

MINUTES

REGULAR MEETING, THURSDAY, JANUARY 14, 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

PUBLIC COMMENTS

Richard Glennon – 174 Baltimore Avenue – the first thing I wanted to bring up was about the public comments. Could the mayor and the council revisit the public comment time to having it at the end of the meeting instead of the beginning of the meeting. Because it seems to me that if you have public comments in the beginning of the meeting, the public cannot comment on the agenda until the following month. The second thing I wanted to bring up was parking. Meter parking. I guess its in the boroughs interest to have folks shop in town and I think Saturdays is a day it might be in our interest to not use the meters. One of the things, the 2 hour limit on meters, if anyone has ever been up on Ridge Road or gone to a doctors office up on Ridge Road at the other end of town, you cant get out of a doctors office under 2 ½ to 3 hours and you're walking out and looking at a \$30 ticket on your car and all you can put is 25 cents a meter for 2 hours. So it's just something that I would ask that the mayor and council can take a look at. These were the only two items I was going to bring up but I read the Leader tonight, it was at my house when I came home, and I saw a letter from our ex-councilman Mr. Granell who is here tonight. I would have thought that new mayor and council, the democrats and the republicans would try to get along and do something for the borough of North Arlington but it certainly seems that from the tone of Mr. Granell's letter 1) he's not going gently into the good night which is his right and 2) it certainly sounds like the democrats have released the attack dogs early. We haven't even had a council meeting where the subject of this letter, Councilman Johnson, is being taken over the coals. It would be one thing if he's made boasts that people would disagree with but you would think we could at least wait until some things have been done and then if you want to criticize them, fine. But if this is the way the democrats are going to act over the next couple of years, it does not vote well for this council, or for the borough. Thank you.

Bob McClintock – 198 Rutherford Place – Good evening gentlemen. At first I'd like to congratulate the two new councilmen. I don't really know much about you but I hope to get to know you guys in the coming years. I just really have a couple things, questions or comments that I have. One is about the Passaic Valley Water Commission. The question I have is about my water line. Where does my responsibility begin? Does it begin at the tap into the main or does it start at the beginning of my house? The reason I ask that is I see them digging, I know they dug my neighbor's front lawn up and I don't know if they charge you to do or if they do it for free. What my responsibility is with Passaic Valley. Second, I'd like to bring up about the arborist we hired last year. I totally agree with hiring him, I thought it was a great thing. I thought his presentation was good. Question I have is did he ever finish his survey? Did he help us secure any grants? That's what I got out of his presentation that with his survey done, it would be a big help on getting some grant money. Because as councilman Tanelli pointed out and I agree with him, we're slowly becoming an asphalt jungle. My next point is I read in the paper we lost some grant money. I don't know if its true. If it is, for playgrounds, do we appeal that? Next is about the hardscape. I'll refer to it as phase 2, the southern end that they just finished. I'm on the planning board and I get meet with the engineer who was at the time from Neglia, Mr. Hoover. I

pointed out to him about some cracks and new cement, some bricks that were missing, and even some that were uneven. I took it one step further. I went, I got the addresses and what problem existed there and I called him the next day with it. I don't know if he's still with Neglia Engineering and I don't know if he passed on my comments to anyone but it's the second winter since that's been done and I don't know if we signed off on it yet. If not then we're going to inherit replacing the damage that's done to the bricks and whatever. I mean I don't think the bricks are a hard thing, I mean I'd volunteer to do them to level them out. I'll go with councilman Bianchi if you want for free. For free! I mean I'd volunteer to do anything for this town for free that I can help to make it look better. We paid a lot of money for that but I just feel that if its not in front of your house and you didn't pay for it, sometimes it gets pushed to the wayside. You guys are very busy; you have a lot on your plate. So I would volunteer to do it just to help out. I don't want to break any union contracts; I'm a union man, [inaudible]. And also with the benches, I asked him if we could turn some of them around. I mean you sit on that bench and you look into the park car. I think they should face the businesses. For whatever reason, it's got to be more pleasant that breathing the fumes from the tailpipe. So maybe they could do something like that. I don't know if its feasible, just a thought. The next thought I have was I know this mayor and council had tried to form some committee. One was on signs on Ridge Road that were no longer, you know like the Lion's Club. I don't even know what the Lion's Club is. I don't mean to be ignorant but I don't. I don't know where it is or anything. There are signs that make no sense. There are signs that have been there for years and I'm not looking to give Mr. McCabe any more work because I know he does a hell of a job at what he has. But I would definitely go around and take the signs that make no sense down. Maybe I'm crazy volunteering, but I'll do it. Some of the signs are whoever put them up short guy puts them up get a forklift, tall guy puts it up there's 6 foot. I just think uniformity is good. I would help you gentlemen if I could if you would allow me or to do something like that. so I know there was a committee on that. I know there was also a committee on like the beautification of Ridge Road. I don't know who's actually on that committee and I don't know if they still exist. We were also talking about fences and if I go to my [inaudible] please allow me to finish its not much more, I just ask for your patience. I know with the fences, you had a big issue with a fence here. Twenty years you've been fighting over 6 foot 3 fence. So the problem was if you have a little wall in front of your house, and you put a 6 foot fence, you have an 8 foot. So I know we were going to have a committee on that. I know councilman Bianchi comes in and councilman Tanelli but I don't know if we ever went anywhere with it. I would just like an update if there is one. Next; I only have two more, just bear with me. I'd like to talk about some of the town equipment. During the last major snowfall for the record I think DPW did a great job with that snow storm. I happened to be out shoveling and I live on a fire route. I see one of our dump trucks come down and turn the corner. It was lifting. If it was in the water it would have sunk. That's how bad it was lifting to one side and it had more holes in it and was dropping more salt on the street and it wasn't supposed to be dropping salt. It's supposed to be plowing. I think you only drop salt when it's a certain, you plow and its enough. So gentlemen I know trucks are very expensive, I know we are in very tough economic times, I know that, but I think we need to look at upgrading some of our equipment. I did see one new dump truck, I did, but I don't know how many we have, but I don't know if that one would even pass a state [inaudible] inspection. And Walter Morgan, I don't know if he has a parachute when he drives it but he should because he might have to bail out of that one. And at last I'd like to talk about is the New Jersey Meadowlands Commission. I agree with the mayor that I don't think the NJMC does all they could for North Arlington. I said all they could. I think you have to stay on top of them. Just remember back in 1999, the HMBC which I believe now is the NJMC brought Encap here. They chose Encap as the developer; they did it, which I believe Governor McGreevy, Senator Cody, and Senator Sarlo were big supporters of it. But the HMDC was the one that let the fox into the hen house. They chose Encap. I think they need to do all they can for North Arlington to make this right. Gentlemen, thank you very much.

Cathy Kartanowicz – 57 Third Street – I just have a real quick question. I was reading the paper today. The South Bergenite and there's an article from Mr. Johnson that all these paid your campaign are now hired, isn't that pay to play? That's the only question I have. It struck me very odd that he would do something like that. Thank you.

Joe Russo – 9 Ridge Road Apt.1 – I lived in North Arlington now, march it will be 5 years. I moved here from Jersey City with the opportunity 5 years ago I could have had an apartment downtown paying x amount of dollars. I decided to move here because rent was a little cheaper but I live on Ridge Road and there's absolutely no parking. Since August, I've paid my tickets,

tremendous amount of tickets, thousands of dollars of tickets, because I did the crime you know you pay for it. But since I got the parking permit, I'm still getting these tickets. On the application it never said a time to be out of there. it never said any restrictions about sweepers. I came to North Arlington municipal court. I spoke to a couple people, they said just keep parking there, we'll speak to the ticketer. Frank I think his name is and it just didn't work. So here I am thousands and thousands of dollars out of my pocket, paid \$300 for parking permit, first time I've been to a meeting like this. [Inaudible]. That's it. Thank you.

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Bianchi

ROLL CALL All council present vote in the affirmative

Mayor Massa – any members of the council wish to comment on hearing of citizens?

Councilman Tanelli – in regards to Mr. Glennon's comments about out going councilman Granell, with all due respect Mr. Glennon, there's two different stings, campaigning and governing. You can't say one thing and do another. So Mr. Granell in my opinion was just pointing out a few specifics on what was said and what needs to be done because of what was said. So, I'd like to say that I actually enjoyed his letter because it points out a few things that we're going to have to pay attention to up here. That's it. Thank you.

Mayor Massa – with respect to Mr. Glennon's comments, he requested suspending meter parking on Saturdays on Ridge Road. That is an issue that the mayor and council could take up at its discretion if they so desire. He also made a recommendation that the hearing of citizens be held at the end of the council meeting rather than at the beginning of the council meeting. That again is an issue that the mayor and council can take up at their discretion. And he did comment quite extensively on a letter to the editor in the newspaper which doesn't specifically deal with any municipal business per se, its just a political letter written by former councilman Granell and of course if anybody in the community has problem with a letter that is written by either a citizen, a councilman, a pass councilman of course, they have that right to answer that correspondence on their own through the local press. So in any event, we always recognize the right of people's first amendment privilege in this governing body and I would just say that if anyone has a problem with any letters that somebody writes, you can respond to it in any way that you wish. Mr. McClintock made some questions about some water main taps. We can arrange to either have the administrator contact the water company with respect to that as to the protocols and policies regarding that issue. Grant appeal, yes that's in the process right now. There's a process by which represents the municipalities get together for the open space grant. Some of those meetings were cancelled. North Arlington did not get a timely notice. The people that were present failed to act on a request by North Arlington. The administrator is working with the county executive's office now to have that grant application reviewed and restored. With respect to street signs and some of the other issues, these are all housekeeping issues that are quite important to maintain the complexion of the community, the look of the community. So I would ask that if you so desired you can contact the administrator and we could put together possibly a project to get that done maybe on weekends or daytime project whenever somebody's in the clear to do that. Town dump truck, we will have to have our superintendent of public works check that out and if there is a safety issue certainly with that vehicle. We want that corrected. I'm going to direct that the superintendent of public works submit a written report concerning the condition of that vehicle to the borough administrator. Now as far as the role of the NJMC, I think its pretty well been documented as to the problems that have existed with this community as a result of some of the things that were done by the meadowlands commission. Commissioner Bocchino was present tonight at this council meeting and from my contact with him he has assured me that in his 10 year as a member of that commissioning, he did everything he can to work for the interest of this community. So that's our expectation. Mrs. Kartanowicz had a question regarding appointments of certain professionals. If Councilman Johnson wants to answer that himself, that's his prerogative. I haven't examined any of the issues regarding that particular newspaper story so I really can't comment on it Mrs. Kartanowicz at this time but we will review that and have an answer for you unless the borough attorney would like to make a comment on it.

Randy Pearce – generally speaking, there are rules that deal with that type of issue Mrs. Kartanowicz and I've not seen the article certainly to the extent that there is an issue. I'm not going to read it now. But to the extent there's an issue. I will certainly read it but there's nothing to be commented on today and I'm sure that we'll take it up the next meeting.

Councilman Bianchi – I'd like to comment on the parking meters. There's nobody in this room is affected by parking meters more than myself and my business but they are necessary because I'll tell you why. A person comes in my salon, we'll just take my store for instance, they come in my store and they put a quarter into the parking meter or if they don't have a quarter I'll give them a quarter or two quarters. It used me to do that so they have parking. Here's what was happening years ago, this is why the meters when into my section of town. First of all the kids that go to North Arlington High School, every junior, every senior, almost everyone of them has a car. So they would come and they would park along Ridge Road from the end of the high school to about my store and they'd be there all day. And then people were going into New York to go to work, so they would park their cars across the street. They'd get on the New York City bus and go to work 'cause they had free parking. So what does that do? That alleviates people from parking. So now my customer comes and there's no place for them to park and the rest, the bar, the florist, whatever. So that's why the meters went into that section of town. What happens up the other end of the town because I worked up there when I was younger, all the tenants without parking meters, all the people that work for the bosses of all the stores, they all park on Ridge Road, so now along comes a guy who wants to buy shirt, or a tie, or wants to get a haircut cant do it because there's no place to park so they have to park around the corner. So what's the worse of the two evils? The meters you got to have them because what happens is people pull up in front of your store on a rainy, snowy day, there's parking and that's why the meters went in.

Resident – I'm only talking about Saturday morning.

Mayor Massa – give me a moment to recognize you sir. Councilman Bianchi has the point of order. If he would like you to comment that's perfectly acceptable.

Councilman Bianchi – you could comment Mr. Rich.

Resident – I'm only talking about Saturday mornings, Saturday during the day.

Councilman Bianchi – well that's even worse. That's even worse because I tell you why. Saturday mornings is I can only talk of in the beauty industry, that's the heaviest day. Now you have days that its very cold outside, its snowing, it might be raining, very windy, and you got a woman 65, 70 years old pulling up outside with her car and she's got to park three blocks down the street to get to your store or around the corner, that's the problem. There might be a little snow on the ground, a little ice on the ground. That's why its good to have the meters because there's always parking. So the woman comes into my store or in any business, doctor, dentist, whatever, so you throw her fifty cents. Dentist is going to charge \$500 to do your teeth anyway. So you give her fifty cents let her put it in the meter and at least there's parking in the front of the stores. That's the reason why we did it. And there's plenty of tickets I paid for myself too.

Councilman Hughes – regarding the parking meters, I think he mentioned the fact that you go into one of the doctor offices I assume up around the bus loop area where we have all the doctors and you're in there for an extended test where you may have exceeded the 2 hour time limit. Maybe what we can consider mayor is looking in that area, changing out the parking meters to put in parking meters at say we'll allow up to three or four hour parking . Maybe a solution to the problem in that one section along where you have all the doctors' offices, I say between Harding and Hedden Terrace. Might be solution where its still, somebody's not going to park there and leave the car there all day but its going to allow the person who has to go in for a stress test or something like that where there going to be in a doctors office for an extended period of time to maybe accommodate them. So maybe we can have administrator Wall and our DPW superintendent look into that as a possibility of changing those meters out.

Mayor Massa – thank you councilman. Every time we try to alleviate the parking problem on Ridge Road and Union Avenue and Harding Avenue and the south west part of town, we run into additional complications. Of course as I said so many other times on the record, we have a lot of vehicles in this community and a lot of homes have three and four cars. So we try to amend these ordinances as best we can to make the best accommodations for every body as equitably as we

can and sometimes its beneficial and sometimes some people just seem to be left out. Mr. Russo seems to have been left out here and he says even with a permit, he's getting summonses so what I would like to do is have Mr. Russo contact the traffic bureau of the police department, Sgt. Reilly to examine this situation and give him some guidance and then if we need to make further revisions to the parking ordinances, we will do that. again these things have to be examined on a case by case basis sometimes. Just we the last council meeting we had in last years council meeting in December we had a resident come here, resides on Harding Avenue, trying to get a permit, complaining about a problem, not being able to park on Union Place because she doesn't have a permit when the street is clear for parking but because she doesn't have a permit, she's barred from parking there. So we are trying to look at these issues as people come to us with these special circumstances and make the best accommodations that we can.

Councilman Hughes – I have a question for Mr. Russo. Is that, the permit that you're discussing, is that one of the permits to park in one of the lots up there on Ridge Road.

Mr. Russo – Yes. You pay \$300 for it...

Councilman Hughes – okay, I'm aware of it.

Mr. Russo – my understanding speaking to, is his name Robert? The gentlemen back here?

Councilman Hughes – construction official Kairys, yes.

Mr. Russo – Robert told me that there was an ordinance for a commercial permit and there was supposed to be one for a private or personal permit. So the reason why I was getting the tickets was because the sign was supposed to be parking between 7 a.m. and 9 p.m. for commercial. Anytime after that, because I'm personal or private I should not have been getting tickets but you [inaudible]. Also, they were supposed to change the sweeper which doesn't...

Mayor Massa – I don't want to interrupt you sir but in order for you to be recorded you need to come to the microphone.

Terence – so we can accommodate the minute taking and make sure we have all your comments.

Mr. Russo – should I start all over?

Terence – yes.

Mr. Russo – I was told that when I got this permit there was two types of parking permits. Commerical and private permit. The commercial permit was to abide by the [inaudible] 7 a.m. to 9 p.m. parking. Being that I work, I get out of work at 7 sometimes 8 o'clock I was [inaudible] of the private. So I was parking there at night and I'm getting these tickets every morning, fifty five dollars, fifty five dollars. So I came here and I asked them why do I have this permit for if I can't park there at night. So they said they'd correct the problem. Meanwhile, I'm still paying them because they would suspend my license if I didn't. They said we'll work on getting your money back so on and so forth. Now I'm getting tickets for the sweeper tickets but they said they weren't going to use the sweeper in there no more, they were going to use that little machine to go around the cars 'cause again you pay for a parking spot, you can get hit with these tickets all time. I wasn't going to fight the sweepers, again I'm from Jersey City, we had sweepers all the time, I understand how it works. But it's just thousands of dollars I've spent into this. And you know, time's rough. I don't know where else, what else to do.

Councilman Bianchi – I'm a little confused. What do you have a truck?

Mr. Russo – no, a car, just a regular car.

Councilman Bianchi – okay so you come home from work like 8 o'clock at night, you park in your spot. There's probably very few cars in that lot...

Mr. Russo – there's maybe three.

Councilman Bianchi – three, okay, so you paid your \$300, now you park there. So that means like say from about 7 or 8 or 9 o'clock at night, you're getting tickets?

Mr. Russo – usually I wouldn't get tickets at night. I would usually get, not from the police officers, just that one ticketing gentlemen. And he'd get me either in the morning at, I guess right before I go and leave before work. I leave at usually 8 o'clock. He'd get me about 7. he'd hit me everyday I was getting them.

Councilman Bianchi – okay, I'm still confused. So in other words, you go to get in your truck or car and its at 7 or 8 o'clock in the morning you got a ticket. But aren't you a...

Mr. Russo – that was for the sweeper but I was getting tickets at night also. I don't know, I was getting tickets everywhere.

Councilman Bianchi – see I don't know if the sweeper goes into that...

Mr. Russo – Tuesdays and, I think Mondays and Thursdays...

Jim McCabe – can I say something? Mr. Russo, the big sweeper goes in there twice a week. I don't know who told you about the little sweeper. That goes in there every day in between, so I don't know...

Mr. Russo – what is the purpose of a big sweeper in there?

Jim McCabe – to sweep the parking lot.

Mr. Russo – what's the purpose of the little sweeper?

Jim McCabe – to get the little stuff along the curb.

Mr. Russo – so if I don't park there...

Mayor Massa – gentlemen, this is not a dialogue issue. He's going to make his comments.

Jim McCabe – he's confusing me too.

Mayor Massa - We allowed you to make your comments. What we have here is an issue that we will not resolve at this council meeting. But I am going to direct the administrator, the police department, and Mr. McCabe to set up a conference with you. They are the professionals that handle these issues and address them and then they can submit the appropriate reports to mayor and council, so that any revisions to ordinance have to be made will be made. So I do want to hear from Mr. McCabe on the record and then if you want to say something else you can but I can't allow a dialogue between the two of you.

Jim McCabe – just want to say something to the mayor and council so everybody understands. The big sweeper does Ridge Road 4 days a week, also does the parking lots, each municipal parking lot. Has nothing to with the little sweeper going after 8 o'clock. Our sweeper, the main sweeper, goes between 7 and 8. So if he's parked there between 7 and 8, he's going to get a ticket. Simple as that. And the little sweeper goes all day all over Ridge Road as you guys seen. He does all the sidewalks, all the curbs, tries to keep Ridge Road nice and clean.

Mayor Massa – okay, thank you sir. Mr. Russo if you wish to comment further or if Mr. Bianchi would like to hear any further comments.

Councilman Bianchi – yeah, because I'm still a little confused. You said your permit is from 7 a.m...

Mr. Russo – commercial is from 7 a.m. to 9 p.m. before I was told and there was supposed to be a new ordinance in North Arlington for personal permits because again what's the purpose of someone like me that doesn't work there to even buy this. Because on the applications it says permit parking for North Arlington, it doesn't give you time restrictions, it doesn't give you nothing about sweepers, nothing. It just says give me the money, here's your spot. Because you

know what, you don't have to pay \$27 day to park for the meter. Which I've been getting hits since I moved, I never complained because I understand the rules, now that I put they money out I'm still getting hits which doesn't make sense. It's actually cheaper for me to get a meter ticker than it is to get a private parking.

Councilman Hughes – it sounds like we started issuing permits without putting the ordinance in place to regulate this.

Mr. Russo – its hard enough, where I live it's hard enough because there's absolutely no parking. I mean I understand and you get nervous parking in Kearny because they have a sign up there who get ticketed permit parking only. So you just don't know where to park.

Mayor Massa – sir, are you available during the daytime.

Mr. Russo – you can contact me anytime except between 2 a.m. and 4 a.m.

Mayor Massa – I'd like you to give you contact information to the borough administrator and or you can call him tomorrow if you don't want to stay for the rest of the meeting and we'll arrange for a conference so that we can clarify any misunderstandings and also that we can take as councilman Hughes pointed out some review of these ordinances to determine if they have to be further revised or to see if you require a different permit. I can't answer that at this point.

Mr. Russo – just want to be heard. Since I'm here, one more thing. The little path between that parking lot and the bank, I don't know if you guys are aware of that little path that brings you from the Chase bank back parking lot. During the summer, I think they might hit that once or twice they clean it. Bushes come up to about here. And I live actually right above the [inaudible], so the bugs and the stagnant wood that's there just hits you just living around there. In the winter time, not bad at all if something's growing, I mean it gets really high in the summer.

Mayor Massa – well that's a different issue other than what we we're talking about. Have the administrator address that also.

Terence – that's been added to the regular manage program, moving forward.

Councilman Bianchi – feeling more comfortable now.

Mr. Russo – I do feel good. [inaudible] my information.

Councilman Hughes – the administrator would.

Terence – can I have your phone number?

Mr. Russo – 201-407-3996.

Councilman Johnson – what was your address again?

Mr. Russo – 9 Ridge Road.

Terence – do have an email address?

Mr. Russo – joearusso@hotmail

Terence – I'll send you an email and call you tomorrow.

Mr. Russo – thank you very much.

Mayor Massa – any other councilman wish to comment on hearing of citizens? Okay. Resolutions on consent.

RESOLUTIONS ON CONSENT AGENDA

R-23-10 RESO RE: AUTHORIZATION TO PAY CLAIMS **

R-24-10 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-25-10 RESO RE: CHANGE ORDER NO. 1 AND FINAL FOR HOLY CROSS CEMETERY STORM DRAINAGE

R-26-10 RESO RE: CLOSE OF CONTRACT HOLY CROSS CEMETERY STORM DRAINAGE

R-27-10 RESO RE: AUTHORIZING MAYOR AND BOROUGH CLERK TO ENTER INTO CONTRACT WITH COUNTY RE: BLOODBORNE PATHOGENS COMPLIANCE PROGRAM

R-28-10 RESO RE: AGREEMENT FOR ANIMAL CONTROL SERVICES

R-29-10 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE CHURCH

R-30-10 RESO RE: REFUND OF MONIES DUE TO DUPLICATE PAYMENTS

R-31-10 RESO RE: REFUND OF MONIES DUE TO TAX OVERPAYMENT

R-32-10 RESO RE: APPOINTMENT OF RECYCLING COORDINATOR

R-33-10 RESO RE: APPOINTMENT TO LIBRARY BOARD

R-34-10 RESOLUTION AUTHORIZING THE BOROUGH OF NORTH ARLINGTON BOROUGH PLANNER TO REVIEW AND UPDATE PORTIONS OF THE 1999 AMENDED REDEVELOPMENT PLAN

R-35-10 RESO RE: AUTHORIZING THE BOROUGH CLERK TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR BOROUGH PLUMBER

R-36-10 RESO RE: AUTHORIZING THE BOROUGH CLERK TO ADVERTISE FOR REQUEST FOR PROPOSALS FOR BOROUGH ELECTRICIAN

R-37-10 RESO: RE: RATIFICATION OF PBA CONTRACT

R-42-10 RESO RE: CHANGE ORDER WILSON PLACE RESURFACING

R-43-10 RESO RE: AWARD OF CONTRACT FOR ELEVATOR SUB-CODE INSPECTION

R-44-10 RESO RE: SENIOR CITIZEN TAX PREPARATION SERVICES

Councilman Tanelli asked that resolutions R-38-10, R-39-10, R-40-10, and R-41-10 be removed from consent agenda.

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Hughes

ROLL CALL: All council present vote in the affirmative, **Councilman Hughes abstains from bills list involving fire department purchases

Randy Peace – regarding 33-10, did we fill in the appointment on the library because the resolution currently has a blank.

Terence – okay, that may be the prior agenda. For the record, the appointment to the library board would be Eileen Titta and we'll note the record accordingly. Thank you.

Mayor Massa – any discussion on the consent agenda? Call the roll.

R-38-10 RESOLUTION TO AWARD PROFESSIONAL SERVICE CONTRACT FOR SPECIAL COUNSEL TO INVESTIGATE THE SALE OF WATER SYSTEM

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

Councilman Tanelli – my comments are based for both 38 and 39. My only question is, is it financially feasible to go out and spend \$30,000 before we investigate what it would cost to actually buy back the water system because obviously Passaic Valley is going to take a stance that everything was done legally and we're going to have to fight them in court. So my feeling is before we spend \$30,000 investigating this, we actually do our own homework. Rich, you met with them a number of times, so has the mayor and I, they're not going to go quietly into the night no matter what we find legally in that contract. I have a letter here that was dated December 3, 2009 that was given to councilman elect Chris Johnson and Jon Kearney where they actually say Passaic Valley Water Commission conducted the acquisition process in a legal and forth right matter and we believe the transition was a positive for borough and our utility. October 12, 2004, the sale was authorized and an ordinance was adopted by the borough after much public discussion and formal public hearing. So my feeling is before we spend any more tax payers dollars, we should ourselves decide number 1, they gave us over 4 million dollars. They're saying they put over 2.3 million dollars into repairs so we already up to almost 7 million to buy back the utility. We really should know what it would cost for us to possibly buy it back, what it would cost to man it, what it would cost for us to maintain it properly with equipment and man power before we [inaudible] 30,000 or up to 30,000 dollars of expense. Because I figure it could only be a month or two before we could figure out those number to where we can then sit back and say it would be feasible for us to buy it or not or try to reacquire it.

Councilman Hughes – how would you contemplate doing that because part of what we had trying to here is value what the system should have been valued at in 2004 and currently today. That was never done as part of the due diligence of the sale of the water system. Nobody ever bothered to find out what the system was worth. We just said if Passaic Valley wont endorse it, we'll give you 4 and ½ million, oh sold. So there was never any due diligence done on the value of the water system. We have a 32 miles of water pipes in the ground. We had done 9 million dollars in upgrades in the 1990s. They did the same thing in Elmwood Park. They walked in the door, Elmwood Park was interested in selling their system. They offered them 4 and ½ million dollars. Seems to be the going rate for water systems. Elmwood Park did the due diligence. They hired an engineering firm to evaluate the system. They hired some accounting people to evaluate what the system would be worth. The [inaudible] came back almost 20 million dollars in value. They told Passaic Valley no because a value that they were being offered was far less than what the system was actually worth. Our system alone was generating \$600,000 in revenue on an annual basis and that was an extremely low water rate. Based on the current marketing at the time, usually something like that would be valued at 10 times the revenue source. That alone should make the system with no improvements whatsoever worth at least 6 million dollars. What we're trying to prove in doing this is to show that North Arlington was taken advantage of in the sale and the citizens of North Arlington were put at a great disservice by getting rid of the system that they did not want to get rid of. It was very evident at all of the council meetings at the time because I was at everyone of them, people of North Arlington did not want to sell this water system and the council at the time chose to sell it anyway to fix a one time budget gap.

Councilman Tanelli – I'm not going to sit here and argue to fact Rich because none of us actually were on the council when this water utility was sold.

Councilman Hughes – understood.

Councilman Tanelli – my only point is with today's economic times and with us looking at such a monster tax increase, is it financially feasible even if we find whatever we find legally, is it financially feasible for us to go and spend 8 to 10 million dollars to buy it back. If you find out its worth 6 million dollars, we still have to buy this thing back from them. They're not going to just walk away into the night. It's a cash cow for them.

Councilman Hughes – we may not have to buy back, there are multiple opportunities here to go in various different directions. Buying it back hasn't even mentioned it at this point. What we need to do is see where the borough is left at a deficit in this whole situation. I mean we're regulated by public bidding laws where we have an old broken down file cabinet it has to go out

on bid before we can throw it into a dumpster and yet we take the valuable asset in the borough and just sell it based on a back room deal that was never done by public bidding. So what we're trying to establish is the fact that the process was flawed, the value of the system was greatly undervalued and we're limited in the amount of time we have to do this. There's a statute of limitations on this of 7 years. That 7 years will expire at the end of this year. So time is of the essence to do an investigation of this. If we find out that the system was worth more considerably more than what they paid for it, than North Arlington was taken advantage of. We need to then possibly sit down with Passaic Valley and renegotiate rates. They've already demonstrated the fact that they will charge us a 25% premium over Passaic, Paterson, and Clifton for the citizens of North Arlington's water. It's the same water, why do we have to pay 25% more than the people in Paterson, Passaic, and Clifton? I mean that is definitely taking advantage of us. Then they sit there and they brag about the fact that they borrowed money from the environmental infrastructure and said that they would pay back the loan that they borrowed to buy the system by increasing the water rates from the residents in North Arlington. So, the residents in North Arlington who sold the water system had the privilege to higher water rates of buying the system for Passaic Valley. I mean this whole thing has been fraught with fraud, I can't say fraud but it was fraught with a lot of things that just don't seem right. So I think its of the imperative that we take a look at this finally and put it to bed one way or the other.

Mayor Massa – Rich, as I recall, I think the municipal engineer at the time valued the water system what, a couple hundred thousand dollars.

Councilman Hughes – the municipal engineer never valued the water system. They valued the water system at the time based on the net revenue of the water system.

Mayor Massa – and that, from what I recall, the water system was subsidized approximately a million dollars a year with tax revenue. It was not self sustaining.

Councilman Hughes – I don't believe that's correct sir.

Mayor Massa – well in any event, there were number of...

Councilman Hughes – it was paying off its debt service that all the money that had been raised...

Mayor Massa – and the debt service I think was about 3 ½ million dollars.

Councilman Hughes – 2 ½ and it was paying off the debt service and netting \$250,000 profit to the town.

Mayor Massa – my one concern here is that we're going to be encumbering the tax payers with \$15, 000 in legal fees to investigate to this. You made a comment before. You thought we we're taken advantage of. I don't know because none of the people on this council were members of the governing body at the time the transaction was made and I think it was made in 2003, 2004. but my concern is if there were any serious irregularities involving this transaction, I would much rather see it investigated by the state agencies that are empowered to do these type of investigations, specifically attorney generals office, the state inspector generals office, and the state commission of investigation. Anytime there's been any inkling of any wall being pulled over the eyes in this community, I have always been in the fore front of calling for official investigations as I did in April when I asked for investigation into the Encap case, Encap contract in 2006. That being said, my feeling is that I would prefer to have a state agency take a look at this but the governing body's going to have to openly make the decision on this, whether or not they want to hire this law firm to, by the way this is a former municipal attorney for the borough of North Arlington, Eastwood Scandiarato and Steinberg. Any other further comments or discussion?

Councilman Hughes – I would have no problem if we want to bring the SCI or attorney general in on this. I think what we need to establish first is if we're taken advantage of or not. I think that's the first step. If we find that we are through this investigation, we put a 90 day time frame so they can get back to us in a relatively quickly matter and if we find that we were grossly taken advantage of, then we need to contact the attorney general and state commission of investigation and let them do their thing. But I think we need to have some inkling from professionals to say

yes or no we were taking advantage of. So I think that's what the purpose of this investigation is for.

Mayor Massa – any further discussion?

Councilman Bianchi – at the time of Encap in the very beginning in 2004 and the water sale 2004, the parallel is very common. You can see that parallel there. it was like something was wrong in that year and the water sale and Encap, that has to be investigated. We did it with Encap. Now we have to do it with the water. You's did a great job with the Encap thing, you's fought it you's won and now I do believe we have to do it with the water because I think at that time in 2004 there was things going on that weren't right. I don't want to get into it right now but it wasn't right.

Mayor Massa – okay, so you're saying not right. Are you making any allegations of any criminal activity? Or tortuous activity? I don't know.

Councilman Bianchi – no, no.

Mayor Massa – I any event, any further discussion?

Councilman Bianchi – let me put it to you this way. You said criminal activity. No. You know what it is? It was, you take a group of people, group of men that live in the town and they run for council and what happens is whose a barber, whose this, whose that, we're not professionals, we long as we go along. You're running a 20 million dollar business and you win a council sit and now you're in charge of running a town, takes time to learn. These guys just got in and I think they were taken advantage of both by Encap and by Passaic Valley Water. And as I say, it takes a long time to learn how to be a mayor and a councilman. It's a road of hard knocks. Now you're not just born a mayor, you're not born a councilman. These guys got in 2003, 2004, they were new and I think they got taken advantage of. It might have happened to us too you know when we first got in. so I don't think there's anything criminal, I just think they were naïve to the fact they saw millions of dollars and say, 'lets go' and that's what happened and the town got hurt by it. There's no college you can go to learn how to be a councilman or a mayor. You don't graduate from Rutgers. You learn on the job.

Mayor Massa – it's funny you should mention my alma mater. [laughs].

Councilman Bianchi – so I just think they were naïve, they thought they were doing right and I think they did wrong in both things, Encap and this water. So I think we have to check into it. That's all I have to say.

Mayor Massa – call the roll.

R-39-10 RESOLUTION AUTHORIZING THE BOROUGH OF NORTH ARLINGTON BOROUGH CONSULTING ENGINEER TO INVESTIGATE THE SALE OF THE WATER SYSTEM

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

Councilman Hughes – pretty much the same discussion we had before on the previous one.

R-40 -10 RESO RE: APPOINTMENT TO NORTH ARLINGTON/ LYNDHURST JOINT SEWER MEETING

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

R-41-10 RESO RE: APPOINTMENT TO NORTH ARLINGTON/ LYNDHURST JOINT SEWER MEETING

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

Mayor Massa – the majority has proposed a resolution to substitute Councilman Hughes and councilman Kearney for myself and councilman Tanelli as our representatives on the joint sewer committee. In the past, the mayors generally made these appointments. It was a generally unwritten past practice under previous administration both republican and democrat. From what we know, that was the policy. Nobody here, though they may say differently, can show us any resolutions that point otherwise. But beyond that, I don't feel that this should be handled by a resolution on a year to year basis anymore. It's become far too political. I suggest that I request that the majority here tonight, Councilman Hughes, Bianchi, Kearney, and Johnson, they withdraw this resolution instead propose an ordinance which would provide that the council appoints the members to the joint sewer commission on a yearly basis. I would support that ordinance instead of a resolution. That ordinance would then be in place year to year and it takes more than some small effort to change an ordinance than to simply slap together a resolution every January to appoint people to these positions. I would support an ordinance, however, with a very important [inaudible]. Today, time the joint sewer meeting wants to take any action that would encumber the people of North Arlington in any way with respect to bonds for repairs and upgrades. Anytime you want to take any action, that would be cause for us to spend more than \$300,000 on one project than that ordinance would require a full council vote before any approval of any joint resolution, joint sewer commission expenditures are made. So that would be my recommendation. I don't think the council members Hughes and Kearny should have the power just to allow tax payer to go deeper into debt or any councilmen for that matter. To pay out of our current budget for decisions made by council president for the joint sewer committee, I think that decision should be brought before the full council. I know because the democrats have been on the joint sewer meeting under my administration, there's been some talk to Lyndhurst and Rutherford we'll be building housing in the meadowlands, a lot of housing. They need our joint sewer to upgrade the sewer system and it will cost about 2 ½ million dollars to make those upgrades. Myself, former councilman Granell, councilman Tanelli, councilman Yampaglia have told Lyndhurst and Rutherford that we will not make the North Arlington tax payers pay for that. So, we will not agree to upgrade the system by 2 ½ million dollars just to help out the Lyndhurst and Rutherford residential projects. So, what I'm saying here is I will be watching this whole issue closely if an ordinance is not passed as to what action is taken by the joint sewer committee with respect to the financial impact that any action taken to finance this committee from tax payer money be closely scrutinize. So, I'm proposing the ordinance rather than these resolutions tonight and if the majority wants to revisit that issue prior to voting on these resolutions of course that's within their prerogative. If they don't, then any action that the joint sewer commissioner takes will be subject to close scrutiny by the rest of the council.

Councilman Hughes – Mr. Mayor, we had an ordinance in place, it was passed in 1954, I believe its ordinance 696 establishing the joint sewer commission. Somehow in the course of recodification in 2005 the entire joint sewer commission ordinance was left out. So it seems to be that same era where a lot of things were going on in the borough that we're not done correctly. Traditionally, the appointments to the joint sewer commission has always been an appointment of the council with council approval, council vote, council majority vote. That being said, the joint commission has no independent authority to operate on their own. They are not a utility. They are not a commission. They are a joint meeting. By virtue of being a joint meeting under state law, every one of their budgets has to be approved by the standing council. In the two years that I've been on this council, I have never even seen a budget from the joint meeting. So, to say that it's been operating properly is not quite correct. The minutes of the meeting, of the joint meeting should be submitted on a monthly basis to each of the councils, Lyndhurst and North Arlington. That also has not been done. In fact when I requested the minutes, it took me almost a year to get copies of the minutes. So I think what we're trying to do here is get this thing back to running properly the way it should be and by making these appointments tonight, it is the intention of Mr. Kearney and myself to get this thing operating properly. And one of the things that we have in store is to get the ordinance that establish the joint meeting and operation and

governing of it put back on the books in the borough of North Arlington and that's one of the things that Mr. Pearce is going to be working on in the near future. So but for now, because of so many issues that are coming before us, any expenditures by the joint meeting have to be approved by the council the vote counts. So its not something that the joint meeting can go out and say yes we're going to do this or no we're not going to do that. those things have to be decided by each of the councils. The other aspect of it too is I think Mr. Delia ruled that by virtue of being a joint meeting, pretty much everyone on both councils are technically on the joint meeting but we choose to elect two representatives to so that the entire body doesn't have to have one more meeting during the course of the month to show up for. So, that being said, I would recommend that we go ahead with these resolutions.

Mayor Massa – any further discussion?

ORDINANCES FOR DISCUSSION AND POSSIBLE INTRODUCTION

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”

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

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”

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

ADMINISTRATOR'S REPORT

Terence – the forester's work is complete. We anticipate community forest re-management plan for 2010 to be approved in 60 to 90 days. I just like to add that his stipend for his work for the calendar year was \$1,000. We're going to be having a department head meeting in a week and I would like to thank the department heads all of them for being exceptionally responsible for fiscal standpoint. Everyone has worked together very very well to keep expenses to a minimum. We are beginning to work on budget development. These sheets have been prepared by finance. They have been copied out to the respective departments and we are engage in the direction of the mayor and council to be exceptionally frugal and to make sure that we are delivering the services at the absolutely low as possible price point. I would not that based on some of the articles I've read that the Borough of North Arlington does deliver municipal services for the lowest price point per family in minimally the southern part of Bergen County. I would suggest probably in the majority of the state of New Jersey. Additionally, I've been working on the \$40,000 federal grant we received for Ridge Road Streetscape is moving along very well. Gentleman from Neglia Engineers can speak to that. And just lastly, two items. One, the sustainable Jersey program is on the way here in New Jersey but we have yet to appoint what's called a Green Team. I'll give you information offline but I would like to come back to council meeting next month perhaps. If you'd like to assemble a green team so we can begin to establish the point structure which establishes North Arlington on the cutting edge of emerging technology sustainable energies and related technology. One last item I'd like to get some direction from you with. The Borough of North Arlington has tremendous infrastructure issues over many many years; cement streets, cracked, grass growing out of them, sidewalks, curbing problems, and the like. One particular issue, the dust came up from time to time that we try to manage on individual basis as we can is we have beautiful borough trees that grow and then subsequently potentially impact the sidewalk structures. The current borough ordinances provide that the residents are responsible for the sidewalks. What we have is a conflict in various areas where a borough owned tree a borough planted tree creates a situation that causes an expense for private homeowners and that's the conflict of whether or not there's an equity issue. We do have several

individual cases that I'd like to begin getting some direction on to see how we could possibly have a global solution for the sidewalk issues in the Borough of North Arlington. There are programs in place in other municipalities for repairs. Right now we have a bit of a patchwork quilt. The downside to our current program is that you have very attractive sidewalks in certain areas, you have sidewalks that were put together very quickly with poor materials in other areas, so you're lacking a consistent view of consistency throughout the borough. So, I just wanted to bring that issue to your attention because I think it's going to again emerge in the spring as the weather changes and the sidewalks buckle in areas where we have some of the borough owned trees. So if you have any guidance either online today or offline, I wanted to bring that issue to your attention. Thank you very much.

Councilman Bianchi – Terence, after you meet with your department heads let me know so we can have our meeting, we'll have our budget meeting between Richie and Steve. Okay?

Terence – yes sir.

ENGINEERS REPORT

Joe Crifasi – thank you mayor and administrator. Happy New Year council. Just for the record, I'm the construction manager at Neglia Engineering and project coordinator. I'll give the report and I'll comment on a few issues that were brought up. Legion place firehouse, all the construction is completed with the exception of the installation of signage and striping. It's been suspended only because of the cause of weather. Once the weather gets a little warmer we should be able to take care of that. The 2009 DOT municipal aid program Sunset Ave, we did receive bids based on \$200,000 grant from the DOT. The apparent low bidder was Dionel Paving from Nutley. The recommendations been submitted to the council for consideration and approval whether it be this meeting or next meeting whenever that is, we'll follow up with starting preconstruction meeting following after that. The Bergen County CDBG grant for Wilson Place construction has been completed with minimal punch list items, you approved the change order tonight for various items that increased and decreased. Once that's approved, we could finish the punch list items and close the project out within the next month or so. Ridge Road Streetscape Phase 3, which the administrator mentioned, the plans and specifications were submitted to the DOT and just this afternoon we did receive a call from DOT that the plans and specs were acceptable to them. They are sending it down to the state for approval. Once they send it back to our engineering office, we need to advertise receive bids and award a contract within 60 days so that we are in compliance which we have been all along. Peter Bowman from DOT has been working with John Speer in our office. Its been smooth communication back and forth and it seems like everything is moving in the right direction on that project. That's the report. I'll speak for the gentlemen from the planning board that was on bringing up the issue on Ridge Road. I now will be more involved in the North Arlington activities. I have been for the last 2 years but I will more so now. Mr. Hoover's no longer with the firm and only one situation am I familiar with on the pavers that may have been cracked or missing. It's my understanding that we made a phone call to the utility companies and there may have been a broken valve or line that was damaged and they were the ones that went in to make the repair and did not repair it properly. We had notified them that they have to come back and repair it satisfactory. I don't know if that's the one area that the gentlemen's speaking of but at the same I gave him my business card. He can contact me and I'll get together with him and whatever issues he has rest assured it'll be taken care of in a timely manner. Anything else?

Councilman Hughes – we had requested or we're having issues with the streetscape up to the south end of town with the benches where the wood slats and the benches were cracking and leaching all the stain out. Has that been corrected yet?

Joe Crifasi – I don't think its been corrected yet and I can sit here to say that I remember being here a few months back when I gave the report that they were at their cost Bender was going to replace the slats with composite resin. I guess whatever the color was that we picked out was not a standard color, not that it was a special color, but it wasn't standard to this vendor and they were manufacturing whatever the lot of slats were going to be for all the jobs and when that comes through, we're on top of them. I mean every time we prepare this report, we make sure to follow up on when that will be so its not formed by the waste up.

Terence – we wanted to insure that the color was consistent with what was currently there that it was a composite as opposed to the wood which tended to decay. And also to dub [inaudible] with an additional \$26,000 xanadu funding that you received that the mayor and council earned recently because we also received delivery of additional benches that are separate installations so you'll have a consistent look and feel as we continue the streetscaping down Ridge Road.

Joe Crifasi – one other note for Councilman Hughes. I know we introduced and you considered the closing of the holy cross cemetery project, the drainage. There was a question about somehow aligning the fence line with the shrubs or bushes or...

Councilman Hughes – correct because some of the people in the area have been, there was a privacy barrier that was completely removed when they put the pipeline.

Joe Crifasi – just for the record, what had happened was when we planned this project years and years ago, that whole area was overgrown, so there was no view from the residential into the cemetery, un behold to us we went and did the whole project thinking there wasn't going to be any issues and the cemetery was the one that went in and cleaned that whole area out from top to bottom. It wasn't included in our project for that reason but at the same time the project did come in low finished, lower than budgeted and with clarification from the administrator and finance, if that money's available we have someone in our office doing an estimate on what different types of greenery would be planted there. That would be provided I think tomorrow or Tuesday after the holiday.

Terence – yes there is funding available that Mr. Speers has done fine work with your firm is putting together a program that would be consistent with the directive prior to the engineer transition. So I think this was an issue that had been simply put dropped. So we're getting that back on track and that would be consistent with the direction of mayor and council and there will be funding available but we're seeking to make sure is its not simply a line arbor [inaudible] that you have a landscaping program that is sufficient for what your constituents would expect and demand in that corridor.

Joe Crifasi – you should have that by Tuesday considering the Monday holiday.

Terence – then I'll copy it out to the mayor and council. Okay thank you.

COUNCIL REPORTS

COUNCILMAN BIANCHI – well our citizen bus has been delivered. Its beautiful, brand new, state of the art. It was supposed to be dedicated, the dedication was supposed to be for tomorrow but Congressman Rothman had a family emergency, he was supposed to be here to dedicate the bus and it probably will be put off until next week. But the bus is in, its beautiful, we spent the whole \$90,000 I think, just about. And that's my first report. My second report is sorry to say but our retired captain Byrus, Burs, that was captain of...

Mayor Massa – Captain Bryce, Gary Bryce.

Councilman Bianchi – Bryce, I could never pronounce his name right. Well anyway, he passed on and his funeral is going to be in Bayville at St Barnabas church in Bayville on highway 9. It's going to be tomorrow so if anybody wants to attend and also to next month I will start in February with the proceeding months fire reports. Right now the month of January and February, I'll have January's fire report al the alarms and everything. That's all I have.

COUNCILMAN HUGHES – as many of you heard in our discussions earlier, one of the complaints that we received over the last several years as we campaigned and met people of the community, one of the biggest things they've been complaining about is the cost of water. So as you can see tonight we put on the agenda and have started an investigation on the sale of the water system to see if it was something that was beneficial to the residents of North Arlington or not. So hopefully we can put this question to bed once and for all. Another thing that we've established tonight and started tonight was we hired a planner. We authorized the planner to take the 1999 redevelopment plan which was a plan that had housing, not housing, but had light industry warehousing commercial type use that would benefit North Arlington without adversely impacting the community and we have hired a planner to come up with a plan. Now in meetings

that we've had with the meadowlands recently, they are in the process of taking back ownership of all of the Cherokee properties and the Encap properties that are in the meadowlands. They have Mr. Ceberio has assured me that they have no intention of trying to develop this themselves. Their intention is once they take ownership of this property they will be turning around and selling it to a developer. They have required of us to have a plan in place so that they can sell this land as quickly as possible because no developers going to buy the land without knowing without knowing what could be built there or what could be developed on that property. So with that being said, we have passed a resolution tonight hiring Heyer and Gruel from Red Bank New Jersey. A well reputed municipal planner in the state of New Jersey and we have given them a deadline of 90 days to come back with either a modified 1999 plan or an entirely new plan that would fit nicely into the Borough of North Arlington now that we are out from under the Encap and Cherokee housing debacle. So, that's item number 2. Item number 3 as I said we've had some meetings with the Meadowlands Commission and just yesterday, Mayor Massa and I also sat down with Bob Ceberio. As many of you know, they went out on bid to try and reopen the baler towards the end of last year. Because of some of the requirements that were put up on or put in that bid, nobody ended up bidding on the project or the one person that did bid on it was something that was totally different than what was actually required in the bid but because of some discussions and negotiations and modifications of the requirements upon by the Borough of North Arlington, the agreement of Mayor Massa in yesterdays meeting the meadowlands through their due diligence their hard work through the efforts of commissioner Bocchino and Bob Ceberio, they have agreed to put the operation of the baler back on bid and I understand this is going to be in the newspaper tomorrow advertising for bids. They have met with several garbage contractors who are interested in running the baler and hopefully by the 24th of February I believe it is at the next commission meeting, we should have an answer as to whether somebody's going to be coming in and opening up the baler again and operating it and then developing host fees for the Borough of North Arlington. So that's all I have tonight.

COUNCILMAN JOHNSON – it's been a busy month for our department of Public Works under superintendent James McCabe. They cleared 9 sewer backups, I think the most important thing for the month of December and the first couple of weeks of January were the three snow storms that we had. The feedback from the residents was that the department really did a good job with these snow storms. They were out ahead of the snow with the salt so I commend superintendent McCabe on that. You'll also notice that they installed 4 LED blinking stop signs at the corner of Belmont and Prospect Avenue. You probably saw these signs in Lyndhurst, they started appearing about a year ago and now North Arlington is also getting them. They also started repairing the pot holes with cold patch an inevitable result of spreading salt to melt the ice is it also destroys the asphalt so we've been repairing the streets. Once again superintendent McCabe and his crew, they set up for the Christmas tree lighting and I think the front of the town hall and the schools, they looked fabulous. Once again, I'd also like to call up Mr. McCabe to detail a few projects that are going on and he'd give a few more specifics about a couple of things.

Jim McCabe – I just want to say one thing to the mayor and council. The two new councilmen don't understand this yet. After every snow storm, I do bill the county for time and salt. The first snow storm we're getting back \$1800, second to I got no confirmation yet how much we're getting back so that's actually it.

COUNCILMAN KEARNEY – I had the opportunity to speak with Michael Kraft who has been assisting with the youth center and I have the following to report from him. Unfortunately the condition of the youth center has been extremely dilapidated. There was raid found mixed in with food, there was food dated back to 2000 and 2008 that had long expired had to be basically thrown out. He's disposed of three molded rugs from inside the youth center. There was no inventory whatsoever of any supplies for arts and crafts, no records for any inventories of anything including food which he has begun the process of trying to inventory the supplies. All the supplies that were in that youth center were unfortunately all mixed up. There was a stove inside the youth center that was not functional and as a result of that Mr. Kraft has offered to speak with Mr. all about getting a new stove in the youth center that would function. There was also mouse droppings found throughout the youth center including the teaching and including the stove which had to be cleaned up and was in fact cleaned up. Basically with the contamination present, Mr. Kraft he had some conversation with the department of public works buildings and grounds and apparently there's going to be a professional cleaning service that's going to be hired really to go through the youth center for the safety of the children and everybody whose using the youth center and that basically concludes my report.

Mayor Massa – thank you. I think the administrator had that building checked out by the board of health with my direction.

Terence – yes mayor, we received a report from Mr. Kraft as well regarding certain items based on the report I immediately dispatched to the board of health to investigate the claims. They have given us no further action letter essentially I would say described as no further action letter today that we just received regarding whether or not there's any imminent health hazards there. They've determined that there are none. However, the stove is in need of replacement which has been authorized; there are various other items including rugs, I'm not aware of a mold complaint, I'm aware of older rugs and being in some type of disrepair that have been authorized to be removed and superintendent of public works was kind enough to source out appropriate rugs that have been authorized and purchased and frankly the check was cut today. Some of the upgrades and items that needed to be turned around were I think turned around about 48 hours. Now I will copy the board of health report which was [inaudible] positive one frankly. There was not further action required. They did some testing which came up negative but I would have to, I really only got the documentation from the folks today but I just wanted you to know that I immediately dispatched the board of health to investigate those claims and we are working hard also to ensure that all children feel comfortable at the youth center; we encourage parents to come down, take a tour and see if they would also feel comfortable and their children enjoying the youth center after school. I will follow up with you as additional information comes to pass and I appreciate that Mr. Kraft identifying certain areas which clearly needed upgrading in terms of some of the furnishings, the stove, and some of the other items. Yes Mr. McCabe?

Jim McCabe – Mayor and council, the new stove comes tomorrow. The new stove I ordered comes tomorrow. The cleaning service are coming Saturday and the new rugs are coming about Tuesday or Wednesday of next week.

COUNCILMAN TANELLI – in redevelopment issues, I just want to let the council know that I provided Councilman Hughes with the draft of the master plan from the Ridge Road grant that we received from the DOT regarding circulation element and the Ridge Road redevelopment plan. We had CMX working on it with a planner. It was in its draft stages; we had three public meetings at the senior center where we had input from various groups of people, anywhere from 30 to 50 people participated in each meeting were they narrowed down selection and choices, made recommendations to the borough on what they'd like to see. Whether its aesthetics, or types of businesses, or land swaps to move buildings to different parts of the community. I provided that to Councilman Hughes. The last step for that grant was to have a large public meeting opened to the entire community for them to come and actually select and narrow down the choices even more but with a much larger audience. So I'm hoping that we can continue to close that out and finalize that plan and then have a real plan, our master plan, for Ridge Road. Also mayor, I read with interest a South Bergen article about pay to play. First, I guess rules only apply to some. As of today, no elect forms were filed or I should I say were posted on the New Jersey elect form for this year's republican candidates. But thanks to the article, at least it confirms what I already knew: the majority plans on hiring everyone that contributed to their campaign this year. It would have been nice to see those reports before the reorg before these decisions were being made. And I'd just like to educate Mr. Johnson that we have no control over Mr. Sarlo's appointment to the zoning board or planning board, they pick their own [inaudible] attorney. Thank you.

COUNCILMAN YAMPAGLIA – quick notice mayor, I spoke to some individuals from the EMS this morning and there seems to be a concern of the safety of the vehicles of several vehicles. One is the first responder vehicle, the second would be the transport car and of course the ambulance and they talked about how they did multiple repairs over the pass several years. Now I'm just asked that be looked into, investigated. That's all.

MAYOR MASSA – with respect to my own report, I just have some brief comments I'd like to make. Since the new majority has taken over it's been my objective here to describe to the notion of hiring the best quality persons we can find regardless of party affiliation or registration. I think the community saw us with the hiring here of Mr. Wall as an administrator as well as many appointments of areas, boards, and commissions that were required to fill on a regular basis. I supported the appointment of Mr. Bocchino for a seat on the Meadowlands Commission. I supported Mr. Pete Norcia for a seat on the zoning board even though he was an opponent of mine for mayor several years ago. So my record of bipartisan cooperation is obvious. The

members of the new GOP majority asked me to nominate their appointments for borough attorney and municipal judge; I did so because keeping the government running smoothly through any political transition was my priority. As mayor, I could have vetoed these appointments and disrupted the process and tied them up in a way that I could to gain perhaps some political favor, however, that was not my choice to do. I didn't travel down that partisan road. However, I'm somewhat disappointed at myself and tonight Councilman Tanelli had been removed from the North Arlington Lyndhurst Joint Sewerage Commission. Now while our sister community in Lyndhurst has their own mayor on that same board, the new majority is replacing me even though I have a great deal of experience as opposed to councilman [inaudible] official. So in any event, what I'm seeking to do is work with this new majority in a cooperative way and hope that the actions that are taken tonight are not obviously playing politics. So in any event, I want to extend myself to the majority to understand that we will work in cooperation for the good of the community, not merely for the good of any political objectives or political parties. I do want to comment on the recent passing of former captain Gary Bryce of the North Arlington police department. Gary and I served together for many years in the police department, not only serving together as members, but working actually shoulder to shoulder on the job here in North Arlington. And I'm also looking forward to the report of new planner that's been hired, Susan Gruel, to resurrect and take another look at this 1999 Porete Avenue redevelopment plan. Somewhere along the line, that redevelopment plan fell by the waste side and we wound up with the likes of Encap and the thread of low income housing up to 2,000 town homes and condominiums, 4,000 new residents possibly, 3,000 more vehicles, and possibly even 4 or 500 more school children. All of which infrastructure impacts would have been held and thrown upon the shoulders of the people in this community. I think we all know that we were successful in challenging that whole concept and now we are at a new path with a turning point that we can take to go forward with the development of Porete Avenue in a matter that's going to benefit the community, something that commercial industrial project hopefully that will have the support of the people in this community and that will bring some ratables to the community which we sorely need in this very difficult economic times. So with that, I just want to wish everybody a happy New Year tonight and we will continue on with municipal business. I believe we have a resolution for executive session but prior to that, I just want to take an opportunity, I'm proudly to reappoint Mr. Robert McClintock to the planning board since his term is expired according to our resolution that I have. I know that Bob will do an excellent job for the community as he had in the past. I want to thank him for his community participation and giving of himself, his time and his expertise, as a retired member of the firefighting service in Jersey City. So I want to wish him well in his new term as a member of the planning board. Resolution R-45-10, executive session.

R-45-10 RESO RE: EXECUTIVE SESSION

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

MOTION TO RETURN

INTRODUCED BY: Councilman Tanelli
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