match everything that we are doing?

Terence Wall – Yes, within the grant process we priced them out accordingly, and we will have that back for you to show you how far down the length of Ridge Road we will go.

Dominick Villano – The Administrator and I discussed that, you are better off purchasing them yourself, rather than going through the contractor. Schuyler Avenue intersection I will let Mr. D'elia discuss that. We did meet to discuss that.

Anthony D'elia – In approximately 1997 the Borough of North Arlington committed to do certain work at the intersection of Route 7 and Schuyler Avenue in anticipation of other work that was to be done east of that, in what I call the back road inaudible Jersey City. I am not sure whether that additional work east of there was ever done, inaudible is telling me no. However, there were engineering plans submitted to the State, Department of Transportation, which included the installation of a pole, electrical box near that intersection of Route 7 and Schuyler Avenue on the Kearny side of the street. It was a little more than a foot from the curb line, Nick advises me that the box and the pole were installed as per the plan that were approved by the State, but due to over the years truck turning traffic at that corner, the trucks pop up on the sidewalk, they hit the pole, they hit the box, and strike the pole and or box at various times damaging them. As I said the box and the pole were installed on the Kearny side of the Belleville Turnpike, where we did the work after approval of the plans back in the late 90's by the State of New Jersey. As a result it is my legal opinion that the Borough has the responsibility to repair the box or pole because we installed it as per our design and our contractors did the work. It is my understanding we are in receipt of a quote to do that work already. Since the plans were approved by the State Department of Transportation, and Mr. Villano advises me that setting the box and the pole a little back more than a foot from the curb is technically in compliance with code, it is cutting the pie tight, I guess they did that because of the sidewalk and some other issues, but it is in compliance with the code, and you can't even say the plans were designed defectively. We just have to deal with it and address it. I think Mr. Wall, your Administrator, however has gone beyond my letter which I distributed to each of you on October 27, he is in contact with the State. He has told the State that he needs help in addressing this issue and I guess he can update you on his efforts to get them to address this financially.

Terence Wall – Mr. Villano is kind enough to establish two proposals to complete the work. I have taken those proposals over to Ken Lucky, with the State, I have advised him that the Borough of North Arlington does not currently have funding for this repair, and that it would be important and appreciated if the State move forward to address the issue with their own folks to both repair the equipment and take over the project so we can close it out.

Anthony D'elia – The total cost is less than \$20,000.00. It is as if it is going to bankrupt any body.

Terence Wall – We are awaiting status from the State and we are hopeful that they will take in to consideration the financial profile and re-act accordingly to our request.

Dominick Villano – With drainage in the cemetery, I am still waiting for the agreement, I don't know if they signed the actual agreement. We gave them all the information they requested, previous plans, reports, I was assured that once they received the back up to this agreement, they were agreeable to signing it, but I have not received a copy yet. Once we do get that, we can move forward, I don't want to reschedule this U.S. Radar until we know that they will let us onto their property.

Terence Wall – You can provide me with a contact phone number, and I will call them tomorrow, and advise Mayor and Council on status.

Dominick Villano – Geraldine, Truman, NARDA pump stations, most of those repairs have been done. The equipment is operating. The one item that I did present to Mr. Wall was that there is a common inaudible, it happened after we awarded a contract to Rapid Pump. It is a repair, I believe it is about fifteen/sixteen in total, it is a matter of repairing an existing piece of equipment that malfunctioned after we awarded the contract. I did provide all the cost, we are still within that \$75,000.00 to a \$100,000.00 range that we originally proposed to you with the added cost of this repair, I will leave it to you for consideration. Canterbury Phase I, we just two minor punch list items, that we are still waiting to get done, and we were assured that they will be taken care of, we are after the contractors, once that is done we can apply for final reimbursement and get the rest of the money. As I told you Canterbury Phase II, the work was done, and again there are some minor punch list items, but for the most part the streets are paved, and the inlets have been repaired. We did add three inlets, it is a minor change order that we presented to you. Hedden Terrance is the same; I think we are at that point now where we can just close this project. All the work has been done, and we check it, and it seems okay. Morgan Place, was milled and paved, concrete work. There are a couple of repairs mostly concrete sidewalk that has to be replaced, that was broken during construction, and a piece of curb I believe that has to be replaced. That should be hopefully within the next month get that finish. The firehouse improvements are ready. I can schedule a bid date with the Borough Clerk and we can get that out for bids. I inaudible with Mr. Kairys and Mark Zidiak, we went over what the preference was with the comments and so forth. We have incorporated that in our design. That is all I have.

Councilman Tanelli – Point of order Mayor, just one thing Dominick, I don't want to make your life any harder than it is already, but if you wouldn't mind when we do this projects, throwing a date on the project. Because I am going to tell, you this Holy Cross Cemetery thing seems to have been around here for three year. We get the updates, but there is no dates here for us really realize how long these things are taking. I would appreciate it if some of them you could just drop dates when we start the project, as you are updating them. I don't want to make you date crazy, but I think....

Dominick Villano – I think that is a good point, for instance a contractor was awarded to so-and-so on such-and-such a date, not a problem.

Councilman Tanelli – This way you can email it in between the months and we will have an idea as to what is going on.

Dominick Villano – Good point and I will be taking care of that for the next meeting.

Councilman Bianchi – Mr. Mayor, I have a point. We have been talking as Mayor and Council when you have spoken about this with the engineer, about the shoddy work I think Passaic Valley Water does in repairing our streets. The complaint we had tonight about them not fixing the cobblestones right. If you go around the town of North Arlington, you will see digging up these streets, and the way they have repaired them, we spoke about this before, we really haven't done any thing about this. They come in without permits; they dig up the streets, which they have to because they have to fix the water leak, but the way they repair the streets is terrible. Even the new fire hydrants they are putting, they don't look right. I think they are break-a-ways, a pipe is sticking out of the ground, I don't understand it. It just does not look good; I think their work is, like they just pushed us aside or something, I don't understand it.

Mayor Massa – What I would like to do is Joe, that being the case, from a consensus of the Council, lets document all these issues, specifically, and address them to the Board of Commissioners, I think if we have to go in person to see the Board of Commissioners at one of their public meetings, we will do that. I am willing to lead the charge, and I am going to ask the Borough Administrator to immediately find out when their next meeting is. First, we are going to put them on notice about this issue, I would still like to find out when the next meeting is so we can attend.

Councilman Bianchi – So I am not talking out of turn, does every body agree with what I am saying? I think they work is sub par.

Mayor Massa – I agree with you in some respects. I have seen some good work and some bad work orders.

Councilman Bianchi – I am not knocking every thing, but some of the work I have seen was bad.

Dominick Villano – Just two points, one is, as I was driving on Canterbury I noticed that there was repair done on in the newly paved portion, so I took the liberty of writing them a letter, I understand repairs happen and things break, but what I did is put them on notice that they have to repair it, but they have to use this infer-red paving. You have this brand new road and you have all these patches, so there is a method that they use to sort of blend in the repair. Once it is settled, come back cut it out and do it properly. What we do in some of the other towns, whether its PSE&G or some other utility company, we ask to take out a road opening permit, but it's an emergency they could certainly fax it in, to the Administrator, to our office, so you sort of keep tabs on where they are digging, rather than showing up and all of a sudden there is a repair in front of your house. You sort of keep tabs on where its happening, how often it happens, and so forth. It sort of keep a track.

Councilman Bianchi – Also to about Canterbury Phase I, I think it was on Steve's block, Canterbury and Third or the street down, I am not to sure, there was some damage done to the sidewalk, has it been repaired, cause it looks horrible.

Dominick Villano – Actually, it was a spill and we are replacing. Quite honestly, it is difficult to take off, because it is like a special type of paint.

Anthony D'elia – I can recall, you me and Terence, Mr. Tanelli myself and Terence Wall attended a meeting with the Director of the Passaic Valley, Joe Bellia, we told him about applying for permits, Terence correct me if I am wrong, I think he said they would be more than willing to that, unless it was an emergency, and they would be more than willing to restore the property in the appropriate fashion. I think that it was even confirmed in a second meeting that we had with me you and the Mayor again. Maybe we can just contact Joe Bellia. I asked him if they have access agreements that they have executed with other towns, that they have contacts with. He told me at the meeting that they don't normally do that, its just never followed up with by any of the towns, but they do agree to apply for permits, and they do agree to fix inaudible.

Terence Wall and Dominick Villano - Simultaneously inaudible

Councilman DiBlasi – I have one question for you. In the future if we pave more streets in North Arlington, the first thing that I want is Public Service, Water Department, even the phone company, they go in first, if any repairs have to be done, they have to be done before the paving, so if we have future streets that we will be paving we call up the three utilities, there is usually a number to call them, down that street, any repairs that have to be done, be done ahead of time. Than we pave the street and they don't have come back and have these patches any more. That is what is going to happen in the future. It happen right behind Queen of Peace, we paved and right away they dig. Call them ahead of time, go down the street, whatever equipment that they have, check the water lines, check your gas, and check your telephone lines, what ever is on the ground, repair it, and than we pave. This way we will put a stop to this.

Dominick Villano – A couple of years ago, they had a public hearing, PSE&G, that was their intent, what type of projects you have coming. Every year, usually at the beginning I send them a list of projects that you have on your books, that you are intending to do for the year. In addition to that what we do is send them plans before we start the project, we invite them to the pre-construction meeting, there is so much you can, you will claim it is an emergency so it is difficult for us, we give them the plans, we tell them where we are going. But the point is that after they do it there is a way of repairing it to make it blend in rather than just a patch.

Mayor Massa – Inaudible hold them to the letter of our ordinance. If they are violating the ordinance, or doing any thing that they should not be doing, than I expect that we site them appropriately, and take what ever action we have.

Terence Wall – Part of that ordinance Mayor and Council I believe that is we need to inspect it I think it may be through our engineer's office to make sure that they are back filling appropriately the proper aggregate and that we are inspecting it, and charging them accordingly, and they pay the appropriate permit fee to the Borough. We would be happy to carry out that directive.

Mayor Massa – What I would like the engineer and administrator to do at their earliest convenience confer with one and other with respect to some of the issues you raised with regard to the quality of repairs. Councilman Bianchi's comments are well taken, and I respect the fact that he has noticed these things and he put them on the record. Now that they are on the record, and we expect to have some action taken. I think we are all in concurrence.

Terence Wall – It will be implemented immediately.

COUNCIL REPORTS

COUNCILMAN BIANCHI – I have a report about our senior citizen bus that broke down again a couple of weeks ago, it went for repair today, they have had it for almost 2 weeks, and the estimate that we got to fix it was \$1578.08, and that is low, it will be higher than that when we get it fixed, probably \$1700.00/\$1800.00. It was the fuel pump that went on it, once they fix it the bus will be up and running again. That is it

COUNCILMAN DI BLASI – Before I go on with my report, I would like to congratulate Mr. Steve Tanelli on the re-election to President Council of North Arlington, and Mr. Mark Yampaglia. I think with the lead of Mayor Massa and the Council we are trying to do the best we can for this town, and I think with the same lead, Mr. Tanelli, Mayor Massa as the lead man, Al Granell and the rest of the council will try to do the same in the near future. Now to get on with my report, the DPW, what they have done is repaired the first floor toilet at the borough hall, also sprinkler companies winterized all the borough properties, made repairs to gates and fences at the Macaluso Park, removed damaged supports and benches at the bus stops on Crystal and Ridge, ordered new parts to repair, installed new toilet at the NAVES, repaired the light fixtures at the Library, cleaned out and re-lighted furnaces at Corsi house, they cleaned off the library roof and drains from leaves, there other items on this list, but we will be here all night, that's all.

COUNCILMAN FERRIERO – I also wanted to congratulate out two members, Council President Steve Tanelli, and Mark Yampaglia. So far as a report concerning our Veterans, we had the Veteran's Day ceremony at the VFW this past Tuesday, well attended. Our Mayor gave a great address as usual, as well as Commander Lewis and Commander inaudible. I ask you to remember Pearl Harbor December 7. I did help one of our veterans today, Art Miller. Thank you.

COUNCILMAN GRANELL – I am going to be really brief. I want to thank all the Veteran's in remembrance for Veteran's Day this week for those who served, those who are still serving over seas, they are in our thoughts and prayers. I also want to take a second to thank the North Arlington Recreation Department in particular Rita Healy, Ms. Keegen, Ms. Reyes, Tara inaudible, and the rest of them for doing a wonderful job on Halloween, as well as the North Arlington Fire Department for just simply doing an outstanding job. If you saw the costumes, and you saw the kids, it is something you just have to see and just really enjoy; the kids did a great job. I went to the football game last Friday, and a couple of the parents asked me about the status of the football field down there, and I believe Council Tanelli has an update. Thank you.

COUNCILMAN HUGHES – I would also like to add my congratulations to Councilman Tanelli and Councilman-Elect Yampaglia. I would like to thank the Veteran and active duty servicemen serving the country, their deeds some times go unrecognized, but not unappreciated by myself. From the Health Department, we had several programs that have been successful, they had 37 residents show up for the multi-phasic blood screening on October 2, they had a shingles lecture that was attended by well over 80 people, the Strengthening Families program is still in progress, and should finish up on November 19, and their flu program is still underway. Any one who needs a flu shot, please contact the Health Department and they will set-up an appointment for you. On a sad note Mayor, I would like to report on the passing of one of our former Fire Chiefs, Georgie

Werns. He was Chief in 1981 or 1982 and served the department for well over 25 years. He passed away on Tuesday morning. That is all Mayor.

COUNCILMAN TANELLI – Regarding the football field, I just received a phone call regarding the rift-raft issue, it is going to be, weather permitting, it is going to be resolved starting tomorrow, they are going to use a rift-raft material and crushed stone to try and rebuild the river's edge to help with the erosion problem. Hopefully this will help solve some of the flooding problems that they have down there. We had our Halloween parade, which was a great success as Councilman Granell mentioned. It was well attended. It seems that we have outgrown the Senior Center and we need to look for a larger place next year. I would like to thank Rita Healy and the Commissioners for their time and efforts, every one young and old enjoyed themselves. The Christmas Tree Lighting this year will be held on December 2, come and celebrate with your neighbors, and bring your families to the event that lights up the downtown and welcomes the holiday season to North Arlington. Our municipal complex will be lit with a flick of a switch, carols will be sung, and Santa will arrive to kick-off the merriest of seasons. Our holiday home decorating awards will begin between the days of December 1 to 14, are recreation elves will be checking out the many beautifully decorated homes adoring our residents to make our community a wonderful place to live. The holidays are a great time for North Arlington to help celebrate the community spirit. Awards will be presented to those homeowner's selected during the week of December 15, 2008. Also we just began registrations for our North Arlington Recreation Bowling League, they will be having registration on 27 of December, at the North Arlington Bowl, on Schuyler Ave. The league starts January 10, it will be held on Saturdays, and runs for 10 weeks. It is open to North Arlington residents who are in kindergarten to eighth grade. Thank you.

MAYOR MASSA- With respect to my own report, I want to recognize first of all, and a comment on the recognition of our former fire chief, George Werns, who was so well recognized before by Councilman Hughes for his service to the community. I knew George as a fire fighter, and chief, for many years of service and I think on behalf of the Borough, some times the passing of one of the bravest so to speak of our community, even though George left town after retiring. I just want to take this moment to recognize all of the individuals who serve in the fire services, especially the volunteers, they perform an invaluable service, they are always there when ever we need them. I want to recognize the Veterans this week for Veteran's Day, and thank the VFW and the American Legion for inviting me to participate in their ceremony on Tuesday morning. It was a very touching ceremony, recognizing veterans of all wars, and a number of comments were made by commanders that it is now time also to make sure that our new veterans are treated with dignity and respect that the past veterans were. I would hope and pray that the previous administration that would take office in Washington in January will address the issue of Veteran Services and Veterans Benefits. Without them we would not have democracy that we have, and speaking about democracy this last week there was a general election on the National, State, and local levels, hotly contested on both sides on all levels. We always get a chance every several years to take a look at how democracy works, how democracy prevails. Irrespectively which party takes controls of which governing body, I can always and it has been my feeling that everyone works for the better of the community, better of the State, better of the country, I would like to congratulate Council President Tanelli on his resounding victory. I think the record will reflect he was the highest vote getter on the entire ballot in the Borough of North Arlington, and Councilman-Elect Mark Yampaglia who has already served on these body, so he knows what he is getting himself into like the rest of us here. I also want to recognize the candidates of the opposition party, former Councilman Jim Hermann and Jim Bocchino, whom I have known for many years. Any respective political differences we may have had over the years, I have to respect and admire their spirited campaign and their commitment to the community. Right now on this governing body, we have several members of one party and several members of another party, and I am pleased to be able to say to the people publicly here without any reservation that I have seen this entire body work for the betterment of the community and objectives that this community has. We are facing some challenges, and these challenges are not ordinary everyday businesses that local governments have to handle, those challenges can be profound. Especially in light of the litigation we are fighting now with ENCAP. I think it is no secret to most of you well informed citizens of the community that we are moving forward, and we are taking those challenges one by one, and addressing them, and making the decisions that we feel are the best decisions for the future of this community. That being said, I again

want to congratulate the community, I think over 6700 people turned out to vote last week, and that is a great achievement for a town such as this, for Bergen County, and for the State of New Jersey, and for our country, that a record number of voters came to the polls to voice their opinion and make their decisions. So again I want to thank the community for the support that they give us. I also want to recognize and welcome those have complaints, problems, and issues that they think that have to be addressed by us. That is what we are here for, and I have said that on previous occasions, and I will say it again tonight, we work for you, and we are glad to see some participation here and we want to continue to make ourselves open to the community and do the job that we are elected to. Thank you every much, and at this point, I think we will entertain a resolution for executive session.

R-267-08 RESO RE: EXECUTIVE SESSION

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Granell
ROLL CALL: All council present, vote in the affirmative

MOTION TO RETURN TO REGULAR BUSINESS

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Bianchi
ROLL CALL: Council present, vote in the affirmative
EXCUSED: Councilman Ferriero

R-268-08 RESO RE: MELRAY'S SETTLEMENT AGREEMENT

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Tanelli
ROLL CALL: Council present, vote in the affirmative
EXCUSED: Councilman Ferriero

R-269-08 RESO RE: FIRE DEPARTMENT ANNUAL CLOTHING ALLOWANCE

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Tanelli
ROLL CALL: Council present, vote in the affirmative
EXCUSED: Councilman Ferriero
RECUSED: Councilman Bianchi and Councilman Hughes

R-270-08 RESO RE: RATIFICATION OF PBA CONTRACT

INTRODUCED BY: Councilman Tanelli
SECONDED BY: Councilman DiBlasi
ROLL CALL: Council present, vote in the affirmative
EXCUSED: Councilman Ferriero

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman Tanelli
SECONDED BY: Councilman DiBlasi
ROLL CALL: Council present, vote in the affirmative
EXCUSED: Councilman Ferriero

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