

MINUTES

REGULAR MEETING, THURSDAY, DECEMBER 10, 2009 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 Granell, Councilman Hughes, Councilman Tanelli and Councilman Yampaglia

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

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS:

Eileen Tita- Bernice Road – I come tonight as a homeowner to say thank you to this present council for turning our town around and bringing the spark back. We are growing and it is to your doing that we are. We blew the whistle on Encap several years ago. Mr. Mayor, Mr. Granell, Mr. DiBlasi, Mr. Tanelii, everybody around us thought we were all crazy, but it was proven that we were right and they were wrong. Even Trenton has turned to the book and tonight our town growing and I hope that continues. New businesses are coming in, new people are instrumental in getting our streetscape started which God willing will continue in 2010 hopefully, and new businesses have opened up in town and are opening which shows growth. Restaurants are coming into our town. They have opened and new ones will be opening in 2010. This is to me and to many of my fellow neighbors feel this is the way our town should grow, and I hope in the years to come especially next year and the following that the path continues. So tonight I want to thank you all and I am just one person, I know that there are many more out there who don't come to the meetings unfortunately which they should and let you know how they feel one way or the other. I am grateful to this present Council and I know we will grow in the future. My wishes for everyone is to have a very Merry Christmas and one other point, the jewel in all this is our Library, that is wonderful. Everybody that I have talked to says the same thing from children to old that is a vital part of our town and that is another thing to thank you for. So tonight, Merry Christmas and a very Happy New Year and lets go forward.

Mayor Massa – Thank you mam for those very kind comments. Anyone else wish to be heard.

Ingrid - 10 Harding Ave – I am here about Union Place permit parking. I live on Harding Ave, Mayor Massa I know that you are familiar with my situation. I live at 10 Harding Ave which is right around the corner from Ridge Road. There is no parking on my block and right around the corner in Union Place which permit parking was just put into effect. Being that there is no parking on the block that I live on and alternate side of the street parking will leave me with very few choices of where to park. I am collecting parking tickets like a bad habit and the reason why I have been parking on Union Place is because Union Place is empty. I went back and forth on Union Place and it is empty. When I come home at night and I see that Union Place is empty and I can see there is somewhere I can park. I try to rush out of the house by 8:15 because that is when the meter guy gets there. I would like you all to take this matter into consideration and be allowed to have a permit to park on Union Place as I have been parking for the last few years.

Mayor Massa – Let the record reflect photographs of empty parking spaces that would be available to you if you had a permit, but the thing is this. You and I have communicated by email, you live in an area that is not covered by permit parking although you live on a street that is not covered under the ordinance, but you live right around the corner and you have nowhere else to park and when you do park on Union you get summonses which is the appropriate action for the enforcement. So the issue you and I spoke about is to whether or not can the ordinance be amended to provide for to expand the areas of permit parking for the people who live in close proximity, so that is what we are going to address as I mentioned to you. We will have to have that probably it will be for the new council and in January because the ordinance amendment takes an introduction, first reading, and a second reading. That's something we could do automatically and under the law we cannot just give you a blanket exemption. Unfortunately that's the law. We could try to expedite this as quickly as possible and maybe what we'll do is we'll discuss with the borough attorney and the administrator as I've been talking about this what avenues we could use to help you out. Unfortunately it would have been nice if the landlord provided with off street parking but I guess that's not the case where you live.

Ingrid – right well neither is the family that lives downstairs, the landlord's family lives downstairs, they have four cars so the driveway is already filled to maximum capacity.

Mayor Massa – Yeah, these were the issues we were looking at when we first decided to issue the permits for residents because as you are well aware, nonresidents were coming there parking there jumping on the bus to New York, Jersey City, and that was creating a hardship for our residents. So the intent of the ordinance was to try to make this convenient for our taxpayers, our residents, our rent payers like yourself, so we're going to have to reexamine the ordinance and we'll try to do everything we can to try and get it expedited. I don't know of any legal provision that would allow us at this point to give you a permit to park on Union because your not a resident of Union. I think we did make amendments to cover...

Terence – Harding I believe.

Mayor Massa – On Harding.

Terence – The corners.

Mayor Massa – The people that lived on the corners.

Ingrid – Right and that's not me because I'm right in the middle of the [inaudible] and so pretty much I'm the only one fighting my own battle; I'm the only one that lives there.

Councilman Hughes – Do you park there when you come home at night and I guess you leave for work in the morning. What time do you leave?

Ingrid – Well, I leave around quarter after 8, which is about the time for my ticket.

Councilman Hughes – and currently its now a no parking from 8 o'clock on.

Ingrid – It doesn't say that, however, that is when you do get ticketed for alternate sides of the street parking so I guess when the guy is there then he tries to put permit parking as well so therefore that's when the ticketers give it.

Councilman Hughes – because Chief maybe you can answer. Do you know what the time span is?

Chief Ghione – Yes, the parking violation officers start at 8 o'clock. He immediately dispatches to that area, she's correct. Because that's one of the areas I had focused on when these permits were stopped. So he does, one of his first responsibilities early in the morning is that particular area, so she's correct in her...

Councilman Hughes – so what time is the no parking? From 8 o'clock to 5?

Ingrid – no there's no time limit.

Chief Ghione – I believe, I thought, the original discussion we had was limited between 8 and 5.

Councilman Hughes – Yeah, it's days time only. It's not over night parking. Maybe the simplest solution to this maybe just changing the time span since the intent was to keep people from parking there all day and getting on the bus and going to New York, changing the time span to say 9 o'clock to 5 to allow the people that live in the area and work not far from home where they can get their cars out of the way in the morning by 8:30 or quarter to 9 and not have to deal with the problem and still handle the people parking there and leaving their car there all day.

Chief Ghione – I can tell you this councilman that the particular issue that she's presenting to us, she's not the isolated case. I've had to entertain other residents that have complained similarly and have indicated that they wish that they could be inclusive that live on Harding Ave. So she's not isolated in what she's presenting here. The issue that I'll make to you in making this decision is that, and I did discuss this, as we expand the scope, as we expand the blocks, the next block wants to be included and the following block wants to be included until eventually we have permit parking all over North Arlington which would not be feasible either. We have to allow people to park so I don't know what the solution is.

Councilman Hughes – could you of the people that had brought you complaints, is it primarily because they're home during the day and they have no place to park or is it because they don't get out in time to go to work and the gentlemen is ticketing before they leave for work?

Chief Ghione – the only thing I entertain was people yelling at me that they got tickets. So they didn't elaborate, and I explained to them the issues of once a ticket is issued but in the back end of the conversations normally the only thing I can tell you councilman is that they wish they could be inclusive in receiving permit that live on Harding Avenue. If you give it to Harding, I've also had those complaints from people that live on Ridge Road.

Councilman Hughes – Well that's what I'm trying to say, if we could modify without expanding it.

Chief Ghione – it may be a solution for her particular issue.

Councilman Hughes – Well it may be a solution for many more than her and that's why I was wondering if we had that information. Maybe in the future if you do get...

Chief Ghione – I will document it.

Councilman Hughes - ...document the exact situation that the person is complaining about and maybe we can have a better handle on how to modify it.

Chief Ghione – I'll do that and I'll also have Sergeant Reilly do the same.

Councilman Hughes – alright thank you.

Mayor Massa – anyone else wish to be heard?

Daniel Russo – 10 Harding Ave – I coming forth with a more unique situation. I work for the news for the media and frequently I get out of work passed midnight. And quite often sometimes its to 2 o'clock in the morning. On those occasions where I cannot catch the last bus into North Arlington. It costs approximately \$75 for a trip. As a result, I'm kind of forced to get a car and start commuting, however, if I come home at these hours, it will literally be impossible for me to find parking. In fact last Friday, I borrowed my mothers car, drove into North Arlington at about 3 o'clock in the morning and I was circling for a good 45 minutes trying to find parking. I ultimately parked about 4 miles away, walked

home and if you recall that Friday wasn't exactly the warmest of days. I fear that this is going to continually grow as a nuisance and I would hope that this board would take this into account as well as to please take into account if my relatives decide to visit from other states, they'll also be confronted with this problem during the weekends when more people are home. As a matter of point, on our particular block between zero and 10 Harding, there's only two houses. One's on the corner which gets permit parking to use our house as the sole house. On the particular side, there's no parking as well. On the opposite side of the street, there's only 6 slots available. So coming home and being able to park a reasonable distance is extremely difficult so I was hoping you'd take this into account as well as take into account that I don't think this is really necessary for the weekends. I think Saturday and Sunday would be fair enough to take the restriction off of it and allow people to visit their loved ones beyond I know that you permitted guest parking, however, these are the holidays, Thanksgiving for instance, I have a very large family. They all want to come over here which would literally be impossible to have no guess parking passes as well as to find parking for them when they're carrying trays of food. Everyone comes with lots of food. So I just want to say thank you very much for just listening and I hope you will take this into [inaudible].

Mayor Massa – thank you sir.

Chief Ghione – mayor one other thing the board may consider is the parking on Ridge Road. We have those spaces you were going to be discussing, issuing soon that includes the business district. You may want to consider expanding it to particular residents. I think there's a minimal fee that's involved and they would have parking that way. That may be another solution to be considered.

Mayor Massa – alright, Mr. Wall will make that notation. Anyone else wishing to be heard.

Jordan (attorney)- Mr. Delia has a letter of thank you that he would like me to read to the council and to the public.

Mayor Massa – certainly.

Jordan (attorney) – Dear Mayor Massa and members of the Council, I am unable to attend this December meeting of the mayor and council only because I must attend to pressing matters involving another client. As you know my associate Jordan Freedman has covered a number of meetings for me and I appreciate his help again tonight. These things happen from time to time. I must however express my gratitude to each of you for permitting me to serve the Borough of North Arlington as its general counsel since January 2007. It was an honor and privilege to do so. My ties to this community are long and deep which made my service here for these three years all the more rewarding. This is an extremely difficult time for the country, the state, and certainly for North Arlington. when I first started as borough counsel in January 2007, I was immediately struck by the energy that you mayor Massa and all council members exerted in trying to stay [inaudible] financial ruin. You rejected \$2 million in Encap money at that time and had the fortitude to fight against that agreement and Encap's proposed development in this community. While I firmly believe that the court should have decided in North Arlington's favor in the Encap lawsuit, I cannot say that I was surprised by the court's ruling which was essentially this. North Arlington refused to begin condemning Porete Avenue properties in 2006 therefore have to pay back the 2.4 million dollars received from Encap in 2006. North Arlington got that 2.4 million dollars in 2006 so they saved that amount in 2000 taxes but you were forced to fight that lawsuit to the end because Encap was trying to enforce the agreement here in north Arlington and was also seeking in the alternative 100's of millions of dollars in damages. Yet all that remained for North Arlington to do was to pay back the money it already took from Encap with interest. Short of permitting the Encap agreement and beginning condemnation of the Porete properties in 2006, it was nothing else you could have done to stop this Encap problem. I also believe that North Arlington tax payers receive the benefit of an extremely favorable police arbitration award and this was due to you mayor Massa and the other council members standing firm in the negotiations with the police union. I was honored to assist you in that effort and was very happy with the final result. There were many other

matters which required my attention as borough council and it was a pleasure most of the time to work with you and all members of this council, both democrat and republican, for these three years. I wish you the best of luck in the future. I wish the new republican members who now control this council the best of luck in the future. They will need it in light of financial difficulties that they will confront this upcoming year. I thank you for your professionalism. I thank you for your consideration of me as borough counsel and I wish you and all of North Arlington residents the best this holiday season. Sincerely
Anthony V. Delia.

Mayor Massa – thank you counselor.

Jordan (attorney) – thank you.

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present vote in the affirmative

Mayor Massa – approval of minutes?

Terence – on the minutes, they've been copied to you but you would require more time to digest them and submit your edits and any corrections that would be appropriate so we will not be approving any minutes at this time but we'll list that on a future agenda for action. Next item, Mayor, is resolutions on consent agenda. The one item that we would pull would be resolution 244-09 ratification of PBA contract. Simply the appendix A was not included in you packet. We could approve that at the next borough council meeting. All other items would remain the same unless you wish to take different action.

RESOLUTIONS ON CONSENT AGENDA

R-233-09 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-234-09 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-235-09 RESO RE: EMERGENCY SEWER REPAIR

R-236-09 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-237-09 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-238-09 RESO RE: ON PREMISE FAIR SHARE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-239-09 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-240-09 RESO RE: UNIFORM ALLOWANCE NORTH ARLINGTON VOLUNTEER EMERGENCY SQUAD

R-241-09 RESO RE: PROFESSIONAL SERVICES AGREEMENT WITH NEGLIA ENGINEERING ASSOCIATES – COMMUNITY DEVELOPMENT BLOCK GRANT WILSON PLACE RESURFACING

R-242-09 RESO RE: APPROVAL OF CORRECTIVE ACTION PLAN

R-243-09 RESO RE: APPOINTMENT OF FIREFIGHTER

R-244-09 RESO: RE: RATIFICATION OF PBA CONTRACT (**TABLED**)

R-245-09 RESO RE: REFUND OF MONIES DUE TO OVER PAYMENT

R-246-09 RESO RE: REFUND OF MONIES DUE TO TAX OVERPAYMENT

R-247-09 RESO RE: TRANSFER OF APPROPRIATIONS

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

PUBLIC HEARING OF ORDINANCES AND SECOND AND FINAL READING OF ORDINANCES

MOTION TO OPEN HEARING ON ORDINANCE NO. 2038 TO THE PUBLIC

BOND ORDINANCE PROVIDING FOR THE BOROUGH PORTION OF THE COST OF SEWER IMPROVEMENTS BY THE NORTH ARLINGTON/LYNDHURST JOINT MEETING, APPROPRIATING \$250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$237,500 BONDS AND/OR NOTES OF THE BOROUGH FOR PAYING THE COST OF SAID IMPROVEMENTS AUTHORIZED TO BE UNDERTAKEN IN AND BY THE BOROUGH OF NORTH ARLINGTON, IN THE COUNTY OF BERGEN, NEW JERSEY

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

MOTION TO CLOSE HEARING & ADOPT

No citizens wished to be heard

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

ADMINISTRATOR'S REPORT

Terence – Very pleased to let you know that we are tracking under budget for calendar year 2009. We've kept a lid on expenses very very tightly where some municipalities have been forced to pass emergency financing because they, due to under budgeting, or not keeping an eye on what's coming. I just want to share with you that the most recent budget run shows that your tracking either on or currently your currently below your projected budget for the close of 2009.

ENGINEERS REPORT

Mr. Neglia – Good evening everyone. On our report which we submitted about a week ago should be in everybody's package. Okay, first on my report is the drainage through the holy cross cemetery. That project's completed and we'll be closing that out. The legion place firehouse improvements, the only remaining item is the insulation, the flag pole which is scheduled to go up next week and then that project's closed out. On the DOT trust fund, municipal aid program Sunset Avenue. DOT has the plans. That's scheduled to be bid on January 5th 2005. So that construction would probably start in the spring of 2010. Bergen Community Development Block Grant Grant avenue and Wilson. Bids were accepted and the construction is scheduled to be completed by the end of this week earlier part of next week. And the last one that we have is the Ridge Road streetscape and that is down the DOT for their review. If you recall, the borough received \$460,000 grant on that. Once we receive those comments from them, we will go out to bid. Other than that, that's all I have. I wish everybody a healthy happy holiday season and merry Christmas.

Terence – mayor and council, one outstanding item just for your information. There's an old piece of business with the Belleville pike Schuyler light. The state has agreed finally to share 50% of that cost burden which will save the taxpayers approximately \$8,000. So, we'll get the appropriate documents in place and so it was certainly worth pursuing the

negotiations in that regard and we'll put those documents together so that traffic project can be closed out to the extent you want to make further improvements in that area those can then move forward.

Councilman Hughes – yea because after that get a meeting scheduled so we can talk about that traffic light there, the way it operates.

Terence – yes.

Councilman Hughes – thank you.

Mayor Massa – thank you Mr. Neglia. Council Reports.

COUNCIL REPORTS

COUNCILMAN BIANCHI = Well are senior citizen bus I think is scheduled for delivery in mid January of 2010 and today I was down at the Passaic River there where they're building that new dock for the river sweeper and its coming along; it's a beautiful project they're putting together down there. Its all steel bulk headed, cement, its going to be nice when it's done. Too bad we couldn't get any tax dollars from them though and that's it.

COUNCILMAN DI BLASI – Report on the Department of Public Works. Christmas decorations on the borough hall, library, and health department. They removed trees at the middle school for the new playground. Daily leaf removals. They cleared 6 sewer back ups. Cleaned youth center daily. Replaced several street signs. Prepared trucks and plows for snow removal. They winterized the little league field at Zadroga soccer field and Allen Park and field house. And they sent up the manger on the front lawn of borough hall. And before I close, I'd like to say a few words as this will be my last meeting as councilman. I would like to thank the mayor and the council for their support and assistance and it's been a pleasure serving with you. Also I would like to thank all of the town's people supporting me through my campaign and during my term as well as those who understood that as councilman, I performed to the best of my ability to do the right thing for the town. Obviously there will always be those who disapprove and for them, I would only ask them to be more productive in their efforts. Instead of hiding behind computer screens using anonymous names on various forms and chat rooms, I encourage them to do what I did and run for the office or even be present at council meetings. And let their things be heard on a public forum. No good would come from anonymous bashing. This is why I decided to run 3 years ago. To let my voice be heard and if all I was make anonymous complaints with no substance, we would never have stopped Encap. We would never move ahead with the various projects that we've accomplished over the last three years. Lastly I hope that the new councilman continue the positive work that we've started during our term. Thank you again. Everybody have a merry Christmas and a happy new year. That's all I got Mr. Mayor.

Mayor Massa – Okay Councilman Hughes. Councilman Granell has asked to defer to you.

COUNCILMAN HUGHES – As far as the health department goes, the health department had to opportunity this past Saturday to have a mini drill on their POD system, which is the point of distribution, in the fact that they gave out almost 400 swine flu shots to residence of the community. So far I understand it was very successful, it was a kind of mini drill combined with a flu clinic and they were able to accomplish a lot of things and learned a lot of things from it. And other than that, I'd just like to wish everybody a merry Christmas, happy Chanukah or whatever your holiday preference is this season, have a happy one.

COUNCILMAN TANELLI – we have both our tree lightings this month, both borough hall and the library. The library was well attended this week, I'd like to thank everyone involved. I'd also like to thank ex-chief Mr. Coupe for a great year and also like to congratulate all the new officers and wish them well in the upcoming year. Also, mayor, I'd like to thank Councilman Granell and DiBlasi for your time served on the council. Your hard work will be recognized as the year goes on when the new majority has to

govern versus campaign. Also I'd like to set the record straight with the VFW, mayor. There's were rumors passed around prior to the election that we're going to sell the VFW outright from underneath the veterans and develop that property which was absolutely and totally false and Mr. Wall can back this up. What was going on was Montclair State University wanted to use part of that land for research and in return they were going to renovate that building for our veterans without having to cost the taxpayers any money. They were also going to offer educational opportunities for the school children in the borough, so where that rumor started, whoever started it should be ashamed of themselves but Mr. Wall could back up the fact that the Montclair State University representatives have met with the commander on a number of times to discuss the renovations that were going to go on down there. I've also like to wish everyone a merry Christmas and a very happy and healthy new year. And just in closing, mayor, I've reviewed all the RFQ's that have been presented to the mayor and council I just want to know what the process is going to be as far as whose picking, what's going on, are we meeting the professionals that are going to be coming in, I'd like to support any nominations that are put up in January. I'd like to get a little advanced warning before that happens so I would like to know is there a process that your going to be putting in place with maybe Mr. Wall, make your recommendation of the top two. There's been some RFQ's that don't have salary structures, rate structures that are in there. Do they automatically get disqualified? Do they have to resubmit? You know, what's the process?

Mayor Massa – what I'd like to do councilman based on that recommendation is allow every member of the council to review the RFQ's and at that time, once you feel your comfortable with reviewing them, I'm going to ask the borough clerk to set a special meeting date so that all of the council members who come together in executive session review the RFQ's and ask any questions that they have regarding the RFQ's before any suggestions are made by the clerk/administrator. So we can set that up next week or so. As soon as everyone feels that their comfortable in reviewing the RFQ's, just notify the clerk. I would like to have that done by next Friday. You can check whatever date that is. Notify the clerk...

Terence – the 18th

Mayor Massa – on the 18th and then we can schedule a special meeting for the following week to examine those RFQ's. I think that would be a very important part of the process.

Councilman Bianchi – Mr. Mayor, can I say something? What's the procedure on that? Does that happen after January of 2010 or does it happen now?

Mayor Massa – well if the newly elected members of the council would like to take a look at the RFQ's in cooperation with the administrator, that's no problem neither. The door is opened to them to examine those documents.

Councilman Bianchi – Because being that they're going to be voted on in 2010. Shouldn't they be entitled to sit down to [inaudible].

Mayor Massa – well this would only be a recommendation meeting. It would not be binding. The council, what I would want to do is have all the present councilman at least comfortable with the people involved, have the rate schedules established, and also so we know which one of these professionals is giving us their specific proposal with a rate schedule. Of course we're going to be extremely cost conscious this year that's why we want to have a kind of a heads up as to what the professional services is going to costing us over the next year.

Councilman Bianchi – but the new councilmen will be invited?

Mayor Massa – they'd be invited to participate if they so desired, absolutely. Councilman Yampaglia.

COUNCILMAN YAMPAGLIA – thank you mayor. I just wanted to thank Councilman DiBlasi and Councilman Granell for their service. It was definitely a pleasure serving

with them. They're two guys who put their heart and soul into everything they did, very active, and again I've served quite a while now, they're very active in town politics. They always thought put the town before themselves and their own agendas and thank you guys. It was definitely a pleasure serving with you. I would ask that everybody be safe again during the holiday please. Drive safe. Just a few weeks ago, I had discussed this with the mayor, there was a fatality on RT17 and over the [inaudible] I've seen maybe a more than a few horrific car accidents. But again just drive safe, be safe, be vigilant and just wish everybody a happy holidays and a healthy new year. That's all I have.

Mayor Massa – thank you councilman. Councilman Granell.

COUNCILMAN GRANELL – thank you mayor. My fellow citizens, this is my last opportunity to speak to you as Borough Council President and as a Councilman from the Borough of North Arlington.

As I complete my three year term, I want to thank the community for the opportunity to serve. It has been an honor to do so. It has been rewarding as well as challenging. I would like to thank the department heads, employees and volunteers. I especially want to thank my family and especially my wife Sharon for supporting me in my time served.

I want to Thank You mayor for letting me be mentored by the most honest, fair and sincerest person I have ever met. You are truly a champion for the people of North Arlington.

I came into office as the community faced a major challenge in Encap and the community won. It was you mayor that led the fight against encap, eminent domain and to this date some five years later. No ones home or business has been taken.

For this alone was a battle that needed to be won and I'm proud to say we did what was right for the taxpayers and homeowners alike. It was Mayor Pete Massa who led us and I'm grateful for the privilege of having served with you.

Also I'm Grateful for the support and work of Councilman Mark Yampaglia I will be forever grateful, and to my friend and fellow Councilman Sal Diblasi. You have always been willing to listen and were passionate about all your work efforts; you're a champion to fairness and honesty. I thank you for your service to the community.

And I'm grateful to former council president Councilman's Tanelli for all his work, guidance, dedication, acceptance and most importantly friendship in my council term.

This has been a difficult time not just for our nation, but our borough as well. In all the work I have done every decision I have made, I've done so trying to build upon a future for the residents of North Arlington . Currently North Arlington no longer operates as an organization that used to have as its motto" we have always done it that way". We have strived to build accountability and fiscal responsibility into the day to day management process and run North Arlington as a business.

I sought to serve and give North Arlington a new kind of municipal government, smaller, more modern, more effective, full of ideas and policies appropriate to this tough time, always putting the tax payer first, holding the line on spending, watching our dollars and always focusing on the future. As a result of that, during my time on the finance committee, property taxes for municipal purposes increased just 2% in two years. So it is tonight that I want to leave you with three thoughts about our future.

First concerning Encap. There is a quote from inaugural address of JFK in 1961 that reminds me of the challenge we knew we would face in going against Encap: "All this will not be finished in the first 100 days. Nor will it be finished in the first 1,000 days, nor in the life of this Administration, nor even perhaps in our lifetime on this planet. But let us begin."

Whether the parcels in the NA meadowlands become a hotel or convention center, a warehouse outlet or business district, or perhaps a town recreational facility with a mixed use warehouse component or a solar or wind farm, Or just a big park walking trails . One thing can be sure is that building in the NA portion of the meadowlands will not happen overnight. History has taught us that.

I'm concerned because I see the same storm brewing. State agency not helping cash strapped town, developer on the horizon. State agency acting independently with its own agenda. Looking at properties in North Arlington .

So I have only couple of questions for the NJMC. North Arlington is in exactly the same situation as last year concerning the baler being closed by the NJMC. So, If the NJMC is not going to help North Arlington with it's baler obligation and its going take 1 million dollars from the North Arlington Budget and force North Arlington to pay for tipping and

dumping for a baler operation it closed, and create a 13% tax increase. Why does North Arlington need the NJMC?

NJMC Exec Director Bob Cebiero told citizens during his listening tour in Rutherford and Lyndhurst concerning openness and development in the meadowlands. That the NJMC made mistakes last time with Encap and he realized that. Notice the NJMC he didn't come hear for a listening session, Bob and the NJMC had 1 million reasons why not to.

So to the NJMC, don't continue to make that mistake by not helping North Arlington now. Learn from your mistake and I would urge the one lone North Arlington representative James Bocchino on that commission not to continue to support that commission's decision and work as hard as he can to get that aid restored.

See ladies and gentlemen, Encap is gone and it halted the redevelopment agenda of Kaiser, Pittman and Massa . That is exactly why this mayor and council in a bipartisan fashion hired a specialist in brownfield development like Joe Maraziti. Not just to look at developing Porete ave, but the old BCUA property and Beth Steel properties as well.

An expert who was going to help North Arlington develop a plan that makes sense for the borough, with the interest of the borough. One that would help us with that bridge from the garbage days of the NJMC and dependency on the state, to other forms of revenue that the borrow needs and wants, a plan moving North Arlington forward. That was this council's goal and objective and I hope that doesn't change with the new majority.

Secondly, while we successfully lobbied for aid and assistance from the state and its agencies in the past. That well is dry next year according to our new governor and the reality is that the baler is still closed and as of today there are no plans to open it in 2010.

So In tough times you have to make tough choices. I read once that concerning public office you find out that you cannot make everyone happy with your decisions, there will always be someone's voice heard, expressing opposition without alternatives, finding fault but never favor, perceiving gloom on every side and seeking influence with out responsibility.

I've been openly criticized for taking controversial and politically unpopular positions when it came to collective bargaining issues such as raises, promotions and new hires. I've said it before and I'll say it now, North Arlington finds itself in a fiscal crisis of simply spending too much and not making the cuts necessary to operate within the confines of the municipal tax levy, the borough's main source of funding.

Until that day is realized, nothing will change and increasing taxes will bloom like leaves on a spring day along ridge road for the foreseeable future. For the word No is something that will need to be part of the financial dictionary in 2010.

Thirdly, to my friends across the aisle in the Republican Party.

It's easy to say you'll buy a water company back, or investigate the sale of a utility or lower your water rates or even reduce taxes in campaign literature. But it's a very different thing to sit in this chair and govern and make those tough decisions.

To the councilman elect your going to find out very quickly that unlike campaigns. You just can't say anything you feel like, get elected and hope people forget. You can't promise raises, or promotions and jobs to everyone without financial consequence. I assure you they do not forget.

We all make mistakes and this governing body is made of folks with feelings, families and a sense of right and wrong. The people I have served with are good people who have tried to do what was right for the community.

So what makes great copy in the press or campaign brochure rarely solves the bottom line of the finances of local government. Don't delude yourself with rhetoric you know is not true. For the ability to campaign has nothing to do with the ability to govern and has nothing to do with balancing a budget and making tough fiscal choices.

For the ugliness of the last campaign is over, Campaigns designed for the expressed purpose of winning at all costs and hell bent on destroying the opposition can no longer trample on those values. There has to be an end to the petty partisan fighting and false promises, the retaliatory charges and worn-out point of views that for far too long have strangled our politics in North Arlington . It's senseless and self devouring.

So in the words of Scripture, the time has come to set aside childish things. It's time to put forth a sensible public policy that will solve the problems that this new majority faces. I'm sure mayor Massa and the remaining democrats will endorse and help if they are presented ideas that make sense for the community.

But the blame game is over; you can't criticize Mayor Massa and the remaining democrats on this council, when you have voted with them him 98% of the time the past

two years on the direction of the borough, how to handle the encap lawsuit, budgets, promotions, and expenditures.

You see there is no Democratic or Republican or independent way to cut taxes and spending. I realized that from day one. Either you do it or you don't.

In closing I'd like to close with yet another President Kennedy quote concerning Democrats and Republicans: I thought it would be fitting for my final letter to you the residents of NA. It speaks to our differences.

Democrats vs. Republicans We have all made mistakes. But Dante tells us that divine justice weighs the sins of the cold-blooded and the sins of the warm-hearted on different scales. Better the occasional faults of a party living in the spirit of charity than the consistent omissions of a party frozen in the ice of its own indifference. John F. Kennedy, 1960

In life, one learns more from defeat than Victory, as for me, I'll leave the Council more idealistic, more full of hope than the day I arrived. My term and days are nearly through, but my days of service, certainly will not be. In the years ahead, I will always reflect warmly on my position held here, and I will always wear that title proudly. My family and I join in wishing the Borough of North Arlington a very happy holiday.

MAYOR MASSA – thank you for that very profound assessment of what it takes and what it means to be an elected official especially during a period when the national economy is in its worse fiscal situation since the great depression, where revenues are shrinking, when more and more is demanded from the tax dollars and when we have to be more and more cost conscious about how we run local government. When we lose all the sources of revenue that we were so accustomed to having before us in the past, the challenges that will present themselves in the next year or two years are profound to the members of this governing body. We will have to make difficult decisions regarding personnel. But also, we will have to make difficult decisions making sure that we do not jeopardize the safety of the community and this is why its important that we keep our eye on the ball when it comes to issues of public safety and other areas of public operations. So that will be the responsibility of myself for the next year and the new council will take council in January but I do want to say this. I want to congratulate Sal DiBlasi and Al Granell on the job that they did for the people of this community. You ran for public office in an atmosphere where you were taking on one of the most powerfully connected, politically connected developers in New Jersey. That's no doubt about it, the presses made that quite obvious. You took a stand for the beatless community, you fought eminent domain, you fought a development, an 800 million dollar development that would have brought thousands of new residents to this community, up to two thousand, we read the contract, up to two thousand town homes and condominiums, adding three thousand more vehicles, probably brought in 5 or 6 hundred more school children. And I can vividly remember the night when representatives were here and Cherokee and we asked that question at the February council meeting in 2006, 'just who will pay for this new school of 50 or 60 million dollars?' and he just nonchalantly replied 'well that's going to be spread out over the course of the entire community'. Meaning the citizens on Prospect Avenue and Sunset Avenue and Geraldine Road would see tax increases for school children that they would never have to deal with. The tax burden of new education and the middle class people. The young adults working two jobs having a difficult time paying there medical cost, their tax bills, feeding their families, people out of work, people on unemployment. So I'm proud to say that you recognized and you were sensitive to the needs of senior citizens and our young residents coming into the community raising families. We put a stop to, what we had to do was a difficult project, a protracted legal issue that we were involved in, but the people of North Arlington did stick by us and we won and I'm glad we were able to fight that fight that was so eloquently expressed in a letter this evening from our borough attorney Anthony Delia. So I do want to thank you for your service to the community and I hope to see you stay involved in community affairs because good people are hard to find. Many times we talked to people about getting involved in government, 'I just don't have the time' 'I don't want to do it' 'its too much responsibility' and the biggest question, the biggest comment that's made is 'I don't want to have a target on my back'. Well there are those of us that take that gamble; we put the target on our back if we have to serve the community. We serve our fellow man here, we make those decisions, we make the tough calls, and we do what we feel is the proper thing for the people of this community. We try to provide them a responsible government as cost effective as we can. And of course we

will have some issues that we will have to address with respect to the meadowlands commission. There will be issues we'll have to address with respect to containing costs and again continuing to run this government the way the people want it run as effectively as can be. So again I just want to thank, thank you gentlemen and again I want to thank every member of this council for their dedication to the community irrespective of what their party affiliation is. At this time we'll entertain a resolution for executive session.

R-248-09 RESO RE: EXECUTIVE SESSION

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

MOTION TO RETURN TO REGULAR ORDER OF BUSINESS

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

R-249-09 RESO RE: BOROUGH ADMINISTRATOR/CLERK

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

R-250-09 RESO RE: WEIGHT WATCHERS SIGNAGE ISSUE

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

Councilman Bianchi – so that the planning board doesn't get any mixed feelings on this, I think it should be worded that, I cant speak for all you guys, but I'm in favor of that sign and if it goes before them like that, they might discuss, they might knock it down. They could knock the sign down just because were sending it back to them. I know what that sign looks like. Its their national sign. So my recommendation to the planning board would be that I am in favor of it. I don't know if anyone else is.

Councilman Hughes – can we put an endorsement in a resolution like this because the planning board by nature should be somewhat autonomous or is this something that's normal customary practice?

Jordan (attorney) – I would say that the favorable opinion of the application has been noted in the comment, however, because the governing body has not actually considered the application to state that we've made a recommendation without hearing the facts might be going beyond on what it is you're trying to do in waiving jurisdiction.

Councilman Bianchi – well, they were here before us last month and the weight watchers president of Bergen County was here and their sign is a national sign. It has the same dimensions in every state. But their dimensions may not meet our standards so if we send it back to the planning board they might get mixed emotions and knock the sign down.

Councilman Hughes – correct me if I'm wrong, but if the planning board does reject it don't they have the right to appeal to mayor and council?

Councilman Bianchi – to the mayor and council or to Bergen County?

Councilman Tanelli – no, the redevelopment authority because its in the redevelopment zone it would come before us in the first place. The reason we're sending it down is so

we don't have to amend the redevelopment plan if the planning board acts in favor of them, it can go on word of the planning board. If they say no and they want to appeal it to come before the redevelopment then its left up to us to amend the redevelopment plan for Ridge Road to accept those signs. In fact, that was the way it was explained to me last meeting.

R-251-09 RESO RE: APPOINTMENT OF DISPATCHER

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

R-252-09 RESO RE: APPOINTMENT OF POLICE OFFICERS

INTRODUCED BY: Councilman DiBlasi
SECONDED BY: Councilman Yampaglia
ROLL CALL: AYES: Councilman DiBlasi, Tanelli, Yampaglia
NAYS: Councilman Bianchi, Hughes
ABSENT: Councilman Granell

Mayor Massa – I think what we have to do is these reaffirmant resolutions. Does anyone have a copy of them by the way?

Terence – I believe so.

Mayor Massa – Richie? Do you have a copy of these resolutions?

Councilman Hughes – for planning and zoning? [inaudible] questions on them.

Terence – I'll refer to the borough attorney on this item; I did copy these out. This is resolution regarding the planning/zoning board member a reaffirmation, planning board member appointments and reaffirmation of zoning board of adjustment member appointments. I believe this was initially drafted by Mr. Sarlo. He communicated with Mr. Delia.

Jordan (attorney) – yes, Mr. Sarlo drafted the resolution in front of you. He was able to draft them based on an investigation he undertook of available information and among that information that he reviewed were the January 2007 governing body's reorganization agenda, interviews of board members, and that information is contained in some of the whereas clauses of the resolutions in front of me. Based upon his investigation and his preparation of this resolution, both resolutions are just near reaffirmation of appointments that were made by the borough and there's no apparent reason not to pass these resolutions.

Councilman Hughes – Mr. Mayor, there actually is an apparent reason to not pass these tonight. On the zoning board ordinance we are dealing with 7 members of the zoning board. The normal procedure is to appoint two people every year to the zoning board which would, normally a four year appointment. We have seven members. It should be over the course of 4 years, 2 members, 2 members, 2 members, 1 member. So there's no way that the termination date of end or term date that we have in 2010, 2012, and 2011 could be accurate because you cant have three people coming through in one year which is the 2010 year. On the other part of that is you have Jim Hislop serving as an alternate. Jim Hislop is a borough employee. Borough employees are specifically prohibited from serving on the zoning board.

Mayor Massa – yes we're going to address that tonight in this resolution, to remove him from that, that's one of the reasons why I want to do this. This resolution would be amended if it was passed tonight. now there's another issue regarding your appointment dates. I don't know if I'm correct on this that's why we wanted Mr. Sarlo to take a look at it. There may have been people appointed to unexpired terms. That's why there may be a problem with some of the expirations.

Councilman Hughes – well that’s what I’m saying. I think there are problems and what I recommend you to actually do a further study on this. Pull out all of the old resolutions.

Mayor Massa – [inaudible] motion to table this then?

Councilman Hughes – I would move to table it because like I said it’s the same thing with the planning board. Jim Hislop cannot serve as class 4 alternate on the planning board and be a borough employee. So that’s another problem with that, that part of the planning board, so I’d move to table it. Let Administrator Wall get out all the resolution books. You know, go through it page by page and look, find the dates that all these people were appointed as to whether they were filling unexpired terms or initial or secondary term or whatever and then lets get it all right because I think if we were doing this because were not sure where some of these people fall on these boards and if we continue to do it wrong, we can leave ourselves opened to appeals by anyone whose come before these courts. So I think lets get it right and you know, its not that we have issues, well I do have an issue with the fact that we put a borough employee into a position that we can’t be putting him in. And then the other dates, they are what they are. They will serve until the end of their term but lets make sure the term’s are right.

Mayor Massa –with respect to Hislop on the planning board, he’s there as an alternate. Now my corrected mistake to say that an employee can serve as an alternate on the planning board not the zoning.

Terence – I asked Mr. Sarlo during a particular conversation his opinion on whether he can or cannot and he said to me that the law I believe I’m repeating this correctly, the law is silent on whether he can serve as an alternate. I’m not an attorney, I can’t confirm it.

Councilman Hughes – the argument against that or opposing him as being on the planning board as an alternate, he can’t serve as an alternate to the mayor’s position. He can’t serve as an alternate to the council president. He could serve as an alternate to the borough employee position but he can’t serve as an alternate to the class 4 member. So putting him in a position where he’s only an alternate to one other person in that board is kind of detrimental to the position of an alternate when you want him to really be there available to cover the position of six people on the board being your class 4 members on the board or the yeah the six people that are class 4 members. [Inaudible] with the position of alternate was to be an alternate to a class 4 member.

Mayor Massa – so what we’ll do is we’ll table these resolutions pending further review.

Terence – would it be helpful to coordinate this particular issue with the upcoming special meeting that was called from the dais regarding the RFQ process? At the same time would that be a convenient time?

Councilman Hughes – if we can get all the information together that’s accurate.

Councilman Tanelli – I volunteer to help administrator Wall go through the books.

Mayor Massa – thank you councilman. Let the record reflect that Councilman Tanelli will assist the borough clerk in doing the research.

Councilman Tanelli – there was an issue with recreation over the last couple of years that I have to go back and look, I think it was two years ago it had to be [inaudible].

Mayor Massa – I don’t think we need a resolution on this. We’re just going to table this.

Terence – I need to take administrative direction to work with Councilman Tanelli and other members that should call into to address the issue and make sure all the appointments are identified accurately.

Mayor Massa – any further business?

Terence – no further business mayor and council unless you have anything else.

Mayor Massa – motion to adjourn.

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL: All council present vote in the affirmative

ABSENT: Councilman Granell