

## MINUTES

REGULAR MEETING, THURSDAY, FEBRUARY 11, 2010 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 Hughes, Councilman Johnson, Councilman Kearney, Councilman Tanelli and Councilman Yampaglia

ALSO PRESENT: Mayor Peter C. Massa, Borough Clerk, Terence M. Wall, Borough Attorney, Randy Pearce

### **PLEDGE OF ALLEGIANCE**

Mayor Massa – Mr. Clerk, at this time I'll entertain a motion to suspend the normal course of business so we can make a presentation of proclamation.

Councilman Tanelli- actually, mayor, Mr. Delugas isn't here yet. So you might want to hold off on that.

Mayor Massa – oh okay, I will table that.

### **PRESENTATION OF PROCLAMATION** – TABLED

Mayor Massa - At this time, we'll open the meeting to hearing of citizens. anyone wishing to be heard, please come forward, state your name and address for the record. I would expect that you would please limit your comments to five minutes to give everyone an opportunity to be heard. Also, I would expect that you would please restrict your comments to borough business and I would ask also everybody in the meeting here to shut off any cell phones or devices that could disrupt this meet.

### **PUBLIC COMMENTS**

Kathy Kartanowicz – 57 3<sup>rd</sup> street – I was at the meeting last month and I asked about the pay to play. The lawyer was supposed to look into that. Mr. Johnson had an article in the paper and everyone that contributed to the campaign is now an employee of the town and I would like to know that's pay to play isn't it. If I was to make a donation, would I be able to get a job with the town?

Mayor Massa – okay, well that will be addressed at the end of the hearing of citizens. Neither myself nor councilmembers will make any comments regarding the questions posed until all citizens have had an opportunity to hear it. Thank you mam.

Joseph Pimpinelli– 9 Willis Road – resident about 45 years. I received this in the mail. I'd like to know what it's all about, I don't understand it. I read it and read it. I'm waiting for my son to come; I'll show it to you. It has something to do with housing. Do any of you know what this might be about?

Mayor Massa – I have no idea what it is, I'll have to take a look at it.

Terence – mayor, the construction official is present if you wish him to give you a report after the hearing of citizens or at any particular time.

Mayor Massa – let the record reflect this is a document from the, directed to property and landlords on February 1<sup>st</sup> 2010 regarding rental property. In light of the fact that the clerk has advised me that this is an issue that would be managed by the construction, zoning, and fire official, it will in fact be referred to him. If you want to hang onto this being its directed to you, we can arrange to have Mr. Kairys discuss this with you...

Joseph Pimpinelli – I would appreciate it because [inaudible]. Thank you very much.

Mayor Massa – anyone else?

Bruce Stanley – 257 High Street – I written an email to Mr. Mayor and the councilmen regarding overnight commercial parking. I moved into the town about 6 months ago. I was unaware of the parking policies. I have a 24 emergency service electrician, I'm the sole supporter of my family, I have a wife and two small children. Many nights I'm on call and have to go out, no heat calls, no electric, I've tried several local after getting multiple tickets, I've realized that I've gone around to local business offered money to park in some of their parking lots. One of the offers that I got was \$250 a month which I could not afford at the time, I've gone around to each one of my neighbors to ask them because I don't have a driveway to park my vehicle in. I only own one car and I cannot leave my wife and my children to park at the office without a car. And last each one of my neighbors and actually got them to sign that they didn't have a problem with my truck being there. I did have truck that was lettered and had a ladder on it. I realized that might have been a problem so I went and got a company vehicle. It has not lettering on it, it's a small minivan, there's no ladder, it says nothing on it except it says commercial on the plate. I don't take anyone's parking spots but this is destroying my living. And also I had to turn down people's no heat calls, one of the few contractors in the surrounding areas that does this. I love this town, I want to raise my family here and I'd have to move if I can't do this. So this was the only option I knew or to do was to come here.

Mayor Massa – okay thank your sir. We'll comment on it. Anyone else?

Bob McClintock – 198 Rutherford Pl – most of the time I speak about different things about state aid and how the town could probably save some money and most of these are just my ideas. This may take a little longer than 5 minutes so I would ask that you extend me the courtesy. I spoke previously about state aid and pointed out how my opinion of North Arlington always seems to get less aid than other towns. Recently I read an article in the Observer newspaper dated January 27<sup>th</sup> 2010. How the town of Harrison received additional special municipal aid amount of 5.3 million dollars to pay for retroactive pay raises, that would bring the town of Harrison's total amount of state aid for the calendar year of 2009 approximately 15 million dollars compared to North Arlington 1.5 million. I've compared the two towns to see the big difference. What I found both towns have about 15,000 residents. The average home value in Harrison was 351,000 and the average home here was 375. Not a big difference 25,000. The average tax bill in Harrison was \$6,426, North Arlington was 6,694. 268 dollar difference. So I figured it must be the schools that make the difference. So I checked the SAT scores. North Arlington had 1394 average and Harrison had a 1272. 122 points. This is just my opinion, none of these items justify a 13.5 million dollar difference. I'm asking the mayor and council and people of North Arlington need to voice their concerns to our state officials about how unfairly we are treated. I just want to make it clear though I'm in no way indicating that the town of Harrison does not need or deserve all the aid it receives, I just want to point out that the borough does not receive its fair share. I'd like to talk about another thing, impact fees. With the state of New Jersey facing at least an 8 billion dollar deficit and the impression of no state aid for the calendar year of 2010 and possibly longer, municipalities and elected officials are going to be left searching for ways to make up lost revenue. I don't know if the borough charges impact fees at this time, but I think it would be the borough's best interest to explore it. There's a state law which allows municipalities to impose them on developers for onsite and offsite improvements. At this time, the [inaudible] of which impact fees can be assessed for onsite, our street, sewer, water and drainage improvements, which are caused by the development or sub division. And municipalities can require developers to contribute to off side improvements but are [inaudible] to only those improvements for which the need arose as a direct consequence of the particular subdivision nor development. It is my opinion that this mayor and council should look into providing our state officials to update this law to allow municipalities to charge impact fees through schools, utilities, open space, parks and recreation, public safety facilities, and libraries. An example, say a developer wants to build 22 bedroom condominiums, that development could bring 20 new school age children who would use the library, play in the playground, be dropped off at the park, and picked up from school in the 40 additional cars their parents would use, and if the public school system were used the average cost is \$10,000 per child. You did the math that's \$200,000 per year the tax payers would be responsible for. In my opinion, impact fees will create smart growth development or should I say coordinated and compatible development and it would help offset the cost infrastructure employees which municipalities can no longer afford. Its just a thought of mine. You agree with it, fine, if you don't, I don't even know if its possible. The school board election is held every three years, paper by the taxpayers. Wouldn't it make sense to have a school board election the same time as the general election? Doing this would save the taxpayers money, it would give more people a chance to vote. Approximately 1200 people voted in the last school

board election compared to almost 4,000 in the general election. In addition to shared services, lets share elections, save the taxpayer's money. Just to note, the special election in Rutherford is going to cost them thirty thousand dollars. That's from the borough clerk, Mary Christian, in the South Bergenite on February 4<sup>th</sup> 2010. last month, I spoke about an open space grant which the town applied for because nothing, attending a meeting there was the possibility the borough was not going to be included. I read this article, January 28<sup>th</sup> 2010, I had to read it twice. It appears that there was a recommendation not to fund North Arlington or Rutherford. I was in disbelief that people could be so self seeking and actually just plain greedy. That by not funding North Arlington or Rutherford, they would get more. I'd like to know who agreed to this. In addition, If we do not secure this grant, I'd ask all the residents, mayor and council to attend if we held a meeting March 1<sup>st</sup> 2010, express their feelings on this matter and there's the board of freehold to reconsider excluding North Arlington and to evenly distribute the open space grant; the \$700,000 grant which Lyndhurst was getting 122,000, Carlstadt 110, East Rutherford was only getting 477,000. We would apply for 90 and Rutherford 70. This is just another question I have. Request for qualifications, I believe we refer to it as RFQ's. I was just curious as to how many we received for each position and are they opened to public review. The recycling coordinator, last month you appointed a recycling coordinator, I'm just curious as to who it was, is it a paying position, and did we have a previous one? If so, who was it and was that a paying position. Last two things real quick. Not looking to give anyone extra work when I speak about these things. The light poles that were installed in the first phase, they're starting to peel. They look pretty bad. The borough gets the paint or maybe the town engineer can contact the manufacturer as to what type of paint is needed. I believe they're castaluin. I'll volunteer to paint them. Give back, that's how much I believe in the town. And lastly, the streetscape, I went back, I gave these to Mr. Hoover from Neglia. I don't if he passed them on. I spoke about it at the last meeting. I went back, I wrote them all down on the paper here. I could give it to Mr. Wall or pass them on but these are the deficiencies I found cracks in the cement, there are quire a few. So, I thank you for your time and for listening to me.

Mayor Massa – thank you very much Mr. McClintock. Anyone else?

Anne McClure – 10 Bayliss St – first of all I want to commend our mayor, mayor Massa. If ever you have a gripe and you call this man, believe me when I tell you as true as I'm sitting at this table, he will get back to you and he will any kind of a gripe taken care of. No one has to be afraid to call him. I know that from experience. And also for Mr. Wall, there are some people that say they can't stand this man, but I'm going to tell you something about him; if you have to have anything taken care of be sure you go up and see him and he will take care of it. He's got a tough job on his hands and I hope everybody realizes that. I want to congratulate you for your win. I want to congratulate you for your win and also I want to commend the police department. They've been doing an excellent job with a double 'E'. Its very tough out there for these cops with the way some of these kids act up when the parents don't give a damn. You go out there at 11 o'clock at night, 12 o'clock at night and these poor cops are out there trying to get these kids settled. And then when they go up to the parents, the parents come out and say these

rotten cops. Get out there and find out what these guys are doing. And if you need a babysitter, call up the agencies, they got plenty of them. Mayor Massa, I want to thank you for all your help. Everything's been taken care of beautifully. And my congratulations to all your new guys on the chamber here. And my congratulations to you also Mr. Pearce.

Mayor Massa – Mr. Pearce. He replaces Mr. Delia.

Ann McClure – the other one was good too.

Mayor Massa – thank you. Anyone else?

### **MOTION TO CLOSE PUBLIC COMMENTS**

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL All council present vote in the affirmative

Terence – mayor, the proclamation would be in order at this time.

Mayor Massa – first let me address the citizens who raised questions tonight. They're all rather important, then we'll handle the proclamation. Comment by Mrs. Kartanowicz respecting pay to play. Any member of the council want to address that or the attorney would like to address that? I'll defer to the borough attorney.

Randy Pearce – thank Mr. Mayor. Since the question was really directed to me at the last meeting Mrs. Kartanowicz, I went through all the relevant law and under New Jersey statute 19:44A-20.5, that's the relevant statute. It prohibits the awarding of a contract with a value over \$17,500 to anyone who donated to a political committee or a candidate in the year prior to that appointment unless, simple exception, unless that contract is awarded pursuant to a fair and open process. So all of the appointments that are referred to in the newspaper, that are referred to by you or the subject of RFQ's, evaluations, and decision made by the board as to or the mayor and council as to which of those applicants were selected. From a personal point of view, since you're directing it to me, my predecessor Mr. Delia I've known for my entire life, he's a very good lawyer. But for these articles to be written and for the questions to be raised about me personally, I lived in this town; I was born in this town, fifty years ago. Went to Queen of Peace for 13 years. Do all of the fundraising for Queen of Peace my entire post high school graduation years. Went to Columbia University. We haven't had an ivy league graduate in this town in a long time. I've clerked for a federal judge. I was the planning board attorney here for 20 years in this town. I've sued more towns in New Jersey than I want to think about for doing the wrong things. So I know what they do wrong because I tell them they've done it wrong and I get things overturned. So with all that said, to say a thousand dollar contribution which I've been making to all sorts of groups over the last 30 years is the reason that I'm here is a personal insult. You want to know the law. The law is very

simple. As long as there is a fair and open process, there's no violation and all the people who were appointed, were appointed pursuant to those ferial [inaudible].

Kathy Kartanowicz – so it was just a coincidence.

Randy Pearce – I didn't say it was a coincidence. I'm telling you this is the way the law reads. Its very simple and its very forward and to the extent that the last that the democrats had more votes on the council and the applications were submitted, the RFQ's, it wouldn't be surprising for me to tell you that Mr. Delia is a democrat and various other people were democrats. That's the way the process works. It's always worked that way and it is 100% consistent with New Jersey law. Thank you.

Mayor Massa – thank you councilor. Do any of the council want to comment, ask, or have any other comment on the question for Mrs. Kartanowicz? I'd just like to say that it was in fact, Mr. D'Elia, did serve as the borough attorney with distinction and Mr. Delia did have extensive experience with municipal law, he comes from a 30 some odd man farm and has served as the municipal attorney in a number of jurisdictions, boards of educations, the governmental authorities and large cities in the state of New Jersey also. That being said the process of New Jersey is such as governed by the statute as the borough attorney did explain so the one question that Mrs. Kartanowicz did ask, she wants to know if she made a campaign contribution, if she would be considered for a job, I would think that we would base our decisions, at least this mayor, makes his recommendations for hiring based upon qualification credentials. Yes, we get RFQ's from professionals from all over the region when we go out to advertise, and that's the process and we follow it. Do we have the choice to make higher the people we want to make? Absolutely. Do we have the choice to hire the people that we feel comfortable with? Absolutely. And ultimately, we can say that the people that we do hire at the end of the day do have the qualifications or credentials to do the job. However, it's a matter of opinion and personal preferences as to what a governing body would feel comfortable with and at this point, this majority feels comfortable with Mr. Pearce and he will be the borough attorney for the rest of the year as other professionals. With respect to people applying for positions with the borough, we would consider them also based on their people non professionals regular employees, we consider them based on their background, education, and experience. Mr. Pimpinelli, I'd like to get to your issue here that you raised with a letter you received from the construction code official. That's not a matter that the mayor and council can process at this time since it is an administrative action taken by the construction code official so my recommendation to you Joe, please meet with the construction code official at your earliest convenience so he can explain all the legal parameters of that communication that you received and explain to you if there are any obligations, do have the requirements you have to have with respect to your property. Mr. Stanley, I got your email. I read your letter. I know the problem because I wrote those tickets for years. The one exception that I remember and I don't know whether or not the police department could help you with it. At this point, I'll recommend to you is if there's someway, I think the ordinance still carries a requirement that to qualify for a commercial vehicle, you would have to have a commercial registration on your vehicle and I don't know whether you do or not so you have the commercial plates,

that's why you would be violating the overnight truck parking ordinance. If the vehicle bears passenger plates, if its still in effect and I'd have to defer to the municipal attorney on that one or the police department because I wouldn't expect the municipal attorney to have a title 39, a decision at his fingertips.

Randy Pearce – Unfortunately I do, the answer is it is a strict violation of the existing code.

Mayor Massa – so if he gets passenger plates put on it, does that remedy his issue?

Randy Pearce – yeah, but I don't think he's going to qualify. He needs it for other purposes. You need to have that vehicle a commercial vehicle.

Bruce Stanley – yeah to keep the insurance.

Mayor Massa – in any event, we understand your problem, irrespective of the fact that you have signatures from people in the community, the residents, that's not controlling. The controlling issue is the ordinance. I did direct the administrator and police chief to take a look at your situation to see if there's anyway that could be resolved. So with a little bit of patience on your part, we may be able to help you out; I cant make any guarantees that we can. But I think we'll do whatever we can to try to help you out with that issue. But in any event the administrator will be happy to meet with you along with Sergeant Reilly from the police department who's our traffic enforcement expert in the P.D. to try to give you some guidance on this issue. Mr. McClintock, you have raised some profound issues. and I commend you for taking that level, you brought the level of public interest in this community to the next step from what I've seen because its rarely that we get these type of questions. Some of them unfortunately I may not be able to completely answer and completely satisfy you. I'm not an expert on state aid regarding Harrison which I understand receives all of that aid under distressed cities. So we don't qualify as a distressed city. If the people of North Arlington wanted to qualify as a distressed community under the statute, there are certain parameters, demographic parameters which we would have to meet. I don't know whether we meet those parameters or not, again as I said I'm not an expert on those matters. But you have raised the issue and I am bound now to have us take a look at that. Impact fees, yes this is something that I think this mayor and council this year is going to take a look at also if it is legally possible for us to accomplish those things. So keep in mind while a lot of these issues come up, they seem viable, we have to determine, we have to have a determination made as to whether or not we qualify under the law or we have the ability under the law to impose impact fees. Board of Education elections had been kicked around by the state assembly and the state legislatures for a couple of years now. There was proposed legislation I believe at one point to have the board elections conducted at the same time the general elections are conducted. In North Arlington, I think we still have a board election every year. It's not just once every 3 years like some other communities so if we can save the taxpayers some money in conducting those elections coincidentally with the municipal elections, I would certainly be in favor of that. The point you raised is quite important. Yes, it would generate a greater level of community interest. More people will

come to the polls. They would be able to vote for council members, assemblymen, freeholders, other elected officials along with board officials, they would be able to vote on the board's budget. Board of education budget is the only state budget under law that is voted upon by the electorate and of course there's a process in place when that budget fails that the polls that I'm sure all of you maybe familiar with, the fact that once the budget fails the polls, it comes to the mayor and council I don't want to go to far in that. With respect to the process for the open space grant, yes the whole process I think is not what it should be. We have made our protest to the county executive's office who has made a commitment to myself and the administrator that application was going to be remedied. We're going to take a look at getting that resolved. It turns out that, I think Terence could fill us in on one of the other meetings, another community didn't show up when they were running.

Terence – folks from the borough of Wallington had expressed their interest in North Arlington regarding the scheduling at the attendance of the Bergen County Open Space Trust meeting. Ironically, at the community development block grant meeting, it was Wallington who had a scheduling issue and we did note for the record whether or not Wallington would be eligible for funding based on their scheduling dynamics there and we made a general recommendation that all communities in southern Bergen County be properly funded with a small reimbursement for the open space tax that their taxpayer sent to the county and we're proper resolution of all those matters.

Mayor Massa – and also, sir, with the issue regarding light poles and at the first aid squad we're going to have the administrator review that and the streetscape issue that you brought up we'll take that into consideration also. And finally, Mrs. McClure, I'd like to thank you for your very kind comments. Its nice to hear something positive from somebody in the community. I do want to take this opportunity to say that yesterday I was out with the DPW for a little while and the police department regarding the snow removal operation that was in place. I want to commend all of our people that work that very difficult day. We had one of the toughest snow storms in recent history that I can recall. I want to appreciate the fact, recognize the fact that you're commending the police department. They did a great job yesterday. Our DPW had seven trucks out on the street. The streets were plowed very effectively. And this mayor said he gets gripes, you wouldn't believe the gripes we get. I got no complaints with anything going wrong for many members of the community with respect to municipal operations. So our emergency medical services did their job, our PD did their job, our DPW did their job, our volunteer services I want to commend also; North Arlington Emergency Squad, volunteer emergency squad, and the volunteer fire department. They're all there and they all answer the call whenever we need them and sometimes we have a tendency to take them for granted. Its nice to know that you don't take them for granted, so we appreciate that. Thank you. Okay, Mr. Clerk present the proclamation.

Councilman Hughes – Mr. Mayor?

Mayor Massa – anyone else want to...

Councilman Hughes – Mr. McClintock had also asked a couple things about RFQ's and the recycling coordinator. [Inaudible] RFQ's are a public record and they're open for inspection anytime you want to look at them. And the recycling coordinator is Mark Cunningham. He's a DPW worker; he was the same person last year. It's an annual appointment. And he does not receive any extra remuneration for that position. Okay.

Mayor Massa – any other comments? Presentation of proclamation.

Councilman Tanelli – I make a motion to suspend regular order of business.

Mayor Massa – is he ready?

Councilman Tanelli – yes.

Mayor Massa – motion by Councilman Tanelli to suspend the regular order of business.

#### MOTION TO SUSPEND REGULAR BUSINESS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL: All council present vote in the affirmative

Mayor Massa – okay, we have a proclamation recognizing the boy scouts of America's 100<sup>th</sup> anniversary and the proclamation reads as follows. Whereas Boy scouts of America was founded on February 8<sup>th</sup> 1910 and to celebrating its 100<sup>th</sup> anniversary has grown to be a viable force in the development of our youth through its programs which encourage the ability of its member to do things for themselves and others. And whereas Boy Scouts of America serves many thousands of people through a wide variety of activities designed to compliment and implement the youth programs over at churches, specific organizations, public schools. And whereas one of the major objectives in the scouting program is to develop citizenship through community involvement in addition to working for citizenship merit badges, scouts are actively involved in numerous community service projects. Now therefore be it resolved by the mayor and council of the Borough of North Arlington to extend congratulations to the North Arlington Boy Scouts who will become the future leaders of our community and country on the 100<sup>th</sup> anniversary of scouting signed by myself Peter C. Massa Mayor, dated February 11<sup>th</sup> 2010.

Councilman Tanelli – point of order your honor. I'd like to introduce Eric Dalugas, whose the district commissioner and handles the boyscouts for North Arlington [inaudible].

Mayor Massa – please sir, please come forward. [Everyone claps]. No I'll come to you. [Everyone claps]. I want to thank you gentlemen for the great job that you do with the scouts and give you some public recognition just from the dais here irrespective of the language of the proclamation which I think is very well deserved. Thanks again for your

support to this community and your dedication to the youth of the community. Motion to return to regular order of business by Councilman Tanelli.

**MOTION TO RETURN TO REGULAR ORDER OF BUSINESS**

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

**APPROVAL OF MINUTES 2009**

FEBRUARY 19, 2009  
SPECIAL MEETING APRIL 7, 2009  
SPECIAL MEETING AUGUST 4, 2009  
OCTOBER 8, 2009

INTRODUCED BY: Councilman Tanelli  
SECONDED BY: Councilman Bianchi  
ROLL CALL: AYES: Councilman Bianchi, Hughes, Tanelli, Yampaglia  
ABSTAIN: Councilman Johnson, Kearney

**APPROVAL OF MINUTES 2010**

JANUARY 4, 2010

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

**RESOLUTIONS ON CONSENT AGENDA**

R-46-10 RESO RE: AUTHORIZATION TO PAY CLAIMS (**REMOVED AND PUT ON OFF CONSENT AGENDA**)

R-47-10 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-48-10 RESO RE: PROFESSIONAL SERVICE FOR EMPLOYEE ASSISTANCE PROGRAM

R-49-10 RESO RE: MUNICIPAL ALLIANCE GRANT FOR CALENDAR YEAR 2010

R-50-10 RESO RE: APPROVAL OF 2010 BUSINESS LICENSES

R-51-10 RESO RE: AGREEMENT FOR PUBLIC HEALTH SERVICES FOR THE YEAR 2010

R-52-10 RESO RE: AGREEMENT WITH VALLEY HEALTH MEDICAL GROUP

R-53-10 RESO RE: AUTHORIZING MAYOR AND BOROUGH CLERK TO APPLY FOR 2010 RECREATION OPPORTUNITIES FOR INDIVIDUALS WITH DISABILITIES GRANT

R-54-10 RESO RE: AGREEMENT FOR PROFESSIONAL SERVICES SUNSET AVE RESURFACING

R-55-10 RESO RE: MEMBERSHIP IN BERGEN MUNICIPAL EMPLOYEE BENEFITS FUND

R-56-10 RESO RE: CLOSE OF CONTRACT CANTERBURY AVENUE RESURFACING PHASE I

R-57-10 RESO RE: ON PREMISE RAFFLE EAGLE TRUCK #3 OF NORTH ARLINGTON

R-58-10 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-59-10 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-60-10 RESO RE: APPOINTMENT OF FIREFIGHTERS

R-61-10 RESO RE: ON PREMISE RAFFLE JR. WOMANS CLUB ARLINGTON

R-62 -10 RESO RE: APPOINTMENT OF PER-DIEM EMPLOYEES TO SUBSTITUTE AT YOUTH CENTER FOR REGULAR PERSONNEL

R- 63 -10 RESOLUTION TO AWARD CONTRACT FOR THE PROVISION OF PUBLIC RELATIONS SERVICES

R-64-10 RESO RE: ACCIDENT POLICY AND BROKER OF RECORD FOR RECREATION

R-65-10 RESO RE: RADIO AMATEUR COMMUNICATIONS EMERGENCY SERVICES

R-68-10 RESO RE: ADDED EXPENSE FOR CLEAN UP LEGION PLACE FIREHOUSE TANK REMOVAL

R-69-10 RESO RE: AWARD OF CONTRACT SUNSET AVE RESURFACING

INTRODUCED BY: Councilman Tanelli  
SECONDED BY: Councilman Bianchi  
ROLL CALL: AYES: Councilman Bianchi, Hughes\*, Johnson, Kearney, Tanelli,  
Yampaglia

\*with exception of resolution 57, resolution 60, and resolution 68 which he has to refuse himself from and resolution 63 which he votes no on.

Councilman Tanelli – can we have resolution 46-10 pulled from consent?

Mayor Massa – 46-10 will be removed from consent.

Terence – so a roll call on all items except resolution 46-10. Is there anymore discussion?

### **RESOLUTIONS NOT ON CONSENT**

#### **R-46-10 RESO RE: AUTHORIZATION TO PAY CLAIMS**

INTRODUCED BY: Councilman Tanelli  
SECONDED BY: Councilman Yampaglia  
ROLL CALL: Councilman Bianchi, Councilman Hughes\*, Councilman Johnson,  
Councilman Kearney, Councilman Tanelli\*\*, Councilman  
Yampaglia

\*Councilman Hughes voted yes but refuses himself on any fire department purchases.

\*\*Councilman Tanelli voted yes with the exception of line item 225000 fees for Mr. Scandariato for the water sale investigation of \$2,316.60.

#### **R-66-10 RESO RE: NORTH ARLINGTON/LYNDHURST JOINT SEWER REPRESENTATIVES**

INTRODUCED BY: Councilman Tanelli  
SECONDED BY: Councilman Yampaglia  
ROLL CALL: AYES: Councilman Tanelli, Councilman Yampaglia  
NAYS: Councilman Bianchi, Councilman Hughes, Councilman  
Johnson, Councilman Kearney

Councilman Hughes – Mr. Mayor, I have a question for Mr. Tanelli on this resolution. My question is why would we want to introduce a resolution that has an obvious false statement in it? The second paragraph of this statement says ‘whereas as our representatives, they combine the Borough of North Arlington to provide funds for the joint sewer committee for sewer projects approved by the joint sewer meeting. This is not an authority that any representative to the joint committee has and I think Mr. Pearce could explain further on this because he has researched the ordinances on it and the statutes.

Councilman Tanelli – well, I’d like to respond first. Based on the fact that the bylaws, there were bylaws, there’s no bylaws, its unclear, they’re found, they weren’t found, that

was the first issue. The second issue is on state statute 40:63-87, it states both that one individual from this council who attended a meeting could vote to bind the council to what they vote on. Then as you read on further in the statute, it states that you can't be bound. So all I want to do is, we actually agree on this Rich, you had mentioned it in the last meeting that we want to, that you guys wouldn't be voting on anything to bind the to borough this resolution just covers it until I was going to ask Mr. Pearce to give me a written legal opinion tonight with case law supporting with how this body functions. If you remember back in November Mr. Delia was doing research into the bylaws trying to organize it to get this thing under control because it basically operated with no bylaws, operated with no structure, so we were actually in the process of trying put some structure to it. So tonight I was going ask for Mr. Pearce to give us a written explanation as well as some case law and in the meantime if he was going to take some time to do that, this resolution would cover the governing body up until then. I mean if you're upset about the terminology or the lines that are in the, you know, after I read the statute that's what I took out of it.

Councilman Hughes – okay, I don't think the statute covers joint meetings. All a joint meeting is, is a contract between two municipalities to come up with a common project. Its not in a commission, its not an authority that has independent rights. Being it's a contract, its bound by the contract. The contract was passed by ordinance 693 in 1954 and specifically lays out how the operation of the joint sewer meeting would operate. So even though this was left out of the recodification in 2005 for which you voted for, it also states that we can't incur any of funds, we can't incur this council to capital improvement funds or incur any debt through bonding by the actions of two individuals on any level but I'll defer to councilor Pearce on this.

Mayor Massa – well I would just like to say if we were to past this resolution councilman, what it does is it does in fact protect the community until we have a formal written opinion with review of the case law because these issues from what I heard from both yourself, you said you weren't certain on one part of the issue, and councilman Tanelli with respect to his position. I would fee a lot more comfortable if we were to pass this resolution this way we are protected pending the formal written opinion regarding both the language of the statute and the relevant case law from the borough attorney. I think that it will only take maybe several weeks if that and in the meantime, no action would be taken, we would be protected because there's a lot at stake here with respect to this joint meeting irrespective of whether its commission or however the law classifies it as such. So this resolution I believe proposed by councilman Tanelli merely to protect the taxpayers pending formal position, formal written opinion that every member of this council could read the jest and if they have any questions on it, can refer those questions they have to the borough attorney.

Councilman Kearney – Mr. Mayor, I just have to say, why would this concern occur all of a sudden when Richard Hughes and myself would be manning the joint sewer commission? Why didn't this issue come up when Mr. Granell, councilman, former councilman Granell and councilman Tanelli were on this joint sewer commission?

Doesn't it look a little bit like a grey area here that's now being introduced? Protect North Arlington from what?

Mayor Massa – from any action that might be taken by members of the commission, the members of the joint meeting in cooperation with the municipality of Lyndhurst. At the time when the other members were on that, members of that meeting, we called it the joint sewer commission, there was no major discussion from my recollection of any extensive projects to be conducted. There was no discussion as I recall, no confirmation of any discussion regarding any expansion of this operation to accommodate new facilities.

Councilman Hughes – actually that's not correct Mr. Mayor. There's plans and discussions in the minutes of the joint sewer meeting that go back I think as far back as 2005 regarding extensor renovations that would handle the [inaudible] from the land fills; Encap was going to pay for major renovations in overhaul or a good part of it. And there was even discussions last year with the American Home Association, the insurance company that bonded Encap about paying for the same expansions to handle [inaudible] that would cover the [inaudible] from the landfills as part of the bonding where they bonded the Encap project. So to say that it never came up before...

Mayor Massa – we didn't have actual printing before. We didn't have any actual commitment from anybody. From the last meeting that I attended, the mayor of Lyndhurst pretty much was the chairman of the meetings as I recall making a number of expressed the intent that we are going to go forward or planning to go forward with expanding the operation to handle new business from new activity or new sewerage from a project in Lyndhurst or Rutherford. So that's why, that was the purpose of this resolution.

Councilman Tanelli – that was one of the reasons why in November we started having Tony Delia look into this because of the astronomical costs that we're starting to occur with the joint sewer with our renovation; whether we're going to do a half million dollar renovations or 2.5, so to Mr. Kearney's point, councilman Kearney's point, that's when I started in November having Mr. Delia start formalizing the process because I couldn't find the paperwork. I sat as a chairman last year and it was all over the place so that's why I started the ball rolling and trying to I guess fix the codification that wasn't done in 2005 but obviously that got stalled out once November came and then the changes were done. So I did start doing that as soon as they started talking seriously about whether we're going to do a 2.5 million renovation or ½ a million dollar renovation, because I knew the impact of the community. And I did bring it back to the mayor and council after those joint meetings to discuss it. But that's up to you, I mean there's a motion to vote on the resolution, if you don't want to vote on it...

Councilman Hughes – I can assure you that everything will be done properly and above ward. I don't see any need for this resolution. I think its frankly has contained false statements in there and I think its unnecessary to pass a resolution of this nature. Randy do you want to...

Randy Pearce – I had a chance to look at this before we came here tonight because its been discussed at different levels and 40:63-87 councilman Tanelli in the second paragraph makes it clear that no action of said joint meeting shall be combining in any municipality unless concurred by the municipality involved. It has to come back so what we're doing here is similar to what we did on the reorganization night which is to say we're going to impose requirement upon the borough judge, the municipal judge, or for example passing a resolution that what I do is going to be ethical. And all my legal opinions will be ethical. I'm already subject to ethics laws so to pass a resolution that says I'll comply with the ethics laws would not be logical and so I can confirm that action of the joint sewer commission is not binding upon North Arlington unless it comes back to this mayor and council and is voted upon. I mean that is the law. So a resolution confirming that doesn't seem logical, I mean its certainly is up to the mayor and council to decide whether its necessary but again that's what the statute at issue says.

Mayor Massa – based on the representation of the council president and the opinion of the borough attorney. We can take a vote on it.

Terence – next item I'll refer to the borough attorney. This regards a second reading and adoption of ordinances, ordinance number 2039 and 2040 and an updated ordinance 2041. If Mr. Pearce would like to offer the policy, thank you.

Randy Pearce – thank you Mr. Wall. Basically at the last meeting, I had drafted two separate resolutions that were intended to be either or resolutions. One of them was going to be selected instead of the other. They ended up on the consent agenda; they were both approved. And what we ended up doing is if we approved both of these this evening and then put the first reading on at the next one, we'd enact something only to replace at the following month. So rather than doing that and making it cleaner to avoid any confusion in the future with regard to our ordinances it would be my opinion to the mayor and council that the first reading that a motion be taken on the first reading and both on the second reading I should say of the two ordinances which are now contradictory that those be defeated and that we have a first reading of the replacement ordinance so that we have clean history going forward.

Councilman Hughes – Mr. Mayor when these were scheduled for last months meeting, they were actually scheduled as items for discussion because we've had so much problems with the Union Place parking permit area...

Mayor Massa – that's correct, I recall.

Councilman Hughes – and it was listed as for discussion. We ended up passing it so by the time we got done we looked at it and said wait a minute we shouldn't have done that, we just wanted to discuss it to get different ideas from the council to whether to either or, or both, and then submit further down the road a more comprehensive ordinance. So this is more or less correcting the way we handle it last month to, we're going to kill these

two amendments and then we're going to vote a first reading on the combined amendment to the Union Place parking permit.

Mayor Massa – yes we had a lot of problems with the Union Place residents and people who live in the periphery of Union Place to park on Union Place, they're residents in some cases, they're taxpayers, they're all either taxpayers or tenants and in order to try to bend and make life convenient for them, we went out of way trying to do a couple quick fixes here and now that we've seen that the appropriateness of some of these of two of these ordinances may not be really up to snuff with what our intent, our legislative intent, our objective is. I agree with that, I confirm it. So we will need a second reading of ordinance of 2039 and a motion to introduce.

### **SECOND READING AND ADOPTION OF ORDINANCES**

ORDINANCE NO. 2039

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

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2039 TO THE PUBLIC

[There was no public hearing on ordinance no. 2039]

MOTION TO CLOSE HEARING AND ADOPT

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Kearney  
ROLL CALL: All council present vote in the negative

ORDINANCE NO. 2040

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

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2040 TO THE PUBLIC

[There was no public hearing on ordinance no. 2040]

MOTION TO CLOSE HEARING AND ADOPT

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Bianchi

ROLL CALL: All council present vote in the negative

**FIRST READING OF ORDINANCES**

ORDINANCE NO. 2041

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

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Hughes

ROLL CALL: All council present vote in the affirmative

**ADMINISTRATOR’S REPORT**

Terence – briefly, would like to extend from the mayor and council administration thanks to all the departments who are involved in the recent heavy heavy storm. There is an office of emergency management meeting that was chaired by Mayor Massa which included all departments and kudos to all the folks that volunteered their time energy to the borough residents to ensure a safe travels here in town. And the open space grant, I received insurances from folks at the county level that the children will receive funding for their spray park grant as applied for properly and on time with the Bergen County Open Space Recreation Trust Fund. The community development block grant application is underway and we are anticipating a grant award as well for road resurfacing in that regard. We’re also underway with the Rothman grant, ear marks and appropriations grants for the congressman’s office. We have identified a number of different opportunities including potential transport vehicle. Also including a potential adjoined program with the board of education regarding a field work down at River Road and we’re also looking at other potential application opportunities to apply for that grant as well on time by February 19<sup>th</sup> of this month. We are underway with budget development. The budget finance committee has held their first meeting. And we are working aggressively with finance to meet the mayor and council directives to set forth a budget that’s consistent with the views of the borough residents in North Arlington. Sunset Avenue resurfacing is underway. That roadway will be redone shortly and the folks living in that area will have safer travels there. And lastly, the collective bargaining is underway with various bargaining units in the Borough of North Arlington. The value of employees and staff here and I will update you accordingly in executive session in that matter just to share with you that those discussions are underway as well and that would conclude my report, Mayor.

Councilman Hughes – I do have a question for the administrator. Could we get a report on the status of our website? I understand there’s some question as to who owns our website and the difficulty we seem to be having and having it transferred over to the, the passwords transferred to the new webmaster that we have.

Terence – the Borough of North Arlington at the beginning of the year had engaged the services of a new vendor. During the transition period, we've had some difficulties in obtaining various items that were required for transfer. That matter has been referred to the borough attorney for discussion. That has also been listed for executive session.

### **ENGINEERS REPORT**

Mr. Neglia – good evening everyone tonight. I'm sure everybody has a copy of our February 4<sup>th</sup> report. Should be relatively quick. Legion Place firehouse improvements have been completed and closed out. So that will be removed from the report after this meeting. Sunset Avenue was discussed [inaudible] tonight. the one thing I would add is the borough received the \$200,000 NJDOT grant and the bids came in at \$127,125.52 so you got good pricing. That'll probably begin in the spring. Bergen County CDBG grant for Wilson Avenue resurfacing has also been closed so that'll be removed from our report. Ridge Road streetscape phase 3, we're just waiting for the direction to go out to bid on that. Those plans have been completed. And the last thing that I have were two other items. We did meet on the water system in my office and I've turned over all the mapping and all the information that was requested of us at that meeting to the Engineer that was hired to do that evaluation. And just to address one of the residents comments today about the peeled light poles and the chipping, I will look into that as soon as early as tomorrow. That has occurred in several other towns, several other products. It is under manufacturers warranty in terms of fixing and patching these poles; I'll prefer you don't do anything on it at this point and time because once you touch it sometimes that will void your warranty on it so we have to give the contactor the ability to fix it himself. Though it will not be easy and obviously those repairs will not be done in the winter months. Moving forward, in terms of the list that was given to Hoover from my office, I will look to see if I have it. If not I will obtain another copy and make sure any deficiencies will be addressed or comment from my office and those comments will be given to the mayor and council. That's all I have tonight for the mayor and council.

Councilman Hughes – on that Sunset Avenue grant, did we expand the scope of that project to take advantage of that fault full grant without having any of it back?

Mr. Neglia – there are certain things that we can look at to try to expand it but anything that's going to be requested to be expanded would have to be approved by the DOT. So we will take a look to see if we utilize all the money and the project was pretty simple project. It was a milling and paving operation in terms of it. But we can look at trying to maximize that and I will advise you that if you do not use it, you are required to return it to the DOT as part of their reimbursement process.

Councilman Hughes- and that's tough in this economy. They don't give it out very easily. So when you do get it, you don't want to give any of it back.

Mr. Neglia – what we try to do is you always try to estimate the project based on some worse case scenario numbers so you have sufficient funds when awarded to do the

project. Right now its just a very competitive time in public bidding market and you're getting some very good numbers.

## **COUNCIL REPORTS**

COUNCILMAN BIANCHI – okay, I have two reports tonight. First, our new senior citizen bus was delivered. It's running around the town; looks real nice. The senior citizens have been using it. Even people that have never used that senior citizen bus, you go on and take a ride on it, go down to the Stop & Shop and they've been having a good time on that bus. My second report is of the fire report for the month, for the month of January. For the month of January, the fire department responded to a total of 27 alarms of fire. The breakdown of alarms is as follows: 9 force alarms, 1 boiler explosion, 3 c/o alarms, 4 calls of mutual aid, 2 gas leaks, 2 elevator rescues, 2 motor vehicle accidents, and 1 medical lift assist, 1 automobile mechanical failure, 1 over fire, and odor of smoke, for a total of 27 alarms. I also want to say that there are a number of events that are coming up in the very near future from the North Arlington Fire Department. I have just received word that our new rescue truck which was financed partly by the federal grant is expected to be delivered on March the 26<sup>th</sup>. In celebration of the Fire Department 100<sup>th</sup> year anniversary and the arrival of the new rescue truck, the members of the fire department are in the initial stages of organizing a community celebration or a wet down which is tentatively scheduled to take place on June 12<sup>th</sup> of this year. As in the past, the fire department will work in conjunction with the mayor and council as well as the department of recreation to create a celebration for all the residents of our community to enjoy. And I'm also happy to report that there were no fire fighter injuries for the report of January. That's my report.

Mayor Massa – thank you councilman. Did you want to comment on the budget meeting you had last week.

Councilman Bianchi – yes. We only had one budget meeting last week. We met with the department of public works and everything's in order. He came in a little lower than he was last year. A little bit.

Mayor Massa – so you'll be looking to shop into penciling.

Councilman Bianchi – yes, we're going to do that now. This week, we'll be meeting with I guess the police department and the EMT's and also the health department. So, we'll schedule those meetings this week but we only had one so far. But we'll get it done by the end of February it'll be finished. Okay, Mr. Mayor.

COUNCILMAN HUGHES – As far as the health department goes, they already started the year with several programs that have been available for free to the residents of the community. They've had a vision health screening, a heart health program, geriatric lecture. The next thing coming up is March 23 where they're going to be having the free rabies clinic available to anybody with a cat or dog can get a free rabies shot which is necessary to obtain a license for these animals. As far as the Passaic Valley Sewer

Commission, we had a meeting the other day with Mr. DeGrace and representatives from the Passaic Valley Sewer Commission to get some work done behind the little league field; apparently that's become jungle back there. They're going to be coming in with some equipment trying to beat it back and trim down the trees, the weeds, the brush that has taken over that area. And get some of that work done so that we can go further down the road, get some of that area cleaned up and tamed more or less to beautify that little league field. Its been there for however many years and its been a valuable asset to this community. That's it Mr. Mayor.

COUNCILMAN JOHNSON – it was a hectic last 48 hours for our DPW with the snow storm. Our workers did an excellent job plowing and salting the streets. Emergency routes were cleared and safe passage of vehicles was ensured. We also trucked out a large quantity of the snow to make room on narrow streets and also around the grammar schools and the middle schools so that the busses had a clear way to pull up. Light plowing and salting will continue throughout tomorrow as necessary and once again we appreciate the cooperation of our residents while we continue to clear the streets. Prior to the work related to the snow storm, the DPW repaired 60 potholes. They responded to 12 sewer backups, replaced several damaged street signs, and they worked on and repaired 35 borough cars and trucks. I'd like to extend a special thank you to Bob Ceberio in the Meadowlands Commission for allowing us to use their camera truck to locate the sewer backups. In addition the commission was also kind enough to lend us one of their four wheel drive vehicles for the snow storm. In the coming weeks I look forward to working with superintendent McCabe on establishing short term goals and a long range plan for the DPW. This is essential in balancing the needs of our community with our budgetary constraints. Thank you.

COUNCILMAN KEARNEY – with regard to recreation, I have an update on the youth center. The youth center has been completely professionally cleaned. There's been updates to the four working computers that are at the youth center. We received a donation of a TV from that 10-minute oil change place on Ridge Road. A special thanks to them. There's been a couch and several pieces of furniture that have been donated to the youth center. New rugs were installed. Damaged appliances have been replaced. The new stove was also installed. Refreshments have been updated. There's a Wii system that we've obtained. We've established a movie night there and attendance is up extremely much and that's all I have to report.

COUNCILMAN TANELLI – I'd like to also thank DPW all around for your services for an outstanding job through the snow storm. It takes great coordination and they should be all commended. The fire department was called in, the emergency squad was parked up behind borough hall. It takes some great coordination. I periodically drove the town and monitored the scanner. Its events like that that really show how all the pieces work together in the borough. The library had the reorganization last month. I attended the regular meeting Tuesday with the mayor. They're planning some minimal staff restructuring and expanding their youth programs and they just wanted to reassure us all that they'll be well within their budget. Thank you.

COUNCILMAN YAMPAGLIA – there were two additional ambulances staffed and stationed for our recent snow storm. One was staffed with volunteers. In addition, an ambulance and a first responder unit were staffed following the storm. A total of 8 ambulance calls occurred between February 10<sup>th</sup> and 11<sup>th</sup>. Communicating via the borough's teleconferencing system proved to be convenient and effective. There were 121 jobs totaled; 89 in town and the rest 23 mutual aid and 9 non emergency. Quick note mayor, on February 27<sup>th</sup> from 8 to 12, NAVES will be having a pancake breakfast fundraiser. And lastly mayor, both the paid EMS and NAVES volunteers with George McDermott have been in constant communication with each other to ensure that issues arise are addressed and handled without hesitation and that's all I have mayor.

Mayor Massa – I'd actually like to comment on that, based upon a newspaper release last week regarding some issues with some of the emergency vehicles and EMS vehicles. I immediately contacted the borough administrator to make increases to any mechanical problems regarding these vehicles. I had meetings with the DPW superintendent and the mechanic regarding the maintenance for these vehicles. The vehicles are old; they have a lot of mileage on them. We're going to be reviewing what needs to be replaced and what can be kept in service with routine maintenance. However, I just wanted to ensure the community that the equipment is effective working order and when calls are made, we're able to handle it if we run into any problems of course. Our mechanic will be able to work on the equipment as expeditiously as possible. But our emergency squad does an excellent job. We do have two late model ambulances and we're going to take a look at what the budget processes this year. Take a look at what additional equipment might be needed to make sure we have a high continually high level of service for our emergency medical responders. Thank you councilor.

MAYOR MASSA – with respect to my own report, I'd just like to make a comment now I see the tax man is here. I received a communication on February 1<sup>st</sup> from Robert F. Late, the tax administrator of the Bergen County Board of Taxation and he notified me that he closed a copy of approved resolution extending the completion date of the North Arlington revaluation from October 1<sup>st</sup> 2009 to the tax year of 2010 to October 1<sup>st</sup> 2010 from the tax year of 2001 and that resolution was in fact approved by Sheryl Fulmer, the acting director of the division of taxation, department of treasury, state of New Jersey. So the reval will be done in place and it will affect the tax year for 2011, is that correct sir? With respect to the recent snow fall, I think I made my comments before on the heels of what Mrs. McClure had mentioned. I again appreciate her comments. I also do want to comment though quickly on the bill of schedule that Councilman Tanelli referred to with respect to the payment for this water system revalue or investigation or review, whatever it is, to Pete Scandariato's law firm and also the Alaimo Group; I'm just going to ask the public majority if they want to take reconsideration with respect to those two resolutions for the next meeting and rescind those resolutions so we can save the taxpayers some money in light of the fact that when this transaction was done. It was reviewed by bond counsel and from what I'm told by the legal experts being it was a transaction done between two governmental agencies, it was legitimate and complied to the statute. However, that's an issue that can be discussed further between myself and the council majority. That's pretty much all I have at this point.

Councilman Yampaglia – I apologize, I inadvertently voted for that Mr. Scandiarato and the payment for the firm before. I'd like to just vote my objection and protestation to that and the other resolution, I voted yes.

Mayor Massa – okay, Councilman Yampaglia's no vote would be reflected on the minutes. At this time, I'll entertain a resolution to enter into executive session.

#### R-67-10 RESO RE: EXECUTIVE SESSION

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

#### MOTION TO RETURN TO REGULAR ORDER OF BUSINESS

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

#### R-70-10 RESO RE: WEB DESIGN SERVICES

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Kearney  
ROLL CALL: All Council present vote in the affirmative

Councilman Hughes – we do have to make a change because you have the \$79 monthly fee, the \$74 monthly fee for the server charge to physically reside...

Terence – amending the resolution to reflect an additional a 'not to exceed \$75 a month, a fee...

Councilman Hughes – I thought it was 79 but maybe...

Randy Pearce – 74.98, \$75

Mayor Massa – motion introduced by Councilman Hughes with the appropriate amending language and seconded by councilman Kearney. Discussion?

Councilman Tanelli – yes mayor, I want the record to reflect that contracts are going to need to be formed that we mentioned in regards to not having the same issues that we currently have that anything that's done is owned by the borough and we no longer have to seek this information when we need. Thank you.

Mayor Massa – this resolution will be passed contingent upon the execution of the appropriate contracts as recommended by Councilman Tanelli. Any further discussion? Call the roll.

R-71-10 RESO RE SALARY INCREASE FOR ADMINISTRATIVE AND EXECUTIVE EMPLOYEE

INTRODUCED BY: Councilman Hughes  
SECONDED BY: Councilman Bianchi  
ROLL CALL: All Council present vote in the affirmative

R-72-10 RESO RE: APPOINTMENT OF DIRECTOR OF RECREATION

INTRODUCED BY: Councilman Johnson  
SECONDED BY: Councilman Bianchi  
ROLL CALL: All Council present vote in the affirmative

**ADJOURNMENT:**

MOTION TO ADJOURN

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