

MINUTES

REGULAR MEETING, THURSDAY OCTOBER 9, 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, Councilman Tanelli

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

PLEDGE OF ALLEGIANCE

MOTION TO SUSPEND MEETING FOR BOROUGH ATTORNEY UPDATE

INTRODUCED BY: Councilman Ferriero
SECOND BY: Councilman DiBlasi
ROLL CALL: All Council present, vote in the affirmative

Anthony D'elia – The Mayor asked that I summarize to both the Council and public the important issues and the ruling by the Arbitrator who resolved the on-going PBA contract negotiations between the Borough and police department. I will be using the boards in front, Council has pages in front of them, and some of public may have pages. I will give you some background as to how we got to the point of binding arbitration, which was heard in December of 2007. The arbitrator took until last month to issue his option, it is a binding arbitration, the police have accepted the contract, Mayor and Council are happy with it, and there will be a formal contract presented to both side to be signed and ratified. The last contract run out in December 2006, the police salary at that time and currently where high, the arbitrator found them to be high, with full benefits. When you include Holiday pay, the police salaries in North Arlington are higher than Lyndhurst and Rutherford. Back in 2007 we had a number of months of negotiations and number of meetings, and mediations, etc, including the Mayor and Council, excluding Councilmen Bianchi and Hughes-who were not on the council then, but the Borough offered 0%, flat salary-no raise rate in 2007, 2% in 2008, and 2.5% in 2009. The Borough wanted the police to contribute to health care, opt-out provision if they were covered through a spouse with a 20% of the yearly premium of the health insurance going back to that officer, we would than be able to cancel that officers insurance for that year. If it was a family plan at \$15,000.00, we wanted to pay the officer 20% of that or \$3,000.00, and than we would not have to pay the remaining \$12,000.00 for the health premium, it would be a big savings for the Borough. We wanted to pay the officers bi-weekly, the officers actually took us to grievance on that, won on grievance, and we wanted it changed to bi-weekly at arbitration. We would save about \$10-\$15,000.00 a year. We wanted increased deductibles and co-pays, new hires to have an HMO, no longevity for new hires. Longevity is a base salary with percentage increase every year, if you are a police officer say for 4 yrs, you have another 2% increase added, six years another 2% increase. This is want we didn't want for new hires, but the police would not agree to any of that. The police demanded 5% per year, no change at all in health benefits or any benefits, and weekly paychecks. The negotiations continued in 2007 the Borough and council did not agree to the police officer's demands, and brought binding arbitration, which was held in December of 2007. As a result of the arbitrator's decision, not settling with the police, the Borough has saved over the life of this next contract, approximately One Million Dollars, between what the police wanted, and what the arbitrator awarded. In salaries alone, the savings was \$585,000.00, with that opt-out provision the arbitrator

decided that the Borough now has the option, if the police officer wanted, to pay 1/3 of what they would pay for health premiums for a year. I am told that is about \$17-\$20,000.00 for life on a family plan, instead of paying \$17-\$20,000.00 to the insurance company we can now pay the police officer 1/3 of that, which is about \$6,600.00 and the remainder of about \$14,000.00 is saved. If only five officers take advantage of this we will save over the life of the contract \$280,000.00. The bi-weekly versus weekly, arbitrator agreed with us, starting in January every two weeks, conservatively savings about \$10-\$15,000.00 over the life of the contract, another \$50,000.00. We have other benefits that the arbitrator gave us, but the police did not want to give to the Borough, cannot factor in until they play out over the next 4 yrs of the contract. When you add up what the police wanted and what the arbitrator gave them is about \$915,000 plus. The county average for salary increases is 4%; they got less than that saving the taxpayer about \$275,000.00. There were some key findings by the arbitrator, his words that your finances in North Arlington are uncertain, recognizes that big tax increase last year, lack of state aid, and the impact of lost of Host Tipping Fees, he looked at the history of this town, and realized why North Arlington was facing these problems. The spending by Mayor and Council, the arbitrator's conclusion, cannot be significantly reduced because in 2004 that administration downsized, laid off a significant number of people, cut spending. The spending here in North Arlington cannot be cut that much more to save money for the taxpayer; the arbitrator recognized that when he looked at the facts of North Arlington. He specifically found North Arlington police officers are well compensated, and that the police union demands in this case failed to take into consideration the Borough's financial posture and did not take into account the interest of the taxpayer. Those were some of the key findings in his decision. The benefits were also modified and reduced. The police, as well as in the private sector, now pay towards health insurance, there is a co-pay for prescriptions, under the old contract it was doubled by the arbitrator. That saves you money technically with the insurance company, your premium is a little less. The deductible to be paid by police such as doctor, hospitals would double now. No guarantee officer will take the opt-out provision, but if they do, the town saves there. New hires go into HMO plan. The arbitrator did not eliminate longevity payments for new hires, but he did reduce it. The difference between an average percentage increase in salary and what it would actually cost the taxpayer, the way the arbitrator factored these raises in over the next 4 yrs, he did it in a staggered fashion. He didn't give a full raise for 2007, gave a raise for half a year, he didn't give them a full raise for 2008-first three months they don't have a raise, in April they only get 2%, in October another 2%, there is a difference between an average percentage increase in salary and what you, actually as a taxpayer, comes out of your pocket as a result of those staggered payments. The base pay is what is made before overtime, example at \$50,000.00 per year, the average percentage increase for this contract over the 4 yrs is 3.81%, when you look at the actual base pay, end of each year it goes up an average of 3.81%, doesn't mean the taxpayer pays that amount, you may less because of the staggered payment. The patrolman in North Arlington, base pay after working here for 6 yrs is \$95,000.00, no over time no holiday pay, no nothing works here 6 yrs, if you gave that officer a 3.5% increase in one year, it would be a \$3,325.00 increase, \$98,325.00 for a year, but if you gave a 3.5% increase but didn't start until July 1, what would you actually pay him? He would still be getting his 3.5% salary increase but for January to May, he would have no raise, you would pay him half of his base pay of \$95,000.00 which would be \$47,499.00, now the 3.5% increase kicks in, you would have to pay him half of \$98,325.00 for the last 6 months of the year, \$49,162.00, even though you gave him 3.5% salary increase, because you didn't give it to him for the first 6 months, the taxpayer only paid \$96,661.00, that is the difference with a staggered payment. At the end of the year this police officer's base pay is \$98,325.00 on the books, but for that year the taxpayer only paid \$1,644.00 less than what the 3.5% would have been for the whole year. Total savings for the taxpayer, compared to what the police wanted at 5%, the county average of 4%, salaries only, the first year of this new contract for 2007 you start with base pay of all the police officers for December 2006, the arbitrator gave the police a 3.5% increase for 2007, but the taxpayers are paying far less than that, paying half of that, as a group, the officers made a base pay of \$2,847,158.00, the arbitrator gave them no raise for the first 6 months of 2007. January to June the taxpayer has to pay them half of this number \$1,423,579.00, now the 3.5% increase comes in July 1, so for the next 6 months, taxpayer pays \$1,473,404.00, so for the whole year it is costing the taxpayer \$2,896,983.00. Take the base times 3.5% which is equal to \$99,650.00, add to base pay,

and you get \$2,946,808.00 increase salary, but you are only paying it for 6 months, \$245,567.00 per month, \$1,473,404.00, as of December, end of the year base pay has gone up 3.5%, now the base pay is \$2,946,808.00, but because of the staggered payment, taxpayers don't have to pay that over the full 12 months, only \$2,896,inaudible. If the police had gotten the 5% increase you would have paid them \$2,989,515.00 from January through December of 200inaudible, if county average of 4% had applied to 2007, you would have paid \$2,961,044.00, but the actual cost as a result of the arbitration is only \$2,896,983.00, in the year 2007, saving \$92,532.00 in salary alone, the different between 5% and what the arbitrator awarded to the taxpayers. North Arlington did better than the county average \$2,961.044.00 base pay at 4% and subtracting what the arbitrator awarded, you saved the taxpayers \$64,061.00 in 2007. Diagrams show what the figures are for each of the years as a result of the arbitrator's award. When you add up all of the savings \$92,000.00, \$132,953.00, \$143,319.00, \$215,973.00, you come up with \$584,245.00. When you look at the boards and add up the salaries as I just explained to you, that is how you arrive at that number. A full contract will be arriving to ratify at some point in time. No one has a choice once an arbitrator entered a decision. Any questions from Mayor and Council first?

Councilman Ferriero – How does this compare to the average throughout the state?

Anthony D'elia – The average throughout the state is slightly higher than 4% county average. I have gotten seven or eight calls from other communities that are in negotiation with their police, this is an unbelievably beneficial to the Borough, and it is being heard in other communities. I informed them up front that unless you a community that was living off host garbage fees, that has had significant problems with state aid, and then compounded by ENCAP situation, you are not going to have the same financial fixture as North Arlington. We presented a picture to the arbitrator, a lot of seniors in the community, showed that historically since 2004 Mayor and Council really got a choke hold on spending, and cut off as much spending as possible, that there is very little room for growth tax wise, we are a small community with a cemetery right in the middle, and as far as commercial development, it has always been difficult to attract.

Mayor Massa – I would like to thank Mr. D'elia for the excellent job he did in presenting the Borough's case to the arbitrator. I also want to thank the members of this council for their resolve in making certain the case presented to the arbitrator was in the best interest of the municipality and the taxpayers. Of course the arbitrator's decision as the attorney stated, is binding for both parties. That is the process and purpose of arbitration, and I think that when you factor the savings into account for the taxpayers, this is a very significant benefit for the community with respect to our bottom line. It also is my feeling as a career law enforcement officer, an equitable settlement for the parties involved. It takes in to count the extraordinary and unusual financial difficulties that the Borough has been facing for the last several years since the loss of host community fees and since the onset of ENCAP developer issues. I want to thank all the parties involved in this process for their resolve and diligence in getting the case before the arbitrator, and reading the arbitration award, which is lengthy, the arbitrator does on several points of his decision take into account the financial straits of this community. Thank you again.

MOTION TO RETURN TO REGULAR COURSE OF BUSINESS:

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present, vote in the affirmative

PUBLIC COMMENTS:

Bob Norcia, 108 Sunset Avenue – I have a complaint with the Construction Dept., which was given on 9/07 which still exists til today, which is over a year, and no reason a taxpayer would have to wait this long to have a problem resolved, which you know about, and the Administrator. I have written several letters, five six letters which I have documented with the date on them and every thing else. Recently I came up to speak to the Administrator about the problem and two of the other town employees heard the conversation which I already Mr. Wall about, and one or maybe both of them contacted

the other party inaudible I received a letter from the lawyer that I am harassing her, I should say the party involved. That is about it Mayor. I had this problem a year, you resolved the problem before you became Mayor, it was an eight-year-old problem, with the same people, you sent some body down there and in three months, it was taken care of. They said there was no violation, after you send someone, there were three violations. It was in the paper, I have copies, three consecutive months in a row, now we come to a problem where it is over a year, 13 months, why so long? Something like this, if there is a complaint regardless of what it is, any kind of complaint should be resolved in a reasonable time. Ninety days lets say. Why a year, I don't understand, then I get BS, I should say from April til now. No body wants to give me an answer, you can't find out any thing, what is the procedure; no body seems to know any thing. The hearing we have is next week, which I hope to be resolved. I just wanted you to know that I didn't think it was right that I have to wait over a year to get it resolved. No body should be given information and then put me on a spot where I have a lawyer trying to put on the spot by sending me a letter saying I am harassing his client. If I come up here and speak to Mr. Wall, and there were two other people, and I already told Mr. Wall about it. He said, if you want you can bring it up and I intend to bring it up. No body should be given information to the other party because they went to school with them or they know them longer. I pay more taxes than them people, but is it because they live here 15 years longer than I did, I don't understand it, is it just politics? What is, when does it stop? I will end in a second, you said yourself that you wish that was a way to resolve it, and if you recall the conversation, you and I had. I said I wish there was a way too, I wanted to resolve it by saying hello, stop the b/s, on two separate occasions in court, the party said no I remain to keep things the same. So now, I am still getting the business, and no body does nothing about it. The last letter I sent to you I said to show good faith that I am telling the truth I said why can't we have a meeting being you said that you wished there was a way to resolve it, and I said you, the lawyer, and the administrator let the party say what they want to say and I'll say what I want to say, and let's see who is doing all the lying. The problem is the other party forgot about the 8th commandment. That's all I can tell you, I am very frustrated over the situation, I'm ticked off that it lasted this long, and I don't people in the building or any of my neighbors making me something I am not. That's all.

Mayor Massa – Mr. Norcia we will address that as soon as the rest of the public has been heard.

Ann McClure, 10 Bayliss Street – First I want to say, Mr. D'elia your explanation of the raises was excellent, very easy to understand. Mayor Massa, I want to thank you for sending these two gentlemen to my home exactly what they said the problem was, it was, because I had company and one of the fellows knew how to fix it, so we got the job taken care of. They were very courtesy, kind about the problem. Every police officer in this town earns every dime that they make. If people would be out there at one in the morning and see half of these kids out on the streets giving them a hard time, instead of the parents staying home, the cops shouldn't have to baby-sit for them. They should be out there getting these kids off the streets. Thank you.

Bob Fox, 203 Prospect Avenue – I own the building, 199-205 Prospect Avenue, since August of this year, I have been reading the papers, its talking about a "Landlord Registration Ordinance" and I would just to present this petition with a 146 names signed that we do not want this at all. I have not seen a copy of it at this point, but just so we can spend our time on more productive activates, instead of trying to pass an ordinance that according to the Record it says these ordinance don't work and they can become very expensive and I don't think this town should spend extra money on things like that. I would like to present this to you now Mayor. Thank you.

Buddy Filipone, 45 Ridge Road – I was just curious, I wan to find out, I have lights on a building and I am wondering who authorized them to be put on without my knowledge?

Anthony D'elia – For the last 2 yrs we have had a process where people speak at the microphone, they have five minutes, than the Mayor and Council will have an opportunity to respond at the end, so ask your questions, and then after public comment if

the Mayor and Council wish to address it, they will, if not they wish for me to speak with you privately.

Buddy Filipone – I will expand on that, I put lights up and as I said without my knowledge, I question Mr. Kairys about it, and he had no answer for me. I have a call in to Mr. Wall, but I assumed he was busy and could not get back to me today. I would just like some explanation as to who authorized the lights to be plugged on? Thank you.

Robert Gaccione, Attorney from Gaccione, Pomaco & Malanga – Representing property owner and applicant at 235-241 Ridge Road, LLC, is here this evening. I don't know if there is a public comments session, I don't know if there is, to a resolution not on consent inaudible planning board. Just a point of order, my office represents the applicant, my office presented the inaudible to the planning board and inaudible, obviously you are in agreement with the recommendations. I just wanted to raise one issue we discussed after the meeting, and perhaps I presented to the Council for it's consideration, the one concern that came up, we agree with the prospect of the senior age restricted housing for the apartments that we are proposing above the ACE hardware commercial establishment. The one concern that we talked, I don't know if what the planning board contemplates what happens if we can't sell it to age restricted resident or senior housing, the suggestion that we raised is that we have a period of time with reasonable effort to do that, either by time limit, inaudible marketing, features that we would be able to market it open. If we can't our goal is to obviously to do it through senior housing, that is what is recommended by the board, we agreed to it, the only concern is without some kind of caveat we can't do it, I don't want to see us have to go through a whole new zoning process to try and get an approval which would deviate from the conditions being recommended. Really a sensible type of a recommendation, the details which I offered the Council to contemplate, and perhaps work into the conditions which are otherwise acceptable. Thank you.

Nick Mazzola, 82 Knoll Drive – First I would like to speak to Mr. D'elia, it was a great explanation, easy to understand, and you did mention that other communities were looking into the strategies that were used in coming up with this contract. It kind us makes us pioneers. To continue on that, how this Council handled ENCAP situation, I think you did a great job, and once again, I believe we were pioneers in that also. As far as municipal government is concerned, other towns have thus followed in our tracks in fighting against ENCAP. I am proud to say this Council is doing a great job, and I applaud you for that. One last thing, Councilman Bianchi a couple of meetings ago you mentioned having a day to collect batteries, oils, and other hazardous material, it was a great idea. I would love for that to happen, in the very near future. I myself have some stuff to get rid off, so if you can bring that up again with Council. Thank you.

MOTION TO CLOSE THE HEARING OF CITIZENS

INTRODUCED BY: Councilman Tanelli

SECOND BY: Councilman Granell

ROLL CALL: All council present, vote in the affirmative

Mayor Massa – To address Mr. Norcia, we have had a number of discussions about this issue and at which time I have articulated to Mr. Norcia that a Mayor does not have the authority to bring every body into a room and negotiate a neighborhood dispute. That doesn't fall within the scope of the Mayor's authority; there are institutions and agencies in the municipal government in place that handle these problems. You did articulate that you made a complaint, but you didn't specify tonight on the record what that complaint was, you said that complaint was with the construction department, and as I have said to you and I said for the record and for any one else in this community, and complaints that they have with the municipal services or municipal officials will be heard, they will not be whitewashed, they will not be taken lightly. However, being involved in government for four decades now, sometimes these issues are resolved and not to the satisfaction of every body. At this point, I think the Administrator can address this aspect of your complaint, about a zoning issue.

Terence Wall – The matter at hand is listed for October 15, 2008, it will be addressed at the zoning board level.

Mayor Massa – That matter will be heard by the zoning board. Now you made a comment that you felt that there was favoritism involved in the way the complaint was being processed, if you have evidence other than speculation, heresy, opinion, I would strongly suggest you present that to us. I will give you the opportunity to come forward and say any thing further you want to say.

Bob Norcia – I just wanted to add that I say it was the construction department, and it is a process of elimination, inaudible people heard it, and the Administrator is one, it had to be one or both parties that told inaudible, I didn't really appreciate it. You have to understand my viewpoint of getting a letter from someone's lawyer.

Mayor Massa – If you made a complaint against some body in the community, that person does have the right to know what that complaint is. That person will be put on notice as to what the complaint is. That may very well be the reason.

Bob Norcia – Not by one of the workers. Mr. Wall has the authority, why would one of the workers have the authority to notify someone else?

Mayor Massa – I don't know all the mechanics surrounding your situation right now, so what I will do is have the Administrator submit a report to the Mayor and Council, as to all the facts and circumstances surrounding your complaint so we can resolve this issue. As Mr. Wall said the issue regarding a zoning question must go before the zoning board, it is scheduled for the zoning board next week. Any thing further that happens will be documented to the Mayor and Council so we can be fully aware of all the facts and circumstances surrounding your complaint. Mrs. McClure thank you for your kind comments regarding the police department, and your comments regarding the Borough Attorney's presentation of the arbitration award. I can't help but notice Officer Ryan here present in the Council chambers tonight, a member of North Arlington's finest. I remember when he came on the job, his father and I were partners in the police department, we rode in a radio car together, we were detectives together, and we dealt with many a rascal in our time. Sometimes, there is this feeling out there that suburban police don't have it as difficult as big city cops, but we have different problems on a different type of level. Be it as it may, we handle as many times deal with the same rascals as the big city cops do, because we lock them up from the big cities. Many times when they are locked up in a local police department, they are carrying the same guns in North Arlington, as they carry in Newark and Jersey City. They can kill you just as dead as they can any body anywhere else. I would like to go on the record for that, sometimes it may be thought that I am a little tough on public employees because of the difficult standard that we take in negotiations, but people have to recognize the Mayor has to be the Mayor for everyone, he has to be the Mayor for senior citizens who are on a fixed income, for parents with small children, people who work 2 or 3 jobs to pay their mortgages and pay their bills. We try to strike as much of a balance and with respect to binding arbitration, that is the law here in New Jersey. It is a good process, it is a process that has been in place for over thirty years, and that process is quite frankly an effective process because what it does is it keeps politics out of the final solution of police salary negotiations and fire salary negotiations, where the two parties are at an impasse. What happens with the process as the attorney said, both parties agree to be bound by the arbitrator's decision. In this case, the arbitrator's decision was quite thorough and took in to account a number of fiscal issues that we are concerned with. Thank you again for your comments. Mr. Fox with respect to your petition, opposing the landlord registration ordinance, at this point this has been a matter of consideration by Mayor and Council, there are some aspects of this ordinance that could be quite beneficial to property owners, but until we are thoroughly convinced that this will be an ordinance that will be beneficial to all the parties involved, we will not act on it. Of course we will always give due notice through the proper notification procedures as to what we are doing with respect to any proposals for this type of ordinance. There were a number of questions that were raised by some of the councilpersons here regarding the ordinance, and I respect the fact that you have presented us with this petition, which is not binding, but from my perspective as your Mayor, it is advisory. We want to know what the feelings

of the community are before we take an action that would have some kind of impact on the community, especially the property owners. We know very well that those of you who own the multi family dwellings, the taxpayers, have the same problems with increased taxes and increased operating costs, insurance, and maintenance cost for your property. We take these issues into consideration before we take any final action. Please be rest assured that prior to any action at all upon this governing body, these issues will be considered. Mr. Filipone, I would like to have the borough attorney address your concerns after the break. Counsel I want to thank you for your presentation this evening in respect to that property on Ridge Road. As you very well know this is part of what we are looking to do here in North Arlington, rehabilitate and redevelop properties that are in need of development. We want to increase our tax base with that real estate and turn it from an eyesore with a negative impact liability and turn in to an asset for the community. Thank you for your concerns, the concerns of your client, and your presentation here this evening. Mr. Mazzola I want to thank you also for your comments, I want to also recognize for being a very productive and contributing member of this community with respect to the development of our young people, as our Youth Director and thank you so much for your presence here this evening.

Councilman Hughes – Mr. Mayor may I also comment? Mr. Mazzola you had commented on a suggestion Mr. Bianchi made about hazardous waste collection. Unfortunately the way the laws read today if you do a collection program similar to what you described, you end up owning the product, and hazardous materials can be extremely expensive to try and get rid of properly, dispose of properly. The Bergen County Utility Authority in conjunction with Bergen County Health Department runs 10 of these collection days a year. I believe there is one more scheduled for this year; Sunday, October 19 at Bergen Community College, there is I believe a poster on the bulletin board outside. They will take any kind of oil-based paint, latex paint they rather you dry it out and throw it away in the garbage. Used oil, any kind of pesticides, hazardous waste, used batteries, mercury light bulbs, they will collect all that stuff and they have the responsibility of getting rid of it properly. I was involved several years ago with the fire department where we did collections of propane cylinders; it was a very successful collection. We had a company at the time that was willing to come and take them at no cost to the town. Things change, the company said ok and they wanted to charge us for each cylinder we collected, it became cost prohibited. Bergen County will also take propane cylinders, there is a whole list of stuff on the poster, that they collect, they do this 10 times through the course of the year, we generally put it in the paper, all the local papers have it in the spring time with a the list of dates, some are Saturday, some on Sunday, some in Mahwah, some are in Paramus, and there are some in Moonachie.

Councilman Bianchi – Nick that is the reason why nothing has been done since I mentioned it back in April, the red tape involved was just immense. I told with Jimmy about it, and wanted to just get something for the town, and it is almost impossible to do. There are so many legal things; Jimmy said what am I going to do when I get it down to DPW. That is why nothing was said again.

Councilman DiBlasi – For the attorney representing ACE Hardware Store, we are happy to have new businesses come into North Arlington, as the Mayor just stated, the only thing that I question is I am also on the planning board, we would like to have businesses succeed in North Arlington, are we talking about the second floor there for the senior citizens of the ACE Hardware Store, that you want to change? I don't see any problem with you changing it, the only problem that I could see is that you made a statement with the attorney that you don't want to go in front of the zoning board or the planning board, that would have to happen. Maybe you don't have to go through the whole mechanics of it as you did the first time. It has to go back because we want to know what is happening on the second floor, we need to know that. I hope you succeed, that is what we are here for, and if we have to help you, we want businesses to succeed in North Arlington.

Councilman Bianchi – Just real quickly, being that my store is in that area, many of my customers come from Front Street; their concern is parking on their block, which is horrendous to start off with. They are having a problem with the students parking their cars there and some teachers. In conjunction with whatever is going on, could we start a permit parking, getting Officer Wehrle to check into it?

Councilman Granell – At the last meeting, when we were addressing the other street, we said we would start that first and then would come Front Street all the way down. Have the police chief make his recommendations to the Mayor and Council about permit parking for those residents as well.

Councilman Bianchi – What is happening now, and what I hear on the street is that people on Biltmore Street, it is starting to mushroom, the people on Biltmore Street have a problem between Gold and Washington School, no parking. They heard that Albert Street is going to be permit parking; they want to know if they can have some relief, or be able to park their car...

Councilman Granell – Just today, Councilman Tanelli and I received email from residents on Union Place concerning parking. They are all going to start asking for this, we should really bring up to the police chief to address, and come up with a plan so we can implement that plan.

Councilman Bianchi – I know since January or February I have been talking about Union Place because I live in that area, and people stop me on the street. It is really really bad, and people from Gold Street to Washington School on Biltmore Street they have a big problem, but I don't see too many problems around the town, just basically in that inaudible track by Washington School, it is so congested. Maybe we can help these people especially by Union Place. Around town it's really not that bad, just a couple streets. If we do for one, we have to do for all.

Mayor Massa – There are pockets in the community. It would behoove us to address those issues.

BOROUGH ENGINEER:

DOMINICK VILLANO – Thank you Mayor. Gentlemen regarding the Ridge Road Streetscape, the contractor will resume next week, they will finish up with the planting, the street furniture. We have also contact PSE&G and North Arlington is next on the list, they are in Wood-Ridge right now, the lights will be installed within the next few weeks. Schuyler Avenue and Belleville Turnpike, I presented to you some quotes, the attorney and I will get together and work on a resolution and a suggestion for you. Hopefully at the next meeting we will present it for your decision. Drainage for Holy Cross Cemetery I presented a letter with plans and all the back-up information as to why this project is needed to the cemetery board. I think at this point we are just waiting for a signed agreement. It indicated it was just a formality for us to give them all this information, they just want to look at it, discuss it, they will be signing the agreement fairly soon. Once that happens we will move forward with re-bidding of the project. Geraldine and Truman pump station, the equipment is starting to come in, some of the parts are in, we cut down on the amount of alarms, so things are starting to take shape. We will keep you posted as we progress along with that. Canterbury Phase I is just a matter of finalizing the paperwork, we had to take some samples and send them to the DOT, in turn they will close out the project, reimburse you the rest of the money. Phase II you will notice today that we did the milling, tomorrow will be paving, so hopefully within the next couple days things will go back to normal, and you will have a brand new road. Hedden Terrace similar, we just have to close out the project, I think the paperwork is basically done, just a matter of finalizing it and closing it. Morgan Place we have a pre-construction meeting scheduled for tomorrow, hopefully within the next couple of weeks we get that under way. Firehouse improvements I have a meeting with Mark Zidiak in the morning, I do have a plan that I want to present to him, I just want to make sure that it does work with what they have in mind. Tomorrow morning at 8:30 I will meet with Mark and hopefully we will come to an agreement as to what is to be done, that we will bid that project.

MOTION TO RETURN TO REGULAR ORDER OF BUSINESS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Ferriero

ROLL CALL: All council present, vote in the affirmative

RESOLUTIONS ON CONSENT AGENDA

R-232-08 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-233-08 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-234-08 RESO RE: REFUND OF MONIES DUE TO OVERPAYMENT

R-235-08 RESO RE: REFUND OF TAX MONEY- VETERAN

R-236-08 RESO RE: REDUCED ASSESSMENTS VARIOUS PARCELS OF LAND

R-237-08 RESO RE: REFUND OF MONIES – WIDOW DEDUCTION

R-238-08 RESO RE: ON PREMISE RAFFLE PTA ROOSEVELT SCHOOL
LYNDHURST

R-239-08 RESO RE: ON PREMISE RAFFLE HSA QUEEN OF PEACE GRAMMAR
SCHOOL

R-240-08 RESO RE: OFF PREMISE RAFFLE HSA QUEEN OF PEACE GRAMMAR
SCHOOL

R-242-08 RESO RE: REFUND OF TAX MONEY

R-243-08 RESO RE: 2008 CORRECTIVE ACTION REPORT FOR 2007 AUDIT

R-244-08 RESO RE: APPROVING CHANGE ORDER TO 115 BERGEN AVENUE

R-245-08 RESO RE: BOROUGH OF NORTH ARLINGTON AUTHORIZING CMX
TO PREPARE AN AMENDED RIDGE ROAD REDEVELOPMENT PLAN

R-246-08 RESO RE: COMMUNITY DEVELOPMENT BLOCK GRANT

R-247-08 RESO RE: POSSIBLE PURCHASE OF 309-319 RIVER ROAD, GINA
GHIONE AS THE BUYING AGENT FOR NORTH ARLINGTON

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present, vote in the affirmative

R-248-08 RESO RE: APPROVING CHANGE ORDER FOR RIDGE ROAD
STREETSCAPE PHASE II (**PULLED FROM AGENDA NO ACTION TAKEN**)

R-249-08 RESO RE: RESOLUTION AUTHORIZING COMBINED SALE AND
ISSUANCE OF BOND ANTICIPATION NOTES

R-250-08 RESO RE: APPOINTMENT OF TWO (2) NEW FIREFIGHTERS

R-251-08 RESO RE: APPOINTMENT OF EMT PER DIEM
RESOLUTION AMENDED

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Bianchi

ROLL CALL: All council present, vote in the affirmative

R-252-08 RESO RE: PAYROLL SERVICES

**R-253-08 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON
COUNTY OF BERGEN, STATE OF NEW JERSEY, APPROVING REVISIONS
TO THE NJDCA SMART FUTURE GRANT**

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

Councilman Tanelli – Regarding Resolution 247-08, I have a concern Mayor and I would like to direct this question to Mr. D’elia based on some correspondence regarding the purchase of this property. If we appoint Mrs. Ghione to be the representative from the real estate, to actually go to a listing agent, if we decide not to purchase this, is there a cost to the Borough?

Anthony D’elia – No, just for the sake of transparencies so I am not indicted by Chris Christy or any body, this is the chief of police’s wife. No she is just being hired as a regular real estate agent, if the deal does go through and there is an actual closing, than she gets a percentage, but if comes out of the seller’s share of the precedes.

Councilman Hughes – I have a question Mr. Mayor. Mr. D’elia this there a need because of the transparencies of the issue, put this out on a regular RFP, or the way we are awarding this proper?

Anthony D’elia – This is a professional service of a real estate agent. You don’t have to go out to an RFP or do anything like that.

RESOLUTIONS NOT ON CONSENT

R-241-08 RESO RE: ACCEPTING THE RECOMMENDATIONS OF THE PLANNING BOARD TO AMEND ORDINANCE #1823 SECTION 5.50A-23 (i) (g) OF THE RIDGE ROAD REDEVELOPMENT ORDINANCE (NO ACTION TAKEN)

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

R-254-08 RESO RE: BOROUGH PURCHASE OF TEN BLUETREE GPS-5600 SYSTEMS

Councilman Hughes – I have a questions one this, one where are we getting the funding for this, and what’s it going to cost, what is the need and purpose for it?

Councilman Granell – Point of Order. Sometime back in May when we first started, just to give you an idea, we have been looking to GPS Borough vehicles from an accountability perspective. One of the things we have been looking at the Info Cop system that is partial in place downstairs by the police department today. In today’s business world, GPS tracking technology is standard in fleet management It is an excellent way for fleet owners and managers to monitor their cars, trucks, and vehicles effectively. This directly coincides with the second phase of what we actually did before with our vehicles and policy ordinance, the first thing we wanted to so was build accountability into the ordinance for Borough employees, and for the taxpayer’s protection as well on the proper use of our Borough vehicles. The second phase of that was now that we have a policy in place and guidelines to follow, how do we enforce that? We looked two very different systems, there is a passive system for GPS where you can put some thing in some one’s vehicle and at the end of the day or week, you can run a report, it tells you where that vehicle has been. Or you can look at an active system, which actually tells you “hey this vehicle is on such and such block right now”. We have been looking at different system over the course of the summer, and one of the big things we were looking at is, what are we going to do with actually police console itself downstairs as well? This Mayor and Council approved the telecommunications console for the police systems downstairs and this actually ducktails perfectly into a system where we are going to be able to monitor our borough vehicles from a GPS perspective, as well as our police vehicles. We had several conversations regarding this system that is already deployed in Lyndhurst, with Chief O’Connor, their police dispatchers now when they receive phone calls immediately they are actually able to track the first resource that

is as close as possible to the actually incident. In talking to Police Chief Ghione this morning, in getting his opinion on active versus passive, he was very much for the active GPS system, so he can integrate it downstairs with the police dispatch unit and the new console, that is coming in. These systems obviously cost money, the first passive system is around \$6,000.00, and this system itself goes for about \$25,000.00 fully implemented. Terence Wall and I contacted The New Jersey Meadowlands Commission, and some of money for the GEM car that we used to purchase it, they are going to allow us to equip it with GPS equipment itself, to use some of that funding. So subject to the funds being available in the budget, we would like to purchase this system and move forward, just so you have an idea of cost savings for a project like these, if you had nine GPS units installed, the average hourly wage of \$20.00 for an employee, and you lost on 15 minutes a day, you'd save \$12,000.00 a year, and getting that time back. In talking to Terence Wall today, we were trying to figure out the hourly wage for a borough employee with pension, benefits, and everything, so \$20.00 was a very low fee; I think we were looking at \$37.00 with everything in there together. With that type of number, this system pays for itself in the first year, but what it does from the very beginning, since it is installed, is put accountability back into the Borough. Mr. Mayor, you asked me very early on, in the beginning of this year to look at technology and ways to deploy technology to the Borough that was cost effective for the taxpayer, where we get the bang for the buck rather quickly and immediately. Also, the accountability perspective, this seems to be the perfect tool for that, it is a State contacted tool, we don't have to RFP or RFQ for anything along that line. There are many implementations, even here locally in the South Bergen area to that, so is there a need for this from an accountability perspective, I think it is the second phase of our vehicle policy ordinance that we are looking to implement in terms of accountability, and protection for the taxpayers of the Borough as well.

Councilman Hughes – Mr. Mayor the question I would raise here though is communication problems for the last 4-5 years our police and fire department have been requesting repeatedly for better communications within the Borough. They have been asking for a repeater system, a second radio frequency and a repeater system that would cost about \$21,000.00. To date we have not be able to find the money in the budget to buy this. This is a more vital system I think than the GPS system at the moment since we have police cars where a patrolman gets out of police car on a call, he can't talk to the desk on his portable radio because the desk doesn't hear them. We have situations where a police car on the west side of town can't talk to a police car on the east side of town because they can't get the radio signal over the hill. They have been requesting this for years and years, frankly I think the money would be better spent putting it into a repeater system to upgrade the communications that we are currently having problems with.

Mayor Massa – Councilman Granell

Councilman Granell – Far be it from me to be the public safety professional, in terms of what the professional themselves say they say inaudible, so rather than me be the expert, I simply asked the people who we asked to put their lives on the line and do that. One of the first things Councilman Tanelli and myself did was sit with Police Chief Ghione, Fitzhenry, Zidiak, Kairys, Mondaro all in the same room, and one of the first things we asked everyone in the room was, this is a meeting that is going to have to happen from this point forward, because there is only a limited amount of money in the budget. We asked them for the things that were important to them and prioritize that list of items for themselves that they felt that if the Borough had to go out and purchase items what did they want us to focus on and get. The number one thing at that meeting, that just recently happened, was the telecommunications console, every body I that room, from an emergency standpoint perspective signed off on that. This is a separate initiative that based on the funds, will not only enhance, but also help that particular process as well. I am not saying not get the repeater system, that is something that we talked about at extensive length with Mr. Zidiak, concerning trying to find funding for it. All I am saying is that this system is something that we have been looking at for a while, and it is Phase II of the vehicle and policies ordinance that we look at.

Councilman Hughes – I guess the point about these telecommunications consoles is that it is just a piece of furniture. We are spending the money on a piece of furniture, I am not saying it is not needed, but it is a piece of furniture, it doesn't increase our radio

capability, it doesn't improve them in any way. I think if the money could be found in the budget, which I am not sure that it is, because we never budgeted for this in the first place, even if we get part of it through a grant, I think the money would be better spent, like I said, increasing our radio capability, our communications capability, for the sheer safety sake of it. I think that is more of a safety aspect to our public safety professionals, than putting a GPS system in the cars. I don't disagree that it is not a good system, but I think we need to establish priorities, and I think our priorities are communications right now.

Councilman Granell – Inaudible as far as I am concerned, because I am going to ask for a vote on this, the reason we put those professionals in the same room, to ask them what they want us to get, is because they understood that there is a final amount of resources and money that this Borough has to spend. The recommendation from Fitzhenry, Zidiak, Robert Kairys, the Police Chief, and Tony Mondaro, the department heads from our 1st responders in this Borough, inaudible telecommunication console. Whether there were other things that they might have wanted to have, uniformly in that room, that is what they asked to get. That is very important because we are not driving the bus; they are when it comes to that. They told us what was important to them for the safety of Borough, and what they wanted. That is why we did that, that is a meeting that we are having quarterly now to get all these people in the same room, which never happened before, where you have all the 1st responders, all those people in the same room, because what happened was there were pockets of people asking for things and nothing was getting done. We simply said that we getting every body in the same room and we are all going to be on the same page moving forward. That is why that meeting happened, so when it comes to what equipment people should be getting, I am going to defer to the experts who actually do put their lives on the line for that. That is the purpose of the meeting; I believe you were there Councilman Tanelli for that?

Councilman Tanelli – Absolutely

Councilman Granell – As I said, what's better what's not better, I am certainly not the expert for that, but I do know that this is something that the Borough needs, and we having been working on this for a while, trying to take it down that path. I certainly respect your opinion concerning what they need in terms of equipment and the priorities for that. But I really think that is subject to what those people should, those business professionals responsible for those areas drive back to us. Thank you.

Councilman Hughes – I do believe though that the impression I heard back from that meeting was that this upgrade to the radio system was going to be further on or carried on or included with this upgrade to the telecommunication console. As of to this day, I don't think that is the case. One other aspect that I have done in a quick search today, I found out that there are grants available for these GPS systems through the Federal Cops Program for technology. I would like to see this pulled before the Borough spends any money on, and research all the possibilities of maybe getting it funded through the Cops Program. I would also like to find you know, carry on further and get the communications upgraded.

Councilman Granell – I have researched to the facts of what is available in terms of grants, and grants are going to take any where between 6 to 9 months to actually come through for this particular equipment, if we even apply and satisfy the requirements for the grant for the type of system we are putting in. I make a motion Mayor that we move forward with this particular implementation, call for a vote to move this forward and at that point and time if there are other grants that are available for the shopping list that our business professionals are wishing to give us, we pursue that action.

Councilman Bianchi – Point of order Mr. Mayor, I am a little confused on how to vote for this, yes or no, because basically I just heard about it tonight from Al in the office. I didn't know anything about this, and I would like to a little research on it myself, it is going back and forth between the two of them, and I would like to vote yes, but I don't know. I don't know if we could do a little bit more research, can we wait one more month Al, so I can ask around.

Councilman Granell – I believe this is something really important and needs to be done now. We have been working on this as a sub-committee since May. The recommendation from that sub-committee is to purchase this system. I don't understand the delay, subject to availability of funds.

Councilman Bianchi – I just heard about it tonight, it is the first time I heard about it.

Councilman Hughes – If we have been working on it since May, why did we just get the resolution handed to us when we walked in the door tonight?

Councilman Granell – Well I beg to differ with you Councilman Hughes, because you received this email yesterday, and you spoke with the Police Chief Ghione, so you didn't get it today.

Councilman Hughes – I received an email that it would be for discussion, I did not get an email that it would be a resolution.

Councilman Hughes – This is exactly my problem, if you want to come to a council meeting and just be objectionable for the sake of being objectionable, you can do that, but the business of governing and doing actually business has to happen. I don't see a reason for the delay of this. This is not a political issue, this is not about a he said she said, this is about doing the right thing. I think right now we should vote on this and do the right thing.

Mayor Massa – So what would be the specifics of this resolution?

Terence Wall – I will read the resolution

Resolution 254-08 is proposed as resolution regarding Borough purchase of ten Blue Tree GPS-5600 systems, Whereas, the Borough of North Arlington has obtained a proposal to purchase 10 Blue Tree GPS-5600 systems with software and services for installation into 10 police vehicles for a total price of \$25,999.00 in accordance with State Contract No. A69834; T No. T1044: and Whereas, the Borough of said GPS systems for police vehicles would be in the best interest of the Borough, Now therefore be it solved that the Borough Administrator be directed to purchase said GPS systems in accordance with the attached proposal at the aforementioned price as promptly as possible. Furthering that resolution would be an attached proposal from the company GTBM InforCop, 351 Paterson Ave., East Rutherford, NJ.

Mayor Massa – Any further discussion?

Councilman Granell – I will make a motion.

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman DiBlasi

Mayor Massa – I have some comments with respect to this issue. Especially issues that were raised by Councilman Hughes regarding the two-way radio communication system, have we had recent documentation with respect to the problems with the radio system from the police or fire chief Mr. Wall?

Terence Wall – I would have to defer to the respective parties, I can see if the respective chiefs are available to come in.

Mayor Massa – Is what we have is represented by Councilman Hughes's discussion regarding the problems with the radio system and they are a concern to me because public safety is tantamount here in the community, so what I would like to see on the part of the public safety committee is meeting and getting proposals from the fire and police chief, EMS articulating what our specific problems are. I know there has been some discussion with respect to the need of the repeater, if that is something that we really need, or if we could use additional two-way radio technology to get around the repeater. So lets get working on that and we will find out if whether or not we can do research to see what grant money is available. I know the Federal Government has grant money

available for public safety communications; again, it is an issue of qualification. Most of this money for grants goes to big cities, sometimes smaller communities like our's, get the crumbs from the table, if any at all. First of all lets articulate what our needs are, so we know what our problems are, get some proposals from various vendors that are experts in providing this type of equipment, see how it measures in compatibility to the existing equipment that we have, or perhaps maybe you want to turn around and we can get a Federal/State grant and replace all of our communication equipment, if it is feasible to do that. Lets take a look at that, but the thing that we have right now is a resolution before us that solves in my mind a very serious public safety problem's would like to tell you why, being in the police business for 41 years, in fact tonight is the 41st anniversary of that career, I have seen many instances where police officers and fire apparatus were involved in a number responses and it was difficult to find out what their locations where, if they were out of the vehicle and not in communication for one reason or another. They didn't have a portable with them or there was another problem. I think this is an officer safety issue, being a GPS equipment, I know it's been quite successful in many other police departments, and it is also a public safety issue, we do want to know where the vehicles are, at what time, we can establish response time for various locations and this is just another tool and the opportunity for us to use modern technology to our advantage, the cost does not appear to be excessive from what I can see. Unless any one wants to disagree with that? My feeling is that we go forward with this proposal; I think that the resolution calls for providing that we have the funding available for it. This Mayor and Council can make a determination as to how they want to go forward with it, but I think the GPS is something whose time has come, especially for public safety. I think it is beneficial to the community at really a minimum cost in fact. Any one else want to comment on that?

Councilman Bianchi – Yes Mr. Mayor, I am going to vote on this tonight. I am slightly a little confused, but listening to you, to Rich, to Granell, I am weighting my decision and I will vote on it. I was going to vote absolutely no, because I did not know. I am going to go along with you, I will ride with you on this one and we will see. Than maybe, we can get the repeater system next. I am going to be honest with you I am slightly confused about it because the technology you are talking about, I don't understand and I just heard about it tonight.

Mayor Massa – I would suggest you take a look at Lyndhurst Councilman if you have a chance, look at some of the other departments to see how it is working. Talk to the Police Chief there, it is a neighboring community, see how it is working out. My last discussion with Chief O'Connor regarding it, it was a Godsend, an excellent tool to have. Believe me when I say Councilman Hughes Council Bianchi and every body here on this panel who have voiced their concerns about our public safety issues, I have the utmost respect for your positions and opinions regarding our needs for public safety communications. That is going to be addressed, it is not something we are going to think about looking at, and as far I'm concerned it is an obligation we have. Not only to the community but also to our public safety professionals. That is something I want see a proposal put in place by the next council meeting, so we can get it off the ground. Start looking around for grant opportunities, inaudible. I thank all of you for your very lively and spirited discussion regarding these public safety issues rather than just going through the mechanics of saying yes or no on some thing.

Councilman Bianchi – That is what I was going to say, I was going to say its healthy that we do discuss these things like this, because I said I knew nothing about it. I learned a little bit about it in the last 10 minutes that we have been talking about it. I think it is healthy that we all don't just say yes or no, its good that we discuss it and the people see that we do discuss things like this.

Councilman Hughes – Mr. Mayor than I do not doubt the value of this system, I have see it, read about it, I know the international or the national association of police chiefs recommend it. I will go along with it, as long as like you said, the communication problem is moved as a top priority and we can get moving on that. I know it has been something that has been requested for years and it seems too inaudible.

Mayor Massa – I don't know why it has been neglected for years; I think probably the funding issues was something that was a problem in the past. Irrespective of what the past problems were, it is going to be a commitment on part of this governing body to address that problem. I thank you for your concerns and Councilman Granell also.

Councilman Granell – One of the big issues was that I think when you talk about the Homeland Security money that was available and the money that wasn't available after a short period of time, that doesn't mean that the Borough still doesn't have needs, and items that need to get purchase. I think that what happened was that many of our agencies applied for monies through the Homeland Security, monies for consoles, monies for vehicles, and thing like that, they didn't get it, because the funding was cut. That doesn't mean that North Arlington still doesn't have a need to get these things taken care, so one of the issues and one of the things we first did is, and Councilman Tanelli can tell you we got every body in the room, we said we know the money is not there on a Federal level, prioritize your list, work with us and tell us what you actually need. I think what we need to do is formalize that list Mayor and make that available to the Mayor and Council so we can see what those professionals are telling us that we need to go out and get them in the event that Federal funding wasn't there. Inaudible.

Councilman Tanelli – Point of order your Honor, part of that meeting was discussed what has been done for the public safety 1st responders in the last two years, the 30 sets of turn-out gear, the new fire chief's car, the two band new police cars that were purchased, right now we are in the process of purchasing an ambulance. The reason for that meeting was because of the financing in the Borough, so by having that meeting it was basically having where some organizations need more than others. We needed to get them in a room because what was happening is we are being hen-pecked by the department heads for what they need, we needed to get them all in the same room so they can understand what each other needed. The EMT's needed an ambulance desperately, the police chief maybe he knew maybe he didn't, once that meeting was over everybody knew what everyone needed. As far as the radio goes, I have had many conversations Mark Zidiak and one of the hardest parts, Councilman Hughes would be able to speak with him much better than I will, but one of the hardest parts was getting the frequency to be able to solve the problem, and there is a gentleman in Essex county that won't relinquish channels, and because I did try on this early on in the year, and then I also have Assemblyman Scalera offer to work through the county, but based on our recommendation from our fire department that was not an alternative that would be suitable for the Borough. That put a stall on the communications with the fire department and the repeater.

Mayor Massa – Before we vote on this, just this morning I was at an expo at the Port Authority in Port Newark, it was a public safety demonstration of major fire and police agencies in Essex, Union and Passaic County. They brought along some of their mobile command centers, there is a great deal of technology out there at our disposal, that is the plus side, the negative side of course is that it costs a lot of money. I find that a lot of the funding for this equipment comes from Federal grants, and it goes to county, state, and big cities. I think what we want to do is push as much as we can to our congressional representatives to found out what kind of public safety funding we can get through grants, so we can be on board and stop seeing these small suburban communities like ours strapped for cash, having to do without state-of-the-art communication equipment because we don't have the funding. Let's get the ball rolling on this and take a look at what our needs are so we can move forward with it.

ROLL CALL: All council present, vote in the affirmative

Terence Wall – Mayor and Council I don't to impose, but I did send a text message to the chief of police, speaking to modern technology, whose casual inaudible to briefly discuss the repeater issue if you would be so kind since you folks only meet once a month, I can verify that the repeater issue is a real issue in terms of communication. We have just approved the GPS programming, but one of the topics that have come up for discussion is working to resolve the repeater issue in turns of radio communications.

Police Chief Ghione – Please excuse my attire, I just came back from a game with my son. The repeater issue is an on-going issue that has been

Police Chief Ghione – Please excuse my attire, I just came back from a game with my son. The repeater issue is an on-going issue that has been focus of the fire and police department, and EMS for several years. To give you a little history and I am sure the Mayor himself can recall when he was actually on the street. We have dead zones, which include specific areas of the Borough, when we are on portable radio that we can not communicate with headquarters. What magnifies the issues is the inability to communicate from person-to-person on a portable radio. The cause and effect of it is the hills and the terrain of the Borough of itself. Shortly after being appointed Chief, I met with the engineers for Motorola, and the engineers came up with two separate solutions. Solution A was to get a repeater system, which I tried to get, in order to put a repeater system in place for our radio system itself, we need two additional frequencies that parallels North Arlington's frequencies. I endeavored in an attempt to get the two frequencies from a Lieutenant Mearly, who is the coordinated for our geographic area for the FCC. We were very dismayed in our attempts and inability to get a repeater system. We go back to Motorola with forfeiture funds I paid them, I think it was about \$7,000.00, for them to apply for our repeater system because they felt they would have a better success rate in doing so, they failed as well. After that, we thought that the next step would be for us to have the fire department get involved, because they felt their attempts through Freddie Scalera; they may have had additional success. The fire department is attempting in the process of attempting, the best of my acknowledge, to secure a pair of frequencies. Solution B is to by something called satellites; we currently have two satellites at the firehouse on Schuyler Avenue and River Road. How the satellite works is that it captures a frequency, it send the frequency by wire or phone line to headquarters. We must understand that when that happens the rest of the tour or fire department may not hear that particular call, so there has to be a redundant message from headquarters or repeated message from headquarters. Right now that is where we are at, we work within the means that we have and doing the best with what we have. That is it in a nutshell.

Terence Wall – The Mayor and Council directed us to work on that issue, to bring solutions back to next meeting. I appreciate you coming in.

Mayor Massa – Chief what is the power output in the base station?

Chief Ghione – 90 watts

Mayor Massa – Are we restricted by FCC regulations to that power?

Chief Ghione – Yes

Mayor Massa – What about the portable radio, 5 watts?

Chief Ghione – Seven

Mayor Massa – The cars are what?

Chief Ghione – They are 50 and 30.

Mayor Massa – Okay. Would it help us out if we were to get more powerful two-way radios in the cars, say up to 100 watts mobile radios in the vehicles, would that help us at all?

Chief Ghione – Inaudible our license would allow it. But I don't even know if they do make them inaudible.

Mayor Massa – Or use high gain antennas, are we using high gain antennas?

Chief Ghione – Yes. That was one of the things we did switch inaudible for high gain antennas and that was one of the recommendations from the engineers. The high gain antennas are not available for portable radios. DPW is complaining that they have the

inability to communicate. As you may know already, when we upgraded, when we received the grant to upgrade our portable radio system, we passed along our old scanner radios to DPW, who are currently using them, so when ever they communicate they have to relay through the desk. The fire department has the same issues as well.

Mayor Massa – So apparently this problem is a little more complicated than we originally thought. As I directed earlier in the evening, a few moments ago at least, I would like to take a look and see what our options are with respect to a repeater system. I don't know why we are having a problem with this frequency allocation, if there is any way we can get it resolved, legislatively, let's do that.

Councilman Granell – Mayor I would like to take that as an action item, if we can actually document all the issues for all the agencies to make it actually happen. Let's make the shopping list, document everything we need, and then maybe we can actually contact a telecommunications firm or specialist to come into the Borough and present us with a plan to move forward, that makes sense and encompasses everybody here to understand what it is going to take from a dollar perspective what it is going to cost to actually make that happen.

Chief Ghione – Councilman Granell, just to clarify what you are describing here, when we met with the ESS all the emergency service agencies were on board. What you are describing here has already been done in that particular meeting; there was the fire chief, the EMS chief as well as representation from the volunteers from the emergency squad.

Councilman Granell – I think the departments are fine and they are on board. I am just concerned about the technology not being able to satisfy the requirement, and us not having the experience with the technology to get it done. We may need someone to come in and actually tell us what needs to be done.

Chief Ghione – Our technology when we bought the upgrades to the system, we also included the technology so that we can just slip the cards in. There would be of course an additional, I think at that point in time maybe \$10,000.00 a slot. It would be a \$20,000.00 cost, at that point in time. We just, no matter where we turn, we can't seem to get this pair of frequencies.

Mayor Massa – Okay obviously this is an issue.

Councilman Tanelli – Chief if I recall, we had a conversation quite some time ago, discussing cell towers on Ridge Road. Did that have an impact on the communication from the police station to let's say the Belleville Pike? Where there are quite a few cell towers on Ridge Road on some of the buildings.

Chief Ghione – They claim that is now. There is a difference in opinion depending upon what or inaudible you speak with. Some of the cell towers that are on Ridge Road and Schuyler Avenue were basically put there because of the police department. When we were migrating to the systems that we have in the cars, that enable us to communicate via our laptops or inaudible, we had a similar issue so we contacted Verizon and told them that it was my perception that it was a public safety issue, and a safety issue for the police officers. They put additional cell towers up for us. They say yes, some engineers say yes, some engineers say no. There was a specific contact in the State, who was helping, but unfortunately he found other employment and he was never replaced.

Mayor Massa – I think at this point, rather than go further with any discussions at this level we have the public safety committee take a look at the issues. Get the reports from the police and fire chiefs, EMS, and take a look at what we have to do, where we have to go, and what the cost is going to be, and if we can find some grants.

Terence Wall - Thank you for coming Chief.

SECOND AND FINAL READING OF ORDINANCE

SECOND AND FINAL READING OF ORDINANCE #2000

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

PUBLIC HEARING: No citizen wished to be heard

MOTION TO CLOSE PUBLIC HEARING & ADOPT

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

SECOND AND FINAL READING OF ORDINANCE

SECOND AND FINAL READING OF ORDINANCE #2001

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 Ferriero
ROLL CALL: All council present, vote in the affirmative

PUBLIC HEARING: No citizen wished to be heard

MOTION TO CLOSE PUBLIC HEARING & ADOPT

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Ferriero
ROLL CALL: All Council present vote in the affirmative

FIRST READING OF ORDINANCE #2002

AN ORDINANCE TO ADD SECTION 5. 50A-23.C(i)(g) OF THE RIDGE ROAD REDEVELOPMENT ORDINANCE (NO ACTION TAKEN)

INTRODUCED BY:
SECONDED BY:
ROLL CALL:

APPROVAL OF MINUTES

September 18, 2008

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

ADMINISTRATOR’S REPORT

A few briefs items, Mayor and Council, I will answer any questions you may have on any of these issues or others. The library pre-construction meeting was held recently, the project is slated to begin in a few weeks, we will make sure we effectively communicate with the citizens through the director and staff of the library to ensure that the community

is well aware of the project and limited hours that will occur when they construction is under way. Morgan Place as you heard, pre-construction meeting is being held tomorrow. The new gas and diesel tanks, the above ground storage tanks that the project that has been on the boards for a while, they are now operational. With your permission, I will send a letter of thanks to Lyndhurst from the Mayor and Council for being able to work with them, with their fuel. We will now be able to have that turned over back to the Borough. We are applying for the Community Development Block Grant; these are Federal funds that are distributed through the 21 counties in the state. We are applying for approximately \$500,000.00 in grant funds for re-construction and repaving of various roads. We are continuing to work with Division of Archives and Records Management on our files and updating to general code, which is the company that obtains and publishes our code data. This is a municipal clerk function, to make sure we are keeping accurate records for the municipality and also where indicated there are certain time frames where older records can be destroyed and different functions in that regard. We are keeping up to date as we move along. A few of the other brief items I will share with you. I did meet with Montclair and the VFW folks, this initiative from Councilman Tanelli, regards potential sites of educational opportunities on River Road. The meeting had been very constructive and highly productive, and I will be discussing with Mayor and Council some of the finer points of potential collaboration with Montclair to the benefit of the Borough of North Arlington. The MAP grant for 2009, we will be eligible and I anticipate us receiving from the North Arlington taxpayers a \$100,000.00 grant. The Mayor and Council can determine how best to utilize that grant and deploy it for the folks here. In regards to Councilman Grinnell's initiative regarding solar, we did set-up a roofing visit today, to do what is called an observation and conditions analysis, this relates to the folks at the Meadowlands and some of the plans that they have, we have been included in one of their programs. We are moving forward in setting up those meetings as indicated. We also did apply for the Environmental Infrastructure Trust Program, this is a program where the deadline was October 6, and this relates to potential application for the Joint Sewer Authority and looking at and possibly rehabilitant or replacing the pumps down on Disposal Rd. by DPW. We have been having some situations in the past. We do have inlet work that is starting next week, catch basin work, working with DPW Superintendent Mr. McCabe, we have been identifying various inlets that are in need of assistance, and input from the folks, the Governing Body, Leonard and Eckhardt I believe will be replacing Leonard and Schuyler. There are two inlets on the dead-end of Argyle that are in desperate need of repair. Also, I believe Hendel and Prospect, is an inlet catch basis in significant need of repair and there are two inlets down at the end of Eagle St., corner of River Rd. that are collapsing. This initiative was included in your Canterbury Phase II project, your price points on this reconstruction were extremely competitive, and we seek out the absolute the inlets that were in most need. We are also continuing other various projects, curbs work on Bogle. Bogle really needs to be completely repaved and redone. We are looking at what type of opportunities there are for other streets that have serious situations here, and the Mayor and Council may consider moving into 2009 where we are constructing the budget now. We have sent the budget sheets out to the department heads, we want to be on track and on time for your budget, so when the finance committee is ready to come together, we are going to come together, we are going to make sure we have the data you need to best do what you need to do. Some of the road projects, we are doing a tour of the community, to find out which streets are in greatest need of work. Other than that, the last item is Smart Growth Revisions, the Department of Community Affairs did approve our application to revise and old 2005 I believe grant that we are in damage of losing at one point, this will allow us to target some of our efforts to River Road, we are working on Ridge Road, we can now look at River Road for planning and also looking at improving and redoing our circulation element, which is part of your Master Plan, which has to do with the effective movement of traffic. We are going to be looking at parking as well, since parking is such a serious situation here in the Borough. That concludes my report Mayor.

DEPARTMENT REPORTS

James McCabe – Mayor and Council it was brought to my attention that Anthony Bruno wrote a letter in the North Arlington Leader about Macaluso Park, he was in there with his son and there was one spot where there was dog waste in the corner. He wrote how come the parks aren't being cleaned? We are there everyday, cleaning all the parks and

playgrounds in North Arlington. At Vinnie Macaluso Park, if you face the front gate, there are 3 dog signs right there, there is also a dog sign inside, there is a pole in front of the gate with a dog sign, two dog signs on the corner, one across the street, DO NOT LITTER, PICK UP YOUR DOG WASTE, there is a total of 8 signs within 50 feet. Mr. Wall and I have been meeting about this park and Price Park, there seems to be an issue there to, we ordered, on your reports, these little doggie stations, that have plastic bags in it so people can pick up their dog waste. Also today, Kearny DPW called, for our help, they are having a problem on River Road with a sewer. I went there and met with the Meadowlands Commission there with their camera, the Mayor of Kearny was also there, we were there for 2 hours. We finally solved the problem, and the Mayor of Kearny thanked us for sharing. Yesterday or the day before we have done about 2 tons of blacktop, Mr. DiBlasi has the report.

COUNCIL REPORTS

COUNCILMAN BIANCHI – I am going to report tonight on our senior citizen bus, it is still being repaired, God knows what's wrong with it. It has an electrical problem, that no one can find the exact problem. I spoke with Tony Blanco, who is on the School Board; he said they would be willing to sell us the bus for a \$1.00, the diesel. I seen the bus today, and talked to the bus driver, Frank, he says it runs like a top, it has about 40,000-50,000 miles on it, big bus, it runs well, and Terence can report on it better than I can, I told him to write a letter.

Terence Wall – It just briefly said, to reach out to Kathy Marano, and also drafted a letter, to the Board for possible acquisition of the bus and it is certainly a possibility and will be listed at October 20 Board of Education meeting for possible action and approval to sell the bus to the Borough of North Arlington for \$1.00

Mayor Massa – Can they do that without putting it out for bid?

Anthony D'elia- Yes to another governmental agency

COUNCILMAN BIANCHI – The only thing that we might have to is have it sprayed, we cannot have North Arlington High School on it or anything like that. There are so things on the side of the bus that flip open, you know when the kids get off the bus, it has to come off. I think the only investment that we are going to have is the \$1.00 plus maybe spraying the bus. Here is what I am figuring, once our main bus is repaired, that will go back on the road, and we can use this as a spare bus. What has been happening is when this bus breaks down we have to go to the Board of Ed. to ask to borrow a bus, some times they can give it to us, some times they can't, so times they give it to us until one o'clock until the kids get out of school, than it has to go back. This bus is basically just so we can have a reserve without going and always asking the Board of Ed. for a bus. We can park it down the DPW garage, and it will be our bus.

Mayor Massa – How old is the bus that they can not find the electrical problem?

James McCabe – We were there Tuesday, the wires were still hanging, and they have changed many parts in the bus Mayor. I would say the bus is about 12 years old. They thought they found it, started the bus, and it died again.

Terence Wall – Mayor I can tell you that we are disappointed with the vendor, and we are looking at alternative sources for vendors to be able to handle what should be a simple electrical problem

Mayor Massa – I am glad to hear that we are getting another vendor to look at it. I would also like to explore the possibility of a new bus. It not so much as we are getting a bus to help us out from the Board of Ed. We have a 12-year-old bus, we have electrical problems with it, quite frankly, I think our seniors citizens deserve a nice comfortable safe bus to drive around in. Lets take a look at the possibilities of what we have to do to accomplish that and lets get from the manufacturer or the inaudible to see what we can do to at least get this thing in service rather expeditiously. I would also like to take a look at the acquisition of a new bus.

COUNCILMAN DI BLASI – September’s report from the DPW, first to answer Terence Wall’s question regarding the signs, they have installed 18 sweeper signs, 20 other assorted street signs were installed. Blacktopping potholes on several streets, they also have repaired all broken curbs on Bogle Avenue. 10 tree stumps were removed, and also 8 trees were trimmed. DPW also did a great job for the James Zadroga Park dedication set-up. That is about it Mr. Mayor.

COUNCILMAN FERRIERO – Mr. Mayor, I attended the Meadowlands Municipal meeting last Monday, and the COAH issues are being fought by the League of Municipalities inaudible in force. The American Legion has its 80th anniversary coming up on October 25 at the Euro; all the invitations have been sent out to the members and the dignitary. The Veteran’s Day will be served on November 11, the VFW has continental breakfast at 8 am, mass at Queen of Peace Church at 9 am, and joint ceremonies with the American Legion at the VFW at 11m.

COUNCILMAN GRANELL – Mayor I attended the County of Bergen Community Development Program and the Borough of North Arlington was able to secure almost \$70,000.00 in funding pending the Bergen County Freeholders approval. That is money we will be able to allocate towards our Recreation Department that we targeted for the continued renovation for the finishing up of Allen Park, and now extending the program to do the Little League Field, and do those renovations. Depending upon the receipt from the Bergen County Freeholders that that money actually been allocated and that we have it, I would like Terence Wall to set-up meeting with our Rec. Commission, and our Rec. Director so we can actually affect a plan before the weather gets cold. This way any work that we have to do on the field ahead of time before the frost starts, we can do that. Thank you.

COUNCILMAN HUGHES – I have been told by Regina from the Health Department that they still have some opening for the forum on breast health in conjecture with Clara Maas Medical Center, that is on Wednesday, October 15, at 6:30 pm. They also have some opening still left on an educational program on Shingles, Wednesday, October 22, at 12:30 pm. Please call the Health Department of both of these to make reservations, since they will be serving refreshments. I have also been informed that they are going to be starting the flu vaccines at the end of October; they have requested that if you are interested call them and they will be more than happy to set-up an appointment for a low cost flu shot. The last thing I have, as I was informed today by Passaic Valley Sewer Commission today, they are going to be starting next month on repairing the riverbank behind the High School field. They figure some time in the middle of November or so they will be starting to work there, and building that riverbank up, putting in the rift-raft that is necessary to stop the erosion that has been taking place behind the field house.

COUNCILMAN TANELLI – Just 3 things Mayor. One is this year’s Halloween Parade will be hold on October 30, at 6:30 pm, assembling at Boston Market on Bergen Ave. and Ridge Rd. Also the Home Decorating Contest will be the week of October 20. I just wanted to announce that the Borough received a grant from the New Jersey Meadowlands Commission for \$26,300.00 to be put towards the Streetscape program. I am hoping to utilize it for benches and trees along the length of Ridge Road, at least as far as we can. There has been a real demand for seating along the entire length of Ridge Rd. Now that we have Streetscape begun on one end, I would like to see if we could continue it down the remainder of Ridge Rd.

MAYOR MASSA- As for myself, I just like to take an opportunity to thank the members of the Council for the work they have been doing on a month-to-month, day-by-day, week-to-week basis for the community, and for their interest in local government, and handling the matters that they are responsible for. Also importantly, I would just like to turn over this portion of the meeting to the Borough Attorney for a brief update regarding the ENCAP litigation, that you know is still a principal concern of ours. I believe we will have a trial date set for February 7.

Anthony D’elia – Well actually we had a conference with Judge Harris, 10 days ago, a case management conference. We went over the remaining discovery that has to be

completed; we still have to a number of depositions. I just received ENCAP's economic expert report, arguing the amount of damages that they are claiming against us in the millions of dollars. I will have to take his deposition, and potentially hire an economic expert to rebut his opinions. The Judge set a trial date for February 7; I believe it is, the counsel for ENCAP just faxed me a letter yesterday indicating that he has another trial scheduled. That will probably be pushed back with the Judge's permission; I am waiting to hear what the Judge says. That will be some time in March, and that will be an open trial. We can get all the facts out and obviously, we are trying to beat them inaudible they sued us, they are trying to force the ENCAP agreement still against us, and we are trying to defeat them in a lawsuit. In a related matter, I updated you on the bankruptcy petition, and the bankruptcy action involving ENCAP Golf, and the Lyndhurst/Rutherford portion of the project, Phase I. If you have any questions I will be more than willing answer those questions based on the letter I sent each of you.

Mayor Massa – Just a reminder for those of you who may not be aware of it in the audience here, the ENCAP issue has been probably at the fore front of this administration since we took office in January 2007. Before that it was in April 2006, when I called for a federal investigation of the ENCAP scheme, after an exhaustive review of what I perceived to believe a number of irregularities in that contract that were kind of shielded so to speak by the previous Mayor and Borough Attorney. I have to comment that at that time it was a pretty lonely battle, I was joined by a very courageous young man who was only recently in the last few years become part of local government, Steve Tanelli. I want to say I respect your integrity, and your courage in joining me in asking for that federal investigation. Finally, for those of you who may not be aware of it, the United States Attorney and the New Jersey State Attorney General is conducting an active investigation into the ENCAP issue based upon some of the evidence that was first brought to the surface by the investigation by the New Jersey State Inspector General's office. I want to thank the Borough Attorney for his very diligent work in litigating this action on behalf of the taxpayers in this community. This has been a lonely battle for us, and it is only recently that the State of New Jersey has admitted that the ENCAP project was not only a bad deal for North Arlington, but also a bad deal for the State of New Jersey and the State taxpayers. There is still a possibility after all said and done the New Jersey taxpayers may still be on the hook for \$50,000,000.00, that is the State taxpayers, not what North Arlington would be getting hit for. We have done every thing we can to protect the interest of this community and the taxpayers regarding this issue, and I am looking forward to the day when we can get this behind us and go forward with some responsible productive development in the Porete Ave. area. I want to again thank the Borough Attorney for the excellent job he did with the arbitration proposal he put forth. I don't want to belabor the fact that he gave us a very good presentation. We are now in negotiations with the other municipal unions for contract issues and I have utmost confidence in our Borough Attorney and Borough Administrator that those contract issues will be resolved in a beneficial way to the taxpayers also. That concludes my report.

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman DiBlasi

SECONDED BY: Councilman Ferriero

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)