

## MINUTES

REGULAR MEETING, THURSDAY, OCTOBER 8, 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, Borough Clerk, Terence M. Wall, Jordan on behalf of Borough Attorney, Anthony V. D'Elia

### PLEDGE OF ALLEGIANCE

### PUBLIC COMMENTS:

RICHARD CICCONE- 17 Forest St: Lifelong resident North Arlington. Since the Encap debacle is been finished, that's from what I read in the papers, from other sources if it is finished. My question is they were supposedly to cap the landfills in the Meadowlands in our area at no cost to the taxpayers. What is being done to cap those landfills now or will they be capped in it by whom? I must say it was attractive to think at one time that there was going to be lush golf courses in our back yard. It seemed pretty attractive I must say. Thank you.

MAYOR MASSA: Okay thank you. Anyone else wishing to be heard?

BOB NORCIA- 108 Sunset Avenue: Mayor, I've been up here many months everyone knows about the problems that I have. I'm up here as a taxpayer fighting for my home. It's a board of health issue and zoning issue. Recently Mr. DiBlasi and Mr. Bianchi finally came after months you had said you wanted to investigate it, look into; they finally came down, they did an excellent job but the neighbor was definitely against almost everything continuing to have everything done her way. You have roads and regulations saying she's supposed to do it according to what the rules are and she doesn't want to. She was very uncooperative. They helped very much Mr. DiBlasi reviewed it, he said if the fence is not [inaudible] its illegal. Mr. Bianchi along with Nick Antonicello measured the fence, it was 6 foot 5 at the time. We go into situation. This is the fence that was 6 foot 5 at the time, I'm only going to show you this one picture, when they allowed through no fault or whoever's fault I say the construction and zoning, they allow that they be camouflaged by putting a pot alongside and building up to camouflage 5 inches 6 inches whatever it is. This creating water in the back we have to reports from the police department, 30 feet 32 feet 36 feet wasn't recorded for they didn't have brains enough to have it done at the time. We have a letter saying which Linda Jacewich was supposed to comply with that she is on three separate issues; zoning, property maintenance, zoning 205-89, property maintenance 273-9, and the other one is a board of health issue. What I wanted to bring to you before we go into it is that in 2005, Massa's new procedures, I'm sure you remember this one, where the same party the same construction and zoning officials involved nothing was ever done. You took care of it and I was tickled pick when you did it because you said it right here that it has to the board of health must be corrected and it was corrected but now we have the same issue again with the same neighbor, they denied it 8 years it took. Now were into over 2 years doing the same thing same neighbor same officials involved and nothing's being done. This is very confusing to me. Why is this being done same people same officials involved and its not being followed up? The letter says it must be done the two councilman there was in agreement it wasn't finalized but it is an agreement that she would take care of it. She was to lower the fence in the front which is Mr. DiBlasi, I don't know what he was standing on, but he

was up over the fence and he said these two sections, it was supposed to be 10 foot. They did 8 foot; okay the two foot. At that point I got frustrated; I said I don't give a damn about the fence. Get the water out of my yard, did I not say that?

MAYOR MASSA: We want to hear you and then we'll answer it...

BOB NORCIA: Try and understand I just lost it for a minute because they're not supposed to comment on it. I'm trying like holy hell to stop this BS with this neighbor. Everybody's trying to pinpoint it on me. I didn't do nothing wrong. She got the two summonses. Nobody here did anything. And its two years, why other contractors other people that take permits if they do something wrong they're given a warning. They have to fix it and ample amount of time oh their fine; this is going on two years not a dime shouldn't have to pay nothing. I mean who she know? There's too much involved. I'm ticked off her lawyer is the prosecutor Mr. Daveys who he admit at the zoning that the fence was 6 foot 4. It was in violation. Why did it take another year or something for anybody to do anything? Its too much collusion, I don't know where to make it, I don't want to make accusations but I'm being forced to.

JORDAN (ATTORNEY): Excuse me your honor, the five minutes have elapsed.

MAYOR MASSA: We'll just ask you to terminate your comments; I'd like to have anybody else who wants to be heard give them an opportunity and I'll have you come back.

BOB NORCIA: Okay. Is it okay if I leave this here?

MAYOR MASSA: Sure.

JAMES FERRIERO: Mayor?

TERENCE: Mr. Ferriero.

JAMES FERRIERO: Former councilman for 6 years and your special assistant. All I want to say is at this point and time is shall we remember our people fighting and dying in Iraq and Afghanistan. Thank you.

MAYOR MASSA: Thank you council. Mr. Norcia you may return. I'm sorry there's a gentleman here.

RESIDENT: Gentlemen, this about parking on Union Place. I live at address

MAYOR MASSA: Please state your name and address for the record.

JOSEPH GEORGE- 60 Ridge Road: But where I live in the apartments above the Leonards, he's a lawyer he has a business there, I live on Harding though I'm not on Ridge Road.

MAYOR MASSA: Your name is Mr. George, your last name?

JOSEPH GEORGE: Yes that's my last name. I'm disabled and my wife just had hip surgery, she's a librarian in Elizabeth. She works at nights. When you passed this law the first time, thank you your honor for letting it go. I had park four five blocks away. I'm a heart and kidney patient, I cant carry all my groceries and heavy things all that far. And when you had this law, that street was completely empty for day and night. I know its about the New York traveler. I'd just like to know, could I get a permit? There's only two of us on Harding, there's only four houses on Harding and two us are renters. Everybody else owns their homes. They all have driveways. That street's empty all the time when you had that law. I have to go four five blocks to park. My mother, my wife works 2 nights a week at some 9:30 10:00 and she just had hip surgery. She has to walk four five blocks in the dark right off the pike. I know this is a nice little town, we like it. We've been here 6 years but I think everybody that lives in that area why should I pay for the people who are going to New York parking there from other towns. I live here; I've been

here for 6 years and like it but I have no where to park. I cant walk four five blocks each time I'm looking to park. Its not Manhattan here, this is a little town North Arlington. So, I'd like to know if I could get a permit that's all I ask for. Mr. Leonard said he'd try to get me one but it never worked out. Thank you that's all I really got to say; what do I do about it?

MAYOR MASSA: Thank you very much. We'll address that momentarily.

JOSEPH GEORGE: Alright thank you.

MAYOR MASSA: Mr. Norcia you may continue.

BOB NORCIA: Okay thank you. What I'm upset about is...

MAYOR MASSA: Mr. Norcia, we're going to give you another five minutes then. We have to return to regular course of business. The issues you're raising here before the governing body have been addressed by the officials. They're responsible for handling that but I do want to hear your complaint.

BOB NORCIA: That's my problem. Nothing's being done. They said that my lawyer was [inaudible]. My lawyer only had a week or two weeks. That's what Mr. Wall said. This situation is going on two years, how'd he blame it on my lawyer. This is like a cop out. I don't really appreciate whats going on. I'm being dragged through this thing, I'm hit kicked knocked down and thrown under the bus. That should happen to other people that are involved with this thing. Not me. I'm the innocent bystander. She aint got the two summonses; nothings done. Is because of Davey being a prosecutor, there's so many things. Look at the harassment I'm taking because of this. Nick Antonicello said to me I'm the enemy is that a reason because I didn't vote for who he wanted me to vote. I mean its ridiculous. Then he gets me outside his establishment, intimidates me inside and then intimidates me outside. I mean its ridiculous. I don't have to go through this. Robert got ticked off the other day cause I went up to ask him a question. He blew up, he started throwing papers, throwing things around. We're going to wind up having fistfights around here over this thing. I don't need that I don't want it. I'm trying to resolve it. I'm the good guy. You prove that I'm wrong. You cant and that's why I said to you in no discriminating way keep everybody on that side, I stand alone. No lawyer no witnesses. You can have Davey's, Linda Jacewich, and everybody else that's involved in it. I could prove anything I have to say. Its documented and I'll end up by saying, not end up because I wanted to tell you the board of health. May I read this? It's important.

MAYOR MASSA: Uh huh.

BOB NORCIA: He's a superintendent Dr. Gregory Williams, right? Currently one of the biggest problems is open water contained in residential back yards. This guy did me a favor by writing this. [Inaudible] and typed all kinds of habitat in this problem. Mosquitoes complaint, mosquitoes are being produced in their own neighborhood backyards and the mosquitoes that relay on habitats are commonly flooded and dry terrain.

MAYOR MASSA: I read that.

BOB NORCIA: I'm glad you did because this is what's happening to me and nothing's being done. Now I said to the council I said 'look get the water out of my yard' the last 60 days said 80 feet; just do the last 30 or 40 feet and I'm saying take the fence down, I'll pay for it. If I'm wrong, I'll pay for it. In fact if I'm wrong, I'll double whatever the cost is. If it's \$500, I'll give the guy \$1000. I know I'm not wrong. Mr. DiBlasi is a contractor. There's more more and more stuff hanging behind; they've created a dam. It's ridiculous. I'm sure nobody will want my problem in their yard, so why is it continued in my yard. It's ridiculous. You get into an argument, Mr. Wall called up and you know because I spoke to Mr. Tanelli, the only reason I went to Mr. Tanelli was because he said I'll look into it. That was a week he tried to help out. He was the other party out of the group who was the only one who helped out. I woke up that Saturday morning; I had another flood in the yard. Now this is going on since December 12<sup>th</sup> of 08. The man was

good enough to help out. I went up there and I complained to him because I have another flood in the yard. And then Mr. Wall got bent out of shape and he called my wife, I didn't appreciate it because she got all upset and it wasn't right because I said anybody want to call you speak to me and only me. I'm the one that's complaining, not my wife and it just got bent out of shape. All I wanted was the back 30 feet cleared til her garage where its all built up, do whatever you want, get any amount. [Inaudible] I listened to DiBlasi, he's a contractor, he knows what I'm talking about. The pictures prove built up here on this side now its 2 cinder blocks on top of dirt. It's ridiculous. Its supposed to be leveled. She admitted and I'll end with it in the letter saying that she will maintain the property 273-9 which she has not done. Mr. DiBlasi said I'll make sure she gets a ticket if she doesn't do it. Did you, okay, I won't even ask.

JORDAN (ATTORNEY): Excuse me your honor, but 5 minutes have elapsed again.

MAYOR MASSA: I think I got the crux of this Mr. Norcia. And we've listened to you for ten minutes now and we're sympathetic with your problem and we will address that momentarily. Anyone else wishing to be heard?

#### MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Granell

ROLL CALL: All Council present vote in the affirmative

MAYOR MASSA: With respect to the comments by Mr. Ciccone regarding the capping of the landfills, that project is being completed under the supervision of Meadowlands Commission by American Home Insurance and they are responsible for any of the old projects that are undone that still have to be completed. Any other members of the council want to comment on that, I'll entertain any further comments. Councilman Granell.

COUNCILMAN GRANELL: I'm not sure if everybody knows but North Arlington, Lyndhurst, and Rutherford are part of the joint task force with the Meadowlands Commission not just not would have happened at Encap Phase 1 but Encap Phase 2 as well. Meadowland Commission made it quite clear that they don't have jurisdiction over the North Arlington Parcels. We would have loved to see golf down there too but were in our own redevelopment destiny. We can control that now in North Arlington. So while the Meadowlands Commission is fully engaged in Rutherford and North Arlington, we're going to be looking to see what we can as a municipality to take full advantage of this parcel [inaudible]. We have several different things that were looking to do. That's all mayor.

MAYOR MASSA: Thank you. Anyone else? Councilman Tanelli.

COUNCILMAN TANELLI: With regards to Mr. Ciccone, when you started looking through the fine print of the Encap agreement with the Rutherford, Lyndhurst, and North Arlington, it was evident right out of the gate that there was going to be no golf course. They talked about the county sharing expense, they talked about, that was the apple that they dangled in front of everybody's noses to get them all excited about putting 1625 unites in North Arlington. But early on the Mayor and I realized that there wasn't going to be no golf course no rec complex. All the things that were promised were prior to the agreement being prepared.

MAYOR MASSA: Thank you councilor. With respect to Mr. Norcia's issues, I could only comment on what I know about the problems. My understanding was that offices were involved were in the process of having this situation resolved. The allegation here is that he gets water in the backyard as a result of some improper activity on the part of the neighbor. Councilman Bianchi.

COUNCILMAN BIANCHI: I was there along with Sal. We spent a couple hours there. We came to an agreement. It was hostile but it was an agreement and the problem is that it got so frustrating to the point of the 6 foot fence that he was willing to keep the fence at

6 foot 5 inches as long as she would clear away the dirt on the other side of the fence, am I right or wrong?

COUNCILMAN DIBLASI: Correct.

COUNCILMAN BIANCHI: So far she hasn't done that so on the back her properties pretty deep, I'd say its about 150 feet deep. Well anyway, whats happening is I know what your going to say...

COUNCILMAN TANELLI: It's gone a little bit beyond that, councilman I'm sorry, point of order your honor. Jordan will be able to fill us in a little bit more on detail because what happened is we've have conference calls between myself, Charlie Sarlo, our planning and zoning attorney, Tony Delia, as well as Ricky Fernandez and Robert Kairys to where based on the information I was given during that call was that that agreement was never agreed to that Mr. Norcia had other concerns about the agreement and wanted other things in the agreement prior or following your meeting at the house. It was our attorneys then advised us that the only violation was the 6 foot fence, that the water is not a violation based on our town code. Jordan could speak to it better. So as of last week, that fence is now been [inaudible] that was in question has now been lowered and I got to confirm an email from Rick Fernandez saying that the violation has now been satisfied.

JORDAN (ATTORNEY): Mr. Delia did speak with the health department who visited the site on multiple occasions; there are no violations of any kind and that resolves the matter.

COUNCILMAN BIANCHI: I don't think so. I don't agree with that. Let me speak. We're the mayor and council. We're supposed to help the people. We cant turn our backs and give it to a lawyer. Sometimes things are legal, legal schmegal, you know but sometimes we have to use some common sense here even though its not legal or legal or whatever, we have to use common sense. We got to fix his problem. That's what we're here for and for some reason I think that we're not doing it.

COUNCILMAN TANELLI: Yeah but where do we draw the line? Every person in town...

COUNCILMAN DIBLASI: Yea but point of order.

COUNCILMAN BIANCHI: The guy's been here for 2 years

COUNCILMAN TANELLI: Every person in town has an issue that wants to be addressed. We have to go by what's in front of us, either that or change the rules. But we can't just arbitrarily help people randomly, we got go by what's on the books.

COUNCILMAN DIBLASI: Point of order.

MAYOR MASSA: Councilman DiBlasi

COUNCILMAN DIBLASI: We have the construction official over here. Could I question him on one question? Bob I want to ask you a question. He does have a situation like Joe Bianchi said. He does have puddling in his water and I know we already satisfied by rules about the fence. My question is this; if she built up her dirt, which she did, is there any rule or regulation that we can at least force her because she did make a statement to me that she would really clear out the dirt so he could have some drainage. Is there any rule or regulation that we can, I mean we don't want to get too far into it, but like Joe said we try to help, we're trying to help the guy.

ROBERT KAIRYS: Last Monday, I believe it was last Monday, fence company came, they cut down the fence and that was a done deal and that was after speaking to Mr. Delia's office. While we were there, and this was confirmed not only by me but with a measurement before they cut the fence down, that afternoon Rick Fernandez the zoning

officer did come down to measure the fence. While we were there, the homeowner was in the process of, they were digging.

COUNCILMAN DIBLASI: They were digging...

ROBERT KAIRYS: She was, she was. Now once again, did she have to? No. if she wanted to build a 6 foot wall instead of a fence instead of the pbc fence a 6 foot wall...

COUNCILMAN DIBLASI: Solid wall. He would have the same situation.

ROBERT KAIRYS: So it's a civil manner and that's where I...

COUNCILMAN DIBLASI: Alright okay because I wasn't thinking that way.

ROBERT KAIRYS: As far as were concerned, the main part of the zoning board of adjustments was the fence. She was denied that section of fence to keep it that high. That was it. As far as this point, as I've been directed, we're clear. The complainant has the right to file with his attorney to go forward and go civilly against his neighbor proving that this hardship is based on that. I've explained countless times, get an engineer, prove it and that's his truth. As far as we're concerned, the violation of the fence is clear and we call it a day and that came from and like I said that was confirmed in the email that was sent out by Rick, who confirmed after the fence was done, I was there, before and while, he went after and wer'e done.

COUNCILMAN DIBLASI: Alright Bob, that's all I just needed, you explained it to me. Okay. I was seeing if there any way we could have helped Mr. Norcia but...

MAYOR MASSA: Any other member of the council want to make any comment on this? Okay. Mr. Norcia I see you have your hand raised but we've given you, this is not an adversarial proceeding, its not a court proceeding, it's a council meeting. We're aware of your issue, Mr. Norcia I'm answering your question now. I will have in my office at 10 o'clock on Tuesday morning a meeting of all the officials concerned and review the whole matter which is something that generally not done by a mayor. These matters usually refer to courts. I don't even want to get to that issue. You said summonses had been issued to this party. It would be my understanding that those summonses would have to be resolved; they got to be paid. That'd either be a guilty finding or not guilty finding so if there's violations then apparently that individual has become legally accountable for that violation. The other side of the issue is I've heard the comments of the councilmen, if this is a civil matter, then it has to be handled civilly so if you have anything further to say, you could see me in my office at 10 o'clock on Tuesday morning.

BOB NORCIA: I'd like to say one thing now, one quick thing that I would like to say.

MAYOR MASSA: Your out of order. With all due respect, you were given 10 minutes tonight where you made your case, we've extended every conceivable courtesy to you. And if this is a civil matter, then the civil courts are the proper form for resolution.

BOB NORCIA: You have board of health rules that you handle...

MAYOR MASSA: Mr. Norcia, I must continue to conduct this meeting. Thank you. You've been heard, your comments have been addressed by the appropriate officers of this municipality. Next order of business. Mr. George you have a problem with your parking situation, you have a handicap situation. What I'd like to do, please remain where you are, what we would like you to do is meet with the borough administrator sometime next week if you have an opportunity, we will review your situation and refer it to the police department to make any determination. In the meantime I could make a recommendation you may want to see if your landlord could provide you with some parking, if he got a driveway or whatever the case may be because parking in that part of the community has been a profound problem for us not only with the out of towners parking there during the day time but the residents with multiple vehicles, its just a small town and we've been working on trying to resolve that issue for a while between

councilman Bianchi councilman Tanelli councilman Hughes, I've always addressed these issues.

JOSEPH GEORGE: A permit, that's all I ask?

MAYOR MASSA: As I said, you can refer that to the administrator's office and we will do everything we legally can to assist you.

JOSEPH GEORGE: Thank you.

MAYOR MASSA: Any other further comment on the hearing of citizens? Next order of business.

**RESOLUTIONS ON CONSENT AGENDA**

R-198-09 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-199-09 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-200-09 RESO RE: SUPPORT OF YMCA GRANT

R-201-09 RESO RE: CONTRACT AGREEMENT WITH BERGEN COUNTY,  
DEPARTMENT OF HEALTH RE: FLU/PNEUMOCOCCAL VACCINATION  
PROGRAM

R-202-09 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE GRAMMAR  
SCHOOL

R-203-09 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE GRAMMAR  
SCHOOL

R-204-09 RESO RE: RESIGNATION OF FIREFIGHTER

R-205-09 RESO RE: APPOINTMENT OF FIREFIGHTERS

R-206-09 RESO RE: RESIGNATION OF CROSSING GUARD

R-207-09 RESO RE: "PUT THE BRAKES ON FATALITIES DAY"

R-208-09 RESO: RE: ENCROACHMENT AT 2 WILLIAM STREET

R-209-09 RESO RE: AWARD OF CONTRACT WILSON PLACE

R-210-09 RESO RE: GOVERNING BODY CERTIFICATION OF THE ANNUAL  
AUDIT

**(TABLED)**

R-211-09 RESOLUTION TO AWARD PROFESSIONAL SERVICE CONTRACT FOR  
THE PROVISION OF SPECIAL REDEVELOPMENT COUNSEL

R-212-09 RESO RE: CDBG GRANT APPLICATION

R-213-09 RESO RE: COMMUNITY DEVELOPMENT APPOINTMENT

R-214-09 RESO RE: COPIER LEASE

R-219-09 RESO RE: MICU INTERFRACE AGREEMENT

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL: AYES: Councilman Bianchi, Councilman DiBlasi, Councilman Granell, Councilman Hughes with the exception of bills resolution for fire department purchases, Councilman Tanelli, Councilman Yampaglia

TERENCE: There's an additional resolution that can be labeled resolution 219-09 that was delivered after the agenda was produced by Mr. Delia's office. I believe Mr. Mondaro who supervises emergency services communicated with Mr. Delia regarding an MICU interface agreement if Jordan or I understand also councilman Hughes had spoken to Mr. Mondaro. If you wanted to describe that and that can also be listed on consent agenda if you wish.

COUNCILMAN HUGHES: Yeah the agreement with MONOC which is a paramedic unit that covers our area in the absence agreement we had in place had expired over a year ago, kind of got overlooked. We're reassigning, we're proposing reassigning a contract with them and what this has enabled us to do then is or it actually protects the residents of North Arlington from being double billed. As you know we currently bill our residents medical insurance for ambulance service, the paramedics also currently bill their medical insurance for paramedic service. In the absence of this agreement both of those bills are legitimate and binding. With this agreement the paramedics and the borough of North Arlington agree to split the cost so the resident of North Arlington would only get the single bill or one bill that would be split between two entities and not be an adverse hardship to the residents of North Arlington.

MAYOR MASSA: I was going to uh, well thank you very much for your comments councilman. I was going to ask for a motion to introduce the consent then we can discuss that further if we have to. Motion on the consent agenda. Any further discussion on the other resolutions?

JORDAN (ATTORNEY): Your honor, before the vote is taken regarding 211-09, I just want to give to Mr. Wall the copy of the proposal that that resolution applies to.

TERENCE: And this proposal had been in the council and mayor's mailbox approximately a week ago. So you may recall that.

JORDAN (ATTORNEY): And that proposal will be kept on file for public review.

MAYOR MASSA: Call the roll.

### **RESOLUTIONS NOT ON CONSENT AGENDA**

#### R-215-09 RESOLUTION TO AMEND BUDGET

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman DiBlasi

ROLL CALL: All council present vote in the affirmative

#### R-216-09 RESO RE: ADOPTION OF BUDGET

INTRODUCED BY: Councilman Granell

SECONDED BY: Councilman Yampaglia

ROLL CALL: All council present vote in the affirmative

MAYOR MASSA: Any discussion?

COUNCILMAN BIANCHI – Before I vote on this resolution last year we had a 0 tax increase, this year we are looking at 2%-2 1/2% whatever it is. All I know is that next year we are looking at 40% and 60% and what I am getting to is this. I have to run for Council next year along with Pete and Richard Hughes and we are going to be facing a hell of a fight with the people because two years ago we had 33%, then 0, then 2, and next year we are looking at 40% -60% tax increase, I just don't know what to do, I am going to vote yes for this but I just want to put it out there that next year we are in for trouble.

COUNCILMAN GRANELL – I have an easy answer for that Joe. Rather than being worried about your running for office next year had you not advocated that responsibility on January at the reorg meeting and part of the actual budget process, you would have seen that every year we start off this process where it is 30%, 40%, 50%, for example last year we were anywhere between 44% and 52% starting the year we now have a 2% tax increase. The reason for that is really simple. There are a lot of factors that play into that. Is there a baler is there not a baler? Is there extraordinary aid? This year was a completely different year from my perspective now on my third year on the finance committee. Every department head in this Borough, under the guidance of Terence Wall, every department head in the Borough finally put to bed the mantra of we always done it that way. That is dead in North Arlington from a business perspective, we don't business up here because we have always done it that way. Terence has instilled a new philosophy and it is really simple we are going to run this like a business. So if you can justify the cost and you can justify doing that, that's fine. That philosophy goes down to contracts when we dealt with the PBA, the Blue and Whites. Another example for kicks and giggles sort of speak our copiers. Now a copier does not seem to be a really important thing here but when you start talking copiers over a two or three year period, for example, we spent \$60,000 over three years for copiers. Terence just negotiated a contract now where we are going to save \$20,000 that is a quarter of a tax point that is going back to the taxpayers. Why because we don't conduct business the way we use to. So if you want to be part of the finance committee I would love to have you on the finance committee Joe. It is a lonely job because I don't love having to tell the people that work here in the Borough hay you know what you cannot go ahead and get that. I can't tell Jimmy he can't go get his dump truck because Louie wants to buy a police car.

COUNCILMAN BIANCHI – Why don't you think I wanted to be on the finance committee in January now we are going to get to that. I mean that was a beautiful speech you just made but the reason why is because I got no accolades. Richie and I were not a part of the thing when we came up with the zero tax increase. That is why I said no in January.

COUNCILMAN GRANELL – Joe, what was your input into the zero tax increase \$250.00 so tell people we could get a dump truck.

COUNCILMAN BIANCHI – What was your input?

COUNCILMAN GRANELL: I think a whole lot.

COUNCILMAN BIANCHI: Well mine was a whole lot too.

COUNCILMAN GRANELL: Well what was it Joe? Do you really want to get down to it?

COUNCILMAN BIANCHI: You want to get down to it? Was I at every meeting, three nights a week for three months?

COUNCILMAN GRANELL: Do you really want to go there Joe?

COUNCILMAN BIANCHI: What was I sleeping?

COUNCILMAN GRANELL: No you were getting pasta one night. Remember you were late?

COUNCILMAN BIANCHI: [laughs] I was late one night, I don't even remember it but anyway, its getting a little out of hand, but I'll be honest with you, the only reason why I refused to be on the budget committee last year was because you said you did the whole thing yourself and Joe Bianchi did absolutely nothing. And I can guarantee that.

COUNCILMAN GRANELL: Joe, it shouldn't be coming down to that. It should be why you're a councilman and you want to advocate that responsibility. The mayor asked you to serve on that committee, not Al. I didn't say no.

COUNCILMAN BIANCHI: But it seems like Al was running the show.

COUNCILMAN GRANELL: No the mayor's right here and he runs the show to be perfectly clear about that. And you know that. And if you have any questions about that the man sitting right here, maybe you could ask him, and he'll remind you that he's the mayor and he running the show. However, I was on that finance committee by myself no thanks to you and your partner.

COUNCILMAN BIANCHI: Well you have four guys.

COUNCILMAN GRANELL: That weren't assigned there.

COUNCILMAN BIANCHI: You were by yourself again. You had no help?

COUNCILMAN GRANELL: Well who was on the finance committee this year, well I had tons of help with Terence, I can't say no and the department heads.

COUNCILMAN BIANCHI: Well you had Steve, you had Sal, you had Mr. Yampaglia...

COUNCILMAN DIBLASI: Don't involve me in this conversation.

COUNCILMAN GRANELL: Tons of help from Terence Wall.

COUNCILMAN BIANCHI: You had the mayor and see again you did it by yourself. And when we had the zero tax increase you did it by yourself too. And this year you did it by yourself.

COUNCILMAN GRANELL: I would love for you tell me what you did during the zero tax increase.

COUNCILMAN BIANCHI: I didn't do it, I just sat there and looked at you.

COUNCILMAN GRANELL: Well what'd you do? Tell them. The cameras right there. Look into the camera and tell the folks what you did during the zero tax increase. I would love to hear it.

COUNCILMAN BIANCHI: Well I'll come back and say the same thing, what did you do? What did you do?

COUNCILMAN GRANELL: I'm not afforded the luxury of saying no Joe. That I'm not going to serve. I, we all took an oath to serve as councilman, each and every one of us. Each and everyone of us. You'd advocated that responsibility, not me. Not me. Mayor I'd like to read a little something before we go to an introduction.

MAYOR MASSA: Certainly. Any other councilmen want to make any further comments?

COUNCILMAN BIANCHI: No, I'm done for now. I'll start up again later.

MAYOR MASSA: Before you make your comments councilmen, Joe made a comment, Mr. Bianchi made a comment that he didn't get any accolades, Rich he didn't get any accolades with councilman Hughes. I think on a number of occasions that this chair has always commended everybody who sits here irrespective of what their party affiliation is. And I think this chair recognizes that I recognize the work that has to be done. It was a matter of fact that I did ask you to serve on the finance committee without any arm bending and you were reluctant to do that as you recall. But councilman Granell spent an inordinate amount of time working on this budget and he didn't do it for Al Granell. He didn't do it for Pete Massa or anybody else, he did it for the people of this community and it is a great deal of work, a tremendous responsibility to craft a budget of this kind for a community such as this size with the financial problems that we'd been confronted with and you did make comment of that fact that several years ago there was a 33% tax

increase. Yes there was and lets remember why. This community turned down \$2 million dollars of Encap money. There was an escrow. There was a subject of litigation against the tax payers of this community by Cherokee corporation. That money was returned from escrow to Cherokee at the conclusion of that litigation. The money that they gave, the Pitman administration up front was also ordered to be returned. They sought tens of millions of dollars in damages which they did not get. And when it came to coming to court, I had myself in court, councilman Tanelli in court, we had our expert witnesses in court and I don't even want to get into that. and that was the reason for 33% increase several years ago because we bit the bullet made the decision the tough decisions and as councilman Granell has said in and I think everyone recognize on this form, that were all public officials, we have all taken an oath of office and you commented that you have to run for reelection next year...

COUNCILMAN BIANCHI: And so do you Pete.

MAYOR MASSA: I have to run for reelection next year. We have to be accountable to the people. Be respectable of what the budget would look like next year, what kind of outside revenues we will or will not get. What kind of from the possible reopening of the baler, which is a work in progress right now as I understand it, from extraordinary aid, we wil continue to manage this community. We will build these budgets for each department as a year based budget. Our administrator will make sure that its done. And I do hope that the good faith actions of all the gentlemen sitting on this panel will be part of that process. And will we worry about next years budget, well I could tell you right now my administrator here is worried about it right now. he's not only worried about next year's budget, he's worried about the budget two years from now. Because no one realizes better than I and you gentlemen sitting here, that the tax burden in New Jersey is a difficult burden. There are no easy answers to difficult issues but keeping in mind that we have delivered the services that are requisite of this community. We delivered a brand new fire engine, well it hasn't been delivered yet but its in the works, half of which is paid by federal grants. When theres a fire call, I want to see that \$800,000 truck coming down the street to save lives. When we need a cop, I want to see that brand new car coming down the street. I don't want our officers driving around in cars with 120,000 miles on it. I want to see well trained, well disciplined, well equipped police officers to handle any eventuality that they may be able to handle irrespective of the fact that we still are a small community. But we are in the Nexus of the metropolitan area. Keep that in mind. We've had gun calls that our cops just recently have gotten, we've got armed robberies, shots being fired, we've had our officers take a gun off a guy right at in front of this borough hall several months ago. We want that public safety, we need public works operations, we need a board of health, and these are the things that we got elected to do. We didn't get elected to do all the, sure we got elected to do al the nice things, the ribbon cuttings, the grand openings, and smile at everybody; we got elected to take care of the difficult problems. And correcting a budget is one of the most profound responsibilities that any small community can have in New Jersey today in light of the current economic crisis which is of national crisis we all know and the state crisis. So I think we acted responsibly tonight when we put this budge together, I have to commend councilman Granell for the work he did [inaudible]; I'm commending everybody else for their input. I'm not looking to put anybody on the spot or be critical. I think some of the council members here have had profound responsibility in being part of the budget process and I have my utmost respect for that. Councilman DiBlasi.

COUNCILMAN DIBLASI: Yeah I just want to say something. Like we said before, we shouldn't go to this party or that party of whatever. We're all North Arlington knights like I've always said before and I just want to say one thing, not because he's my colleague Al Granell, he took a lot of fire from all the department heads, I bet the worse, and a lot of department heads hate Al Granell. Why, because he kept the budget for the taxpayers in check and you probably heard the word out there also Joe. That he took a lot of flack from the Board of Education, from everybody in this town. Why, because he's trying to run the town like a business. That's all I've got to say.

MAYOR MASSA: Anybody else? Councilman Tanelli.

COUNCILMAN TANELLI: Just really quickly, the proofs in the pudding. This mayor and council, this administration isn't afraid to make tough decisions even at the expense of losing an election. Obviously when we pass the 33% tax increase, which is I know there's signs floating around that still have 33% tax increase Bianchi Hughes on them, we lost councilman from our own party based on the fact that we had to make tough decisions up here. Every year's a tough decision on budgets. So we go year to year unfortunately because of our reducing rates coming into town because we live on garbage money for who knows how long mayor. My feeling is until we get a recurring revenue stream in this town which is what we're working hard to do by hiring the professionals like we hire tonight, we're going to have to face this problem every single year. So my opinion is we make the tough choices up here, we don't worry about politics, and we don't worry about running for reelections and I'm kind of sorry that even came up tonight because that's the furthest thing from the truth. Thank you.

MAYOR MASSA: Thank you council. Any further comments? Councilman Granell.

COUNCILMAN GRANELL: First things first, I just want to reiterate. The budget process is not a sole one person process. There's a lot of moving parts to the budget of North Arlington. It's Tony Mondaro doing the work at EMT, Lou Ghione doing the work in the police department, Regina, all these other department heads really looking at their budgets and really scrutinizing their budgets and being careful with the spending. So they ought to be commended. I want to say thank you too mayor because you've given us the leeway to actually go into this budget and to deal with the department heads and make that happen. This budget reflects the reality that we face today and the tough economy that we have today. I shouldn't have to tell anybody in the audience that things are tough out there. But I will tell you this. From a tax increase perspective, it's the lowest overall tax increase in the entire south Bergen west Hudson region. It's lower than Lyndhurst because everybody likes to compare us to Lyndhurst. It's lower than Rutherford, East Rutherford, East Rutherford, Carlstadt, Wallington, Woodridge, Harrison, Kearny, and East Newark. So when you look at the fact that we did not get extraordinary aid this year, there was no baler opening this year. We have to pay for our own tipping fees. And very important part, the easy way out is to turn around and say you know what, we're going to lay off our own employees, we're going to make up that borough revenue, we're going to lay people off, we're going to lay cops off. I think the mayor made a very important point. Nobody really, I don't know how to phrase it, nobody really expects to see the police department until there's actually an issue and they want that police officer at their front door. Nobody worries about the fire department until there's a fire in their backyard so mayor Massa made it quite clear that when it came to the budget those things are off the table. We are not a part time borough where we have these employees here part time. We have people here that do a phenomenal job and they should be credited as doing so. So again I just want to say thank you to those folks in the borough that did what they did to make this budget a reality. Thank you.

MAYOR MASSA: Any further comment? Call the roll.

## **ORDINANCES**

### **ORDINANCE NO. 2036**

#### **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: All council present vote in the affirmative

### **ORDINANCE NO. 2037**

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

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

**PUBLIC HEARING OF ORDINANCES AND SECOND AND FINAL READING OF ORDINANCES**

**ORDINANCE NO. 2033**

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

MOTION TO OPEN HEARING ON ORDINANCE NO. 2033 TO THE PUBLIC

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

MOTION TO CLOSE HEARING & ADOPT

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

**ORDINANCE NO. 2034**

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

MOTION TO OPEN HEARING ON ORDINANCE NO. 2034 TO THE PUBLIC

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

MOTION TO CLOSE HEARING & ADOPT

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

**ORDINANCE NO. 2035**

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

MOTION TO OPEN HEARING ON ORDINANCE NO. 2035 TO THE PUBLIC

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

MOTION TO CLOSE HEARING & ADOPT

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

## **DISCUSSION**

### AN ORDINANCE TO AMEND HOURS OF OPERATION

TERENCE: This is pending the arrival of Mr. Delia who will have a copy of the ordinance with him for discussion unless you wish to discuss without the copy of the initial ordinance.

JORDAN (ATTORNEY): Mr. Delia suggested that you wait until he gets here.

MAYOR MASSA: So we will reserve discussion on that ordinance pending the arrival of Mr. Delia.

TERENCE: Mayor and council, Mr. Crifasi is here to deliver you engineer's report if you would like to come forward please sir.

## **ADMINISTRATOR'S REPORT & ENGINEERS REPORT**

MR. CRIFASI: Thank you mayor. Tonight's report was submitted through administrator Wall. I'll just give a brief synopsis. If you have any questions, I can fill you in on further. The drainage at holy cross cemetery is moving along, it started last week, its probably about another week and a half worth of work to be done. Everything's going along smooth, there's been no problems. So we should see a finished date of about two weeks. Legion place firehouse in the back has been ongoing obviously with the oil tanks and some extra work being done. But everything's back on track. The contractors actually working on Saturday at no additional cost to try and speed up the process so hopefully in the next week or so we should see a finished project. The DOT municipal aid program for Sunset Avenue has been sent to DOT for review upon review we're able to go out to bid. I think at the next meeting we'll have this recommendation for a bid date. The Bergen County CDBG grant for Wilson Place, I understand the opening of bids is tomorrow, October 8<sup>th</sup>. They've been advertised and we'll have the word forthcoming. Ridge road phase 2 which has been completed, the slats for the pedestrian benches are going to be replaced with the plastic resin slats, promised to be done by the end of the month by the contractor and the vendor. The 13 Fisher place sinkhole has been resolved. There's been no further reports. There's been an invoice submitted by the contractor so far successful. And the last one is the Ridge Road Phase 3. My understanding at last meeting we were going to ask DOT if we can shift the \$460,000 grant to start the phase at Lyndhurst border moving to south end. We submitted a letter to the DOT and the affiliates that are involved with the grant, we're just waiting for a response back. Hopefully at the next meeting we'll have one. And lastly, as you approve the resolution I have the application for the CDBG grant for several streets that the administrator provided. They just need to be signed and submitted for submission tomorrow by five o'clock and I'll handle that for you when you're ready. Any questions?

MAYOR MASSA: Any questions on the administrator's report? Thank you sir.

MR. CRIFASI: Just one issue, to councilman Hughes, there was a question about the drainage. We did a water calculation study that I don't have tonight that Mr. Neglia himself will submit here tomorrow. Based on a 100 year storm, it's anticipated that that will not flood. The added trench that's along the front of the garage doors was not previously there. There were three catch basins. By putting in the trench drainer across the garage, and connecting through the catch basin on the end, the span of area that the water will cover will dissipate quicker than going to the three manholes or catch basins that were there previously. Plus on top of that, putting in a new trench drain at the top of the street will catch a majority of the water before it gets down. So during a 100 year storm which a pretty far fetch storm, our calculations come below what we anticipated for that capacity.

COUNCILMAN HUGHES: There was a concern that that secondary trench didn't go the full width of the firehouse, only goes across  $\frac{3}{4}$ 's of it.

MR. CRIFASI: I think the way the pitcher of the concrete is angled. Its steering all the water to that area of the trench. We have the calculations, we'll provide them...

COUNCILMAN HUGHES: Yea and it wasn't so much the volume of water, it was the speed because it's at the bottom of the parking lot here. when the water hits this parking lot, if we get one of those torrential downpours, it comes down that parking lot at such speed. It used to blow right over.

MR. CRIFASI: We're anticipating that new trench at the top will catch most of that water and any run off will go into that new trench and the manholes on the side.

COUNCILMAN HUGHES: Very good.

MR. CRIFASI: We'll give you the calculations tomorrow.

COUNCILMAN HUGHES: Okay. Thank you.

MAYOR MASSA: That 100 year storm, is that the one we had in April of '07. Nick mention you get every 100 years? Is there an engineer that can guarantee that we wont have another one for 98 years?

MR. CRIFASI: I could research that for you. [Laughs].

MAYOR MASSA: That's when we got a 11 inches of rain and I think 9 of it came down in 8 hours. I remember it well. Alright, thank you sir.

TERENCE: One last administrative item, I just wanted to thank the mayor and council and all the folks in North Arlington for your [inaudible] and compassion during my wife, Genie's journey with the twins. They were born in September 16<sup>th</sup>. Charlotte Maria was approximately 7 pounds and Charlotte Christina was 7 pounds, and Maria Rose was 6 ½ pounds, so I want to thank you for all your wonderful thoughts and your well wishes on behalf of those two little girls, their big sister, and their mom.

COUNCILMAN BIANCHI: You only gave me one cigar.

TERENCE: And I owe you an additional cigar because I need to think two. So I really part of the North Arlington family and I want to thank everyone for your kindness and support.

MAYOR MASSA: Anything further on your administrative report?

TERENCE: No sir.

### **COUNCIL REPORTS**

COUNCILMAN BIANCHI: Well my report is on my bus as usual. The old senior citizen bus is up and running. Its doing its job around town. The new senior bus, I haven't heard the report yet whether it's coming before election or after election. That I don't know. And that's about all I have.

MAYOR MASSA: Thank you Joe.

COUNCILMAN DIBLASI: Its going to come when your running.

COUNCILMAN BIANCHI: It's going to come just before I run in November. Yeah I told the guy to hold up a year of making the bus.

MAYOR MASSA: Councilman haven't I expressed my appreciation for the hard work you've done with that bus situation?

COUNCILMAN BIANCHI: No you haven't.

MAYOR MASSA: I have but I'm doing it now publicly.

COUNCILMAN BIANCHI: Good good, say it. You gave Al a lot of credit, give me some credit.

MAYOR MASSA: I give everybody credit.

COUNCILMAN BIANCHI: That a boy.

COUNCILMAN DIBLASI: Go to the bank, they got a lot of credit.

COUNCILMAN DI BLASI: Okay, report on Department of Public Works. Mr. McCabe met with Neglia engineering on the construction of new storm pipes being installed in the cemetery. They worked with Montana Construction at 17 Ilford Avenue on sewer main break. They removed 5 dangerous trees. They repaired 2 catch basins on West street. They cleared 3 sewer backups. They've been painting curbs and crosswalks and they've been cleaning the youth center on a daily basis. They've done maintenance on the soccer and baseball field and they installed 16 new parking, permit parking signs at the municipal parking lots. And besides this mayor, every time I do call Mr. McCabe and also Bob Kairys over there, on situations that people need things done, they've been very very cooperative. If not the next day, in two days, their doing a great job, Mr. McCabe and also Mr. Bob Kairys. I'm on the phone with them almost on a daily basis and they do their job well. That's all I got.

MAYOR MASSA: Councilman Bianchi, you want to comment?

COUNCILMAN BIANCHI: Yea I want to go back to one thing. I had gotten a letter, we all had gotten a letter from Mrs. Yacchiarino and she had some pretty good ideas, I don't know if she ever met with you about the parking meters that are in the town.

COUNCILMAN DIBLASI: Yea I got that letter.

COUNCILMAN BIANCHI: Did you ever meet with her or anything like that?

MAYOR MASSA: Lets take that under consideration.

COUNCILMAN BIANCHI: She had some nice ideas I mean she's a business person up there. I would like to attend that meeting if possible if you do have one with her. I know she looked forward to having it. I thought she had some pretty good ideas. That s all I have.

COUNCILMAN GRANELL: The only thing I have mayor is that on tonight's agenda, you would have seen that we've gotten a specialist coming in because those parcels in the Meadowlands are valuable pieces of property and we really need to understand what we can and cannot put there, what makes sense for the community. So we're going to welcome Joe Maraziti back on board to do that assessment for us working with us and the Meadowlands commission to put plan forward for North Arlington for those particular parcels. Looking forward to that. That's all I have.

COUNCILMAN HUGHES: Yeah, mayor, thank you. As I reported last month, the health department is still waiting for the H1N1 flu vaccine and as soon as that arrives in the county they're going to be setting up clinics for people to make arrangements to get that vaccine. I know the nasal spray has been made available to a degree. Regine Guillen and the board has kind of decided not to go with that because that is a live vaccine and there's some inherent risk with the live vaccine, so they decided to wait for the injectable type which is a passive vaccine and doesn't have any risks of a person developing more serious case of the swine flu. Moving along to the river. I want to thank Passaic Valley Sewerage Commission for all the work they've been doing down there. Over the last several weeks, they've been very helpful to the fire department in reinforcing and rebuilding the boat ramp, the emergency boat ramp, that we have down there for the fire department boat. Over the years it has been being eroded by the tide and was starting to

undermine the wall down in that area so Passaic Valley has been very helpful in coming in and did a lot of work to get that done and repaired and shored up and actually they've done quite a commendable job there. I do regret though that I have to report that Bob Devita our liaison with the Passaic Valley Sewer Commission recently passed away after a short illness. So he's going to be surely missed because he was a tremendous help to both North Arlington and all the communities along Passaic Valley river. The man was passionate about the Passaic Valley river and the work that he did in encouraging the use of this river with the boat regattas, the canoe races, the rowing that's been happening along this river, its largely attributed to his work and getting that river cleaned up and building the parks along the river and helping the communities along the river make use of this valuable asset so he will be surely missed.

**MAYOR MASSA:** Thank you councilman.

**COUNCILMAN TANELLI:** First of all, I'd like to give a quick brief update on NJ DOT grant that we received last year. It may ducktail into what councilman Bianchi had mentioned that there's a property owner that would like to meet and discuss some ideas on Ridge Road. We met last night, Councilman Granell, Councilman Diblasi, and I with the people that we had 3 opened public sessions with the people that were invited to this meeting to try and narrow down some ideas on redevelopment plan, updating, existing, adding, and were just about ready within the next month, month and a half, to roll it out to a full blown public meeting in the high school gymnasium where we'll open up what we narrowed down some of the things down so people could focus a little bit better on some suggestions on where we go from here with some visions on 20 years from now what North Arlington may look like, how we can get there, its been a real pleasure working with the professionals that we have helping us along on the process. Recreation, October 11<sup>th</sup>-22<sup>nd</sup>, our second harvest home decorating award contest will take place. This was started last year, was very successful, had a lot of people participate. It basically mimics our Christmas home decorating contest. On Saturday October 20<sup>th</sup> is the Halloween parade. We'll meet at Boston Market on the corner of Bergen and Ridge Road; the parade will start at 6:30, we'll be meeting there at 6:15. we'll march to the senior center. During the month of September, North Arlington Volunteer Emergency Squad answered a total of 67 calls, 16 of which were mutual aid. For the year, NAVES has responded to a total of 512 calls. NAVES members have put in over a thousand and eight hours this month alone, not including meetings and special events. October activities will hold its Halloween party for the children in North Arlington which will be held October 30<sup>th</sup> down at the squad. Children will be offered games and snacks during the night, there will also be a competition for best costumes. The upcoming squad members will be standing outside Queen of Peace church collecting donations after all the masses. Over the past year, NAVES member has nearly doubled. They are currently over 40 members most of whom are certified EMT's and we also have several new members currently in school. I'd just like to thank Lieutenant Daniel Orovio for preparing the notes for the emergency squad to keep me posted on their monthly meetings. That's it for me, thank you.

**COUNCILMAN YAMPAGLIA:** Nothing today mayor.

**MAYOR MASSA:** For my own report, I'd just like to comment that on Monday we will be honored with the presence of the governor of NJ to sign a very important piece of legislation that very likely may have been a byproduct of what we did here in North Arlington and our willingness to challenge the Encap developer. He will be signing what is commonly known as the Encap bill which will provide extensive protections for taxpayers in the future. Hopefully no other community will be victimized by another Encap like other communities were and the state of NJ state taxpayers here in South Bergen. The governor's office has chosen North Arlington as the location to sign this legislation in recognizing the fact that we were in the forefront challenging this debacle known as Encap. I don't want to be late with the point that it was on evening that contract was signed by the borough, by the former administration in April of 2006 to enter into the agreement with Encap Cherokee. At that time, myself and councilman Tanelli voted against that agreement and it was at that time that we called upon the then United States Attorney Chris Christie to investigate the whole issue, the whole matter. South Bergen, North Arlington, every aspect which we felt was minored in conflicts of interest and

heavily tilted in favor of a politically connected developer. We took it on the chin for awhile but we prevailed and I'm proud of the people in this community. I'm proud of the councilmen who stood fast for this through this litigation. Everybody sitting here tonight, so its kind of an honor for us to be the focal point where this legislation will be signed by the governor. If anybody is available we'd like to see you there, its kind of like a celebration for us here in North Arlington. And the ultimate vindication that we were right right along, there were a number of exposés in the Bergen Record about the project problems with this issue. And now ultimately the president of the United States attorney is investigating the issues regarding Encap. And we hope that ultimately there investigation will bring out the truth as to why this travesty was forced upon the people of New Jersey and especially here in South Bergen whereby \$20 of taxpayers money was put up for every dollar that the developer put up unconscionable. Unbelievable. So I want to again thank all the members of this governing body for their support in our fight. We won and we're going forward with responsible development in the Meadowlands. That's my report for tonight. that'll be 11 o'clock on Monday morning, the governor will be here at the public library to sign the Encap legislation.

R-217-09 RESO RE: EXECUTIVE SESSION

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

MOTION TO RETURN TO REGULAR BUSINESS

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

TERENCE: Mr. Delia, you want to go over that last item?

TONY DELIA: Okay. You have in front of you for discussion and we need some direction. Let me give you some background. You're old ordinances in North Arlington provided that on Ridge Road only no retail businesses could be opened between 12 and 5 o'clock in the morning. When Mr. Pitman and his administration, they were democrats by the way, when they recodified North Arlington's code, they specifically deleted that old ordinance. So they way it stands now is there's no limitations anywhere in North Arlington regarding hours of operations. I drafted an ordinance which sort of mirrored the old ordinance borough wide saying that retails/establishments had to shut down between midnight and 5 o'clock in the morning except for certain exceptions like restaurants, pharmacies, home milk delivery routes, and things like that. we then got into a discussion Chuck Sarlo and I about Ridge Road. You have a Ridge Road revelopment plan, it was a superseding redevelopment plan meaning that if you're going to change anything regarding hours of operation it has to be done within the redevelopment plan first. That's as it applies to Ridge Road, so what you guys have to decide is do you want to limit A) the hours of operation, first, B) do you want to limit it to Ridge Road, and that means we wouldn't need this ordinance we would just redo the redevelopment plan...

COUNCILMAN TANELLI: We're in the process of doing that.

TONY DELIA: Yea Chuck Sarlo's in the process of doing that.

COUNCILMAN GRANELL: No NJ DOT is in the process.

COUNCILMAN TANELLI: Department of Transportation is in the process of doing that as we speak..

COUNCILMAN GRANELL: I have it here in my bag if you want to see it.

TONY DELIA: Oh good, I didn't know that. 3) Do you want to now address the rest of North Arlington beside Ridge Road to try to limit the hours of operations, you never had that before. Robert Kairys brought up the industrialized zone, Porete Avenue, you never

had a limitation on the hours of operations there. He thinks that if people go to three shifts down there including some truck deliveries and stuff like that, the residences will hear noise and it will bother them.

COUNCILMAN GRANELL: They hear it now with the warehouse down there.

TONY DELIA: So you sort of sitting as a committee of the hole right now to discuss this topic and give us, the administration, direction on where you want to go. We should start on Ridge Road. Are we going to limit the hours of operation on Ridge Road?

COUNCILMAN HUGHES: Yea, I think so.

TONY DELIA: Sounds like a unanimous on that?

COUNCILMAN DIBLASI: Yes we agree.

TONY DELIA: To at least go back to the old way for Ridge Road.

MAYOR MASSA: Go back to the previous,...

TONY DELIA: And I haven't, if you want to give me a copy of what does Chuck Sarlo have a copy of what there doing?

COUNCILMAN GRANELL: Chuck has, just so you understand what's happening to Ridge Road redevelopment plan. NJDOT remembered them yesterday and their revisions going along of the plan, recommendations they're going to make [inaudible] so they're going to submit that to Chuck and Chuck's going to look over that, we have to open a master or a new redevelopment plan.

COUNCILMAN TANELLI: Point of order your honor. So not everyone doesn't get nervous about the fact that I'm saying that there's something in draft form and there's something in draft form and there's something that Charles Sarlo's going to look at. What they showed us, this is a very big project and the only way to really move that project forward is to start documenting as far as putting together documents to get to the end of where might want to be. So what we saw as [inaudible] draft, this is all that grant that we got, there's not paying to do it. So what we saw last night was a very rough draft of what we tallied so far from the 3 meetings we had at the senior center with all the residents. The next step was going to be number one with Charles Sarlo to take a look at it because also part of that is the circulation plan that, the circulation element, which is going hand in hand with this and removing [inaudible]...

TERENCE: Which is another grant.

COUNCILMAN TANELLI: Right, so ultimately once Charles Sarlo does a preliminary review of it, makes comments concerns based on his knowledge for being on the planning board and zoning board as long as he has, we then are going to like I mentioned in my report, we're going to open it to the entire town. We're going to advertise in the newspaper, we had a condensed version of opening it to the people of the borough because the meeting would have went no where based on the fact that even with a small segment of the community with people from different parts of town, we made an unconscious effort of getting businesses in different sections of town, so we had a good cross section. Its still lending itself to be a little bit of a nightmare with people would start bickering and arguing and the meetings had to keep being pushed along. So once we open it up to the high school, the entire towns welcomed and then we will not have a final document for this board to view until we have the input incorporated from the big meeting in the high school. So the redevelopment plan probably wont be done for our review probably until sometime in December.

COUNCILMAN GRANELL: Point of order mayor. I think its interesting. Steve is absolutely right. Whats happening here is the NJDOT portion of that plan probably you're looking anywhere between 4 to 5 months before that's actually reviewable by this council. This action certainly can happen way before that.

TONY DELIA: Well that's what I want to ask. Do you want A) I don't know if the DOT plan includes hours of operation and B) Why don't I just email Charles tomorrow and say look they want to go ahead with an hours of limitations on Ridge Road. Give me a call, lets talk about it, lets move that part as quick as possible.

COUNCILMAN GRANELL: Yes

TONY DELIA: Yes? Does everybody agree unanimous?

COUNCILMEMBERS: Yes

TONY DELIA: Okay, I'll do that. So that takes care of Ridge Road.

COUNCILMAN BIANCHI: And then in time, we could do the whole town?

TONY DELIA: Well, you could do that now if you want. You have to mend your zone plan for the rest of the town. That's what I drafted.

COUNCILMAN BIANCHI: Why don't we just do the whole town?

TONY DELIA: Well cause maybe you never had it before.

COUNCILMAN HUGHES: Why you want to shut down the diner and shut down...

TONY DELIA: Well you could you make an exceptions.

COUNCILMAN GRANELL: Like you said we could make exceptions there but we'd have to meet...

COUNCILMAN BIANCHI: Diner. Milkman, stuff like that like he said.

TONY DELIA: On Schuyler Avenue there's a seven eleven that's opened a seven eleven or dunkin donuts that's right now opened 24 hours on Schuyler Avenue.

MAYOR MASSA: The other thing too is if you limit the entire community, what and I hate like hell to say this, but I'm going to steal a phrase from every other politician here in New Jersey. What are going to do to have a chilling effect on the business climate here for people that will be coming here and running businesses.

TONY DELIA: Well how many retail businesses...

MAYOR MASSA: Not retail, we're talking about commercial establishments.

TONY DELIA: Well how many run 24/7 besides the diners and the stuff you already said?

MAYOR MASSA: There's a possibility that the baler may run 24 hours.

TONY DELIA: We can extend that to the industrial...

COUNCILMAN GRANELL: Can I make a recommendation? As all things in life this gets much more complicated the more we put more pieces to the puzzle involved here. my recommendation would be to start small, start with a small piece, start with Ridge Road, get that amended, see what the story is and then we can take recommendations for other components that we're looking to put restrictions on. It would be like a living tech dock.

COUNCILMAN DIBLASI: I have a question too. If we let the diner go and we let Dunkin Donuts go and then we restrict the rest of the town, will these other people come to us and say 'well you let Dunkin Donuts do it, you let the diner do it, why cant we do it' will that smack us in the face later on? That's my question.

TONY DELIA: Many communities exempt certain businesses.

COUNCILMAN BIANCHI: Well Rutherford had this problem with the Seven Eleven there. Rutherford's problem was that 2, 3 4 o'clock in the morning you got robberies, they go to these seven elevens, rob them shoot them gas stations that are opened 3, 4 o'clock in the morning. Its guarding these places. The kid was opened here on the pike on the Kearny side; he was going to 24 hours a day, now he closes, why? You hold that guy up in fact you kill somebody in that place that's why the Kearny police wanted that place closed.

MAYOR MASSA: I'm not going to get into specifics with all the people coming out of bars.

RESIDENT: I just wanted to point out I own City Suburban; we deliver newspapers here between 3 and 5 in the morning to all the stores.

TONY DELIA: And that's exempted. Home delivery of newspapers, magazines, and periodicals would be accepted.

RESIDENT: Not home, retail.

TONY DELIA: Oh not home.

RESIDENT & COUNCILMEMBERS: (talk simultaneously) [Inaudible].

COUNCILMAN BIANCHI: They throw the bundles in front of the store.

COUNCILMAN DIBLASI: That's not really having the store being opened. They just deliver it and they're done.

RESIDENT & COUNCILMEMBERS: (talk simultaneously) [Inaudible].

TONY DELIA: You're not a retail establishment opened to the public. You would not fall in this group.

COUNCILMAN DIBLASI: Tony, I don't think we can do it right now. I think this should be for discussion Pete. There's a lot of questions.

TONY DELIA: You're not voting on it tonight, I wanted to get some input. That's what your doing.

COUNCILMAN HUGHES: What you may want to do because with the like H&M Warehouse which used to be A&M Cosmetics, when they got their planning board approval, I think there was limitations on the hour of operations in the planning board going to that approval. You may want to review some of the planning board approvals that were done for like in A&M Cosmetics and H&M Warehouse to see what was there and see how it was limited and then maybe draw into...

TONY DELIA: I do think that if you have hours of operation on any industrial establishments you hurting your opportunity to develop the area.

MAYOR MASSA: That's a problem.

COUNCILMAN TANELLI: The big problem you have, like if the big you have down there is the way its configured, you have that one road that is right below the residence, so when you walk that area and you talk to the residence there, al I hear is {sound effects provided} because there's 3 speed bumps so the 18 wheelers all day long go over those speed bumps. What we had planned as far as the cellars intersection and all that's why I'm stealing all that stuff that we've all talked about redeveloping, but they were coming in from a different location where the trucks weren't idling and they weren't blowing their horns, they weren't going over speed bumps. I don't think that that particular area

would have to be in fact commercially which is something that you're saying is we may be restricting ourselves by people being interested in coming here based on our restrictions.

TONY DELIA: My recommendation is you do everything possible to get your old ordinance set up again. If it ain't broke, don't fix it. I mean how many years did you operate without hours of limitations and industrial...

COUNCILMAN HUGHES: only until Ridge Road.

TONY DELIA: It was only those on Ridge Road right? I think that's the way that my recommendation is that that's the way the town ran for all those years. why add extra restrictions on the industrial zone now when your trying to attract the [inaudible].

COUNCILMAN GRANELL: I wouldn't do that right now.

TONY DELIA: you would not add the restriction.

COUNCILMAN GRANELL: I would just go back and focus like I said on the old ordinance of Ridge Road. Right now focus on that. Give us the opportunity to do the research what the planning board does, how it'd affect other zones. We have Maraziti coming on board now. We have a lot of things we have start looking in, in terms of developing businesses in the borough, not just in the Meadowlands but all over the place.

TONY DELIA: Recommendation is don't try to address the industrial zone. Robert brought it up for discussion but...

COUNCILMAN TANELLI: So basically what we're, what you're talking about is doing Ridge Road by forgetting we [inaudible].

TONY DELIA: Which certain exceptions?

COUNCILMAN TANELLI: Alright. Medical facilities.

TERENCE: And a case you may be a noise ordinance down there rather than an hours of operation ordinance.

COUNCILMAN HUGHES: Yea I believe when the baler first opened, the balers were operating 24 hours and it was the back up alarms on their big pave loaders which was such a decimal rating that they were piercing and they were being heard a mile away. So you hear the dee dee (sound effects provided) all night long and I think what they did at the time was they negotiated with the New Jersey Meadowlands to limit the operation [inaudible] to a certain period of time and it wasn't so much that anything in the plant was, it was the beeping sound of the trucks and you cant disable that.

COUNCILMAN GRANELL: My favorite subject. I'm sure the police chief would have to way in the fact that he's got another business now opened later in the evening that he's going to have to watch because that's going to happen too so that's probably going to wind up staffing or something along the line, I'm sure that's going to come up and those impacts for extending that need to be looked at and addressed as well.

COUNCILMAN TANELLI: I've had conversations with the police chief, he's 100% against any 24 hour including the ones that we currently have now. He said that they are a burden and he said if you add more, you're adding more of a burden to the community. I discussed it with him.

MAYOR MASSA: What we have to weigh is the benefit against the burden. If the burden outweighs the benefit, then we have to act accordingly, vise versa.

TONY DELIA: Alright, so I'm going to send my language also to Chuck Sarlo to try to incorporate into Ridge Road redevelopment plan and we're going to focus just on Ridge Road, yes? Unanimous agreement on that?

COUNCIL: Yes.

TONY DELIA: We'll leave the rest of the town alone for now. That's that.

TERENCE: That's all we have.

TONY DELIA: We're going to terminate the meeting and then we're going to have a committee meet with some people that are here tonight to talk about some ideas for Ridge Road.

**ADJOURNMENT:**

MOTION TO ADJOURN

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman DiBlasi

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)