

MINUTES

REGULAR MEETING, THURSDAY, FEBRUARY 19, 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, Anthony V. D'Elia

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS:

TERENCE: Mayor and council, this item would reference ordinance #2008 which is a handicap parking spot. It's on the agenda.

RESIDENT- 426 Riverview Ave: [Inaudible] and I don't have a driveway and my garage, how small it is, and also I'm waiting for my doctor [inaudible].

MAYOR MASSA: Alright thank you. You can submit those to the borough clerk.

COUNCILMAN HUGHES: Mayor, just get her name and address.

MAYOR MASSA: Name and address for the record.

RESIDENT: 426 Riverview Avenue, North Arlington.

MAYOR MASSA: Anyone else wish to be heard please come forward. State your name and address for the record.

TERENCE: Mayor and council, the... Sam would you like to come up now...relates to, oh I'm sorry about that.

MAYOR MASSA: Young lady wishes to approach the council.

DEBRA WERTILIK- 85 Exton Avenue: I'm here tonight just to invite, formerly invite the mayor and council to a walk that were having for autism right here in North Arlington on April 25th with the rain date of April 26th. We're doing it hand in hand with the girl scouts. Lexie Granell and one of her Girl Scout members, Emily, is helping with the resource fair. Its going to be a very nice event and we would definitely like to see all the council members and Mayor Massa of course attending it.

MAYOR MASSA: Thank you.

DEBRA WERTILIK: And of course anybody here that wants to go. And if it's a nice day it's going to be like a carnival atmosphere, there's lots to do, resources for parents of special needs children [inaudible]; and it will be a very nice day. So I just wanted to send an invitation to everybody.

MAYOR MASSA: Thank you very much Mrs. Wertilik. Anyone else?

TERENCE: This item also relates to a handicap parking ordinance resolution, ordinance rather #2007 I believe in your agenda.

SAMEH BESHARA- 21 Crystal St: I would like for a handicap spot for my son. My son's handicapped just look at the [inaudible] because he is a, wasn't having lessons. He's still 15 years and 2 months. So, [inaudible].

MAYOR MASSA: Okay. Thank you sir. Anyone else need to be heard?

COUNCILMAN BIANCHI: Could I ask a question to the gentleman that was just up?

MAYOR MASSA; Councilman you want to wait til after...

COUNCILMAN BIANCHI: Oh okay yea sorry. Okay yea.

BOB NORCIA- 108 Sunset Ave.: I know I'm limited, mayor, to five minutes as usual. I would like to give these out to the gentlemen so I don't have to go into ten or fifteen minutes, is that alright?

MAYOR MASSA: Sure.

BOB NORCIA: Mayor, it's a persisting problem. I wrote up something and I just want to address it to you. I've been at this meeting for the last three months from November 2007 til now. I have sent many letter to everyone, administrator, variance committee, etc etc. No one has ever replied. You said at the last meeting if I won 5 to 1, excuse the misspelling on mayor there. I haven't typed in five years. What did I win; nothing was ever corrected. Everything is the same. Board of health problem lasted eight years. Kaiser passed it to Pitman, Pitman passed it on to you as a council member and you took care of it. You sent, Robert Kairys said there were no problems, you sent them down with the board of health, board of health found three problems. That article was in the paper three months in a row written by Jennifer Merritt. I have the copies of the paper here. Now Robert Kairys, once again is involved at 110 Sunset Avenue in a construction violation. Mayor you said to Robert Kairys, 'I want this resolved no matter what it takes, I'm holding you responsible.' Months went by. Robert Kairys did nothing and allowed the violation to become a cover up which I call is a neglect of duty. I never heard of correcting an illegal 6 foot 5 fence by raising the original brows at 110 Sunset avenue, I believe a permit was needed also which was never gotten. By raising the ground level and changing the terrain, its stopping the natural flow of order. Now I have a 32 36 ft of water which contains 4-5 inches high. No one to my knowledge in the construction department can say you can stop the natural flow of water. Robert Kairys allows this to happen at 110 Sunset Avenue and the allow the cover up of building up five inches of dirt so that it would look like its 6 foot. Is that clear, Mayor?

MAYOR MASSA: So what you're saying here is that in order to cure this violation, the property owner built up the ground?

BOB NORCIA: Well, first of all they were told that they were only supposed to go 6 foot. Robert Kairys was there the first day they started. Rick Fernandez said that its his fault. I went to Rick Fernandez. It says it in all the paperwork as it happened day by day, week by week, month by month up to now. Rick blames Robert Kairys, Antonicello blames Robert Kairys. You told Robert Kairys like I said here 'I'm holding you responsible' and nothing was happened. So now what they did was that after the fence was up 6 foot 5 they decided to throw dirt on the ground to build it up five inches which is proven with the pictures and now from measuring the dirt to the top of the fence, its 6 foot. But now they created a dam which I explained to Mr. Delia last month. That's the one part. Nick Antonicello said to me after I went to the meeting when they had the church meeting, when they discussed it, new building that they bought that involved parking for the officers. So after the meeting I waited, Nick said to wait, which he told me and that same day I spoke to Mr. Wall. He contacted me on the side. I said Nick what's going on with the violation situation at 110 Sunset? Nick said 'why?' I said well there's talk that nothings ever done. Its going on a year and if nothing's going to be done you guys are going to just keep pushing it. Nick said 'who said that?' I replied I'm not

involving anyone and I'm not telling you who said what. He took an arrogant attitude to me and said 'you tell me who said that and I'll tell you what you need to know', so that's my tax money talking. Now because I was talking to someone at the Republican club which I threw last week, last month to you, he threw it in my face and said 'they don't help you, we do.' So he called me the enemy, now I'm the enemy, so this situation got into, I guess we have to get guns and tanks and everything else around here.

MAYOR MASSA: I don't think we need guns and tank or anything like that.

BOB NORCIA: Well I think there's a problem to say to me because I'm at the Republican club and let me go on to explain, I do go to the cleaners, I do go to H&B drugs, the republican club sits here between the two stores. Can anyone tell me why I shouldn't speak to anyone because they're at the Republican club. According to Nick Antonicello I can't. I'm a registered democrat, so what is he...I was going to say something. What's his complaint? Mayor, my problem is Kairys was allowed to do something; it's also your responsibility. What Nick said to me on two separate occasions is also your responsibility. I'm confused, you're the mayor, you would think that Robert Kairys and Nick Antonicello were running the town. And I hope that you don't take offense to that but I approach you on two separate mornings because I was embarrassed; no one spoke to me in 9 months and I wrote all kinds of letters. I have the copies of the letters, I have the copy of the last incident that you took care of. An 80 year old board of health issue. It wasn't one issue, it was three issues that you resolved and after the meeting you could tell the fellows what I said I felt like doing after he resolved it. You remember that joke?

MAYOR MASSA: I don't recall that but an important...

BOB NORCIA: I'm done.

MAYOR MASSA: Thank you Mr. Norcia. Any of the councilmen wish to comment on any of the hearing of citizens? Anyone else want to speak?

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman DiBlasi

ROLL CALL: All Council present vote in the affirmative

MAYOR MASSA: Okay Councilman Bianchi obviously has a question.

COUNCILMAN BIANCHI: Yes I wanted to speak to the gentlemen back there because I really didn't understand him too well. Your son, could you come up so I don't have to yell across the room? What street did you live on?

SAMEH BESHARA: 21 Crystal street.

COUNCILMAN BIANCHI: Across the street from the Roma restaurant?

SAMEH BESHARA: Yes.

COUNCILMAN BIANCHI: Okay. The first house. Now what is the problem with your son?

SAMEH BESHARA: Okay, my son has dislocated hip, he walk like this, dislocated hip. [inaudible]. So he has a handicap, he was going with the bus to go to middle school. Now high school freshmen, so I need to [inaudible]. Park my car in front of my house for two days, one day. [Inaudible] I have two cars first if I want to go or if something happened at all I know I have to find the car. And for any reason, any emergency [inaudible] that's why I would like this parking spot and [inaudible] for my son.

COUNCILMAN BIANCHI: I understand. Thank you.

MAYOR MASSA: Any other questions. Councilman Tanelli.

COUNCILMAN TANELLI: Well I have a comment regarding Mr. Norcia's issue. We actually had a meeting, councilman Granell and I, the planning attorney, Mr. Sarlo was present and I actually specifically asked him what the status was of the fence issue with Mr. Norcia and he instructed me or told me there is an ongoing problem and they went around the entire town looking at fences. Because this has actually been an issue everywhere. What happens is people will measure one location on their lot that will be 6 feet and when they run it straight out they'll get down to the other end and it could be 6 and a ½ feet. You know it could be closer to 7 feet because they don't want to ride it on a slant they want to run it on a straight pitch so we said that everywhere they went there were a ton of room below the fence, the fence was 6 feet but the fence was off the ground 4 inches, 5 inches, 6 inches. So its an ongoing problem with a lot of properties in the borough so I think we need to put together a small committee to sit down and try and find out how to resolve the issue and this has been going on for years. And if there is a way to solve it, obviously the planning board made a couple decisions and I don't know why there not being followed but obviously Mr. Norcia needs some a, a solution to this problem. So I would like to volunteer, I don't know if anyone else wants to.

COUNCILMAN BIANCHI: I'll go in that with you because I see a lot of problems around this town with this type of fencing.

COUNCILMAN TANELLI: We can meet with the building inspector and the zoning officer as well as Mr. Sarlo is trying find out what the recourse is here and what we can actually try and start adhering to the code,

BOB NORCIA: Mr. Tanelli, just a quick remark to that.

COUNCILMAN TANELLI: Sure.

BOB NORCIA: I understand exactly what you said. I see it myself. This property line that's right on my line it was straight all 6 foot, it doesn't apply where when up and down. Follow what I'm saying.

COUNCILMAN TANELLI: No no, I know what you're saying.

BOB NORCIA: The administrator saw it, Mr. Bianchi saw it, there were other people that saw it, three contractors saw it. It was completely leveled on 90 percent, well let me finish, I let you finish.

COUNCILMAN TANELLI: Go ahead.

BOB NORCIA: It was completely straight but it measured 6 foot 5. I had to cut my down to 6 foot. That's my biggest complaint is that why do I have to abide by the rules and someone else doesn't have to; that's discrimination and a double standard. Now the fences was completely straight, what Kairys allowed because I kept going in, he didn't do anything and the mayor got after his butt, so he called either my neighbor or the lawyer and said he keeps coming up here all day so I get a letter in the mail; 'Mr. Norcia is harassing'. I'm not harassing nobody. My complaint is against the construction department so now what was allowed was that they brought dirt in, they put cinder blocks in, filled in behind the cinder. I have pictures of everything. Filled in behind it and they built the dirt to the bottom of the fence. Now they're saying that the fence was 6 foot, the fence was not 6 foot, its still 6 foot 5 and that's how it was in the beginning. And its got nothing to do with the terrain.

COUNCILMAN DIBLASI: It should be 6 foot on virgin ground. If he built something up like that than its illegal. In other words, it should be 6 foot from virgin ground.

BOB NORCIA: Now mayor, I predicted this three months ahead, not that I'm Houdini or you know Einstein. I said it's going to create a water, a black log and half the yard, I don't have the picture with me, 32 36 feet is full of water because of that. We have enough of problems there for twenty years with all this stupid stuff that goes on.

COUNCILMAN BIANCHI: Mr. Norcia, come. I went down to his property and I went to, I looked in the neighbor's property too. And what happened was on her side of the fence she put dirt on her side and built it up five inches worth of dirt. So now from the top of the new dirt she put in to the top of her fence it's 6 foot. But what happens is being that he lives on a hill, Sunset Avenue is on a hill, the water naturally goes down the hill and it fills up in his yard. And he's got about four five inches in his yard.

COUNCILMAN GRANELL: Mayor.

MAYOR MASSA: Councilman Hughes.

COUNCILMAN HUGHES: Oh let Mr. Granell go first.

COUNCILMAN GRANELL: Maybe the first project you guys do on this new committee is address Mr. Norcia and that's the template and the blue print that you guys work on for the rest of...

COUNCILMAN BIANCHI: Well what I see so far is because I'm on this board now like a year and a couple of months and he's been here a year and a couple of months, since I've been on the board. And what I see is that a letter has to be sent to this woman point blank, you got to take the fence down and put it back up the right way, you know, it has to be done.

COUNCILMAN GRANELL: Well I have a question, I'm sorry. Compliancy; if there's something on the books and it's supposed to be followed, why isn't it being followed?

TONY DELIA: Let me say something maybe.

COUNCILMAN BIANCHI: Well the problem is rancid through the town. I can go through this whole town, Al, and I can see twenty families, twenty houses that have this problem.

COUNCILMAN GRANELL: I hear you. I understand you 100% but the whole town's not here tonight. And the whole town hasn't been here before. He's brought it to our attention and he's brought it to the attention of the people that should be following those guidelines and he tells like it hasn't been happening. My question is why? Joe and Steve shouldn't have to form a committee to follow up on the policies; it's in the book that our officials should be following. It's going to happen now to make sure it gets done, to address that issue. But how the next the resident going to have to come here and go through the same thing he did because things aren't being followed. So we have to nip it in the bud and get it done and taken care of. How do we do that?

COUNCILMAN BIANCHI: What I see is that a person goes to Home Depot will say they buy the fence; the man whose going to put the fence up comes to the town gets a permit. That's about as far as it goes. I mean of course the fence is looked at; it looks good I guess. Once the fence is up, its up. I don't know...

COUNCILMAN DIBLASI: She'd have to lower the fence 5 inches, very simple.

TONY DELIA: Let me say something. I'm going to apologize to you publicly because you came to I think the last meeting and I promised you a phone call and I didn't give it to you. I got busy not to explain it, but I apologize. I think that the attorney who knows with your case what the issues are and whether that is a violation or what the violation is. Its Chuck Sarlo and you should get a hold of him in Mr. Norcia's case first. That's his isolated case. Your saying it's wrong and it may be wrong, just bear with me for a second, building up the dirt may be wrong.

COUNCILMAN BIANCHI: It was passed by the zoning or planning board but it was wrong.

TONY DELIA: Let's go to the proper pew and get it handled properly. On the larger issue, I agree, I think you had to set a committee up for that, certainly to address that. But on your case, I think you immediately like tomorrow morning to get a hold of Chuck Sarlo and Robert Kairys and find out, for all I know, under your existing code, what happens when his neighbor is not a violation. I don't know that. I don't know that and I don't think anyone up here knows the legal answer to that either.

BOB NORCIA: Well...

TONY DELIA: I'm not here to argue.

BOB NORCIA: I'm not arguing. I'm just here to say to you that she was told in advance like I was told in advance in the letter before she even started 'you must keep it at 6 foot'. She didn't keep it at 6 foot. Robert Kairys was there the day they started it. Why did it go up 6 foot 5? So she did what she wanted to do, she got a way with it. Robert knew it because I was up here right away...

TONY DELIA: And then they told her to correct it and instead of...

BOB NORCIA: And she's got a violation and they still didn't do nothing.

COUNCILMAN HUGHES: Did you not go before a hearing in front of the planning board already on this?

TONY DELIA: On the 6 foot 5 issue?

COUNCILMAN HUGHES: Right. And you won?

BOB NORCIA: Yea, but there was never an answer.

COUNCILMAN HUGHES: The planning board never issued a ruling?

TONY DELIA: They did. They told her to cut the, they told her to get it down to 6 feet.

COUNCILMAN HUGHES: I believe they told her to cut her fence to 6 feet.

TONY DELIA: But she didn't cut it.

COUNCILMAN HUGHES: And that's something that has to be followed up by the zoning officer, not the building department.

TONY DELIA: In lieu of cutting it, she built the dirt up 5 inches. If building the dirt now, because now it is 6 feet, I don't know if building the dirt up is a violation.

COUNCILMAN HUGHES: But this needs to be followed up by the zoning officer not the building department because it was direction of the planning board and the zoning officer works...

TONY DELIA: And Chuck Sarlo was the attorney for the zoning.

COUNCILMAN HUGHES: And Chuck Sarlo. So it should be referred to Mr. Fernandez, I believe, because he is the appointed authority for the planning board.

TONY DELIA: Her argument will be, I'm not defending her, but her argument will be...

BOB NORCIA: Your not defending her, you're not coming up with anything positive for me.

TONY DELIA: I am. I'm saying the positive for you is to get the right guy to answer it and I'm telling you it's Chuck Sarlo. I'm telling you that it's the attorney for the zoning board.

BOB NORCIA: Why not someone like Mrs. Blasi is a chief engineer and specialist [inaudible] lets let her look at it.

COUNCILMAN DIBLASI: But if the fence is 6 foot 5, she could build up the dirt on her side but she can't build it up on his side so its still 6 foot 5. No matter which way you cut it and turn it. She could build up the dirt here and make it 6 foot on her side but its still 6 foot 5 on his side.

COUNCILMAN TANELLI: Point of order.

MAYOR MASSA: Point of order councilman Tanelli.

COUNCILMAN TANELLI: The bottom line here is there's already been a ruling by the planning board in you particular case.

TONY DELIA: Zoning.

COUNCILMAN TANELLI: Or zoning. So we have to now follow back up with them so Councilman Bianchi and I will make sure we get in touch with Mr. Sarlo; find out what that solution was and when it was supposed to take place and follow the proper channels to see why it wasn't taken place.

COUNCILMAN BIANCHI: When was that meeting? How many months back?

COUNCILMAN TANELLI: 2 months ago. 3 months ago.

BOB NORCIA: September 15th.

COUNCILMAN BIANCHI: That's good to know because this way you could pull the minutes of the meeting.

BOB NORCIA: How can you go back to the planning board when Nick Antonicello called me the enemy so where would I stand there?

COUNCILMAN TANELLI: I sit here as an elected official, I have to go back to the planning board.

BOB NORCIA: Mayor, am I making it up?

MAYOR MASSA: I don't know what the contents of the conversation are...

BOB NORCIA: Let him say that he didn't say it in front of me.

MAYOR MASSA: Quite frankly now at this point, I've listened to all the back and forth from the elected officials here. My esteemed colleagues listened to your complaint and I've read your documents and I'm familiar with the complaint. And *****(22.45) authority of law enforcement of this community rests with me. Being that the case and being a recommendation made by the borough attorney. I'm directing the borough clerk and administrator tomorrow to contact Mr. Sarlo immediately regarding this issue and confer both with Mr. Kairys and the zoning officer and have a written report on my desk no later than March 1st regarding this issue.

BOB NORCIA: I just want to be there when they come.

MAYOR MASSA: Well.

BOB NORCIA: I mean I don't want anybody just walking in and them making it look like what they think it looks like. No way.

MAYOR MASSA: Their not going to trespass on your property. I'm not going to...

BOB NORCIA: I don't really care about that, mayor. It's just the idea the way everything got out of order; they never did what they did, nobody came down. It's from November of 2007, why so long? We had to resolve it in 3 months when you took over, when you were a councilman because it was the truth; an 8 year old problem. 8 year old, they ought to be ashamed. They didn't find one violation, they found 3 violations and I have the copies of the paper that...

MAYOR MASSA: Okay, that's been passed, that's been resolved right?

BOB NORCIA: This is what we've run into. We're running into the same situation. Why does it have to go a year and three months?

MAYOR MASSA: Well, the last time you were here, we directed that certain action be taken and if that action has not been taken, I want as I just directed the administrator to do, contact the attorney for the zoning board, planning board and the construction official and the zoning officer. Have everybody examine this process to find out where the responsibility for enforcement lies and then take the appropriate action. And submit to me a written report by March the 1st.

TERENCE: Done.

MAYOR MASSA: Thank you. And then they will notify you of their findings and any violations that are found, I expect that summonses will be issued. Any other further comment on this?

COUNCILMAN DIBLASI: You got the hammer.

MAYOR MASSA: Thank you Mr. Norcia. Consent resolutions?

TERENCE: Yes mayor.

RESOLUTIONS ON CONSENT AGENDA

R-30-09 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-31-09 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-32-09 RESO RE: GRANT AGREEMENT WITH THE COUNTY OF BERGEN

R-33-09 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-34-09 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-35-09 RESO RE: ON PREMISE TRICKY TRAY RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-36-09 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-37-09 RESO RE: RESIGNATION OF CROSSING GUARD

R-38-09 RESO RE: APPOINTMENT OF BOROUGH PROSECUTOR

R-39-09 RESO RE: APPOINTMENT OF PUBLIC DEFENDER

R-40-09 RESOLUTION TO AWARD PROFESSIONAL SERVICE CONTRACT FOR THE PROVISION OF BOROUGH ENGINEER (SEE ATTACHED FEE SCHEDULE)

R-42-09 RESO RE: PROFESSIONAL SERVICE FOR EMPLOYEE ASSISTANCE PROGRAM

R-43-09 RESO RE: AWARD OF CONTRACT FOR FIREHOUSE APRON

R-44-09 RESO RE: APPOINTMENT TO THE NORTH ARLINGTON LYNDHURST JOINT SEWER

R-45-09 RESO RE: REFUND OF MONIES DUE TO OVERPAYMENT

R-46-09 RESO RE: TEMPORARY APPROPRIATIONS

R-47-09 RESO RE: AWARD OF CONTRACT PLAYGROUND EQUIPMENT VINNIE MACALUSO PARK

R-48-09 RESO RE: ECONOMIC REVITALIZATION

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Bianchi

ROLL CALL: AYES: Councilman Bianchi, Councilman DiBlasi, Councilman Granell, Councilman Tanelli, Councilman Yampaglia

Councilman Hughes recluses himself from the claims resolution regarding any fire department purchases

MAYOR MASSA: Discussion?

COUNCILMAN TANELLI: Yes mayor. Just one quick thing here to let everyone know that one of the resolutions on the consent agenda is for Vinnie Macaluso Park awarding a contract. Now with the weather starting to change, I'd like to thank our superintendent of DPW, Mr. McCabe, and [inaudible] (27:22) for helping out with organizing and picking out the equipment that's going to down there. It's going to be a very well used park for special needs children in town. Thank you mayor.

MAYOR MASSA: Thank you councilman. Call the Roll.

RESOLUTIONS OFF CONSENT AGENDA

R-41-09 RESOLUTION TO AWARD PROFESSIONAL SERVICE

CONTRACT FOR THE PROVISION OF PUBLIC RELATIONS SERVICES

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman Bianchi

ROLL CALL: AYES: Councilman Diblasi, Councilman Granell, Councilman Tanelli, Councilman Yampaglia

NAYS: Councilman Bianchi, Councilman Hughes

MAYOR MASSA: Discussion?

COUNCILMAN BIANCHI: Yes. This is 41-09 were on?

MAYOR MASSA: Right.

COUNCILMAN BIANCHI: I'm slightly against this because of the condition of the borough of North Arlington and our finances. I think at this present time with encap dead and the position we are financially, I would probably vote no on this because I'd like to save money. I think its about \$48,000 and I think it *****(28:45) the town even though the gentlemen is great, I like him and I don't want to say anything bad about him. He's done a wonderful job for the town of North Arlington but at this present time in the town of North Arlington, I think that we really can't afford this. That's my opinion.

MAYOR MASSA: Thank you councilman.

COUNCILMAN HUGHES: I'd also reflect that opinion. Mayor, I know the gentleman has done a good job for North Arlington. He's been there when we needed him. But if we look at the facts, overwhelming short [inaudible] (29:10) we have in revenue this year. I think it's a service that we can really not afford to continue with the borough.

MAYOR MASSA: Any other comments on the discussion?

R-49-09 RESO RE: SERVICE PROVIDED BY PASSAIC VALLEY WATER COMMISSION

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present vote in the affirmative

MAYOR MASSA: Discussion?

COUNCILMAN GRANELL: Mayor, I didn't have the ability to be here at the last meeting to [inaudible]. Several residents contacted myself about the cutover from Lyndhurst and North Arlington and the water pressure in the borough. We've been fighting over a pass period of a year, an ongoing thing with Passaic Valley Water company. Not notifying the borough about coming in and doing work, not notifying the proper authorities here, issues with pressure, issues with service, issues with quality of work. So rather than, and we've met with them several times, we actually met at the ***** (30:20) Atlantic City during the week. We've met with them at their own offices. but it's time to actually put some teeth to this and actually hold their [inaudible] (30:29) to the service that their actually providing to the borough. So I contacted Terence Wall and we actually talked to Passaic Valley Water Company and have a list of whose calling the borough with water complaints, how that process is working, because we want to be able to track that providing a kind of quality service to the residents of the borough. So I've asked Terence to actually track that information working with Passaic Valley and then providing weekly updates about residents that are calling about the water company, so we can actually find out where the trouble spots are in the borough, where there are issues. Since we've done that, Passaic Valley has made sure to go out of their way that if they are working the borough, they are contacting the borough, letting us know when they are doing work here so we can understand what is happening. But on the borough webpage for example, there's a citizen's hotline, so I don't know if anybody's ever used that before but it's a direct line back to the mayor; good, bad, or indifferent, if your happy with something, your angry with something, you need something addressed, it's a direct line to get to the mayor and have it addressed by the right department head. Several senior residents contact me though, 'I don't have a computer. How do I actually do something like that?' So then the first thing I thought of was we have a new phone system here in the borough and it would serve us to do two things with that phone system. Number one, if there's something that's going on in the borough, like there's a water main break or they're doing work, it would be nice to have somebody to just call and say 'hey, they're working on Devon, they're working on Prospect, they're working on Canterbury' and that's why this is going on. And number 2 is to duplicate the work after it's done on the webpage. You know what would be nice, to actually call this number and say 'hey, I have an issue, this sidewalk, an issue with my garbage, issue with this tree' and then we can actually track that phone system, those phone calls, make that part of the administrator's report, and we will know what's going on and be able to track that. So it's just another way were going to be able to use technology within the borough, something simple as being able to get a phone call and deal with the residents in a much more professional matter and then let everyone know what's actually going on. This ordinance was drafted so we could put some teeth into addressing Passaic Valley, we don't own the water company anymore, and that's certainly not a reason why we shouldn't be treated like a top-like customer which we are. We all as governing members are here have people come up to us and talk to us about it, I know you've met with them on several occasions as well as Steve and that doesn't seem to be working. And like anything in life, unless you actually attach a dollar sign to it, people really don't listen. So that's why the bonding vote is just as well is to hold them accountable. It's one thing for them to come and do work on your driveway but they should leave it in the condition that you had it, if not better as they are doing the work. And this is really about accountability of Passaic Valley. Thank you.

MAYOR MASSA: Thank you councilman. Councilman Hughes.

COUNCILMAN HUGHES: You know I whole heartedly agree with this resolution that we're doing here but I think it really doesn't go far enough. I think from the very beginning this deal with Passaic Valley has begin fraught with problems and complaints

and has been anything but seamless. Probably when I, as I go around the town, the biggest complaint I get, is about the water system; the discoloration of the water, the low water pressure, and constantly complaining about the bills. And I know we don't own the system anymore, we don't have any control over the bills. But I think there's things in this deal that were never done properly and I think we really need to do an investigation. I would like to ask and have you direct administrator Wall to do some requests. Some of the documentation that was presented in the sale, purchase, and the funding of this water system so we can start, so we can get some more background information on this entire sale. I understand there were some things in the environmental infrastructure trust application that was created by the Passaic Valley Water Commission that basically said the residents of North Arlington would pay for the sale of this water system so that they're writing their own application for the money that they borrowed to buy the water system. They're advocating right back to the state of New Jersey that yeah we're going to buy the water system from the residents of North Arlington but they're going to pay for it. So I think these are the things that residents of North Arlington should really look at and see because I think we've got taken for a ride on this whole sale and I'd like to request that all of the information that Passaic Valley do a public records request to them be brought out and provided copies for all the council to hear so that we can investigate this further.

MAYOR MASSA: Thank you council. Councilman Tanelli.

COUNCILMAN TANELLI: I'd like to just chime in. I agree with both my colleagues. Last month I said, how long are we going to let this go and this is part of the answer but we still have an issue since they tied in from Lyndhurst into the water system or water pressure, and quite frankly my entire side I don't know if any other members of the council are experiencing it but I spoke to Mr. Wall a number of times. I've spoken on a conference call to Passaic Valley with Mr. Wall assuring me that were not suffering from water pressure but I can assure you if anyone came to my house right now and used the bathroom or use the kitchen sink or used the washer machine, we're not even close to where we were before they tied into Lyndhurst. Quite frankly for \$58 a month, I want my water pressure back and it's about time that we tell these gentlemen that they need to come back in here and provide us with the proper water pressure and the proper water service that we're paying for or we really need to make some drastic moves here. I have a few things that I'll be bringing up next month if it doesn't get through with that.

COUNCILMAN BIANCHI: Steve, what concerns me is people telling me that some of the people have been getting double surcharges, double \$58. \$58 of service charge and then the water is another \$30 or \$40. That's for one person in the house. People that have a family of three kids and their washing every day, their bill's are \$200. I got a phone call today from a citizen in town and they said that she told me she got two service charges and she couldn't figure out why. She always pays her bills on time. I don't know if that's happened to anyone here.

COUNCILMAN DIBLASI: That happened to me. I called them up myself today but they said there was an increase. Instead of showing it as an increase, they showed it as two service charges for this month and then the next quarter it will just start with once, plus the consumption whatever you consume. Because I got on the phone with them myself today, I said my two service charges always been one service charge. They said that's the increase that were going to be getting and next, the next quarter you'll only see one service charge, but its going to be the big number. For \$50 and \$58.

COUNCILMAN HUGHES: If your billed over left January 1st, like say went from November to February, you'd have winter charge for November and December because that was at the old rate and then you'll have another charge, they had a 7% rate increase on January 1st on top of, it seemed like a 3 or 400% increase that we had since we owned the water system that the residents of North Arlington have been saddled with. So, you know, it just seems like it goes up and up and up and its outrageous where what were paying for water now where an average home with two people in it is 4 or 500 dollars a year just for water when it used to be a charge of \$100 or \$120 a year. Its outrageous and I think we need to investigate this further and see what we can do about maybe getting out of this deal.

COUNCILMAN BIANCHI: Mayor, also I would like to say one more thing and then I'll let you go. They're digging up Union avenue right now, they're working down on Union avenue on Schuyler. God for bid what its going to look like when they're done because they got a hole in that street that looks like Iraq, I swear to god, its got to be like 40, 50 feet long, you know what I'm saying? And they dug up a hole on Leonard Pl. right by Roosevelt School. There's still a hole in the street. They put tar but it's sunk, its down about 3 or 4 inches. They got the town looking like a war zone. And the streets look like a war zone, wherever they dig it up. And years ago when we owned it, the guys did a better job of patching the street. They had more pride in it. These guys, I'm afraid to see what Union avenue looks like when they're done down there by Schuyler Ave because that's some hole in the ground there. It's going to be a mess.

COUNCILMAN HUGHES: Mr. Mayor. I'm sorry.

COUNCILMAN BIANCHI: Go ahead.

COUNCILMAN HUGHES: Another aspect of this is I've been on some of these calls with Passaic Valley. They're claiming that the state minimum pressure is 20 pounds of pressure, is all they have to require by the state to maintain our water system. Well, our fire department pumpers cannot operate at 20 PSI because if the water system drops below that point, you'll start capitating the pump and will actually damage \$500,000 piece of fire apparatus if you were operating at pressures below 20 PSI. So when they tell us that the state minimum to provide water is 20 PSI, it is thoroughly inadequate for firefighting purposes. So not only does it become a problem with people flushing their toilets and doing their laundry, it becomes a safety problem. So we got to take this further. I mean we've been getting complaints constantly; it's been a subject of discussion here almost every meeting. We need to take it to the next step.

MAYOR MASSA: Alight, well, some of the things that I've heard about the water system are in fact similar to the complaints you get also. But I also get people telling me on a occasion that the water system in their, in my neighborhood is excellent. So in some parts of the community it might be very good, other parts might be deficient due to a number of problems. One of the conversations I've had with the executive director of the water systems is that there are a lot of old pipes still in the system that do need replacing. I think we can all pretty much agree to that. And they are making infrastructure plans to effectuate that. Obviously, Rich, were never going to see that days of \$100 water but I don't think that any other water system is very cheap anyway. Just like any other public service, the cost of providing this vitalness necessity increases, however, my concern here is that the community get a fair shape for what we're spending and then our water pressure is sufficient to maintain the comforted community of the residents and of course safety issues regarding the fire department apparatus. Has the fire department done any spot checking?

COUNCILMAN HUGHES: We're not allowed to. If you remember the day when we had Mr. Bello when we asked permission to do some testing, they told us were not allowed too. They have never yet to this day provided the information they promised to provide on the pressure testing that was supposed to be done on Rutherford Pl., Prospect Ave., and Gold St. when they did the water main upgrade on...

MAYOR MASSA: Okay, well that's a responsibility that we're going to assume, to hold their feet to the fire, and provide the testing that they promised to do. I'm going to instruct the administrator to meet with Mr. Bello, Joe Bello rather, and obtain all the documentation. And if forthcoming in a reasonable amount of time from them, then we'll take whatever appropriate legal action we have to take.

TERENCE: And just to clarify, the documentation types to collect.

MAYOR MASSA: The fire department water pressure; Pressure of fire hydrants in various locations.

COUNCILMAN BIANCHI: Got a question for you Mayor.

MAYOR MASSA: Councilmen.

COUNCILMAN BIANCHI: Back about a year ago, we talked about the fire department in North Arlington was going to strike a deal with Passaic Valley to test the hydrants and they were going to pay the firemen \$30 a hydrant, 20 or something like that. Whatever happened with that? They never checked them, we never checked them.

COUNCILMAN HUGHES: It's right now a dead issue.

COUNCILMAN BIANCHI: It's a dead issue? Well don't they have to be checked?

COUNCILMAN HUGHES: I would assume so.

TONY DELIA: I think the choice was given to the fire department as to whether [inaudible].

COUNCILMAN HUGHES: They were supposed to have a sit down and discussion and it never happened. I think they were waiting for Passaic Valley to get back to him because like everything else they were treating us differently than Passaic, Paterson, or Clifton. The amounts that they were paying the fire departments in Passaic, Paterson, and Clifton to do this was one rate and the rate that they wanted to pay the fire fighters in North Arlington was a much lower rate. So the firefighters were like 'why? We're no different than Passaic, Paterson, or Clifton.'

COUNCILMAN BIANCHI: Yea, our guys down at Hose Co. #1, they were gun ho for no matter what they paid.

COUNCILMAN HUGHES: There were some issues with how much they wanted to pay us and how much they wanted to pay; they're paying the other towns to do the same for ever.

TONY DELIA: But if you remember, the reason is that Passaic and the other, Clifton and the other towns are owner towns; they've owned the Passaic Valley Water system for 70 years so they get preferential rates and preferential treatment. That's by law. I'll say this before we get too far out in front of ourselves: the water system was by prior administration, the town realized a couple million dollars, I forget the exact number that was put into the budget that year and kept the taxes low that year. I'm not defending that decision but it was a sale. I don't know where, how the taxpayers could have paid for that when we realized the money but it was a sale. I have the documents, I have the contracts, and the various agreements that were executed between North Arlington and Passaic Valley Water system at the time. Now that contract offered Passaic Valley our water company to maintain your pipes and maintain an adequate system, etc., pressure at a certain rate. I've heard the complaints, from you guys, from the citizens through you. And before we get out in front of ourselves, I've said this before, your remedy is not to do away with the deal, cause you can't. The only way to do away with the deal is to buy back the water system and to pay for all the repairs that they have paid for and to keep the system yourself which is too prohibited. I'll say this to defend the prior administration and I wasn't hired by Nick so I don't have to, but the study that was done at the time showed that the water system for years in North Arlington was being paid for by, guess what, taxes! And the taxes were kept artificially low because of host fees. Host fees from the garbage dump is the crack cocaine for North Arlington. In fact we were told by the Passaic Valley Water Commission they've never seen another town pay to upkeep their water system through taxes. That's why it was so cheap for all the years. That's why everybody got used to a cheap water system. So now your in the real world and your in the modern world. If you want to really challenge the Passaic Valley Water system, and I've said this before, you must hire maybe the guy sitting over there or somebody like your engineer that knows about water systems to really do a thorough review of your water system, to explain why there's this discoloration, to explain what is being done improperly by Passaic Valley Company so that you have some credibility. Cause I've sat at meetings with the Passaic Valley Water company and we've repeated these complaints that you've given tonight and what they say is well there's a reason for that, its your pipe

from 1972 is the wrong size, we have to upgrade it, well that's a temporary thing. Well jeez that's somebody complaining about the bill who doesn't know how to read a bill. It's a he said, she said kind of thing. If you really want to move forward with this, if you really want to start attacking this issue, you have to hire the right professionals, look at the system and say their not living up to their agreement. So that then we have some credibility when we go to the table and argue with them. You really got to put some teeth behind it which is going to cost a little bit of money.

COUNCILMAN DIBLASI: I agree with you Tony a hundred percent but there's one thing that we should go after them for mayor is what Mr. Bianchi said before. It should be too shabby...

MAYOR MASSA: Absolutely.

TONY DELIA: That's what this ordinance is.

COUNCILMEMBERS: [inaudible- because all talking at once].

COUNCILMAN BIANCHI: The ordinance is written perfect.

TONY DELIA: The resolutions.

COUNCILMAN BIANCHI: I mean the resolutions, excuse me. The resolution is perfect.

TONY DELIA: Really start enforcing your ordinances. A little more tougher with them. And they said that they were to abide by the ordinance as well. They said that at the meeting. But to go further and to challenge them for their cont...you can't go back and redo contracts unless you guys what to issue bonds and buy back your water system and then every year have to raise taxes to afford charges to pay for the upkeep of that system which when it was acquired by Passaic Valley Water company that study that was done by an engineer, maybe your engineering company, showed it to be a disaster, why because for 30 years prior to 2004 it wasn't kept up properly.

COUNCILMAN HUGHES: I would question that because I think a lot of that documentation was bogus.

TONY DELIA: I thought it was a study done by the town.

COUNCILMAN HUGHES: No it was not.

TONY DELIA: Well then I misread the study.

COUNCILMAN HUGHES: The stuff that...

TONY DELIA: I have that document in a file. I read it months ago, you might be right. I'm going by [inaudible].

COUNCILMAN HUGHES: I mean when the insurance service office came in, we got the highest rated in the state of New Jersey for our water system for firefighting purposes. We wouldn't have gotten that with a locally [inaudible] water system.

TONY DELIA: Well whatever was, I wasn't around then, so I'm just going by the study that I've read. I wasn't around in '03.

COUNCILMAN HUGHES: The upgrade to the system that has been made in the 90's were, they did inspect the entire system but they were doing second in the system and it was more than adequate. The fire fighting [inaudible] upgrading the entire system where water flow.

TONY DELIA: Look again, that's why I said none of us up here are expert sewer, you know, Ed Norton types, who are experts on the sewers. So I think if you want to do it right, you got to hire the right Ed Norton type to really sit down with us and go over this.

COUNCILMAN HUGHES: Like the letter from Neglia Engineering office. The water was in excellent shape. And I have a copy of that letter.

MAYOR MASSA: So you're saying that there weren't over a hundred leaks that had not been repaired? I had heard a report that there were over a hundred leaks at one point that hadn't been repaired.

TONY DELIA: Yea I think the report is a little more critical, that's irrelevant, the report's a little more critical, the important one is what's right now.

MAYOR MASSA: I recall witnessing a construction project in my neighborhood where the foreman from Passaic Valley took out a valve at 7th street and Lincoln and showed it to me and said this thing hadn't been cleaned in 30 years. It had to be completely repaired. Another police officer standing by a construction project where a repair was done and he told me that the repair guys came up with a patch job on a pipe that was made with an old stop sign. So these are some of things that we been confronted with and I don't think it really behooves us to argue the pros or the cons of whether or not we, it was a good thing to sell the system as the attorney said the decision was made to sell the system; the system was in debt for about 3 and a half million dollars at the time of sale and approximately 1 million dollars of tax money was going toward maintaining that system to keep the rates low is like while we were in debt for [inaudible] of 28 million dollars. But that was okay because we were receiving a lot of host fee money; 2 billions of dollars. But the host fee money doesn't exist anymore and now we have to run this town with real tax money out of the real pockets of real live people like us.

TONY DELIA: And that was paid off from the sale money as well. That was paid off in one shot and again not defending the prior administration but the debt was paid off and that very same year a couple of million dollars would put into the budget which reduced the taxes for that year 2004 I think it was.

COUNCILMAN HUGHES: One million dollars.

TONY DELIA: Whatever it was; a million to a million and a half. A million's good.

MAYOR MASSA: Be it as it may, what I would like to do is have the administrator contact the Passaic Valley and start to schedule a testing process for the fire hydrants throughout the community to assure us that the water pressures sufficient for operating our fire apparatus in the event of an emergency; that's a paramount issue for us right now.

TERENCE: Done.

MAYOR MASSA: And also anybody who has complaints about the system continue to do the things your doing. Call the water system supplier up, Passaic Valley, have complaints about your bills, there are several recourses you have. You can contact them directly or contact the administrator's office. With respect to taking a look at the process, I think we'll take that under advisement. Getting sammin with the viability and practicality would be of doing that and finding, making the determination as to whether or not any further legal action would be, would justify.

COUNCILMAN HUGHES: Mr. Mayor I'd like to request then that a maybe a resolution be prepared for the next meeting and

TONY DELIA: We could do it today.

COUNCILMAN HUGHES: Yea but we have to come up with certification of funds, don't we? We have to look for the money.

TONY DELIA: Well we can ask for proposals. Lets get some quotes as to what an expert engineer would cost to do, an expert engineer, and sit down and consider...

COUNCILMAN HUGHES: Well last time they had to hire somebody outside from their own office.

TONY DELIA: Yea it's probably very similar to what they did last time except we don't own the system now. But that, when we get the puzzle, I'm sure you would submit a request a proposal, right?

COUNCILMAN HUGHES: I'd like to make a motion then we seek RFP's for testing of water systems.

MAYOR MASSA: Okay, well right now we have...

COUNCILMAN HUGHES: I'm sorry.

MAYOR MASSA:...our R-49-09 on the table for vote. So lets take a, any further discussion on 49-09? Okay, call the roll (Terence calls roll). Councilman Hughes wishes to make a proposal with respect do you want to take it under advisement with borough attorney.

TONY DELIA: Whereas the town administrator and the borough attorney will draft a request for proposals to obtain proposals from qualified engineers who can review the various complaints registered with the town regarding the water system and current whether there are any viable claims against Passaic Valley Water Commission for breach of contract.

COUNCILMAN HUGHES: I'll introduce that.

TONY DELIA: Second?

MAYOR MASSA: Seconded by Councilman Tanelli.

TONY DELIA: Then I'll sit with Mr. Wall. We'll draft the language over the next week. Mr. Wall will stay on me which is he's been doing lately to get things done. And we'll get the proposals out. f

MAYOR MASSA: Call the roll.

TERENCE: Mayor, this would be resolution 51.

ROLL CALL: All council present vote in the affirmative

R-54-09 RESO RE: APPOINTMENT OF LIEUTENANT NORTH ARLINGTON POLICE DEPARTMENT

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Bianchi

ROLL CALL: All Council present vote in the affirmative

ORDINANCES

FIRST READING OF ORDINANCE #2007 (TABLED)

AN ORDINANCE TO AMEND CHAPTER 54 §30(A) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED "RESIDENCY REQUIREMENT"

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman DiBlasi

ROLL CALL:

TONY DELIA: Let me comment first on this, I'm sure there's going to be some discussion. This is a first reading of ordinance I was asked to prepare this ordinance. It can be modified by the mayor and council tonight, basically a proposal and you can discuss it and see if you want to proceed further. I drafted an ordinance that says police officers when they apply for the position here in North Arlington must be residence of the

Borough of North Arlington. I was asked to do that because and many other communities there's a residency requirement. The idea behind it is that police officers particularly become more vested in the community if they live there, they care about it a little bit more, it's less of a job and more of a 24/7 interest that they show in community. What I did not do was say that they have to continue be residents after being hired. That's number one that you should consider whether you want to add to the ordinance or leave out. The way it reads now is when they apply, all things being equal, residents of the Borough of North Arlington would get first preference for the position and then it's knocked down to counties. I put Bergen and Essex County because of Nutley. You may want to say Bergen, Essex, Hudson that's up to you guys if you want to add that as well. And then it falls down to other residents of the state as class 3 applicants and then all of the qualified candidates if you get any applicants from Montana or something that want to be police officers in North Arlington. That's the way its drafted and that's the intent so you have to look at that issue number one. Do you want them to continue to be residents after being hired? The other issue you should know about is there is case law which says an ordinance like this when applied could have a discriminatory impact. It's not that you are discriminating against any particular groups but the NAACP has particularly been very active in this regards usually with larger communities and regional fire departments for example and police departments. They have argued that in looking at the racial makeup of a community, if you're limiting it to residents, then the impact, it's a negative impact upon those who are not of the same racial makeup that exists in your community. So you may be opening yourself up to a challenge later on. The NAACP has pursued this kind of challenge, I know in Hudson County with the north Hudson regional fire department, I'm going by memory now, I think the city of Clifton and some other communities in North Jersey. So (A) do want to have this ordinance at all? (B) do you want to have them be required to live in North Arlington while they're employed as police officers? (C) Do you want to make it Bergen, Essex, and Nutley, uh Bergen, Essex, and Hudson County? And (D) just be aware of the potential claim for a discriminatory impact.

COUNCILMAN HUGHES: I believe there was already, where we've been sued by the NAACP. Seven, eight, ten years ago for this very reason. And forcing us to open that up, has that been researched or were you not aware of that?

TONY DELIA: I was not aware of that. I was told about that recently but I don't know any facts about it.

COUNCILMAN HUGHES: I don't know all the, you know, it's before my time but I do remember reading about it years ago in the paper. I'm all in favor of the residency requirement at time of appointment; I'm in favor of requiring at least when the person's on the one year probationary period they remain a resident of the Borough of North Arlington. I think that's pretty common in civil service police and fire department hirings because if nothing else it gives them a feel for the town that they're going to be serving in and working in. And other than that...

TONY DELIA: What about the counties? Bergen, Essex, and Hudson?

COUNCILMAN HUGHES: I think opening up the Hudson would be no problem. You got people from Kearny that may be interested or East Newark or Harrison. I don't think I have a problem with that but I think we need to find out based on previous, I don't if it ever went to trial they may have just signed an agreement so it would, something would have to be researched I think before we even pursue this further.

MAYOR MASSA: I recall a consent to grieve it was entered with the borough and a number of other communities with the plaintiff at that time. My recollection is the consent to grieve expired several years ago so we would, I kindly ask the

TONY DELIA: Would Lou know that? Chief of police know that?

COUNCILMAN TANELLI: Yes

TONY DELIA: So I'll contact the chief of police.

MAYOR MASSA: You can check with the police chief; he should have the documentation on that issue. With respect to compelling the officers to reside in the community after appointment, I think the state of New Jersey already has addressed that in some of its own legislation. So I would not expect that we would violate state precedent in so much as once someone is appointed to police department although they're a local resident, they would have the freedom to move out of the community if they so desired. So we have a little bit of work cut out with respect to some legal research on this and I would kindly request that the attorney...

TONY DELIA: Any other issues that you want me to look at for the [inaudible]?

MAYOR MASSA: I don't have anything myself, many other uh uh...

COUNCILMAN BIANCHI: The only thing I have to say is that I think you better talk to the chief first because I remember this issue about 15 years ago.

COUNCILMAN TANELLI: It's definitely expired; I know that for a fact. So when you check it out, you're going to find out what you just found out tonight. I've researched this prior to asking you to throw this resolution up, so I'm confident that the chief is going to tell you the same thing that he told me which is that it's expired.

MAYOR MASSA: I think the important thing also is that we protect and grandfather any existing members of the department.

TONY DELIA: Oh yea, this would only apply to new applicants.

MAYOR MASSA: This will only apply to new applicants.

COUNCILMAN HUGHES: Would there be a problem that would be requiring, because I believe, the first year they're on probation, is that not correct?

MAYOR MASSA: I think it's 12 months probation.

COUNCILMAN HUGHES: Would it be a problem requiring they have to live in the community for that year that they're on probation?

TONY DELIA: Well he wants me to check as of the state statute that might deal with that.

MAYOR MASSA: We'll check the state statutes.

TONY DELIA: I'm not aware of any state statutes [inaudible].

MAYOR MASSA: Under title 40 of civil service.

TONY DELIA: We'll check it.

COUNCILMAN HUGHES: Okay. I think that's common practice from what I hear.

TONY DELIA: There's many communities that require to live there for the term of their employment.

COUNCILMAN TANELLI: And be there 2 years or a year prior to them.

TONY DELIA: There's some that are a little tougher than that. Everybody in agreement with these changes as long as they're acceptable, the year the year afterwards?

COUNCILMAN HUGHES: So should we table this or?

TONY DELIA: You're not going to have a first reading because it's going to be different so we'll have a first reading [inaudible].

TERENCE: Were going to make to table this.

MAYOR MASSA: Were going to withdraw the ordinance #2007.

COUNCILMAN DIBLASI: You cut hair in North Arlington, you got to live here.

COUNCILMAN BIANCHI: Peter, he says that being that I cut hair in North Arlington, I got to live here. He wants to put an ordinance together.

MAYOR MASSA: Okay ordinance #2008.

FIRST READING OF ORDINANCE #2008 (TABLED FOR DISCUSSION)

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

INTRODUCED BY: Councilman DiBlasi

SECONDED BY: Councilman Bianchi

ROLL CALL: All council present vote in the affirmative

FIRST READING OF ORDINANCE #2009 (TABLED FOR DISCUSSION)

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

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Granell

ROLL CALL:

MAYOR MASSA: Discussion?

COUNCILMAN HUGHES: Yea, Mr. Mayor, what was the recommendation of the police department on this and the only reason why I'm asking is Crystal St. it only has parking on one side of the street and because of some of the businesses there and everything there's very limited parking on that street, entirely. And that's also one of the streets were looking at for our [inaudible] parking issues that are, we've set up a committee on last month. So what kind of recommendation have we've gotten back from the police department on this.

MAYOR MASSA: Refer to the administrator on that. Have we got anything in writing from the chief?

TERENCE: Yes, well, the initial application was denied due to the fact that the owner has a driveway. And they indicated that they had some concerns regarding the, it was very tight in that particular area regarding the length of the curbing; it would fit but they did express their concerns with that particular spot.

COUNCILMAN HUGHES: Is the driveway inadequate for, I mean I know the gentlemen's here; is the driveway inadequate for utilized parking that you need?

RESIDENT: Yes.

COUNCILMAN HUGHES: And why is that?

RESIDENT: [Inaudible].

COUNCILMAN DIBLASI: He has a driveway though.

RESIDENT: [Inaudible].

COUNCILMAN DIBLASI: Why can't he use his driveway?

RESIDENT: [Inaudible].

COUNCILMAN HUGHES: But sir, the question I had is the driveway inadequate to utilize for parking?

RESIDENT: [Inaudible].

COUNCILMAN HUGHES: There is no driveway?

RESIDENT: [Inaudible].

COUNCILMAN HUGHES: Okay.

RESIDENT: [Inaudible].

COUNCILMAN DIBLASI: Richie, does he have a driveway or does he have a car port? There's a difference.

COUNCILMAN HUGHES: Well that's what I'm trying to ascertain.

COUNCILMAN DIBLASI: You have a car port or do you have a driveway to the back?

COUNCILMAN BIANCHI: He's got a driveway, it pulls in and he's got a garage that we see.

RESIDENT: Just one spot to park the car.

COUNCILMAN BIANCHI: There's no driveway?

RESIDENT: No just one car. I can give the copy of the size of the garage.

TERENCE: Correct, do you have a driveway where you can park one car...?

RESIDENT: Park one car, yes.

TERENCE: ...Correct and you also have a garage?

RESIDENT: [Inaudible].

TERENCE: Just to clarify, mayor and council, I did drive by. There is a garage and there is a driveway where you can park one car.

COUNCILMAN DIBLASI: But he made an apartment of his garage, that's what he's saying. You made up an apartment of your garage, correct?

RESIDENT: Yes.

COUNCILMAN DIBLASI: So the garage is dead, he's only got one little driveway, very simple.

COUNCILMAN BIANCHI: Oh.

RESIDENT: [Inaudible].

TERENCE: From a technical standpoint, mayor and council, this is a first reading. If subsequently if you did an onsite and I also can forward some additional information to you. If there's some questions or concerns, if you wish to introduce it tonight, and there were some barriers that rendered it not applicable, there is a second reading where you can take action at that time as well.

COUNCILMAN HUGHES AND BIANCHI: [Inaudible].

TERENCE: Your choice.

MAYOR MASSA: Is that your request to table that, councilman? Lets introduce it and have further investigation of the application.

COUNCILMAN HUGHES: I'm sorry mayor.

MAYOR MASSA: Do you want to table that or do you want to introduce it and have further investigated?

COUNCILMAN HUGHES: What would the attorney recommend? I guess either one would be fine.

TONY DELIA: If you don't table it, you'll have to vote on it.

COUNCILMAN HUGHES: I'd recommend with table it for further information.

TONY DELIA: Any objection to a table?

COUNCILMAN BIANCHI: No, I'd like to table just to go over to his house and check it out.

TONY DELIA: Table noted.

COUNCILMAN HUGHES: And were not trying to make a hardship for you sir, we just want to make sure that...

RESIDENT: [Inaudible].

COUNCILMAN DIBLASI: That's number 20 and beyond.

COUNCILMAN HUGHES: Give us the opportunity to look a little closer at it and you know we'll work on it for next month.

MAYOR MASSA: Let's get a copy of the police report as to why it was abide by the P.T.U.

TONY DELIA: The next meeting is March 12.

TERENCE: 12TH, three weeks.

RESIDENT: [Inaudible].

TONY DELIA: They look at it, March 12th come back.

MAYOR MASSA: Okay, thank you.

TERENCE: Mayor and council, the next item is:

PUBLIC HEARING OF ORDINANCES AND SECOND AND FINAL READING OF ORDINANCES

SECOND & FINAL READING OF ORDINANCE #2006

AN ORDINANCE TO ADD SECTION 5. 50A-23.C(i)(g) OF THE RIDGE ROAD REDEVELOPMENT ORDINANCE

MOTION TO OPEN TO PUBLIC

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman DiBlasi

ROLL CALL: All Council present vote in the affirmative

MAYOR MASSA: No one present to be heard on 2006.

MOTION TO CLOSE HEARING

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Granell

ROLL CALL: All Council present vote in the affirmative

MOTION TO ADOPT

INTRODUCED BY: Councilman Granell

SECONDED BY Councilman Tanelli

ROLL CALL: All Council present vote in the affirmative

MAYOR MASSA: It's time we'll have the administrator's report.

ADMINISTRATOR'S REPORT:

TERENCE: Mayor, I have a brief report because we want to lend some time to the engineer for some of the items she needs to discuss this evening. I attended on your behalf a community development block grant meeting last week with the folks in southern Bergen County. We are in line to receive funding for road improvement projects and I'll have an update for you shortly. This evening you passed the playground insulation for Vinnie Macaluso Park that park will be installed as quickly as possible and that should be a wonderful improvement to the borough. The youth center, by way of update, were undergoing a painting program down there to repair the walls and paint the facilities so it'll look far superior when it's complete. We did recently have a department head meeting; we went over the local public contracts law. Public purchasing, requisition process, and essentially we have a essentially spending freeze on your behalf in place with the exceptions of the items that are necessary and bad for taxpayers. We're making sure that we're watching every dollar that is spent here in the borough. The library renovations update, the contracts are in with the construction office, they're being reviewed and expedited. And we're hopeful to have the library renovation project as scheduled with you shortly. Thank you very much, that will conclude my report.

COUNCILMAN TANELLI: Court of order.

MAYOR MASSA: Councilman Tanelli.

COUNCILMAN TANELLI: One question, Mr. Wall, were there some donations made to the youth center by some people, a couple businesses in the community? Could you just check on that for me and report back to us on who that was so we could recognize them for their contributions?

TERENCE: I will do so.

COUNCILMAN TANELLI: Thank you.

ENGINEERS REPORT:

NICK: Thank you mayor, members of council. Thank you for the appointment for the borough engineer. Neglia was the appointed engineer, I'm assuming, I didn't get the memo.

COUNCILMEMBERS: [laugh].

COUNCILMAN HUGHES: You weren't paying attention.

NICK: The name wasn't stated.

COUNCILMAN TANELLI: (Jokingly) Sorry, I don't want to be the person that has to tell you this, Nick...

NICK: (Jokingly) Should I leave now? Mr. Mayor, just to touch on something that you've been discussing and I think it's important that I intervene because I think having lived this problem with the water [inaudible] and so forth over the past 20 years; personally I've been involved with the upgrading in the pipes. I brought a manual constructing your water purvey or not. What sections to flush and things like that. We did a hydrant study where we labeled every hydrant as to the exact pressure it had, we painted the tops of these hydrants to conform to the certain pressures that they will be, you know, available. I think its only fair that if you allow us to meet with the administrator and Passaic Valley Water; we have the history that can help you, at least figure out what the problems are. I don't want to rain on your resolution but I think it best if we at least be allowed a meeting with them, most likely we'll be able to tell you exactly what the problems are rather than going out and getting quotes and you know studying things, that we know what the problems are well the problem areas.

TONY DELIA: I do think, though, if they're going to do it the right way they should get proposals. [Inaudible]. I would think that you would submit a proposal and frankly I mean with your experience with the borough and the water system obviously you would, but because its professional service I think we should cross our t's and dot our I's.

NICK: I guess what I'm saying is that we might not even get to that point. I think if we do have a meeting with them and you could tell us what your problems are, they pretty much tell you knowing the areas and problem areas they could pretty much say you know, 'this is not a problem, or this is your problem area'. So just be looking at it they can just you know say its fine.

TONY DELIA: Would that fall under the [inaudible]?

NICK: Well, I'm not sure how we structured our contract.

TONY DELIA: Yea that's why I didn't think it did but if it does then that's fine.

NICK: You know, it's not going to require a lot of time at least initially but if it does then we'll give you a proposal.

TONY DELIA: That makes sense.

NICK: Ridge road streetscape, we are done with the project. We wrote to the people that funded the project, Mr. Michael Berta and we've kept him [inaudible]. We received a letter from Kairys regarding new planters. There were three planters that were taken out and they were stored on the sidewalk, it seems to be obstructing Siamese connection, my thought is I don't know what the borough wants to do with those. Maybe you want to store them at the DPW. I'll talk to Jimmy and maybe we can have them relocated and picked up and moved over to the DPW. I'm telling the contractor to move them; where we going to put them? I look to you as to what you want to do with them. If its as simple as putting them somewhere else in town or bringing them down to DPW, maybe we can have the DPW super handle that.

TERENCE: The direction is simply to move them back to the approximate location where they moved them from.

NICK: Well, [inaudible] they were on Ridge Road. In lieu of that we put the new waste baskets; we put the new planters...

COUNCILMAN HUGHES: They don't fit in with the space, they don't, they clash.

NICK: Right they would be out of place.

COUNCILMAN DIBLASI: We could use another part of Ridge Road, cant we [inaudible]?

TERENCE: May want new planters that of some type.

COUNCILMAN BIANCHI: Instead of putting down the DPW, let Jimmy figure out a place where he could put them along Ridge Road where they...

NICK: Find a home.

COUNCILMAN BIANCHI: Yea, just find a place to put them.

TERENCE: Okay, take care of that.

NICK: Um, Schuyler Ave and the Belleville Pike intersection, we can put an end to this soon. I know Mr. Wall has been in communication with the DOT. I did talk to them today about, we had gotten quotes, the lowest was Tiffany 2000. I don't know what the negotiations to all that and I don't want to seem like, I understand that there was a discussion about a \$15,000 quotation from the DOT, I'll leave that up to Mr. Wall to print it on. [Inaudible]. The drainage to the Holy Cross Cemetery, we had the area stand a week or so ago. And we were able to locate the potter's field, the edge of the potter's field. So this point we have reconfigure what we have, we can proceed with the improvements at this point because the pipe is not obstructive at any [inaudible] lane so I will give you a date to get the project scheduled and we can get out for bids.

COUNCILMAN HUGHES: Is the funding still in place for this project?

NICK: I did say in my report that I think the CFO should verify the funding is in place. I don't know that.

COUNCILMAN HUGHES: It's something that's been going on for 7 or 8 years now I believe.

TERENCE: We would have to verify the funding is still available and if not, account for that accordingly if you wish to move forward with the project. I'm not sure the date of the proposal but if the proposal is old, perhaps you should update the proposal. That'd be helpful.

NICK: Yes. We'll give you a construction management proposal and to follow up [inaudible]. With the Canterbury phase 1, we have experienced some problems with, the pavement was cracked. We notified the contractor, we're working with him. We'll get you an answer as to what can be done. [Inaudible]. We haven't quote out the project yet, we want to get that resolved before we. Canterbury Phase 2, I don't know whether you have approved the quotation for the course because we're going to have to get the course to the DOT's so you can [inaudible] reimbursement. I don't know if that was done already. I know we had sent the quotations over...

TERENCE: Is this approximately 25 hundred?

NICK: Yes.

TERENCE: I think it would likely be listed on March 12th.

NICK: March 12th? Okay. That's a way to figure out, we'll wait for that. Morgan Place is done. There are some minor punch list items so we can go through that option, it'll be fairly short, very simple. Firehouse improvement, I had to send a passed resolution awarding a contract that distends the [inaudible] construction. So with that, we can set up a preconstruction meeting and we'll move forward with it. Tax map revisions, we had a meeting and I have a letter where we buy some [inaudible], we had a meeting about a month ago, three weeks ago. Basically the thought was is that any information that Mr. Maguire can provide to us, we can discount it off the proposal that we have prepared. I apologize I didn't get any information, I didn't want to wait, Mr. Maguire kept calling us so I did put a quickly a proposal back into Mr. Wall's hands. In looking back and talking with Mr. Maguire, there was I guess he had provided some information, this count about

8 hours of our time. So adjusted the proposal, it's about a 13 hundred dollar reduction so you save about 13 hundred dollars. I'll give that to Mr. Wall after our meeting. The 2009 municipal DOT municipal aid program, this is a portion of Sunset Avenue. When we originally did the proposal, the estimate rather, it extended from River Road to Ridge Road to \$200,000 and that was a pat across the \$400,000. They're given you half of that, so what we've done is we went back, we've taken another look at it and we cut the limits [inaudible] coming from, the proposals River Road to Riverview. A proposal was sent to you. We have seen your vote. If you'd like us to proceed, we'll move forward with it. I am going to skip over the number 10 and I'll come back to it because it's going to require a little bit of...

COUNCILMAN DIBLASI: On that Sunset thing, originally it was from River Road to Ridge Rd, now you're going from River Road to Riverside, Riverview. It's only one block.

NICK: No it's more than half up the hill.

COUNCILMAN DIBLASI: Well, Prospect St. would be almost than half, right? You got River Road and you got Riverside Dr is only like one block up.

COUNCILMAN HUGHES: From River Rd. to Riverview is a third. Riverview to Prospect is about a third. Prospect to Ridge Road is about a third.

COUNCILMAN DIBLASI: So they're doing a third.

NICK: If you look at the proposal on page 2, it will tell you that the River Rd to Riverview is going to cost about \$177,000 which will put you in the ball park. Riverview to Prospect is an additional 191, so basically it's a third on the way up. And then on Prospect to Ridge, it's another 196. [Inaudible].

COUNCILMAN BIANCHI: That street's in bad shape. Yea that's the worse part of the street.

NICK: We want to try to focus on that first and when more money becomes available then you [inaudible]. Geraldine and Truman Rd Pump station, we have done all the improvements that we had asked you on an emergency basis. I think it was back in June. We had asked about \$100,000 we still have some money remaining. And one of the estimates we had proposed was to upgrade the [inaudible] monster up at the Geraldine Station. I think that's an important piece of equipment to put back into place because that chops up any large objects that come into the pumps so can out service for awhile; its about a \$12,000 repair, its still within the budget that we had to allocate it for so we'd love for you to consider that. Give us the Okay and we'll get the contractor to finish that up. And then all the improvements have been done and everything should be up, you know up to par. In addition to that, we have a rapid pump meters on sort of a month to month basis to monitor and monitor the station and also [inaudible]. We have discussed getting some quotes, I think that contract expired. I think its your best interest to get new boats and see how that moves on with the contractor along with most of the discussions I get operator, I've been your operator for the pass several years. if you'd like I could continue to but we had discussed it operated, it could serve the entire town. There's one letter that we received. I did answer it through Mr. Wall. It was dated December 4th. There may be a possible litigation, I don't want to elaborate too much but it was regarding a backup into one of the residencies. I addressed, if you need our assistance anything we can do with that, we'll certainly help you out with that. I don't want to talk anymore about it because [inaudible] that it's a possible litigation. I think you discuss in [inaudible] session. Bergen County CDBG grant, you received a grant from Bergen County Community Development. Now we have given our proposal for Wilson Avenue, Wilson Place rather. The limits are between 5th and 6th. It's a fairly small stretch. The proposal we kept at a minimum. We look to you to consider that. If you'd like us to move forward, you give the authorization. Lastly we have the 2009 economic recovery program and what we've done up to now is we sort of kept you in the game. What this entails and I think I discussed it at one of the other meetings is that the state is given out a loan. The deadline for you to have plans and specs into the state is March 2nd, a week and a half

from now. We have considered several projects; we spent a big portion of this past weekend just trying to narrow it down and basically what we've been looking at was to eliminate Truman Road pump station and what that would entail is if ever we needed the pump station, we could get some easements between two houses bring the pipe down over the cliff and extend the sewer that's presently on Porete Avenue, up to that point we could probably make gravity. What that does is leaves the pump station out of service. It sends all the flow down to the Narda pump station, that's the one that's joined by the town of Kearny that you split with. And then it pumps it up to the spools of [inaudible] which is the one that you and the township of Lyndhurst are joint members of. The second part of that was the Geraldine. It's a little more difficult to eliminate that station because we would have to extend that sewer all the way along the [inaudible] property lead west at least drive away all the way up to where the empty lot is. What that does is because they have to see the slope we would need to have a put the side of it down so we can't do it by gravity. We would have to keep the pumps stations and pump it to the other [inaudible] which is a little bit more complicated. I don't want to get into too much details with that. We thought of rather than doing that, the problem we're having with Geraldine is that it gets inundated during rainfall events. Reason is is their goof leaders, there are some pumps that are connected to the system. We did a study I'm going to say about 7 or 8 years ago eliminating a lot of those identified sources and I think what's happening over the years is they put them back into the system. So we've identified them and we've asked them to disconnect them; I think the people just went back and put them back in. That's obviously a result of were getting stranium water when it rains, so it's burdening the pump station. Our thought was for this particular if you'd like to proceed with this project is to run parallel pipes along the roads so that each homeowner can connect their roof liter and their sun pump directly into this pipe and I will take separate the storm water from the sewerage and reheat the burn that you have on the [inaudible]. One of the things that I want to question you on is that we have a deadline for March 2nd that we have to have plans and specs to the state. You have to have money in place by July 4th if you want to do the project. So what this entails is that you would have to authorize us tonight to design these improvements. Were certain I can't get the 100% of the design done but we can get something into the state and then by July 1st, you have to have approximately one point five, one point seven, somewhere in that area, million dollars appropriated and in turn the DOT will reimburse you through this months. So you have to put up the money with the dissipation that they'll give that back to you.

UNKNOWN (1:24:34): Dominick, this is not a reimbursement. This is a loan.

NICK: This is a loan.

COUNCILMAN GRANELL: This is not like meticulous package and we're getting grant money to fix a pump on Geraldine. This is the town getting in further debt to taking out a loan.

NICK: Correct.

COUNCILMAN GRANELL: I want to be very clear about that because our neighbor next door, Lyndhurst, applied for a very similar package and it was in the newspapers making it sound like their getting all the funding to repair the water main, a stimulus package isn't getting grant money. And it's not a grant. It's a loan. There's a big difference there.

NICK: It was presented when you first got the letter back in December what was it said in [inaudible]. Wasn't sure at that point whether it was going to be a loan or a grant. At this point, it's a loan. Five four zero, zero percent interest loan. Which we have to pay them back. And again, you have to put the money up, you have to bond for it.

UNKNOWN (1:25:21): But what period of times?

NICK: I don't know if it's exactly 15 or 20 years but its 15 or so year period.

COUNCILMAN GRANELL: I just want to make the council aware of another issue that we're going to have to deal with. Another capital improvement project, a joint project

that we're doing with Lyndhurst that's about a 1.5 million dollar project, the joint sewer project to replace that pump station down there so this is the Geraldine pump station for when I look at your numbers finally it was about 2.75 or 2.25 million dollars [inaudible].

NICK: No can you combine the two?

COUNCILMAN GRANELL: Yes.

NICK: Well, with the, I did the disposal rd and that's the one you split with Lyndhurst. It's 1.5 but then I bumped it at 1.8 because I thought about putting in bypass so that bumped it up. So you would have a capidat which is roughly 900,000 and then whatever else you decide to do under this other program which would put you over 2 million dollar retro.

UNKNOWN (1:26:25): I want to make sure everyone understands it's not free money off the tree being shoved because North Arlington's lucky.

COUNCILMAN BIANCHI: But this joint sewer has got to get done.

UNKNOWN (1:26:31): You've committed to that already.

COUNCILMAN TANELLI: Here's another thing to keep in mind too is that we've just upgraded those pumps on Geraldine and Truman, so we've already allocated money that we've already spent to upgrade those pumps, now we're going to and those pumps cannot be utilized if we go with the a new project where we're going to invest another 2 million dollars to fix, those pumps go out of waste side.

COUNCILMAN HUGHES: Well no, they're not able to stay in place. Truman will be Truman will be replaced. Geraldine is not able to stay in place.

COUNCILMAN TANELLI: I thought when we spoke, you told me that both those pipes had got to be replaced. They wouldn't be big enough to do what we're doing.

NICK: Oh yes. If you don't take the rainwater out of them then you have to replace them. The key is...

COUNCILMAN TANELLI: Then you would also have to go down to disposal rd and replace the pumps down there because they wouldn't be big enough.

COUNCILMAN HUGHES: Now it's my understanding that people are not allowed to or not supposed to be putting their down spouts into or their sun pumps into the sanitary short system.

NICK: That's correct.

COUNCILMAN HUGHES: And we I guess we did a code enforcement issue on this once before as you mentioned in your report. Maybe it's time we just get back to doing that and you know make sure that people aren't pumping the stormwater into the sanitary system and overwhelming the sanitary system. Maybe that would be the easiest solution without spending 2 million dollars.

NICK: I agree. Just to clarify, we didn't disconnect some pumps because we were not allowed into the home but we did disconnect the roof liters because we had identified with the smoke testing that we did,. The smoke in the sewer you see coming out of the roof liter obviously [inaudible]. Some pumps are a little bit trickier because they're inside of the [inaudible] connected right into it nearby...

COUNCILMAN HUHGES: That's easy, it's the smoke in the sewer when they call the fire department we know what's the problem.

COUNCILMAN BIANCHI: You can't because there's check valve in there. It wont come through.

NICK: Well that's right, there's a trap or something.

COUNCILMAN BIANCHI: Check valve won't come out.

NICK: There's another way of tackling that is you can make it a condition in your ordinance that when you issue a c/o you can have an inspection and if they have a sun pump connected into this storm sewer I mean running to the sanitary sewer, well you have them disconnect that at that point.

COUNCILMAN BIANCHI: Don't we have that enforced already?

COUNCILMAN HUGHES: It may not be part of the c/o inspection. So we may have to include that as part of the certificate of occupancy inspection that is done on a change of property ownership.

COUNCILMAN BIANCHI: You'd have to write them, that's important.

COUNCILMAN HUGHES: Yea that's something I think the borough attorney should maybe look into and include in our current procedure. It may be the most inexpensive way to solve this. It may not fix it over night but over the course of time as properties change hands we do those certificate of occupancy inspections, we'll catch a lot of these problems and we can correct them at that point. [Inaudible] you know funneled into the, we have an adequate sanitary storm source system in that area and if we could funnel the water into the right sewer system, it would solve the problem overwhelming the sanitary sewer pump on Geraldine Rd. Now there's no similar problem at Truman Rd?

NICK: You would have to add some storms with it. You have inadequately there's some areas that it's [inaudible]. One of the things we want to try to avoid is we don't want tell the homeowner 'take your sun pump out of the sanitary and pump it into the curb into the street' because then it creates an icy condition during the winter time. So the thought was if you going to invest the money, try to put, put into a pipe, something that you know avoids the [inaudible] problem, which you don't have now. You have them in certain areas, you don't have them throughout the...

TONY DELIA: So the certificate of occupancy said the sun pump cannot apply into the sanitary sewer system. That by itself is not going to help us. It has to go somewhere besides the street. And we don't have somewhere...

COUNCILMAN HUGHES: Well it doesn't have to go into the street, it could go on their property into their backyard.

NICK: A pit, I mean there's different things that can consider...

COUNCILMAN HUGHES: Yeah a drywell.

NICK: ...Consider recycling itself at that point because if your taking the water from the basement and just pumping it out into, it's just a matter of...

COUNCILMAN TANELLI: It's going to come back into the basement.

COUNCILMAN HUGHES: Is there a high water table in that area?

NICK: Umm. It's a funny area because you have the shale shells, so yea depending on where you are, everything slopes down to one low point. One area may have high ground water where the others the upper regions are better.

COUNCILMAN TANELLI: Another thing we discusses too Mayor was possibly adding a few check valves back flow preventers in a few of those low lying homes as opposed to, as an alternative to doing this full blown project.

MAYOR MASSA: My concern is whether or not these check valves are really successful.

COUNCILMAN HUGHES: Sometimes they're not.

MAYOR MASSA: Sometimes they're not and they just cause additional problems with a homeowner. I think we have to really take a look at seriously ruminating in the end; I don't like to say it but in the past construction and infrastructure was done in that area in the interest of getting the development built and it was locally inadequate and poorly planned and unfortunately people bought homes down there and...

COUNCILMAN HUGHES: Well years ago it was permissible to pump your sun pump into the sanitary sewer system. That was something that came about with rain, stormwater management years later after these homes were built back in 1950 in the 50s so it's a preexisting condition in one regard...

MAYOR MASSA: Even with the ability to pump it on your own, it seems to me there should have been a more adequate drainage in that neighborhood. In any event we will take whatever necessary steps we have to take to ensure the safety and comfort of the community.

TONY DELIA: He's telling us I think we need a resolution tonight to authorize him to what?

NICK: No I think what you need to do is you need to think about this: do have the money or do you plan to bond the money to do this work because in order to go after it you'll have to authorize this. We're running out of time. Obviously I have a week and a half to go out survey it and it's really coming down to the water. Not that I can't do it for you but I, you really have to think about it do you want to take on another...

TONY DELIA: And they have to make that decision tonight? That's what I'm saying. You have to make that decision tonight. That's not a contract issue, you could talk about that here.

NICK: You're already committed to doing the Disposal Rd and that's roughly about 900,000 that you'll have to bond for about your lifers. This will be an addition to the 900,000 that you're...

COUNCILMAN HUGHES: How is the excess water or flow handle now? It comes up out of the manhole; it goes into the storm sewer.

NICK: What it does, it basically fills up the sanitary pipe. The over purpose of the pump station and I will fax [inaudible] primarily the angle adjacent to this station are the ones [inaudible].

COUNCILMAN GRANELL: Everybody that elbows by that station is effected by that but it rains, they're the first ones to call borough hall cause they had an issue.

TERENCE: If I could just share this with the mayor and council, the new storm water management guidelines with the state of New Jersey their ordinances that they put forward to the municipalities and most of them, many have adopted it. They consider these connections to be illicit connections with fines of up to \$5,000 so it's very very clear from the state's perspective that these connections are illegal.

TONY DELIA: Which ones?

TERENCE: The connecting...

TONY DELIA: Storm correcting sanitary's.

TERENCE: Correct.

COUNCILMAN DIBLASI: Yea, storm correcting sanitary.

TONY DELIA: He's saying if you ban those tomorrow without having alternative system you're going to have bigger problem with the water being in the street.

TERENCE: Well it can certainly be reviewed and to look at each case by case but I just wanted to share with you the state's position is that they're illegal and the fines are up to \$5,000 for what they call elicited connections and in the model ordinances that they sent to the municipality for and we would have to review our ordinances...

NICK: You have adopted a storm water management plan.

TERENCE: Yeah we did adopt it but we have to check if we did the ordinance as well. Alright so we may already have the \$5000 fine for an elicited con, I'm not suggesting that we fine anybody, but I just wanted to share with you the state's position on these connections and that it is considered a proper to not have these connections allow to continue.

NICK: I think what I want to do is I want to try to encourage some residents to disconnect them rather than [inaudible].

TONY DELIA: Put them where? You're telling us that if you don't build the pipe, you're going to have this problem with the water running out in the streets...

NICK: There are some areas you have pipes already so that's not an issue, there's other areas that you can either put it at the curb but then you're faced with a the freezing in the winter problem. Or the other part is, and what we had looked at was to put smaller pipes along [inaudible].

TONY DELIA: And its part of this proposal that you're talking about.

NICK: Right right.

TERENCE: Can they also install subterranean draining like PBC pipe, the drains under their own property at their own expense?

NICK: Like a stormwater...

TERENCE: A subterranean...

COUNCILMAN HUGHES: A drywell.

NICK: Again keep in mind that what's causing the problem that be is sort of recycling the problem because if you're putting it into the ground and then it moves back into the home so its just a matter of pumping here, sort of like a cycle. You really have to, yet it can be done, but you have to look at each individual case to see where the ground water is, you know what kind of, do you have shale underneath it? I mean what soil conditions do you have? So there's several factors.

TERENCE: Are there any drainage studies that your office has in the past that have dealt with this issue and looked at pervious coverage, impervious coverage, and the effective certain stormwater events?

NICK: Not in the Geraldine. We did save a study of the Geraldine area, we asked for certain departments for instance that were connected so we asked them to disconnect, here we are seven years later, I don't know what happened; when the water was discharging on the lawn its easy to just go back and reconnect, yes I cant tell you what has happened over the past seven or ten years.

COUNCILMAN HUGHES: Are we absolutely certain that there's no interconnect between the storm sewer and the sanitary sewer?

NICK: Yes. In fact I...

COUNCILMAN HUGHES: Because I know we had parts in town at one time that were interconnected.

NICK: North Arlington has never been a mine sewer and I did recently, in fact over the past week, I went out and checked every one of [inaudible]. All of them, they collect the water at the curb, the [inaudible] and they discharge it down the cliff down into the [inaudible] property.

MAYOR MASSA: Any further questions on the engineer's report? [Inaudible] members of the council this evening?

COUNCILMEMBER HUGHES: We have to decide whether we want to appropriate or spend 2 million dollars for something that.

MAYOR MASSA: Well that's something councilman we certainly won't distest this evening.

COUNCILMEMBER HUGHES: If we don't give an answer by tonight...

TONY DELIA: and you don't get the loan.

NICK: Well keep in mind, it's not like your forfeiting your rights, you could always apply for these loans. I mean presently it's at zero percent, then it goes up to point five, one percent, every year they offer it at that point it's at low interest. So rather than paying the even zero you'd be paying maybe two three whatever the rate is. But these loans are always offered to municipalities.

MAYOR MASSA: But my point was if we wanted to explore it further at a special meeting, how soon do we have to make a decision? We have to make it tonight?

TONY DELIA: What I'm hearing and this is the first I'm hearing about it is if you want to get the zero percent loan, you have to get your specs and plans in by March 2nd which means you have to decide tonight, as it stands right now. Now that doesn't mean they might extend the deadline pass March 2nd or there might be another loan next year at one percent, but, am I correct in saying this?

NICK: Absolutely.

TONY DELIA: So if you don't decide tonight, its a lot to digest in one night frankly, you blow the opportunity as it stands tonight to get zero percent loan.

COUNCILMAN DIBLASI: [Inaudible].

COUNCILMAN HUGHES: Do we have any uh, I'm sure you've looked at some of the president's stimulus plan, is there anything in there that would be in a way of grants that would enable any of the storm water and sanitary storm water, sanitary water management grants instead of loans?

NICK: Everything I have so far is a loan.

COUNCILMAN HUGHES: Everything is a loan. So everything's going to be paid back.

TERENCE: I can share with you, I can concur with Mr. Villano. There are no, there is no grant funding currently available and Council president Granell hit the nail on the head. They're all loans currently and I think this is very important because I've spoken to folks that I know in other municipalities and they're under the assumption incorrectly that they're receiving grant funding and I'm speaking to fellow managers and I'm asking them if they're applying for the environmental infrastructure trust and they say 'yeah' they're getting a fairly large grant. I ask them if they're familiar with the fact that it's a loan and I've had at least two borough managers say emphatically it's a grant. I haven't heard back from them yet but I said give me a call back when you find out that it is in

fact a loan and I think there is a misconception out there that this is not born on the backs of taxpayers albeit [inaudible] but there is no grant funding available currently.

COUNCILMAN DIBLASI: I think we should wait. We're already in debt for the \$900,000 that's obligated. Lets care about that right now. I wouldn't make that decision like he said. It might be one percent next year, why go into more...

COUNCILMAN HUGHES: To even explore this, we'd have to appropriate \$85,000 tonight for design, processing. I'm not sure if we even have that in the budget.

TERENCE: Technically you would need to amend your temporary budget or you would need to finance this through another funding vehicle that would have to be confirmed by the CFO.

MAYOR MASSA: Any further discussion?

NICK: That's all I have.

MAYOR MASSA: Thank you. One last thing is if anything you need concerning the information available...

COUNCILMAN DIBLASI: How about 2 million dollars? Anything you need he said didn't he?

NICK: As far as helping you out with the water. Again, if you need our assistance with that, thank you. Thank you Mr. Tanelli.

COUNCILMAN TANELLI: Thank you Dominick.

MAYOR MASSA: Council reports. Council Bianchi.

COUNCIL REPORTS

COUNCILMAN BIANCHI: Council reports. I have a few things tonight. First of all, our senior citizen bus is up and running, the senior citizens are happy. Any news on our new bus?

TERENCE: We're viewing products from various manufacturers. We have been discussing with Arcola. We're also looking at Thomas and Blue Bird manufacturer to determine the best fit for the folks and we'll be able to report back. We're hopeful that, I'm sorry go ahead council.

COUNCILMAN GRANELL: One of the things we'd like to do is actually bring the vendor onsite with some of the product. And actually have the council look at some of the product, and have some of the senior representatives in the borough look at some of the product to make sure it's the best fit.

COUNCILMAN BIANCHI: Two people I'd like to be present at that present time would be our bus driver and because he has some nice ideas because he drives the bus everyday and Noe the mechanic, he wants to take a look at it too because there are certain things on these buses that are important. So if that does transpire, I'd like those two guys there. And Mr. McCabe. Okay, um, we were supposed to have a meeting throughout since our last meeting with this parking situation around the town but we had to cancel it a couple times because once somebody from Neglia was sick, then it snowed, so hopefully maybe this week or next week we're going to get together and we'll have a meeting, start talking about what we're going to do around the town with this parking and we'll probably have a report next council meeting. Now here's just a couple questions I want to throw out. What's going on with Spring Air? Does anybody know what's happening with this building that its been like that for over a year and they were supposed to do a lot of work on it? Looks like hell down there.

COUNCILMAN GRANELL: Shouldn't we instruct Chuck Sarlo, the planning board attorney, to give us the status on that.

COUNCILMAN BIANCHI: Could you handle that Terence, please?

TERENCE: Yes, I'll do that.

COUNCILMAN BIANCHI: Because people ask me as much as about Spring Air as they do about their water bill. Ridge Lumber, anybody hear anything about Ridge Lumber, when is that building supposed to start?

MAYOR MASSA: What I could tell you, what I'm at liberty to say at this point councilman Bianchi with respect to Spring Air is the municipality is that everything it has to do with respect to the planning and zoning issues regarding that property and all the accommodations have been made by the municipal government. The ball now lies in the court of the investors. And we have directed the attorney for the planning board, zoning board, Mr. Sarlo to contact the owner's of the property to determine what their intentions are with respect to their finance.

COUNCILMAN BIANCHI: Because there's more issues down there then just getting that building fixed. There's people that live around that property and it's not fair to the people. They've been complaining for years even when Spring Air was there. And now it's over a year and now it's really in disarray. So it's not fair to the people down there. So I think as a governing body, we should get after these people and we really start, you going to build what are you going to do? They fought so hard to get the property, they went through all the channels as you know and they finally got the property against the planning boards will. They succumbed to him and they gave him that piece of property to do this job and it's still not done. And the way the economy is right now, they might want to just lay back now and I don't think its fair to the people that live there and the people in North Arlington.

MAYOR MASSA: Well, it's certainly not fair to the people of North Arlington, however I think that this project, that this joint made, I'm speculating to say this, may be the victim of the financial disasters presently in place national.

COUNCILMAN DIBLASI: And the most you can do is have them clean up this and that. They still own the property; they really don't have to build if they don't want to build. I mean what are you going to do, put a gun to their head and say you have to build?

MAYOR MASSA: But we undertake to look for any alternatives if they are unable to go forward with their project.

COUNCILMAN BIANCHI: One more thing I have is in the fall of last year around August, September we met Richie and I met with these guys from Passaic River Coalition and they were supposed to show up that land down there at the football field, you were involved in it to Steve, and they promised us that after the last football game in November they were going to do this job and you cant find these people. Just like the same problem were having with Passaic Valley Water, now we're having with Passaic Valley with the river coalition.

COUNCILMAN TANELLI: And just so everyone knows, Terence has made repeated trips down there to see if the work was started after the phone calls were made. Yes were starting Friday, were starting Monday, and Terence has made repeated trips down to that football field to see if there's been any work done. So I think we need to send them a letter.

COUNCILMAN BIANCHI: You know what's one of the problems is to, we got the spring coming, you got spring baseball starting pretty soon; I think they start in March, Varsity, and track starts down there in the in around March to, March April they start their winter track or summer track.

COUNCILMAN TANELLI: The work they were going to do is on the other side of the fence, they don't really, they told me they didn't even need access to the field. They're going to be coming from the shore, they're going to lay a bed of stone I think along the...

COUNCILMAN BIANCHI: That's not what he told us. He told us he was going to work from inside and take that fence down. The fence is 15 footer. He's going to cut the fence, roll the fence back, and they were going to come in with big trucks and cats to take these big stones and put them in there. They weren't going to come in by river. And haven't heard nothing.

COUNCILMAN HUGHES: Mr. Mayor, I'm willing, I'll make a phone call to Bob Devita from Passaic Valley Sewer and follow up on that to see if we could get a nail him down to starting date.

COUNCILMAN BIANCHI: In fact to be honest with you, I talked to the editor of the Observe newspaper, she was with us that day and she called me about two weeks ago and she asked me 'how far that project got' because she spent about two hours with us that day checking that project, she wrote a big thing on it to the Observer newspaper and I told her 'nothing', no phone calls or nothing, so I don't know what you want to do about it.

COUNCILMAN HUGHES: They're offering to do this out of the goodness of their heart so you don't want to...

COUNCILMAN BIANCHI: No I don't believe in, no Richie, I don't buy that goodness of the heart.

COUNCILMAN HUGHES: ...Well whatever.

COUNCILMAN BIANCHI: First of all, they took the property down, they took the property [inaudible] down River Road, eminent domain. We're so dead against eminent domain in North Arlington. They came in and eminent domained the property, we lost the tax dollars, they still didn't do the project down there and now they want to sweeten the pie, they'll give us, they'll trim the bushes, and they were supposed to do that job. Now I don't believe in that, I don't buy that. Sorry. I really don't.

COUNCILMAN HUGHES: Okay.

COUNCILMAN BIANCHI: He said November. At least get back to us.

MAYOR MASSA: Thank you Rich.

COUNCILMAN BIANCHI: Oh okay.

MAYOR MASSA: No thank you councilman.

COUNCILMAN BIANCHI: Well anyway, that's all I have to say today.

MAYOR MASSA: I appreciate your concern.

COUNCILMAN TANELLI: Boy he said a lot.

COUNCILMAN BIANCHI: Let me see if I have anything else down here. [laughs]. Another job for Terence to do.

MAYOR MASSA: Councilman DiBlasi.

COUNCILMAN DI BLASI: Department of works, do you want to go first Jimmy? You want me to go first? Okay. They assisted Kearny with several sewer backups. They fought 7 snow storms this year. Not snow storms but snow. 7 sewer backups. They repaired the heat at the youth center. Started repairing the potholes. Street sign replacement. Clean the library and youth center daily. They repaired the door and lights at the police department. And they installed new garbage cans at Allen Park. That's all I have Mr. Mayor and Jimmy will...

MAYOR MASSA: Thank you council. Mr. McCabe.

JIMMY MCCABE: Mayor and council, I've been meeting with Mr. Vince McMaff of Queen of Peace. They want to do two projects in North Arlington with us. One is storm drains. We cleaned maybe over 100 last year. We tagged them, they just got a grant from the county with a different type of decal with a fish on it, they asked our permission if they could go as a project and stick them on. I told them I don't see a problem with that. It's for extra credit. And they also want to clean something for us, a field, a playground, and I suggest today maybe Allen Park, come down there, clean it, rake it. They can mulch along side the driveway going down to the end. I told them I don't see a problem that I would have to check to that.

MAYOR MASSA: This would be done under the supervision of your personnel?

JIMMY MCCABE: Yea, I'll be there with them, it's a project. Also I met with Passaic Valley about that hole on Schuyler Avenue. I called the county road department; they're going to come fix it tomorrow. And I'm meeting with a Don Carter from Passaic Valley tomorrow about a few [inaudible]. Also I billed the county, I don't know if you guys are aware of this, we get reimbursed for doing county roads when we plow. We'll be getting a check for \$14,000. next month. That's it.

MAYOR MASSA: I want to commend you on the nice job you've been doing on the snow plowing this season. Keep up the good work because when streets are not plowed, and ice forms, they call the mayor. And the mayor has to get on the administrator, and the administrator has get on DPW. I got a minimal of complaints this year and I checked them out myself and most of the time by the time I got there, the street was even plowed a second time and had been resolved. Councilman Granell.

COUNCILMAN GRANELL: Thank you mayor. I'm going to work with the borough administrator and get the two phone lines set up for the hotline and the other one for issues with the borough, duplicate of what we do on the webpage. Alright we're going to be setting up the parade committee shortly for memorial day, that's going to get started again. Then with our new garbage vendor, we just appointed Mark Cunningham to be our recycling coordinator. [Inaudible] or there might be possible ways to reduce [inaudible] tonnage that we have around the borough. So I've asked Terence Wall to get him together with our vendor and see develop opportunities or come up with ways for us to actually reduce the [inaudible]. That's all I have for right now.

MAYOR MASSA: Thank you. Councilman Hughes.

COUNCILMAN HUGHES: Yeah the health department started their year off with a bang, they're planning on holding a multiphasing foot screening program on Thursday February 26th which is next week at 7:15am; you do need to call the health department and there is a small fee involved with this for some of the laboratory blood work. Its one of those wide rare area blood screening programs that sometimes help find things before you notice them so its one of those prophylactic things that are very helpful in retaining a person's health. And they also scheduled a rabies program for Tuesday March 24th. This year its going to be at the health center, the senior center, instead of where they use to hold it in May down at the fire house, they're going to be holding it at the senior center on Tuesday March 24th at 6:30pm.

MAYOR MASSA: Councilman Tanelli.

COUNCILMAN TANELLI: Few things real quick mayor. Like councilman Bianchi said, although we did make a valiant effort twice to try and meet on the parking situation in town, we were unsuccessful, but we do have a few proposals that have been handed out from our engineer as far as other towns that have successfully implemented some parking solutions so hopefully we'll all have that to be able to review to bring some stuff, maybe there some solutions that we can find in those proposals to help us out instead trying to reinvent the wheel. Also recreation ran two, a trip to New York City for two plays this week. I was told it was very successful. Also they're going to be running a trip to Atlantic City next month; I'll keep everyone up to date on the dates. They can also check on NorthArlington.org for any updates or current events. Thank you.

MAYOR MASSA: Councilman Yampaglia.

COUNCILMAN YAMPAGLIA: Thank you mayor. Quick note they began painting the youth center this week and refurbishing it. That's all I have your honor.

MAYOR MASSA: With my report tonight, I have to advise the community with a very important date coming up in our recent stage of current events to be March 2nd where we are scheduled to have our trial in these matters of Encap Cherokee; I'm going to let the borough attorney brief us a little bit further on that. That's going to be heard in front of Judge Harris in Bergen County Superior Court. Just give us an update on that counselor.

TONY DELIA: Yes its scheduled for non jury trial in front of Judge Harris beginning March 2nd at Bergen County Superior Courthouse. It's a public hearing. I anticipate that it will take probably the whole week at least. We have our expert witnesses lined up. I am taking believe it or not depositions this week of some of their witnesses and you will testify, Councilman Granell and Councilman Tanelli, maybe Councilman DiBlasi, we'll see about DiBlasi. Our primary [inaudible] has always been and is that when the Encap company in Lyndurst/Rutherford failed to get approval from the state for what their pilot bond financing, which is a significant amount of public financing; that happened in November of 2006, well that proved once and for all that they would not be able to get the pilot bond financing that was critical to this project in North Arlington as well. Their argument is that it's two separate projects, how could you tell we wouldn't have gotten pilot bond approval in North Arlington? well we hired an expert, they're trying to keep him out of court, they've objected to his testifying and the judge will decide that question on probably on that Monday. I hope we win. I anticipate winning. Of course its Judge Harris's call but that's why they have appellate courts, if he's wrong we have to bring one to the appellate court but that's been our argument all along. Their argument is that they were ready to go, which isn't true, that they did everything they were required to do to force us to start condemning the property which wasn't true, but that's their argument. And their third argument is what they've been hammering away at incessantly is that all of this campaign rhetoric that floated before the primary in 2006 and up until the end of 2006 and the various comments in the Leader and Bergenite and NA Today and from this dais by Mayor Massa and others prove that we breach a contract at that time and we had no intention of living up the agreement. I don't think it's true; we're going to have to oppose it. It's not supported by the Record. Mayor Massa is on record in June of 2006 after winning the primary before winning the general election, right here we have the record saying that his intention was not to break the contract but to explore ways to avoid illegally or what other options explore other options for the borough. So that's the case in a crystallized nutshell after all this time. And pretty soon its going to be in the hands of Judge Harris, if he's right we win, if he's wrong we take an appeal. That's how I look at it.

MAYOR MASSA: Thank you counselor.

R-50-09 RESO RE: EXECUTIVE SESSION

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

MOTION TO RETURN TO REGULAR BUSINESS

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

MAYOR MASSA: Resolutions.

TERENCE: Next resolution will be Resolution 52. These will be read into the record by borough attorney Tony Delia.

R-52-09 RESO RE: DISCIPLINARY ACTION FOR SERGEANT SCOTT LEWIS

TONY DELIA: Whereas the borough police chief impose that discipline against Sergeant Scott Lewis and,
Whereas a settlement has been reached in the matter,
Now therefore be it resolved that the matter be settled according to the following terms and conditions with regard to the March 8th and September 16th disciplinary charges, Sergeant Lewis agrees to accept the 5 day suspension and will also be docked 25 hours of due time, the aforementioned 5 day suspension will be considered as time served also waive any and all claims he has against the borough.

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

TERENCE: The next resolution will be Resolution 53 read into the record by the borough attorney.

R-53-09 RESO RE: PBA GRIEVANCE SETTLED REGARDING BLACKOUT DAYS

TONY DELIA: Whereas the PBA, the North Arlington PBA, filed a grievance with regard to blackout days,
Whereas a settlement agreement has been reached as provided for in the attached settlement document entitled settlement agreement
Now therefore be it resolved that the matter be settled for the terms as provided in that settlement agreement attached and incorporated herein.

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

TONY DELIA: Now on that one Mr. Wall, I'll be giving you the settlement if you could have the mayor just sign.

TERENCE: Thank you.

TONY DELIA: You know who to send this too? I got this from your office.

TERENCE: Yes.

TONY DELIA: So it should be just go back to whoever. No never mind. I have to send the decision over.

TERENCE: Last resolution for the evening would be Resolution 54 read into the record by the borough attorney.

R-54-09 RESO RE: PROMOTION OF SERGEANT TO LIEUTENANT

TONY DELIA: Whereas the chief of police has recommended that a sergeant be promoted to lieutenant so that one senior lieutenant can then be assigned to detective bureau and,
Whereas the Borough of North Arlington would agree to this promotion of Sergeant Hedenberg subject to and conditioned upon the PBA agreeing that Sergeant Hedenberg would be paid as a sergeant for a 12 month period from the date of his initial employment to lieutenant,
Now therefore be it resolved that Sergeant Hedenberg be promoted to lieutenant on the above terms and conditions.

INTRODUCED BY: Councilman Hughes
SECONDED BY: Councilman Bianchi

ROLL CALL: All council present vote in the affirmative

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

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