

MINUTES

REGULAR MEETING, THURSDAY, MARCH 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

PRESENTATIONS

Mayor Massa – at this time I'd like to open the floor to some presentations. I see by the agenda there's a presentation being made here by McDonald's representative. Clerk?

Terence – yes mayor and council, representatives from McDonalds are present to give a brief presentation on plans that are under consideration at a future date in front of our local board. So I believe its Mr. Gary Bennett is here representing McDonalds to give a brief presentation on their thoughts and concepts for the borough of North Arlington at the site currently referenced as Jim Dandy's.

McDonalds

Gary Bennett – thank you Mr. Wall. Mayor, members of the council, thank you very much first for allowing us a brief opportunity to make a presentation here this evening. Given the appearance of the room, we will try and make it brief. You appear to have a fairly full agenda. However, we come here specifically to address the corner of Noel Drive and Ridge Road that historically has been occupied by the Jim Dandy's restaurant. I'm fortunate enough to be representing McDonalds USA who is entered into a contractual rate with the Grueter family who owns that site with thoughts that they would like to develop it and redevelop it within your redevelopment zone. Part of the reason that we're here before you this evening is to allow since you in fact as the mayor and council are designators of the redevelopment zone and you designate this area for that purpose and as a result of the that, we're coming here this evening to make a brief presentation to you with thoughts and hopes that we can then proceed on to your planning board. Because of the, I guess, infancy of development throughout the redevelopment zone, the procedure and process that had been established was in fact similar to what we're going to do this evening. That is to make an appearance before you provide some brief testimony, not the technical testimony, not the technical construction side of it that would be provided before the planning board. We're not here to provide that, not that we want to deny you that benefit, but its more of a conceptual presentation as to what's to take place. As the council's fully aware the new development that took place on the adjacent site with the TD Bank has taken historically an area of the center of what is a critical part of your redevelopment zone and in fact revitalized it, redeveloped it, and given it what I consider to be a national touch or a national grand by putting into that site a particular use that hopefully and I'm sure the council hopes that's the case becomes a long lasting pillar of the community in time when our economic troubles are widespread, not only throughout New Jersey but nation wide. It becomes critical to maintain if you wish to and I believe that the Borough of North Arlington has historically wished to, to maintain a [inaudible] area and allow there to be an area where your residents can stay in town as a result of what you have available to them and all of that is some of the underpinnings of the redevelopment zone that's been placed here. The adoption of the redevelopment zone in the

implementation obviously two dramatically different things. Adoptions could be done by wonderful planning concepts and the adoption of plans but the implementation takes the cooperation and participation of all people involved and it obviously takes for redevelopment to take place a certain amount of infusion of capital and that's where when you look to sites the size of the one that we're talking about this evening, its very very difficult in this day and age and specifically at this time to develop those sites and redevelop them and comply with the standards in design standards that have been established without the support of a strong company. And obviously McDonalds internationally is not as strong as it comes. We have provided to you through the borough clerk Mr. Wall some sketches and some diagrams and some elevations to give you a general idea of what it looks like and I have present and I'll provide just a brief testimony and explanation presentation by Mr. Joseph Jaworski. I won't worry with trying to qualify him as an expert. I'll represent [inaudible] in his professional engineer license in five states including the state of New Jersey and has extensive experience in this area and has done the design of this project. His charge when he did that design was your dealing with a redevelopment zone, your dealing with a restricted site and your dealing with something that we want to look attractive within the community. That's always easy to do for a developer. All it takes is money. In this case, McDonalds has committed to spend some of that money in order to ensure that this site has an appearance that will be attractive, will be maintained, and the signage which historically everyone knows the golden arches but when the golden arches first were implemented, they were really arches. They were big things that stuck out on stanchion signs. That doesn't take place any longer. These are cut and muted signs into the building still with that logo but a design that lets it fit more into a setting such as the one that exists at the south east corner of Noel Drive and Ridge Road. With those opening comments, I'd like that Mr. Jaworski come up, and I would like to also tell you that present I also have Steve Cruz and Joseph Lombardi who is representing McDonald's offsite procurement and site development people. But Mr. Jaworski as you will see has been the person who's been dawned the pen and pencil and the sketchpad who began to put this project together. Since this is in the form of a presentation, Mr. Pearce, I'm going to think that he needs to be sworn in, I would be more than happy to have him sworn in if you like.

Mr. Pearce – Joe, if you would, wind don't you start with the first drawing that you have up which the council have provided copies of. And just give an indication of the existing building, what's to be done with that and how the new structure will fit on the site.

Joe Jaworski – Sure, Mr. Mayor and members of the council, this is a survey of the existing property which I'm sure you're all familiar with. The dark line here outbounds the property on Ridge Road and Noel Drive. TD Bank is directed to the North Side, you can see the driveways to TD Bank right across there and the Jim Dandy's restaurant is basically located in the corner of the site with the parking lot around it and as Gary had pointed out, the proposal would basically be just there on a larger scale to knock down the existing building and redevelop the site to include a McDonalds restaurant of about 3200 square feet and 40 seats. It's the same corner it's just blown up at a 10 scale, a little bit larger. So in essence of the building which is the ground [inaudible] along the center. It'll be placed pretty much where the existing building is today. The gray area will be the parking around the outside. And then we have showing some conceptual landscaping, specifically in the rear towards the residential along the backside and the front side or the sidewalks along Ridge and Noel will be in compliance with your streetscape, the pavers and the design [inaudible]. Really the only variance other than the drivethru itself, that would not be permitted in currently in the redevelopment zone is the set back to the building. Your redevelopment zone calls for a maximize setback of 5 feet which the intent is to bring the buildings up toward the street and have that streetscape effect. This proposal brings the building the back I guess about 20, 24 ½ feet back from the right of way and really the reason is for the exit of the drivethru. That's the sole reason the building is brought back. The rest of the criteria for the redevelopment zone will be compliant with, with this plan you shall have the parking, the drivethru, we'll circulate in a counter clockwise manner as is difficult with drivethru restaurants around the side of Noel, exit out, would have a single one way in driveway off of Ridge and the exit would be out onto Noel, very similar to the bank across the street that has its driveways to the north. So, again, aside from the drive in component itself, which is why we're here, just that set back from the front, would be the only non compliant condition with eureka. We [inaudible] ordinance.

Councilman Bianchi – councilor, could he turn that so the people in the audience can see it more? Put it back more by the, yeah a little bit on an angle. Because we've got that in our...

Joe Jaworski – and the other presentation board I have [inaudible] would be the building itself. And again, as Gary had pointed out, the design of the building as you can see this is the new prototype for McDonalds plus some added features. Specifically the signage which is kind of set into the building and the stone veneer complimenting brick on the side. This would be the front elevation, the rear elevation, this would be the non drive thru side which would be the side facing the parking lot and then this would be the drive thru side which faces Noel and specifically the stone accents, the awnings. There is only one true sign on the front which says McDonalds on it. The other three signs are simply the arch logos which are on the wall and that's it. So really that's their new look. The arches per se have been kind of replaced with one arch and again as Gary pointed out [inaudible]. Most people recognize McDonalds. They understand it. So the great big arch, [inaudible] gonna need it. So this building has been designed specifically to try to work into the downtown redevelopment area with the stone. The amenities on the site such as the trash enclosure which would be in the rear. There are some small walls. They would all be finished in a similar fashion, so it's an integrated site when you would go into it, you would kind of see the same materials of amenities. So basically, we've designed that site, we haven't gotten to the fully engineered plans, obviously coming here first to let the council take a look at it. That would be the basic layout of the design.

Gary Bennett – [inaudible] numbers of the council have another question but by all means.

Councilman Tanelli – I know that the TD Bank had restrictions on exiting and entering the property. I know when they exit onto Noel Drive, I think they're forced to make a right hand turn. Only having one exit off of out of this lot means that there's going to be traffic right and left which will increase traffic on Noel Drive. Has there been a consideration why wouldn't you have an exit onto Ridge Road?

Joe Jaworski – actually we would love to have an exit onto Ridge Road. We actually went to discussion with DOT on that and because it's a corner lot and spacing from corner, their inclinations is have an 'in' only. One way drives in. we have looked at this with our traffic engineer who will be doing a full report on it as far as what the traffic does to our neighbors, whether its going to back to Ridge or back to residential. Certainly the majority, and we'll have traffic counts for that. We'll be making the left out back to Ridge as that's obviously your main thoroughfare. But that will, it was preliminarily addressed with the DOT, that's why the design is the way it is. We would really love this to be a two way driveway, it just helps the operation out. But because it is deep state jurisdiction road, that's what they told us.

Mayor Massa – any other questions from members of the council?

Councilman Hughes – yea Mr. Mayor, I noticed that all your signs seem to be on the building. Do you anticipate applying for any free standing signs on the property?

Joe Jaworski – yes, we have shown one. A monument type sign at the corner, very similar to the TD Bank, which would be a low monument sign probably the same type of finish as the building. Again, just to identify travelers come down to identify the site but it won't be a large arch. [inaudible] It would be monument size similar to TD Bank.

Councilman Hughes – okay thank you.

Mayor Massa – any other questions. Do you want to continue with your presentation Gary?

Gary Bennett – well, mayor, to be very honest with you, that is the site. I'd just like to note that this site is slightly under a half an acre. It blends itself to a building but fortunately [inaudible], perhaps not fortunately in McDonald's eyes but fortunately I think for the community, this is a smaller building. This is not an overbuilding; in fact I think its part of the design, Joe, one of the things you had to do in order to meet the minimum height requirement, there's a 25 foot minimum height requirement in the redevelopment zone when this building was first designed it's really 23 about 23 ½ feet high, a power pit around the outside of it brings it up to the 25 feet so its surely not an overbuilding of the site and it just provides despite the fact that every municipality has landmarks and has places that we can perhaps remember as children or have gone to for years or whatever. The fact is as we can see, by the term redevelopment, there just comes a time in every community when you have to move forward to redevelop some of these

sites because it becomes virtually impossible for the property owners to keep up with that in light of competition, in light of finances and economics. So this in the eyes of the burger [inaudible] and in the eyes of a developer, obviously is a unique site, it's a good site, its one that McDonalds is willing to shrink down dramatically not only the building that they would normally and typically like to put up, but also shrink down a lot of the other things and I think most importantly and this is the focus that I think the council should have when looking at it, it gives somebody the opportunity to implement your redevelopment plan and that's critical because to do that with private dollars, its tough enough to do as you know with public funding, but with private dollars it becomes very difficult because developers historically don't want to spend the money when they develop signs. McDonalds is willing to do that and has the capabilities of doing that. I know that there's been plans approved in various municipalities that surround North Arlington, I believe a few here where the intentions of the developer are great but when they get their either approvals or the conceptual plans, [inaudible]. The banks are not I mean despite the fact that there's one right across the street, the banks are just not willing to lend on these type buildings. So, your senior building starts to become a little dilapidated; you see some of these areas and it's not that the property owners don't care about the sites anymore, they cant just invest and many times can't secure financing to invest into it. That's what makes this an exciting proposition and its done with the utmost consideration, its taken months and we are fortunate enough that I have had some discussions with your borough attorney. I had discussions with Mr. Sarlo, the zoning and planning attorney, we had discussed with Mr. Wall. In an effort to ensure that we had our hands around all of the criteria, the design standards before Mr. Jaworski started drawing it. Rather than drawing it coming in, winging it saying we're McDonalds, here where we are, welcome us with open arms, they did the reverse. They took your standards your design, and your location, and they took the concerns that the Grueter family had for their own site that they own and they tried to implement something that worked for the municipality. And with those comments, with that brief presentation, and with the agenda that you have, mayor, that's all we really have to say this evening. We would like to and I know that Mr. Sarlo and Mr. Pearce have had discussions with regard to procedural from this point forward and we would like we believe in being appropriate since there are a lot of technical questions, there should be obviously the public hearings. All of the things that have to take place in the zoning and planning concepts should take place and if in fact your planning board at the end of those hearings acts favorably on it, that favorably action would have to be conditioned contingent upon coming back to the mayor and council to implement the change to the redevelop zone to accommodate those parts of it in which it varies. So we're not even go there with no input, we wanted to come here this evening so your aware of what road we were traveling and hopefully what bid us farewell and wave us goodbye on that road; hopefully you come back here at some point in the future to ask your blessings and [inaudible] this project.

Randy Pearce – Mr. Mayor and members of the council and Mr. Bennett, I did speak to Mr. Bennett and its important that we understand that as Mr. Bennett said, this has to come back to the mayor and council under all circumstances assuming its gets passed the planning and zoning concept. But what's important for tonight if they mayor and council based upon a quick review by not favorable to this application, its not a binding, your not voting tonight. The conceptual plan is designed to give the applicant some sense of the concerns that the council and the mayor may have. So if you have serious concerns, reservations about this, in a nonbinding manner. Mr. Bennett would like to know that, McDonalds would like to know that so that possibly we could, they could make changes to their application or know that there is a problem with the mayor and council rather than wasting the time with the planning and zoning board so if there are any comments, I think they should hear them this evening.

Councilman Hughes – Mr. Mayor, Mr. Bennett, I don't believe this is a first time McDonalds has tried to put a facility on this property. I think something similar to this happened years ago, maybe not in design but in concept. At the time, I believe the neighbors in that area we're extremely concerned with the traffic exiting onto Noel Drive and they were very much against that concept because certain times of the day at the traffic light at Noel and Ridge, traffic does back up actually would be past the exit point of McDonalds and I think that's some of the concern that you would end up with a traffic jam because people exiting McDonalds cant get out of a parking lot. So that's one of the things that I have a concern about. I'm sure the residence of the neighborhood, you'll hear from them when they, when you do have the public hearings on this. And that's one of the things I would suggest that you be prepared to answer and have a plan that's going to accommodate that kind of traffic and during the peak times of the day when you do have backups at that traffic light.

Gary Bennett – point well taken councilman. And as Mr. Jaworski's indicated, McDonalds is already retained to traffic. [inaudible] been here to look at them, take the counts, and determine how that in fact is going to affect that and based upon those counts we're hoping and believing that we're going to find that budget that traffic is going to be going in the westerly direction rather than easterly direction which will not impact at least by way of traffic flowing through the residential area and with regard to any backup, the exiting aspect of that and that corner will have all those statistics and hopes that we'll be able to address those concerns but obviously those are things that are appropriately pointed out and things that they would definitely consider in you formal [inaudible].

Councilman Bianchi – I have a question too. Did you try and get some relief from the DOT because that driveway on Ridge Road now is also, is right now two way. In and out.

Joe Jaworski – yes.

Councilman Bianchi – why won't they let you exit?

Joe Jaworski – it doesn't meet the criteria of spacing from the light and you're right, it is two way and we went and fought pretty hard to try to get a two way because we'd really like it to be that way. We've gone [inaudible]. When you reveal the site, the DOT looks at it under their current criterias and even though its an existing non conformity, they look at it and basically put that band aid on. Also whenever you have another needs, a corner lot or a sidestreet, the DOT looks at that as a way to get off the site. If there was no street here, if it was mid-block, obviously you have to get in and out off of Ridge Road but... you know, we can certainly revisit it and go back but they're...

Councilman Bianchi – yea, that's going to be a big concern.

Joe Jaworski – were pretty [inaudible] because it is not, does not meet their regulations for the space.

Councilman Tanelli – like I mentioned earlier, was a concern when Commerce bank tried to put the bank on the lot. This was all considered. There were restrictions put in, making only right hand turns versus left hand turns so its just a matter of finding out what the restrictions are going to be.

Gary Bennett –yes, I mean its not uncommon for the department of transportation to put a restriction on either right turn or left turn only coming out of it. And that, you know, most of the sites can deal with. This is something that Mr. Jaworski can go back and attempt to revisit with them. It's that frustration of sometimes of dealing with a state agency where you have an existing condition that works and they want you to change it to something that might not be as acceptable but we're going to continue working on that because obviously as its been noted not only is it something that may be of importance to the municipality and the residence but its also something of importance to [inaudible].

Joe Jaworski – and if it does turn out a restriction, maybe a right arrow, that would great for us so.

Gary Bennett – that would be the type of restriction they put so that you're not going across traffic and making a left hand turn.

Councilman Hughes – TD Bank was able to get an exit out onto Ridge Road and what was the reason that allowed them to do it and McDonald's not to be able to?

Joe Jaworski – I'm not really sure. I would guess they probably had a further distance away from the intersection which allowed them enough; you get further distance to go. This had to be conceived a shorter frontage on Ridge and [inaudible] this distance is quite shorter. I mean a stopped car is here, probably going to have maybe two car lengths to the driveway where I now, up on [inaudible] forms so that's probably the reason.

Councilman Hughes – have you considered possibly sharing the parking lot with the building at 440 Ridge Road and coming up with a mutually agreeable arrangement that would allow you to exit through their parking lot and do some redesign there that would accommodate that?

Joe Jaworski – to my knowledge, I don't think that's been investigated but we can certainly talk to McDonald's people and see...

Councilman Hughes – it might be an option because you have a parking lot just to the south of that property in the front and it maybe something that you do a little redesign of their parking lot, help them out, might be able to accommodate the distance away from the traffic light to exit onto Ridge Road and not impact the neighbors on Noel Drive at all.

Mayor Massa – very importantly what would be the hours of operation?

Gary Bennett – Mayor, McDonalds, like every other operation that serves breakfast, lunch, and dinner, wants those hours to be as expanded as possible. In fact, as Mr. Jaworski's indicated, this is an indication of prototypical building, prototypical McDonalds or any similar type operation is opened 24 hours a day. And that's based upon the fact that there's a three meal service and it really has become more in its food service like a diner than it does just a hamburger, the old hamburger joint. These become places that serve like a diner would be all night. Now obviously the flow of people and the traffic flow and the patrons dramatically reduce as the evening goes on or as the morning comes about. but they, many of these locations, they will shut down the dining facility's internally and perhaps at times just leave the drive thru and sudden the reverse but that's typically what they seek is those extended hours.

Mayor Massa – so all of your facilities in this region are opened 24/7?

Gary Bennett – no as I said from what I understand, the McDonalds representatives are here. They can address that perhaps; Mr. Cruise is here who's site procurement representative for McDonalds, but my understanding is as they open these new restaurants as opposed to one that may have been in existence for 15 or 20 years, they open them with that concept of having them open in service, the Dunkin Donuts, those type facilities.

Councilman Johnson – so what you're saying is your client flexible in terms of hours or is that a be all and end all?

Gary Bennett – well that's something that would have to be an internal determination made by them. They seek to have the hours expanded as much as possible because of the fact that economically, these sites have to support themselves. They have to be economically viable in order for them to develop them and as a result of that, they need to stay opened as long as they possibly can.

Mayor Massa – would this be a franchise, would it be run by central corporate?

Gary Bennett – it would be a franchise. My representative in the hallway. Yes, a franchise.

Mayor Massa – any other questions from any other council members?

Terence – Mayor, if I can just add, when we had a just an informal conversation, a couple of quick items that were discussed; what are the hours of operation? And the general opposition to 24 hours operation. Heavy vermin and landscaping programs for the adjacent residential folks so there may be landscaping programs but also vermin, attracting level or vermin to obscure in more enhanced fashion, the facility. Also, a discussion about delivery routes, times, type of vehicles that would be coming to the facility, when they would be delivering, what time, what fashion, what types of trucks, the noise from the trucks, noise if they would have backup equipment that would potentially wake up folks at early hours specifically gearing towards not doing that. The odor and waste management issues, how its containerized, its in the design of showing that its adjacent immediately adjacent to residential. If that could possible be redesigned so the waste management piece is further away from the folks who live in North Arlington rather than abutting the development. Council president Hughes has just indicated and it was also in my notes, a joint project with the adjacent property owner to increase the footprint they'd work with. There's a fence that's in not a great state between the two properties and perhaps there might be a joint program as he had indicated as well. And those were a couple of these items because then

perhaps the borough can work on some type of waiver with the DOT so we haven't ingress and egress what right onto Ridge Road. And that would probably sum up most of the informal conversations including that this design is one of the more expensive designs in the state for McDonalds. We did ask them anything that they could bring to the folks in North Arlington to don't start low, start at a premier location that folks would be proud of and would be that would help raise all votes instead of the more generic everyday McDonalds that you typically see.

Gary Bennett – well the comments are well taken and obviously the purpose of this conceptual hearing is two fold. One to kind of give you a brief presentation but also to absorb any comments you have. Again acknowledging that you are despite being the governing body, you're also the redevelopment authority to the extent of having it adopted and wanting to see it implemented. It does give the opportunity to the engineers, the architects, the design people, not the lawyers, to work on this plan between now and the time it's presented to the planning board to see what they can do to implement and address some of the concerns you expressed here tonight, okay.

Councilman Hughes – just one final thing sir, the mayor started to go there but we do have an ordinance prohibiting 24 hour operation on Ridge Road, so that is something to take into consideration when you're making your applications. Its something that has not been well received in the borough of having 24 hour operation on Ridge Road so its, I don't know if you want to breach that now at any point or not. Its something that I guess you can make your application and try but its something that has been on the books for a long time and has many facilities have been turned down because of that.

Gary Bennett – The good thing about being local is that I'm fully aware of that. I had the ability to be able to discuss it with my client.

Councilman Hughes – very good.

Gary Bennett – thank you very much. I appreciate your time and again thank you for hearing us.

Councilman Kearney – Mr. Bennett, I would just like to say this, I think it's a positive idea, but what I think is basically your asking the mayor and council to ordain this idea. I think when you go to the next level to the planning board and there's a notice given as is typical with the 200 feet within the vicinity, I think that, like I would speak for myself, my decision on whether to ordain this would be based on what the people say at that hearing and I would also be present and I would welcome the idea. I think it's a, it looks like a very nice opportunity for North Arlington itself, but I think that the residents that are within that 200 feet radius would basically best feed the buoys that would guide us on whether or not that would be a go. I mean I think it's a nice idea and again I speak for myself but I'm trying to speak for the people as well. I thank you very much.

Gary Bennett – thanks. I appreciate it. Obviously that's the purpose for publication and 200 foot radius because it does impact and affect those people the most. Fortunately, public hearings are held for just that reason and hopefully its in fact there are members of the public that come out and see the plan and hear the design and hear the people involved in it. Perhaps we can quittal some of their concerns if they have them and hopefully make it a part of their neighborhood the same way we hope its going to a integral and long lasting part of the community.

Councilman Kearney – yeah, I hope we see you there. Thank you Mr. Bennett.

Lights at Allan Park

Terence – mayor and council, the next presentation regards potential amenities at Alan Park and if the recreation director, Mr. Herrmann, if you have a moment to come up to help facilitate the dialogue. There's been various discussions about how to best maximize recreational use in the borough and folks have been asking if we can increase the level of amenities at Alan Park so Mr. Herrmann would you like to introduce the folks who would like to speak on that issue for the mayor and council? How would you like to facilitate the dialogue tonight?

Jim Herrmann – the president of the softball league would like to make a few statements with the support group that he has, the coaches, parents involved in the town. He'd just like to make some statements with regards to the possibility of expanding the [inaudible].

Terence – thank you very much. Mr. Tetto if you come forward.

Mike Tetto – hello guys. This is a first for me.

Mayor Massa – for the record Mike, just state your name, first name last name, and your affiliation with the recreation.

Mike Tetto- [inaudible] of course and I'm the president of the North Arlington Girl's Softball. I'm coming to you guys today for some help. And the help is that I have a lot of girls that joined up in this league. We did a lot of improvements down at the field and what I have right now is I have 16 teams playing in one ball field. I have a high school varsity and JV, I have three travel teams, and I have four rec teams. Back in 2007, we redid the field cause it was in real bad shape. We had Bergen County Open Space and it was about \$27,000 that we redid on it. I received three bids on this lighting package I will give you guys. These lights on the field are not going to affect any residents [inaudible]. I have a guy who's willing to come here to the zoning board or mayor and council meetings to do a PowerPoint presentation. We did a survey of our field. Its point zero percent candlelight was what he's calling it on their property line. The problem is I don't have enough playing time for the girls. We have one permit for County Park. So that's Monday through Friday from 6 to 8, so one team could practice one day a week. I have 16 teams. We have the high school who has the field until 6 o'clock every night. Saturday until 1 o'clock in the afternoon. So they try and cram in 16 teams down there; it's going to be very hard. Lights on the other hand would be I guess seven extra games a week. I can make up games, I could lose three games on a Saturday, I could play three extra games a week, 6 to 8, 8 to 10. The lights that I have, these muscle lights are green, so its eco friendly. It could be shut off by a phone call, by a computer. They have it cost savings because they're LED lights. It's a 25 year warranty. Five years free maintenance on the lights and I know there was some talk about getting lights in Lyndhurst. Like I said to some of you guys before, there were some lights down in Lyndhurst at that field on Valley Brook Avenue. They got these lights for free and to me its like selling you guys or giving another free Cadillac. [Inaudible]. I'm going to try and find somebody to maintain it. This is 25 years that you don't have to worry about it. Five years free maintenance. And its going to help out big time. Its less maintenance on it. If we build it on the field, its less maintenance, we do not have a park and rec department. I have some coaches with me today that are highly upset at me as well as some parents because they want to practice and I cannot give them any field time. So, they paid the registration fee, parents want to practice twice a week that coach says to me, can I have a practice date, yeah you can practice this Monday and two weeks down the road next Friday. We try and space it all out. So I think this will be a homerun. So I'm asking you guys for help because I don't know what to do. I'm a lost cause. I know there's Green Acres funding. I know that field was done back in the 80s. I called state down in Trenton; I spoke to Lisa Stern, the Bergen County executive. We do have \$100,000 in that account to do maintenance and upkeep. The lights themselves cost about 40 grand and then you know of course the labor of putting the poles up. There's only four poles that need to be installed. It could be done within two days and the [inaudible] which is a machine that's like a sprinkler system, so there's not a lot of restoration that would need to be done afterwards. Like I said, they would maintain the field. And I have all the information here for you guys, I got copies, I didn't make enough for all you so you're going to have to share. Like I said, I don't what else to do. If you guys need any leg work, I'll do it because I need to do something for this year. And that's basically it.

Mayor Massa – any questions for Mr. Tetto?

Mike Tetto – I don't get questions, McDonald's gets questions. [Laughter].

Councilman Bianchi – well Mike, a few weeks ago, the mayor, Terence, Richie and myself looked at a sight to the north of the Calvin Klein warehouse building. Its an ideal sight to build a new little league field, softball field, whatever you want to call it. And we talked about it. Terence says that its an ideal sight. I know, I think we had a grant floating out there. Terence, could you...

Terence – unexpended appropriation from '09 in the amount of approximately \$180,000. That's geared towards parking recreation uses, equipment, upgrades, things like that.

Councilman Bianchi – it's a beautiful flat piece of property. its on the bottom of the cliff.

Mike Tetto – what type of field we talking? Is it a turf field, grass field, is there any maintenance?

Councilman Bianchi – oh that I don't know. I don't know the details. All I could tell you is that we have the property. We have two pieces of property. the piece of the survey that I gave you is one piece of property but that might cost millions to do it there because it got big retaining walls got to go up. But the piece of property on the north side of the Calvin Klein building is huge and it's flat. And it would be as we thought as the mayor thought and Rich and even Terence, it'd be an ideal spot to put it with this grant money. That's just talking between you and I now. I'm not saying its going to happen right away but unless the mayor has something to say.

Mayor Massa – well of course that's a pretty good piece of property but I think developing it and doing the infrastructure worked to get it on online would be rather expensive and that would be something we'd have to think about. I think what Mike is asking for here is lighting up an existing facility that's being used continually and of course we do have some issues we have to be concerned about. Mike and I had a brief conversation regarding this issue just Saturday while the Rec director was scrubbing up the building at Alan Park. And we talked about the fact that these lights would not cause any disturbance to the people in the neighborhood. Of course the other concern is to, that neighborhood people may have questions or problems with noise from night games generated but I think you pretty much put a cap on the time that the games would be rapped up by. So we got some complex issues here to take a look at. Number one is putting the lighting fixtures in the existing facility, and of course secondly as Councilman Bianchi mentions, the possibility of the use of a completely new facility, on Porete Avenue. Of course now there would be issues to be addressed about access to Porete Avenue.

Councilman Bianchi – but that's in the resolution because I signed that resolution with Randy. And that's what I asked Randy about. We have to find that resolution. Run the board when we signed that.

Randy Pearce – what year?

Councilman Hughes – '95. '94, '95.

Randy Pearce – I have 1985 to 2004.

Mike Tetto – the problem is County Park is a mess and right now they got rid of one field. Jimmy applied for permits. There use to be five I think down there. One's gone. I spoke to [inaudible]. I talked to Paul Husamano over in Lyndhurst. He told me we could have our fields. We could use his fields down there in County Park but now there's other leagues that used it. So I said if I got 16 teams, I got one field. Our field is being shared by the high school. We did all the work down there. my daughter's going to be going to high school. So we do all these improvements but the problem is these teams cant practice so we need more fields.

Councilman Bianchi – can the high school use, the girls high school, can they use the North Arlington High School field?

Mike Tetto – that field is too small. That was built for basically tee ball. Its got a basketball court out in left field. So it's not a regulation size field. It's more of a practice field. We utilize that, I share that with little league. I use that three or four days a week, he uses that til for you know for his practices basically or emergency makeup.

Councilman Kearney – Michael, what kind of time constraints are we looking at if you're looking to have something for our girls for softball.

Mike Tetto – well opening day starts April 10th. I have been looking at this for I don't know months. I was dealing with the old rec director at that time, we didn't get anywhere with that.

Councilman Kearney – where do you get the report of zero point one percent candlelight as far as affecting the neighborhood?

Mike Tetto – this is a similar, that is a 185 feet down the left field and right field line. That point zero one candlelight, that's [inaudible] lighting on the field itself.

Councilman Kearney – it seems like its dark on the outskirts of edge of the field. I mean I don't know if that's an accurate picture.

Mike Tetto – that's not a picture of ours...

Councilman Kearney – where'd you get that from?

Mike Tetto – that is from Musco. The guy will have a complete power point if you want to invite him back and he'll discuss everything with you. Here I have the savings you guys can look over in the back room of what it'll cost, the price, in fact I'll give you all this because I don't need it. Everything's here, three bids, three [inaudible] contractors, this is the savings, [inaudible], and this is the type of light [inaudible]. Like I said, right now, I'm lost. I'm lost because I don't know. I mean the high school has, they have priority. Varsity players, there the game is not timed.

Councilman Kearney – what does it look like for our girls after the high school's done at 6 o'clock? How much practice time do the 16 teams on the girl's softball team...

Mike Tetto – you probably lived it last year. Right now if I had a team coming in from Saddle Brook for a 6 o'clock game and the varsity game's lasting extra innings, they sit and wait 'til the varsity game's over. So if that game ends at 7 o'clock, this town just came down here, parked their bus, kids came off, they start their game a little bit after 7. They play two innings and they leave and then North Arlington gets bashed. I go to these other town meetings, and we're looked at, we're a Bergen County town and we're way behind the times. Everybody has lights, everybody has more than one field. So we're looked at as you know [inaudible].

Councilman Hughes – It seems like we created our own problem here by making this field regulation size for the high school to use it. It seems like the high school has moved in and taken over. And this was built for the girls softball league, not for the high school. Where did the high school play before all of the upgrades we're made two years ago?

Mike Tetto – they were at County Park and it was a shared service. My wife even played. That was an agreement that was made years ago. So my issue was, and you know I have nothing against the high school, my issue was very clearly okay, get off the field on Saturday s, give me a little bit morning time. I mean the town does what they could down there, DPW does what they could during the week, the Board of Ed all they do is and what they tell you guys and its not nothing bad against the Board of Ed, but they say they maintain the field, they prep the field. They drag it, they line it. They don't weed, they don't turn it, we do all that.

Councilman Hughes – well that's what I'm saying. It seems like they moved in and taken over and its not their facility.

Mike Tetto – it's not. They're at the field from 9 to 1 and morning on Saturday. So I can't even get on the field to even work on ...

Councilman Hughes – so can we cut back their hours of operation and I know that will be a hardship on them but it seems like they're taking the majority of the time.

Mike Tetto – [inaudible] but I don't want to kick the girls off the field.

Councilman Bianchi – where did they play before they took over the field?

Mike Tetto – County Park.

Councilman Bianchi – County Park. Why can't they go back to the County Park? I remember them always playing at the County Park. They played soccer down at the County Park.

Mike Tetto – Joe to be honest with you, County Park is...

Councilman Hughes – it needs work.

Mike Tetto - ...I bet Branchwood Park is better in Newark than I think in County Park [inaudible].

Councilman Hughes – you mention about a long standing agreement and Mr. Mayor, I'd like to jump in here. I grew up on Vanderbilt Place and I was there when they my parents were there when they built that field. And that field was extremely contentious when it was built there. The neighbors we're very much against a field being built on that property so close to the residences. And it was extremely contentious on a lot of aspects of it and one was the lighting that was intended at the time to be put onto that field and the hours of operation that we'd be going on with the aspect of lighting and there was an agreement made back then with the neighbors and the girl's softball league and the municipality that there would never be lights on that field. So...

Mike Tetto – And I understand that.

Councilman Hughes – let me finish. That being said, it's a long time ago. There's new people involved with girl's softball, there's new people involved with in the neighborhoods change all the time, new people move in, more kids. So things change. What I would like to suggest Mayor, is that maybe in a couple weeks we have a special council meeting. I think the town at its expense can do a 200 foot notice for all of the residence in the neighborhood inviting them up to a special meeting. Mike can come with his lighting expert. We can do, just like a regular zoning board hearing, but it would be the mayor and council doing the hearing. The girls softball league can make their case, the residence can state their objections if any and we'll see how this would work out because I don't think we want to be forcing the lights on the neighborhood without them having any input or say on the matter but we also that being said we need to accommodate the girls softball league because it's a successful program and we need to expand it and accommodate it in some way or another. We did last month put in for 1.2 million dollar grant with Congressman Rothman's office to rebuild to do that field at the north end of the soccer field. It is an expensive field, that's why it was never built originally even though there are plans out there because they ran out of money building the soccer field. But with the stimulus package that's been coming down from the federal government, we have put an application in to try and get some of that money to get it filled. It's not going to happen for April 1st. What I would suggest and maybe ask is of the girls softball is collectively write a letter to Congressman Rothman encouraging him to really work hard at finding this grant for the borough of North Arlington. it's one thing when we apply for these grants, but when he starts hearing from the voters and say you know we need your help down here to get something done. He pays a little more attention to it so maybe in a couple weeks we could schedule a special council meeting like two weeks from tonight or something and we'll notify all the residence. We'll invite the people from the softball league back and we'll have a hearing.

Councilman Kearney – I think that's a great idea. I think time is of the essence with the deadlines that we have. And I think if you could get the expert or whatever you want to call him with the power point and if we could somehow notify the people's specifically that are on the outskirts of the field that I think would be affected the most, it would be important to hear from them. So if there's something we can do with that procedurally speaking, we should act and act quickly.

Councilman Bianchi – I think the plus that we have for the girl's softball league is that when this field was built, the lights were different kinds of lights, they were like the lights that Lyndhurst has. They use to shine out but these new lights, they shine down and they shine with the greenish tints to them. So basically, around the field would be black. Where years ago, those lights use to go on, you could see them over in Nutley and Belleville playing and Lyndhurst playing, but times have changed. So that's a plus that we do have for the residents, but I think we do have to ask the residents first. They're probably going to be negative to it I guess. That's my gut feeling.

Councilman Hughes – not necessarily.

Councilman Bianchi – but necessarily is right.

Councilman Hughes – from my understanding, the girl's softball league had been very good neighbors over the years for the most part. I mean there's some issues here and there but for the most part we haven't gotten a lot of complaints from the neighborhood.

Councilman Bianchi – and another thing too, when it was built it was new but now its 25, 30 years old. At least 25 years old.

Mike Tetto – nothing has been done to that field.

Councilman Bianchi – no but what I'm trying to say is psychologically people are use to it now Mike. They're use to it. But in the beginning when it was first built, it was new, just like this McDonald's presentation. It's new. Everybody gets scared. When TD Bank North, I'll give you a for instance. TD Bank North, you were the neighbor and you know what you went through with TD Bank North. You were worrying about this worrying about that. But Now that its built and done, you're use to it now, it looks nice. Well that's what these people are. Now that they're use to that field because it's been there for 25 years. 25 years ago oh man they were negative to it. They didn't want that field at all. So maybe now this might change it.

Mike Tetto – this is the only thing I see as an option. Because right now we have nothing else to go by.

Councilman Bianchi – the other option is maybe we could [inaudible] if we could work something out with the North Arlington High School. Maybe we can move the girls out of there.

Mike Tetto – schedules made.

Councilman Tanelli – they just finished moving the JV team to the field this year. They've been playing on out little league field.

Mike Tetto – JV use to be on little league's. What use to happen it made it easy for me, when varsity was away, I could tell these guys to go and practice on that field. Now the varsity's away, JV's there.

Councilman Bianchi – that's why its imperative we get that field built down by Calvin Klein. That would be the easiest piece of property to build it on because its as flat as a pancake.

Mike Tetto – it's a double edge sword in a sense that because the program has been so strong especially of recent, the stronger elevates up to the high school so they have a lot of JV as well as varsity so what Mike and the crew have been building over the years, its going to the high school as well and so there's more girls so they need to play and they're comfortable on that field and that field serves them well. [Inaudible] them so one does help the other although it creates an issue as well.

Councilman Bianchi – Well Mike its good that you brought this to us because at least we can start now. At least its started and we'll go from here.

Councilman Tanelli – can we talk to Lyndhurst and see if they have any availability on their field...

Mike Tetto – they don't.

Councilman Tanelli – well they're telling you they don't. I think parents should make an appointment and we should sit down with their rec director. Maybe John could handle it. [Inaudible] liaison. Sit down with them and see if we could [inaudible] because lights aren't going to improve your practice situation. Just like its going to help you with games and rain outs and give you more availability to fields. Its not going to help the guys with practice. It's the same as basketball. If you have the gym longer, it just gives you an opportunity to play your game. The problem is this town doesn't have the facilities we need to accommodate the number of children we have in any sport. It's really a shame. But we've all done the juggling act through the years. its not going to improve, we need to find a solution for practice now and the only other concern I have is the hours of operation. If you do do lights, which I'm in favor of them obviously, but if you do do lights, I'm sure the residence over there are going to want to know when the hours of operations are going to be when those lights go off and they're going to be calling the cops when the lights are on accidentally unless they're on a timer that they automatically shut off. I mean I've gone through this for years.

Mike Tetto – all I said, the [inaudible] shut the lights off at 10. [inaudible] shuts the lights off at 10:15. If someone calls the mayor, he can have access the code, you could make one phone call, it's a phone or a computer that shuts all lights on. You don't have to go down there and flip open a main. System's main is all computerized now.

Councilman Tanelli – I just think we have to solve the lights are, we're going to pursue the lights but that still is not going to solve the practice time. I think we have to explore other avenues to try and get you more practice time and I think we should sit down with Lyndhurst right out of the gate to have other fields, not just the fields, the turf fields down there, they have other fields possibly available. Maybe there's, maybe Rutherford, maybe Kearny, maybe somebody has a field, it's a shame to say we want to travel but

Mike Tetto – [inaudible].

Councilman Tanelli – listen, we've done it in basketball. We've gone to boy's town. If you want to practice unfortunately until we come up with a real true solution with the end of town, if you really want to practice you'll have to come up with some alternatives. We can sit here and say that we don't have it, we don't have it, we don't have it. Find an alternative that might solve the problem for this year, you got to look at as taking advantage of and not...

Mike Tetto – I'll take anything for now. It's just I don't like the idea of traveling. I mean me, I travel, but you gonna have those kids and you going to [inaudible] saying we're going to have practice in Rutherford, where's the field, and then you're going to hear I want my money back, I didn't sign up for this, I didn't sign up to play in Rutherford. So you know the game, you did it. Alright, thank you for your time.

Mayor Massa – okay, Mike, thank you very much for your [inaudible]. Before you leave here, I just want to poll the members of the council with respect to the recommendation of Council Hughes with respect to a special meeting of council. I think were looking to do here is this, and its been articulated by everybody whose commented tonight, we're trying to balance the needs of taken care of our kids and our rec program, keeping here contained in the community as much as we can without the traveling against the piece of the repose of the people in the community. The neighborhood. It's true that the technology has come quite a ways since Councilman Hughes mentioned with respect to the Allan Park back in the old days on [inaudible] I recall that issue also. There was an uproar about the lights but it was a different type of technology at the time and of course we have a lot more volume, more kids now than ever. Our census seems to stay the same for the last 30 years but our juvenile population for somehow seems to be growing. More kids get registered in the school even though the census never changes. But in any event, I think in the interest of fairness and a matter of public responsibility and part of this panel, it would be advisable to let the public have a voice, lets have a special meeting, so that an intelligent responsible presentation can be made without fear, without an innuendo without any rumors running around about what problems this is going this is going to cause. Or how its going to operate and let people understand that this is the recommendation on the part, on your part, to make better a good program and if we could do that. Of course, the other side of the coin is seeing what we can do to develop that facility on Porete Avenue. That will require profoundment for structure commitments on apart of this administration. We will also be seeking out whatever grants we can be getting under a stimulus program and so forth. The application we've made with respect to the field, north of the soccer field on Schuyler Avenue, these are facilities that we're in dire need of and they're all very noble projects and apart of this community. So we will be committed to do that. So we're going to give every proposal that comes before us with the benefit of these kids, a fair shake and a fair hearing, so I think that's that would be the most prudent and public responsible step that we can take at this point. So I think everyone would be in agreement on that.

Councilman Hughes – two weeks from tonight, good?

Mayor Massa – with what short?

Councilman Hughes – I'm not sure.

Randy Pearce – 25th.

Mayor Massa – two weeks from tonight is Thursday night.

Councilman Bianchi – you got the ball rolling Mike.

Councilman Hughes – March 25th? Is that good? We can even have it in the senior center where we can accommodate more people if they show up.

Terence – would you also like to blend it with a site visit if the vendor can set up temporary lights so people can see exactly what it would look like so they can judge it accordingly as an option because it's a special meeting located with that one topic. If they're available, most folks would from my experience want to see what exactly does it look like and then they could judge it depending on availability we can try at least look at that option for you and I can report back to you if that's available.

Mike Tetto – [inaudible]. But they do have [inaudible] has to take away.

Councilman Hughes – and maybe even possible if they could just bring the truck up here. have the meeting in the senior center. We walk out, we light up the parking lot. You're going to be measuring the lighting that comes off the, a square area, not so much that particular field, but maybe we can do it here in the parking lot.

Mayor Massa – okay, what ever we have to do to work out the logistics. I think that's reasonable. It's a good place to start. And again it's a commitment that we want to make to the kids and keep it community friendly.

Mike Tetto – indeed. Thank you.

Mayor Massa – okay. Representative from Maraziti is present to give us just a brief overview on Porete Avenue redevelopment.

Porete Avenue

Chris Miller – mayor and councilman, my name is Chris Miller. I'm at the firm of Maraziti, Falcon, and Healy. Thank you for your time. I'm here basically to give a brief overview of some research and analysis that the mayor and council asked us to provide with respect to redevelopment in the Meadowlands area of North Arlington. And just to be clear before I go any farther, when I say the Meadowlands area, the topic will be generally about the area near the Conrail right of way and the tracks, up by the BCUA site, which is the Bergen County Utilities Authority transfer station area down to the back behind the steel sight. Now, when you were asked to come in and provide a general assessment of the land use control that exists in that area; it's rather complex because you have New Jersey Meadowlands Commission which has some land use control in that area as well as North Arlington which also has jurisdiction in that area. So, just to talk about the Meadowlands jurisdiction, Meadowlands district which is their primary area of jurisdiction. It stands westward to those Conrail tracks and they go northward up to the border with Lyndhurst and south end is bordered with Kearny. We came in because in the wake of the Encap project which is to [inaudible]. Freed up some parcels and in the fall, parcels for redevelopment potentially. And in the fall of 2009, we understood that the New Jersey meadowlands commission was poised to acquire the BCUA site and the Bethlehem's heel site. So given that scenario, we want to do make sure that the mayor and council understood fully the respected powers over land use control that they have at the Meadowlands Commission. I understand the Porete Avenue redevelopment plan which was adopted by a former administration covers the Bethlehem Steel site and the BCUA site. Just to summarize our analysis there, we recommend that the borough continue to utilize redevelopment and in as quickly as possible, get formulate its vision for those parcels and adopt some kind of a document in order that they can assert most effectively their land use control power in the event the Meadowlands Commission moves forward with plans to redevelop those parcels. As a state entity New Jersey Meadowlands Commission has the ability to acquire property regardless of whether its in the Meadowlands district or outside of the district. So we want to make sure that the borough can do everything that it can to effectively assert its interest in that area and we believe that that would be to utilize and redevelop your process because under the redeveloping statute, the borough would have more leeway, more proactive, role in the redevelopment process

and we'd normally have a [inaudible]. So, I'm happy to answer any questions, that's, trying to keep it brief, but that is basically the bottom line with our recommendation there. So if anybody has any questions...

Councilman Hughes – Mr. Miller, its my understanding our redevelopment plan is still in effect for that area. The housing portion of it I believe was made as an overlay plan, not a replacement plan so that the original kwasi- or pre-Encap plan; it's basically still in effect. Am I not correct in thinking that?

Chris Miller – I understand that the borough's taking some measures to be flexible with redevelopment plan and evaluate proposals for development on a case by case basis in that area. I understand that that the change has been affected in that manner. Its not, in short, its not as if the only types of development would have been in line with an Encap type development are allowed down there. There's some flexibility into the [inaudible] situation.

Mayor Massa – any other questions from any councilmen?

Councilman Tanelli – I have just one question. Theoretically, the Meadowlands Commission has the jurisdiction to come in and eminent domain properties in North Arlington, correct, including Porete Avenue?

Chris Miller – yeah, under the statute, they have relatively broad power for a state entity. As I mentioned before another primary jurisdiction is piece of the railroad tracks, however, under the statute, they do have the power to acquire property outside of that area in North Arlington either by purchase or by eminent domain. So that's a theoretical possibility that they have that power.

Councilman Bianchi – excuse me, Mr. Mayor. I thought that the Meadowlands Commission, their property didn't reach into Porete Avenue.

Chris Miller – well, I'd just want to make a distinction between the jurisdiction and property which they own. Their jurisdiction or boundary...

Councilman Bianchi – stops way before Porete Avenue.

Chris Miller – stops at the railroad tracks which are adjacent to Porete Avenue, however, they can acquire property outside of their jurisdiction. So, theoretically, they need it by purchase or eminent domain so theoretically they could acquire parcels outside of that area in North Arlington.

Councilman Bianchi – I didn't know that.

Mayor Massa – so its our intention to work as expeditiously as possible to have that redevelopment plan put in place.

Councilman Hughes – we then give them a 90 day deadline.

Councilman Bianchi – well we went out, when did we go out? Two weeks ago was it? Did the process start?

Mayor Massa and Councilman Hughes – yeah

Councilman Bianchi – that day?

Councilman Hughes – no it started in January. If you're not aware, we did hire Heyer and Gruel planners to develop a redevelopment, to update and modify the current redevelopment plan for that area. We did give them a ninety day window bc we figure about the time of April that property which will be acquired by the Meadowlands will be bring turned around and put out for sale. So our discussion with the Meadowlands is to have a redevelopment plan in place when this happens. They actually hired CBE Ellis, Richard Ellis, as a marketer to market that property and the plan is scheduled to be in place about the same time that they're going to be turning around to market it. The Meadowlands has the shortest. They have no intention to develop it, taking control of it, buy it use eminent domain, or anything like that. Its not their intention to do that.

Chris Miller– you know the [inaudible] of the redevelopment plan is certainly in line with our recommendation. I am aware of that Heyer and Gruel was working with the system with the borough on that.

Councilman Hughes – we’re following the recommendations that Mr. Maraziti presented to this council back in December so I’m a little confused as to why you’re here again.

Mayor Massa – I wanted to have Chris come up to just give us an update on it because Joe had mentioned he was going to put together a formal report which I believe we all have copies of. Now just to put on the record that we are being proactive to protect the rights of the borough and of course while councilman Hughes has said that the Meadowlands Commission has made certain assurances, there is a new administration in Trenton and of course with new administration, policy changes could happen arbitrarily especially with some of the decisions coming out of Trenton right now. So I think that’s why I wanted to have you come up here tonight just to remind us to give us this update as to what our status is, what the powers of commission are irrespective of what commitments are made. Because we have no agreement with them in writing and they won’t do it; they won’t give us an agreement in writing which I understand would not be in compliance with their statutory authority. Be that as it may, the important thing is we want the community to know that this administration is being proactive, number one to put this new redevelopment in place and to move as quickly as possible to bring viable development to that part of the community and to work cooperatively with the Meadowlands Commission.

Councilman Tanelli – also mayor, once those properties, the Meadowlands takes ownership of those properties, they come off our tax roll. So the sooner we move it the better. Joe loves to talk about companies taking buildings and stuff off our tax rolls, right councilman?

Councilman Bianchi – uh-huh. That guys gone now.

Councilman Hughes – actually that’s not entirely true. They only come off the tax roll according to state law. If they are turned around and used for a public purpose like the state park, if they just by taking ownership of them does not necessarily remove them from the tax rolls. That was a discussion I had with our tax assessor couple weeks back.

Councilman Tanelli – so that means the Meadowlands while they’re in retention of that, properties going to be satisfying the taxes on the property. okay.

Chris Miller – I hope I’ve summarized our analysis and I’m happy to answer any further questions that the mayor and council may have. If not, thank you.

Mayor and Council – thank you.

Terence – mayor and council, just one brief presentation by the gentlemen from info cup. This is from the courts and also from the chief of police. Various municipalities are moving forward in electronic ticket processing and so this, theres no action to be taken this evening, and in the interest of time, gentlemen’s kind enough. Officer Cappelluti, if you could just briefly go over the program.

Officer Cappelluti – mayor, members of the council, this is Mr. Cappoli, he’s ceo of info cop with the vendor for our work, computers and the phone cards, [inaudible] or explain tonight. Electronic ticketing and doing the summonses through the computer replace the actual pen and paper summons which we currently use. So Mr. Cappoli could [inaudible].

Mayor Massa – so this summons would replace the handwritten ticket?

Officer Cappelluti and Mr. Cappoli – correct.

Mayor Massa – I almost want to go back to being a traffic cop again because everybody knows how bad my handwriting is.

Mr. Cappoli – the state of New Jersey has finally approved electronic ticketing. Lyndhurst police department is the first department in the, the safety law [inaudible] with electronic ticketing. What electronic ticketing does, is right now to hit they're hand written tickets and if you know the problem, can't read the tickets, you don't know who the officer is, people get these tickets, they don't know what the fine amount is. A lot of tickets are being dismissed because tickets aren't filled out properly. On average, about 5 percent of all tickets, summonses that are issued, are dismissed [inaudible] illegible tickets. What the system allows you to do with officers is scan or do [inaudible] cop hookup, [inaudible] electronic ticket, print out electronic ticket that is legible...

Mayor Massa – can I see that?

Mr. Cappoli – it also gives out, it will give the court date, it will give the fine amount. For every ticket that couldn't be issued within the system will be legible ticket and it will be a valid ticket. [Inaudible] tickets are a fortune currently right now aren't dismissing because they're legible, [inaudible] back into the borough it would increase revenue for the borough also. Also on average, not that it's for money maker, but electronic citations on average fiscally show 20 to 30 percent more citations are issued with electronic citations versus hand written citations which would also help the borough in the long run. I've also included some brochures here regarding the technology and how we work.

Councilman Bianchi – can we talk about cost?

Mr. Cappoli – the cost varies. We're working with the borough administrator. It all depends on how much equipment they want to put in the cars, how many tickets here issuing. Speaking to the police chief, primarily he wanted to put five in the police cars and he wanted to put three hand held for parking enforcement.

Jimmy McCabe – and foot patrols?

Mr. Cappoli – that would have to be worked out exactly how much equipment they're putting in use.

Mayor Massa – Councilman Bianchi raised a very good question, the issue of cost. I'd like to have the sergeant or the P.D. do a cost benefit analysis, getting some info from other departments that have this in place. I have received a few of these in New York City and I had no problem reading and understanding what every thing was as opposed to a ticket you get out here in Jersey that's hand written.

Mr. Cappoli – the other thing is we'd be ticketing right now. Hand written tickets when adding costs and what's returned on [inaudible], printer and our paper tickets would be manually inputted in the police department [inaudible]. Somebody's doing that legal. Then they have tickets being manually inputted in the court system. So you have two people manually inputting stuff into the computer system. That eliminates that whole need to manually input into the system. Well if people could be reallocated through something else within the borough itself.

Mayor Massa – any further questions?

Councilman Johnson – yeah, I have one question. Is it possible to do a test run? Maybe put the equipment in one car and do the E-tickets and write tickets the old fashion way.

Mr. Cappoli – well you're writing tickets the old fashion way for the past 100 years.

Councilman Johnson – right right but you don't have to totally convert to the E-ticket system.

Mr. Cappoli – you don't have to do all your cars, you could do one or two if you don't like. But you're not going to really get a benefit because you still, the benefit of E-ticketing is the labor right now it's labor intensity, that's manual ticketing, the police department side as well as the court system. If you eliminate that manual entry, that's a labor savings. If you're only going to do one or two cars, and you're still handwriting the tickets, you're going to get a small benefit from the system.

Councilman Tanelli – plus you're still putting the outlay to serve our system and all the storage system for that one card upload so that's where most of your cost is. Its not in the actual ticket to print the units and all that, its an [inaudible] printer...

Mr. Cappoli – well its actually [inaudible].

Councilman Tanelli – most of your cost is in your server where that software that's going to upload when they pull it in the parking lot.

Mr. Cappoli – well actually this mode if you have a [inaudible] for structure. So it can surely operate the system. You're just putting printers in the car. If they're putting printers in the car, they already have the mobile computers, they have the software. We would just add additional software, physical printer, and the mounting cart. All the backing infrastructure is already up and running statewide. We put that infrastructure for a state wide system so we're not, that burden doesn't come back down to all the municipalities.

Councilman Hughes – so we don't have to have a dedicated server or computer in the police department for this.

Mr. Cappoli – no. this is the printer, if it's a portable one. A hertz 8. They got them on their waist. They have the handheld, that's what the parking enforcement would be using inside the cars mounted up against the cage and it will print out the tickets for you.

Mayor Massa – Serg. You want to make a comment?

Officer Cappelluti – the mobile computers in the car actually talk to state computer for [inaudible] side as well as our catch system downstairs they work wire if that way supposed to an actual server for this.

Mr. Cappoli – and right now the way we operate, we have a county wide system here in Bergen County, so North Arlington can utilize the county wide system. If you ticketed in the state wide system, it would probably cause infrastructure though so that we'd utilize the state wide infrastructure. We're not going to put any additional server or back in infrastructure in the borough to support E-ticketing, just an application in the printer probably won't be [inaudible].

Councilman Kearney – and what's the cost of this?

Mr. Cappoli – it varies. It depends on how many vehicles they want to put in place to have them ticket. There is a model layer that was provided. And that was provided from [inaudible] couple hours ago if you recall five calls three handhelds.

Councilman Kearney – is a good year attached to this?

Mr. Cappoli – there's figures attached to either one excel spreadsheets. Now there's two ways you can do it and you buy the system up front or you can actually pay on a per ticket basis. Currently right now, ticket will reach ticket that's being issued by the borough roughly between 28 cents and 38 cents for every paper ticket you printed, never mind the labor associated with it. This here pending how much you put in, upwards of a dollar, dollar fifty a ticket, going down. And that covers the cost of the hardware, maintenance, paper, and it all varies.

Councilman Kearney – I'm not really good at reading graphs. Tell me how much based on the five its going to cost.

Mr. Cappoli – based on five cars, three handheld, of a cost of \$1.44 in tickets, for the first 12,000 tickets and then we'll go down to 89 cents a ticket thereafter.

Councilman Kearney – was there any investigation as to how many tickets North Arlington issues?

Mr. Cappoli – 12,000 tickets. That's what we were told, yes. That's the number we were given.

Mayor Massa – the police department is very active.

Councilman Tanelli – the confusion I have with Councilman Bianchi is when we sat in the budget meeting with the server issue that he was explaining to us, did he not explain...

Councilman Hughes – that was a different issue. That was the video.

Councilman Tanelli – alright, okay.

Councilman Hughes – this was never presented in his budget. Its something new, it just came about.

Councilman Kearney - \$18,000 per year for five units?

Mr. Cappoli – five units, three handhelds.

Councilman Kearney – three handhelds that would be eight.

Mr. Cappoli – one per year. So figures are based on, it would be a dollar forty four for the first 12,000. Thereafter it moves down to 89 cents.

Councilman Kearney – okay with North Arlington in your model, we issued 12,000 tickets, lets say it costs dollar, I round it off to a dollar fifty, we're talking about

Mr. Cappoli – about 17,000 in change the first 12,000 and thereafter...

Councilman Kearney – per year.

Mr. Cappoli – not per year.

Councilman Kearney – per what?

Mr. Cappoli – the first 12,000. At 12,001 it goes down to 89 cents.

Councilman Kearney – okay but here's maybe where I'm losing you a little bit, we did some research, North Arlington issues 12,000 tickets approximately per year right and it cost approximately a dollar fifty per ticket...

Mr. Cappoli – for the first 12,000

Councilman Kearney – for the first 12,000.

Mr. Cappoli- 12,001 it goes down to 89 cents.

Councilman Kearney – so if its just 12,000, we're talking that it would be \$18,000 per year in that model if its 12,000

Councilman Tanelli – councilman wants to know what happens to your number too.

Mr. Cappoli – in your case, it's a \$1.44 for the first 12,000. so basically and thereafter it goes to 89 cents...

Councilman Bianchi – forever?

Mr. Cappoli – forever, so if you're up to ten years forever, its 89 cents. But that includes the printer, includes the paper, includes everything to keep the system operational. Fully operational.

Councilman Bianchi – the barber understands. I understand. If I understand, they all understand.

Councilman Yampaglia – other municipalities are using this now?

Mr. Cappoli – Lyndhurst is live right now. They were the first ones in the state to apply E-ticketing with Lyndhurst Police Department.

Councilman Johnson – all of their cars are done?

Mr. Cappoli – we got three of them done, we're in the process of [inaudible] their 22 vehicles. And giving an example, in Lyndhurst, the one officer that with one car put 178 tickets each a week; he normally writes out that average a month.

Mayor Massa – well it makes it a lot easier when it's computerized.

Councilman Bianchi – you're making the mayor sweat. He wants to go back into the blues.

Mayor Massa – Serg. if you could just take the message back to [inaudible] to give us a little report, get something from the P.D.'s and if there's any from Chief O'Connor in Lyndhurst, what the success is...

Mr. Cappoli – [inaudible] It has been funded from the towns we've been working with. If there's any green funding available to the borough you could use it for this project; you eliminated paper, you're eliminating file storage of these tickets, currently right now all these tickets are stored, somewhere in the borough. You're not storing anymore tickets. So if there is any green funding available, you get paid for this. Another thing is in some towns, we heard parking meters two dollars [inaudible] that funding has been used as well. I just realized that [inaudible] right now and it costs them from anywhere to 28 cents to 38 cents for those paper tickets. So that money is an offset to [inaudible]. As well as the 5 percent that they're going to recruit on average that are being dismissed.

Mayor Massa – any other questions?

Councilman Bianchi – I understand.

Councilman Kearney – just an observation, multiplying 89 cents times 12,000 tickets is \$10, 680 per year if we extend contract past the 12, the one year period past the 12,000 tickets. So that's what we have to consider.

Mayor Massa – but we aren't figuring on the price on the summons books. I know we still keep stacks of summons books up here when the officer comes up and signs out ten books at a time. This would eliminate buying the printed books.

Mr. Cappoli – you buy some of these books, imagine summons books, you're not doing date of entry in the police department of something, your not doing date of entry on the court side. The minute the ticket's issued, its live within the system so people can go right to a website and they can pay for it real quick.

Councilman Kearney – we need to know the cost of the summons books.

Mayor Massa – we'll take a look at what the books are as opposed to this process. I'm sure sergeant Cappelluti in the traffic division can give the council a very comprehensive cost benefit analysis on this project. Thank you sir. Thank you Serg. Okay ladies and gentlemen, at this time I'll open the meeting to the hearing of citizens. anyone wishes to be heard, please come forward, state your name and address for the record, and restrict your comments to municipal business and municipal matters. I respectfully request that you limit you comments to five minutes to give everybody an opportunity to be heard. Neither myself nor any members of the council will comment on the hearing of citizens until all citizens have been heard. Anyone wishing to be heard, please come forward.

PUBLIC COMMENTS

Michael Mittenzwei - 474 Riverview Avenue- I'm a coach, parent, player agent in North Arlington Girls Softball whatever that is with Mike Tetto. When Mike brought this proposal to the board about the lighting, my first thought was economic stimulus dollars. So I did reach out to Congressman Rothman. I'm due to have a conversation tomorrow with [inaudible] for Robert Menendez so the question would be, how can we work together synergistically so as a tank team approach where you're talking to them, we're talking to them as members of the public?

Mayor Massa – okay, we’ll address that when everybody else was [inaudible] heard. Is that the only question you have?

Michael Mittenzwei – and perhaps if we welcome McDonalds corporation to town and they can sponsor the lighting. [laughter].

Bob McClintock – 198 Rutherford Place- just like to talk about a few things tonight. First the drainage system which was completed in Holy Cross Cemetery. I’d just like to thank the members of the governing body for finally completing this job. And for the record, I don’t like to point out that the effected members; we waited 20 years for this. It was quite a long wait. I do have to acknowledge Mayor Pitman and members of his administration who started this project after years of delay and to Mr. McCabe and the DPW who cleaned out the over grown area so they can use the ground pennage [inaudible] radar. And once again. I’d like to thank you gentlemen for finally finishing it. Another thing I’d like to speak about is the water utility. I thought at the January meeting you hired some professionals, I believe a lawyer and engineer to examine the sale of the water utility to see if the borough had been taken advantage of. Questions being raised about the validity water utility. And if the borough received a fair price. I can understand that. [inaudible] why did it take so long to initiate the examination? All the council meetings, I’ve attended. In the past and I did miss a few, I never heard any council member indicate that the borough should be looking into the hiring of professionals to examine it to see how the water utility and if they did, I stand corrected. I would ask why nothing was done at that time? Now with the statute of limitations and the need to act hastily will cost the taxpayers \$30,000. But if acted upon earlier borough could have had that appropriate state agency examine the sale of the water utility at no cost to the tax payer and if not agreeing with the results, after state examination could then look to explore other avenues. Next point, at the last meeting, Mr. Wall was speaking about the borough signing up for the program sustainable in New Jersey. I’m putting the green team in place. I think it’s a great program all about going green and although we we’re not in the first round of municipalities to become sustainable, I’d like to thank Mr. Wall for starting the ball rolling. For the second, I bet some of the information that you feel the borough would be able to achieve this prestigious recognition becoming a sustainable community. However, I do have one caviar. Some of the programs the borough could choose from are related to water conservation and the water conservation is extremely important. Well with caution, the green team, the borough’s water consumption rate tripwall because of fusing the water conservation as an avenue to achieve points will that mean high or hot higher water rates from Passaic Valley? I could seek to Passaic Valley raising the rates if consumption decreases or should I say if prophets decline. I asked last month about the recycling coordinator, if he was a certified recycling one because some of the programs make reference to that requirement. I did speak with the gentlemen, Mr. Cunningham, and he did explain to me that he’s in a process. Just one additional thing, I read in the Bergen Record, March 4th 2010, at a New Jersey School board association is urging the state of New Jersey to let this or that’s proposed raising taxes 4 percent less to move forward without water approval. This is my opinion and welcome to go up for guarantees 4 percent raise and remove the only voice the taxpayers have to make the school boards present fiscally responsible budget. I’m asking this governing body to write out state officials and object to this action. President democracy, the right to vote, is a cherished thing. Thank you gentlemen.

Mayor Massa – anyone else?

Bennett Schwartz – owner of 89 Ridge Road – and most of them cars and appliance and the only reason I mention that is I look to my retail experience. Some years ago, we renovated 89 Ridge Road, it was originally Garden State Limousine building and we took the building was a garage and kind of run down and made it into some retail stores and offices and I believe it turned out very nicely and we had a lot of compliments on it. When we’re in the process of renovating it, we spoke with some of the, an organization, an outside consultant that the town hires to start the redevelopment program and they suggested, in the front of the building was a parking lot that we make that into a courtyard for the patrons to dine. So we did that. We eliminated the parking and the reason I’m here is to talk just very briefly about customer parking on the street and I’ll make it very brief. As millions of dollars can introduce themselves [inaudible] the tenants in the building.

Sanjeet Patel – 89 Ridge Road – I’m the franchise [inaudible] for Subway.

Mayor Massa – same address sir, 89 Ridge Road?

Sanjeet Patel – 89 Ridge Road. We have been there for several years. One of the key detriments to my business is the parking availability. I personally observe, I am there, I start my day at 8 o'clock there and I am there in and out 12 a day. The biggest problem is that there are cars from New York City with decal from other towns; they are parked there at exactly at 7 o'clock. I see people carrying their laptops and office bags, hop on a bus, and then they come sharp at 6 o'clock to pick up their car. In the meantime, I have customers, North Arlington customers who are unable to park, they look at me, wave at me and drove away and I have seen a degradation in my business over the last couple years because of this issue. And I will seek your help in this matter to try and see if we can [inaudible].

Giorgio Klinar- 89 Ridge Road – I'm the owner of Sotto Zero, the new ice cream store that opened in town last year.

Mayor Massa – what is the address there?

Giorgio Klinar – 89 Ridge Road. We actually share the same square area which is one of the things that actually sold me to move to North Arlington and start my business thereafter I got out of the army last year. I have to agree with the gentlemen from Subway that the parking situation is detrimental to the business. In fact, I have a lot of people that come from outside of town to taste my gelato and my products which are new to the town and to the area and they've complained about the parking. And they not come, many of them, because they cannot park especially not with the new parking situation that was done by the bus loop a lot of the parking now has been cut into permit parking and that also does not allow some of the people to come in you know enjoy their desserts or the sandwiches in our stores. Last week on Wednesday [inaudible] him to reopen my business for the season and on the side of Hedden Terrace actually, there was a vehicle parked there from Wednesday approximately 2:30 pm til Friday at approximately 19:30 and after two days they was parked there; I actually got a little bit scared and approached the vehicle and search the floor out, any type of ID's they're going to be attached to it. Since I left the building at 3:30 AM on Wednesday night going to Thursday and lat Thursday night and the vehicle was still parked there. It had not moved. So that's...

Mayor Massa – we're there any tickets on the vehicle?

Giorgio Klinar – no tickets on the vehicle sir. Again...

Mayor Massa – was it parked by a meter?

Giorgio Klinar – on Hedden Terrace there is no meter and there is no signage.

Mayor Massa – it was parked on Hedden Terrace.

Bennett Schwartz – just to summarize and then we'll be gone, on Ridge Road there is some signage that gives limited amount of time to park in front of the property, I think its 30 minute press time parking. what we're asking the council to consider and maybe examine is that on Hedden Terrace directly adjacent to the property is about 4 spaces and there aren't any meters or signage or regulations for limited parking so those as a retail as myself, those four spots are really critical to the business especially Subway and Ice cream for their patron and we're asking that the council perhaps consider putting a limited time parking or meters but I think that's it in a nutshell. Thank you.

Mayor Massa – thank you gentlemen. You have a question Joe?

Councilman Bianchi – Mr. Schwartz, you have the limousine business?

Bennett Schwartz – no, no, no... I'm in Karl's appliance business. The Limousine business is a tenant of mine.

Councilman Bianchi – you own that property?

Bennett Schwartz – I own the property.

Councilman Bianchi – I was on the planning board when you came before us to fix that property up. And if I'm not mistaken, there was supposed to be no limousines parked in the back of your property and those limousines that are parked in the back of your property, that lot was supposed to be empty. It was supposed to be for your tenants. About 2 or 3 months after you got your C/O on the property and it was all fixed up, the limousines were parked in there. On top of the limousines being parked there, sometimes I see 5, 6, 7, 8 limousines parked there. That property, that parking lot was supposed to be for these guys. I remember that and on top of that a lot of your limousine drivers when they come to pick the limousines park on Hedden Terrace and leave their cars there for hours and days. They change in the cars too because I hear a lot of complaints in my shop about people that live on that street and a lot of it has to do either with you as the landlord of the property or the limousine company. So I don't know how to rectify this problem. I know if I put in that resolution, it will be in that resolution that no limousines were supposed to be because the tenants, the people who live on Hedden Terrace were strict about that. That there'd be no limousines parked there, they were parked there from day one.

Bennett Schwartz – well, I don't remember the resolution. It was many years ago but I remember the issues brought up and as it turns out, number one, the limousine company is very much downsizing, just gave up the offices downstairs. They're not running too many limousines out of that location.

Councilman Bianchi – well business is poor right now so it's down.

Bennett Schwartz – Verizon just took the upstairs [inaudible]. I think they've been told, I think they're not allowed to park limousines on Hedden Terrace and they have a limousine place. So at night, there may be a few limousines in the back but I really, I know we got a parking variance but I truthfully at this point...

Councilman Bianchi – I remember it distinctly.

Bennett Schwartz – you're probably right.

Councilman Bianchi – supposedly, the limousines were supposed to park someplace down at the other end of North Arlington, there was a lot down there back by Eagan's I think of the pike. But after the guy got a C/O he just parked in front of his other property which is hurting these guys now.

Bennett Schwartz – yeah I agree and us...

Councilman Bianchi – so the problem is basically your problem.

Bennett Schwartz – okay, I will work on that with them but we wouldn't still like to be, the council to consider...

Councilman Bianchi – we will.

Bennett Schwartz – and we will work on that. He's almost out of there actually and as far as changing in the car, I've never heard, that's the first time I hear that. I'll speak to the owners.

Councilman Bianchi – well I hear it because I'm on the street and I talk to the people on the block, they come and call me. You know guys put on their cap and their little outfit, he knows, and the cars are parked on the street and if 10 or 12 limousines go out and you got 10 or 12 drivers leaving their car on Hedden Terrace for hours and days; that's probably one of the cars you seen.

Bennett Schwartz – [inaudible] is not supposed to park in that space and they've also just let go a whole slew of their drivers unfortunately.

Councilman Bianchi – well maybe you as the landlord could straighten him out because it'd help these guys out.

Councilman Johnson – maybe you could also advertise that there's parking, that there's going to be parking available.

Councilman Bianchi – parking in the rear of the building because I remember that and that's the way the resolution read.

Bennett Schwartz – You're probably right. I don't remember the resolution but it was 10 years ago and I'll work on that [inaudible] limousine [inaudible].

Councilman Bianchi – okay.

Bennett Schwartz – thank you.

Councilman Bianchi – so you guys take it up with your landlord and you'll have all the parking you want.

Mayor Massa – thank you councilman. Any other person wishes to be heard?

Debra Wertalik – 85 Exton Avenue – as you know, April is approaching and April is autism awareness month. I spoke to Brian Fitzhenry and he [inaudible] fire department just got a extensive education in autism which I'm very proud of. I'm so happy to hear that our fire department had that interest. It was a free workshop education and I did ask him if the police and the EMT's were educated as well and he said they were not. I'm wondering (A) if we can get our police and EMT's to take that training program. You guys should know many children and adults with autism have died of heart attacks because a police officer or EMT worker did not know that this child or adult had autism, assumed they were either on drugs or drunk, or just belligerent, handcuffed them, went to a great ordeal and ended up having a heart attack and died; this has been in many newspapers, you can go on any internet site and search it. This is something that happens on a frequent basis and I think it would be a great thing if our town would look into having our police and [inaudible]. That's my first part. My second part is that last year we had a very successful walk here in North Arlington. We had over 500 people attend. I would like to have permission to sit with Terence and talk about how we would accomplish that again this year because I think it was wonderful awareness program. At the same point of time as you all know, Tyler just starting a documentary that was large nation wide to educate businesses, communities, and recreation department on autism and I would like to incorporate that and make it not only a walk but a community day where we invite businesses, we have children specialized hospital come down, show the documentary, talk to the either have these as two separate entities or combined. I think that it would be great for our community. I think that with autism on the rise and the last known figure we had is 50, 1 in 50 boys [inaudible] is diagnosed with autism. I think that the autism community needs some help within their community. We have a lot of children in this town with autism and they need to feel comfortable in your own community so I was hoping we could get together and do a community service day. And last again I want to thank the fire department for going through that program. But I also want to thank our EMT's because on the worst no [inaudible] history, this year my grandson who has autism had an anaphylactic reaction to Motrin and somehow or another those EMT's made it to our house in record time, the paramedics came as well, they got him to the hospital and Tyler is very well right now. I do want to thank the DPW and I want to thank EMT's and the fire department for keeping [inaudible] cool enough that an EMT can make it to our house and save Tyler's life.

Mayor Massa – anyone else wishing to be heard? This time I'll entertain a motion to close hearing of citizens.

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Hughes

ROLL CALL: All council present vote in the affirmative

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

Councilman Tanelli – mayor, I would just like to comment on Mr. McClintock's suggestion that we send a, that we approve a resolution asking that the county state not waive the 4% voter right

for school budgets. I don't know if everyone's in agreement, maybe Mr. Pearce can draft a resolution tonight for us to vote on but I think its very important that taxpayers have the opportunity to vote on that budget.

Mayor Massa – thank you councilman, absolutely, I think that's an excellent point. Any other further discussion on that?

Councilman Yampaglia – mayor?

Mayor Massa – yes. Councilman Yampaglia?

Councilman Yampaglia – regarding 89 Ridge Road, prevalent to the people park on Melrose, I see it even on Hendel where they'll park in the morning, 6 in the morning, and they will I guess get the bus and come back at 6, 7, 8 o'clock at night and their cars will stay there all day. Hendel, Melrose, Hedden, even across on the other side.

Mayor Massa – that may have to be treated again as another permit issue.

Councilman Bianchi – looks like we're going to have permit the whole town. There's got to be a way we stop this, maybe we could put signs up you know three or four hour parking , you know four limit and once they get a few tickets, its all over.

Councilman Hughes – the people that live there, that handicaps them also.

Councilman Bianchi – yeah, it's a problem.

Mayor Massa – I've known that the councilmen here have done a great deal of work with permit parking issues for other parts of the community. As a councilman Bianchi says, we may wind up having to permit the whole town. Its just that this community for some reason, obviously because of its proximity to New York City and its proximity to New York buses is being taken advantage of by out of towners and we have tried to do everything that we can do legally to address those issues so we will have to consider to look at it and take whatever appropriate action we have to take. The gentlemen with respect to the comments and the lights, that's well taken and I thank you for your comments. Mrs. Wortalik, thank you so much for your comments with respect to the fire department and the DPW. DPW did a great job with most recent snow storm. I was on the telephone all day long with Mr. McCabe and I saw what a great job we did with only seven trucks and a handful of guys compared to other towns with more trucks and more people so I think North Arlington is a shiny example of cost effectiveness when it comes to public works and we will continue to strive to provide that level of service and I know that the superintendent would like to have more personnel, police department would like to have more personnel, but right now we have to live within our budgetary means and these are things we are doing. We always appreciate members of the public coming forward and showing a little bit, giving a pat on the back to our employees, thank you. Any further comments?

Councilman Bianchi – great job Jimmy.

Jim McCabe – thanks a lot. Mayor one thing. The writer for the Bergenite, he came down to write a negative story about the people and he couldn't find nothing wrong.

Mayor Massa – for the record this superintendent of Public Works, McCabe just made these comments that a reporter was here to, why would the members of the press be here to do a negative story about something that worked out so well. It would seem that the press is predisposed to take shots at government, I don't think that's the case.

Councilman Johnson – I think Mr. Anderson left kind of impressed.

Councilman Tanelli – let the record show that I didn't send him to him. I said let the record show that I didn't send him.

Mayor Massa – did you want to comment further Mr. McCabe?

Jim McCabe – no just that. I'm just asking why are the writing [inaudible] because it was good, he said yeah.

Councilman Johnson – at least he's honest.

Jim McCabe – he's a nice guy. He's a very nice person.

Mayor Massa – approval of minutes.

APPROVAL OF MINUTES 2009

February 19, 2009
April 16, 2009
May 14, 2009
December 10, 2009

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

RESOLUTIONS ON CONSENT AGENDA

R-73-10 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-74-10 RESO RE: APPROVAL OF PURCHASES OVER \$3,000.00

R-75-10 RESO RE: CHANGE ORDER LEGION PLACE FIREHOUSE APRON IMPROVEMENTS

R-76-10 RESO RE: CLOSE OF CONTRACT LEGION PLACE FIREHOUSE APRON IMPROVEMENTS

R-77-10 RESO RE: CHANGE ORDER WILSON PLACE RESURFACNG

R-78-10 RESO RE: CLOSE OF CONTRACT WILSON PLACE RESURFACING

R-79-10 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R- 80-10 RESO RE: ON PREMISE 50/50 RAFFLE QUEEN OF PEACE HIGH SCHOOL

R- 81-10 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-82-10 RESO RE: OFF PREMISE RAFFLE NORTH ARLINGTON VOL. EMERGENCY SQUAD INC.

R-83-10 RESO RE: ON PREMISE RAFFLE NORTH ARLINGTON VOL. EMERGENCY SQUAD INC.

R-85 -10 RESO RE: TRANSFER OF APPROPRIATION RESERVES

R-86-10 RESOLUTION AUTHORIZING THE RECEIPT OF PUBLIC BIDS FOR THE RIDGE ROAD STREETScape PHASE III IN THE BOROUGH OF NORTH ARLINGTON

R-87-10 RESO RE: APPROVAL OF 2010 BUSINESS LICENSES

R-88--10 RESO RE: LITTLE LEAGUE LANDSCAPING

R-89-10 RESO RE: LITTLE LEAGUE PAVING

R-90-10 RESO RE: PLUMBING SERVICES

R-91-10 RESO RE: ELECTRICAL SERVICES

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

*Abstains from R-73 and all fire department purchases, R-75, R-76

** Votes yes on bill list except for line item 225000 for Eastwood & Scandiarato for \$2,013 and \$85.48 for the water sale investigation

RESOLUTIONS OFF CONSENT AGENDA

R-84-10 RESO RE: YEAR END TAX OVERPAYMENTS

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

R-92-10 RESO RE: PERSON TO PERSON, PLACE TO PLACE TRANSFER OF LIQUOR
LICENSE #0239-44-017-006

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

*With condition it includes separation between two stores

Thomas Zisa – mayor and council members, my name is Tom, Thomas Zisa. I'm an attorney. I represent bond hill ink.

Mayor Massa – what is your last name sir.

Thomas Zisa – Zisa

Mayor Massa – Zisa.

Thomas Zisa – yes correct. I represent Bond Hill Lincoln standing to my left is the president, [inaudible], we have before you an application for person to person transfer and place to place transfer for a liquor license number stated in the reso, in the agenda. I understand there's a few questions. My clients have been business people and my client has been a business person for this town for the last 8 years. He operates a convenient store at 46-48 Ridge Road. It's the application really involves just incorporating the liquor store, a packaged good store into a portion of those premises. Are there any questions concerning the application?

Councilman Hughes – Yes I have a question. According to the application, your licensing a 100% of the establishment for the liquor license.

Thomas Zisa – Our application reads as if the entire first floor of the premises will be the licensed premises as well as the entire basement. What the intention is now is they currently operate a convenience store. A small portion basically 30% of the floor's space will be used for liquor store purposes. The store is comprised of two separate store fronts with two separate street entrances. Liquor store will be operated out of 46 Ridge Road. The remainder, 48 Ridge Road will be used for the convenient store purposes, same that is now. The only reason the application was read to say the entire first floor was because in the future if liquor store portion of the store does very well, he might decide to just simply forego the convenience store aspect and just use the entire floor space for liquor store purposes. But right now, the intention and what he will be doing is only operating the liquor store out of the 46 address, which is about 1/3 of the entire floor space.

Councilman Hughes – now how is that going to be segregated between the two facilities so that because I do understand they operate different hours?

Thomas Zisa – actually that's now going to be an issue at all for all your concerns. We understand that this the liquor store portion must close by 10 p.m. That will be what is done. Both the convenient store and the liquor store will close at 10 p.m.

Councilman Hughes – what about opening times?

Thomas Zisa – I believe...

Councilman Johnson – Sundays...

Councilman Hughes – Sundays are like 12 noon for packaged goods. I'm sure the convenience stores open a lot earlier than 10, 12 noon on a Sunday.

Thomas Zisa – my client has every intention keeping a closing and opening both stores in accordance with whatever's required for the [inaudible].

Councilman Bianchi – years ago, that was a liquor store and there was a petition up there. Now just a little archway to walk in between the two stores. Are you going to do the same thing or just leave it opened?

Randy Pearce – council, could we just have your clients full name, address on the record, and have him sworn? You could certainly speak as the attorney but we need to have him sworn.

Rajendra Sharma – 34 Mount Prospect Ave. Verona NJ.

Randy Pearce – thank you.

Thomas Zisa – very good. So right now, there is a partition wall but a portion of it is opened so that a patron could pass from the convenient store into the liquor store to purchase liquor. My client is willing to put a barricade up if that's what the board needs necessary is perhaps a barricade by way of a wall, or a barricade by way of a doorway which can be locked. Sliding [inaudible]. Anything than can be locked so that there's a physical barricade between the two stores and then like I said it is a, the store right now is comprised of two separate store fronts opened into one store so the patrons can pass between the two. But there is access from the street. There's a separate entrance to the liquor store portion so right now he'd like to have it so that patrons could pass from the convenient store into the liquor store, of course he's only going to operate both stores during the hours permitted for a liquor store. Because he feels that might benefit the people come in to buy whatever, bag of chips, whatever, and also go over there and buy a packaged good to take home.

Councilman Hughes – well we just discussed the opening hours he's going to operate the convenience store at an earlier time.

Thomas Zisa – at the same hours as is permitted for a liquor store.

Councilman Hughes – opening at noon on a Sunday.

Thomas Zisa – would you intent to open any earlier on a Sunday?

Rajendra Sharma – maybe.

Councilman Hughes – you sell rolls, you sell bread, you sell coffee and newspapers.

Rajendra Sharma – I will keep the convenience store separate from the liquor store hours. I will have two different persons working at the counters and I will follow the guidelines, whatever is required by the township.

Thomas Zisa – well just to be clear so that they're not, council members confused. If you wish, we talked about this, if you wish to maintain any different hours for the convenience store from

what's permitted by a liquor store, a four day liquor store. You have to have a physical barrier between the two and your going to keep the convenience store opened at any hours that a liquor stores not going to be opened. You need a physical barrier.

Rajendra Sharma – I will put up the wall.

Thomas Zisa – we talked about this, my client and I spoke about this, we knew it was going to be a concern.

Councilman Hughes – I don't think we're as concern with what type of barrier. I mean if you put a sliding gate for all we care, as long as there's a physical barrier between the two facilities if they're going to operate at disparaging hour, you know different hours from one another.

Thomas Zisa – sure so that one of the liquor stores is not supposed to be opened. It can be [inaudible].

Councilman Hughes – and our police officers who are [inaudible] enforcement can easily check it out, make sure that everything's being run appropriately

Councilman Bianchi – uh I don't know. I think you're wrong here Rich. You know why? Because I go into delicatessens all over the place and they have liquor and you can get a half a pound of ham and bread and the liquors right there. You get it Sunday morning. And there's like on Prospect Avenue, there's one. You know what I mean, you could only get a six pack of beer but he won't sell beer to you, no he doesn't do that, but it's opened. There's no barrier. I don't see why...

Councilman Hughes – Maybe Mr. Pearce, do you have anything that you shed a light on this?

Randy Pearce – well this is the decision of the mayor and council. If you're comfortable with those types of situations that's...

Thomas Zisa – my client certainly would not violate any ABC rules or local ordinances about opening and closing time. Times during which liquor sales [inaudible]. Absolutely not.

Councilman Hughes – I think I'd be more comfortable if there was some kind of partition there that would and like I said I don't think it needs to be wall but a sliding gate up that could be closed and [inaudible] off the area you know or whatever you want to do that's appealing to store front.

Rajendra Sharma – I lock it and wait for it different hours. Okay. I agree with it.

Councilman Tanelli – then there's no temptation to, not to say anyone would violate the law, but there's no temptation to do it if that's closed off until its supposed to be opened for operation.

Thomas Zisa – sure apparent we had talked about this issue beforehand.

Councilman Hughes – and it maybe prevents shoplifting or something where somebody sneaks into the part of the store that's not being monitored at the moment, so I would be more comfortable with out it. Maybe we'll make that part, could we make that part of the resolution?

Mayor Massa – I would expect councilman that we could make contingent on the resolution that the resolution [inaudible] be contingent on that matter being addressed.

Thomas Zisa – some sort of barrier that can be closed when the liquor store is not supposed to be.

Mayor Massa – and then it will be subject to inspection by the ABC enforcement arm with the police department.

Terence – mayor and council, just a brief item and perhaps, I was looking at the application a little bit today, I think one of the key issues I certainly refer to the borough attorney on this item

is that what you have before you is including the entire premises as available space for sale of alcohol. Is that correct?

Thomas Zisa – yes. The entire premises will be licensed but as stated only that portion of the first of all, lets just break it down. The entire basement would be licensed for sure because that's going to be used for storage and goods that are not on the shelf for sale. The only reason why we would like to see the entire first floor premises licensed is because in the future should he choose to expand a liquor sale aspect of the business, he wouldn't need to reapply to the ABC.

Terence – that's exactly my point. So the key question was...

Councilman Tanelli – can the borough put restrictions on the license based on when that and if that day comes that and he opens it for the full liquors than we can lift the barricade restriction on it. Can we have to make them have to come before the board?

Councilman Hughes – well no because then he would have to operate in compliance with the ABC laws so there would no need for a barricade there. The barricade is only because of different hours of operation for the two facilities.

Randy Pearce – yeah but ultimately the question is, do you want to permit 100% usage now?

Thomas Zisa – or would you like me to come back for an expansion of premises at a future date.

Randy Pearce – that's the issue before the mayor and council.

Terence – or would you like it segregated into that space that is currently contemplating certain square footage. Do you want to approve that area and if there's an expansion they come back? Or are you...

Councilman Bianchi – yes because he might come back in 4, 5 years and it'll be a different board here maybe.

Terence – or may expand in next month. Or tomorrow. I mean that's the key point here.

Thomas Zisa – one of the reasons he's trying to acquire this liquor license is obviously to boost business because business at a small convenience store is difficult.

Terence – you may want to shut down the convenience store...

Rajendra Sharma - [inaudible] so hopefully this will bring more people in, in the town, and [inaudible].

Thomas Zisa – you may find that its more beneficial to forego the convenience store aspect entirely.

Councilman Hughes – if we restrict that now, that requires him to go through the entire ABC process again.

Thomas Zisa – that's what we're trying to avoid.

Councilman Hughes – and that creates a considerable cost on the store keeping part.

Mayor Massa – I think it would involve a hardship on your client so if we could resolve this this evening with the caveats in place, I would be comfortable with that as long as the rest of the members of the council are.

Councilman Hughes – yeah, I'd be comfortable with the fact of letting him license 100% of the facility but if they're going to be operating the convenience store at different hours, there's a partition or separation there that can be securely put in place.

Mayor Massa – and I recognize the fact that we have an applicant here coming before this body whose being from I can see is a totally candid and forthright with his represented by counsel; it doesn't appear to be any evidence of any deceit or subterfuge on his part.

Thomas Zisa – no absolutely, nothing to hide.

Mayor Massa – I think he's well intentioned and this is a good fate.

Randy Pearce – so just that I'm clear, if next month he makes a 100%, the mayor and council are okay with that.

Thomas Zisa – as long as he complies with the hours of operation.

Mayor Massa – as long as he complies.

Councilman Hughes – so the only thing we'd add to the resolution is that if they're going to be operating to these separate facilities, there be a physical partition between the two facilities if they're going to operate at different hours of operation outside of the ABC requirements.

Mayor Massa – that resolution will be amended.

Terence – it would pull that and borough attorney draft language and bring it back possibly this evening.

Councilman Hughes – could we do it after we close session?

Randy Pearce – we could.

Thomas Zisa – that would be great. I would appreciate it. I want to thank yourself, mayor and the members of the council, borough attorney, Mr. Wall. I have to say this has been extremely interesting meeting to this [inaudible].

Mayor Massa – we're a colorful character.

(laughter)

Thomas Zisa – exactly right.

Councilman Bianchi – its not your run of the mill town. Its not Mayberry.

Thomas Zisa – a little bit of levity is always good and it was just thank you very much, I thank you for your assistance.

Mayor & Council – thank you.

Mayor – okay, ordinances.

R-94-10 RESO RE: APPOINTMENT OF RECREATION AID

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

ORDINANCES

SECOND READING AND ADOPTION 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"

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2041 TO THE PUBLIC

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

MOTION TO CLOSE HEARING AND ADOPT

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

FIRST READING OF ORDINANCES

FIRST READING OF ORDINANCE NO. 2042

AN ORDINANCE TO AMEND CHAPTER 83 §15(D) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “ALCOHOLIC BEVERAGES”

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

FIRST READING OF ORDINANCE NO. 2043

AN ORDINANCE TO AMEND CHAPTER 30 §1(C)(3) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “FIRE DEPARTMENT”

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

FIRST READING OF ORDINANCE NO. 2044

AN ORDINANCE TO AMEND CHAPTER 30 §5(G) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “FIRE DEPARTMENT”

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

FIRST READING OF ORDINANCE NO. 2045

AN ORDINANCE TO AMEND CHAPTER 30 §17 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “FIRE DEPARTMENT”

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

Councilman Hughes – I refuse myself and with an explanation so the people here know why I’m doing this. I am a member of the fire department and under the state ethics guidelines, I’m not allowed to vote on any fire department matters. So it’s not that I’m against the fire department in any way, I’m very much in favor of these ordinances but I do have to refuse myself from voting on them so just so everybody here knows why I’m doing it.

Mayor Massa – thank you for putting on the record councilman. He’s being very forth right and ethical with respect to these issues and its important the public know that he’s not jerking his responsibility by not voting on these ordinances. Okay next.

FIRST READING OF ORDINANCE NO. 2046

AN ORDINANCE TO SET GUIDELINES WITH REGARD TO POLICE OVERTIME BILLING

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

Terence – this is setting in place an ordinance form of current standard operating procedure as it relates to overtime for the police officers.

Mayor Massa – this is for overtime for outside work that the police officers do for contract jobs at construction sites and other work they do that's outside the routine?

Terence – that's correct. This is not related to regular duty work.

Mayor Massa – just wanted to have that on the record so the public is aware of that. Motion introduced by Councilman Hughes. Seconded by Councilman Tanelli. Any discussion?

Councilman Tanelli – mayor, this is also satisfies one of the audit issues?

Terence – that's correct.

Councilman Tanelli – thank you.

Terence – [calls roll].

Mayor Massa – administrative report.

ADMINISTRATOR'S REPORT

Terence – briefly since there's been a long meeting thus far, the nearly half a million AR or A grant is being deployed for Ridge Road streetscape. You took that action today and that is 460,000 to be exact of federal grant funding that's directly benefiting the folks in the borough of North Arlington. We have also, we're in the process for an 80, I believe its \$81,000 community development block grant for maintenance of eligible [inaudible] in North Arlington for a recent grant process; that award is also to be forth coming. We did apply to Congressman Rothman for rehabilitation of RIP Collins field in the amount of \$5,000,000. The main funding eligibility, if the program works accordingly would be related to a stabilization of the area adjacent to the river and also in regard to storm water management flood plan, 100 year storm water issues because we believe the field itself needs significant structural issues as well as the redoing the entire field. So that's in process as well as a transport vehicle for our EMS services. We also applied for the program if it would be awarded north of the Zadroga Park for a new field for the children as well. So that would conclude my report on some of the grants working. We are also finishing up our work on the budget and we will be coming forward with hopefully some solid numbers for your presentation to the folks in North Arlington. Thank you mayor.

ENGINEERS REPORT

Neglia – good evening everyone. How are you? I'll make this very brief. The first item in our report is the 2009 NJDOT municipal aid program Sunset Avenue. [Inaudible] occur on March the 19th and at that time we will get a start date for the contract. Probably expect construction to start sometime in the month of April, pretty typical for the industry. The second item of our report is the Ridge Road streetscape phase 3. As you know, tonight you passed a resolution to go out for bids on that project tonight so we will put that out and have bids back possibly for your next meeting, if not, it would be for the following, and how long we'll be on the street. Holy Cross Cemetery, now landscaping improvements, we did solicit some quotes, the prices came in higher than we would have liked them to come in so we revised the landscaping plans for additional trees along that cemetery line to change the type of material and the spacing of it to bring it back within the budget that was allocated to that project. It was about \$8,000 outdated and they came in around \$13,000 Joe. So we're going to try and get that number back within the

line of which you had to spend for that project. 309 River Road, Green Acres, we are completing our phase 1 and you should have that for your next meeting. The last item was, there was three questions raised at the last meeting, by the public in terms of streetscape. If you recall, the questions were the poles chipping, cracked concrete, and some paving stones that need to be reset. Hadco is your white light pole manufacturer. They're the ones that are preferred or demanded by public service. They have had issues with the paint chipping on the poles. Town of Kearny also had a similar problem with the paint chipping. We contacted the town of Kearny and the manufacturer and the solution has been in Kearny which I'm going to recommend to the Borough of North Arlington is purchase paint that Kearny buys from a business in North Arlington and basically do have the DPW is going to have to maintain those and fix those chipped paints. There hasn't been any long term solution on the solid so that's been the remedy in some of the other towns that are facing the same issues. The other thing that was and I did go out and took a look at some of the concrete slabs that had some cracking in it. If you pour enough concrete on it, you will get what's called curing cracks. When a concrete cures against other surfaces, sometimes you'll get a hairline crack that'll go through it. What we do in the construction industry is try to limit that cracking, put expansion joints in, hoping that any of the cracking occurs in the concrete cracks with those expansion joints. There are some minor hairline cracks. The structural integrity of slabs are in good shape; it's more of an aesthetic issue than it is a structural issue, even with the [inaudible] cycles that we have occurred over this last winter. There's been no shifting of the slabs, so there's really in our opinion no reason to remove those slabs this point and time. [Inaudible] pour enough concrete and you pour it long enough, put enough yards down, you will get down a few hairline cracks occasionally when the concrete actually cures from inside out and that's really what they are for that. And the last item that was brought up at the last council meeting was some paving stones that needed to be reset. Passaic Valley came in and did a repair and we will be contacting them to repair their, they took up the paving stones; they did their repair and never reset them properly. And the last is the slats on the bench were replaced today.

Councilman Hughes – oh, excellent.

Mayor Massa – any questions for Mr. Neglia?

Councilman Bianchi – yes, I've got some questions. Just two questions. The Holy Cross cemetery, the landscaping improvements along Ridge Road, explain that to me.

Neglia – this the is landscaping along the drainage where we put the drainage in.

Councilman Bianchi – you mean down Park Avenue.

Neglia – correct.

Councilman Bianchi – oh okay. I thought it was along Ridge Road.

Neglia – now there's been another issue that we're dealing with with the cemetery people in terms of what's happening with part of their edition I assume. You're talking about the landscaping along Ridge?

Councilman Bianchi – yeah.

Neglia – we've given the estimates. I know Robert Kairys gave some estimates as [inaudible] working with them. Try to get those improvements to [inaudible]; it needs to be paid for by [inaudible].

Councilman Hughes – they're trying to do less than what we've done in other parts of the town, correct? Is that my take on it?

Neglia – I would say that's probably accurate. I don't if they really said that as of this date but we're going to make sure they do in accordance with what they promised.

Councilman Bianchi – when they had first came before us, Mike, you were here. They said they we're going to put three pocket parks in. Is that still in the wind or is that gone too?

Neglia – I thought it was two pocket parks.

Councilman Hughes – I thought it was three. I thought there was one like...

Neglia – one on the corner, and then one midway up the street.

Councilman Hughes – I thought there was going to be one like almost across street from Meloros or my store, and then one across from the Luke Oil, and one up by Aster Avenue.

Neglia – I'll double check on that. I don't remember the exact number of pocket parks.

Councilman Hughes – because the cemetery, the people who run the cemetery, they have a habit of forgetting, they have a short memory, yeah. They promise a lot, you get nothing.

Neglia – the attorney Charles Sarlo has been on that. I know Terence has been in the email chain also.

Mayor Massa – yeah, we certainly have.

Neglia – yes. Everybody's been kind of emailed over the last several weeks, we'll make sure [inaudible] wired with two pocket parts whenever the landscaping will be constructed.

Councilman Bianchi – I got one more question. Across the street here, we have a missing light, somebody keeps knocking it down. It's been missing for quite awhile. Can that be replaced?

Neglia – yeah. We'll definitely call them and...

Jim McCabe – it's already been taken care of.

Councilman Hughes – it's been taken care of? I will suggest that if we do replace that light that's by J&W, that we put two big pollards yeah, I didn't know the word for it, pollards okay. Because somebody must be backing up and smashing it, knocking it down. So, if we could put pollards up to protect it, you know, it would be great because if you put it up again, its going to knock it down again. They knocked it down three times.

Neglia – I have no problem, you just got to figure out who's going to pay for it.

Councilman Bianchi – Jimmy Mac.

Neglia – I mean if you want we could solicit quotes but I mean that's something, I don't disagree that they should be put there; there is a cost to them. Probably couple thousand dollars at least unless you go with Decorative.

Councilman Bianchi – the mayor's got it.

Neglia – you go with decorative, its probably more money then I would guess, if I were talking 5 or 6 thousand dollars.

Councilman Hughes – you know, I admit I haven't looked lately but did they remove all the old streetlights up at the Belleville Turnpike. I mean this is something going back 6, 7 months when they put in the new lights and they were going to remove all those old pole lights, you know the bonnet lights on top and I think that was part of the Streetscape to remove the old lights. Do you know if that's been done?

Neglia – I don't. I will double check with [inaudible]. I don't know personally whether they did it.

Councilman Hughes – I honestly haven't looked either but I know we discussed it here, probably 6, 7 months ago.

Mayor Massa – yes we did. I'll take a look myself.

Neglia – I will definitely check and let you know tomorrow. Pretty sure they're gone.

Mayor Massa – thanks Mike. Council reports.

COUNCIL REPORTS

COUNCILMAN BIANCHI – I got my fire report for the month of February. We had a total of fire alarms of 30 fire alarms February. We had five activated c/o detectors. Nine false alarms. Two false from mutual aid. One EMS assistance for alarm malfunctions. One call for down power lines. One chemical spill. Three calls for smoke conditions. Two gas leaks and two calls for snow watch. For a total of 30 alarms. The chief wrote this little letter and I shortened it. Snow watch is where fire fighters sleep in the fire house because of driving conditions are being too hazardous to drive from their home to the firehouse. Therefore the safety and the quickest way to respond is through the person to sleep in all three fire stations manning two engines, one truck, and one rescue for the duration of the snow event. In total firefighters had spent over 72 hours of their personal time in fire houses for the protection of the citizens of North Arlington. Unfortunately, on this past Monday, March 8th, one family was left homeless after our firefighters responded to a house fire on the corner of West Street and Stover Avenue. Heavy smoke was visible upon arrival. From the basement and the garage area, both engines and the ladder truck and the rescue went to work and contained the fire. Team was utilized from Lyndhurst Fire and mutual aid was called for coverage from Kearny Fire Department, Rutherford Fire Department. I'm happy to report that no residents or firefighters were injured. As a report, our EMS truck, we're waiting for our new 2010 KME rescue truck which should be delivered March 24th. And also too, on a quick note, March 17th Schuyler Hose Company #2 is having a corn beef and cabbage night. Everybody is, you should go. And on March 26th, Eagle Company #3 is having fish and chip dinner in the high school cafeteria. I don't know the prices but I think they start at about 5 o'clock at night. That's my report.

Mayor Massa – what day is that?

Councilman Bianchi – that's March 26th. There's nothing for Saint Josephs Day to report.

COUNCILMAN HUGHES – thank you Mr. Mayor. I'm pleased to report that the website is up and running. And most of the emails have been transferred over to a secure storage facility in complete compliance with all of the HIPPA laws, all of the open public records laws, and everything will be maintained properly at a nearby storage facility. One thing with Porete Avenue Redevelopment, I've been working with our construction official, Mr. Kairys, and he at my direction he sent out a letter and its titled Operations Spring Cleaning. As you know, Porete Avenue is a bit of a challenge sometime so in conjunction with the redevelopment, we're trying to encourage down there and to try and attract good reasonable tenants. We're trying to encourage the business owners that are down there to look around their properties, clean up abandoned vehicles, clean up abandoned pieces of equipment, clean up any kind of stuff that's down there that's really need to be gotten rid of. So, the construction department's going to be following up on that, working with them, not in a heavy handed method, unless that's necessary but more in a trying to get them to cooperate and make that whole area, bring up the value of the properties. And the last thing tonight, we approved some upgrades to the Little League Field through the diligence of Mr. DeGrace, been very active down there. And we were able to get Passaic Valley Sewerage Commission to come in with their crew and they saved us I think it was about 8 or 9 thousand dollars worth of work in cleaning up the weeds and overgrowth along the river bank there for no charge to the borough and I know they put in several days of work down there and are they done yet there?

Neglia – they are finished.

Councilman Hughes – so everything's moving along very well and should be done pretty close to opening day.

COUNCILMAN JOHNSON – the DPW stayed busy in February with several snow and ice events. The last snow storm was particularly difficult because the large quantity of snow was a wet snow and the fact that the storm was spread out over 48 hours. I've talked to many residents during the past several months and they seemed to be very satisfied with the way were salting and plowing the roads. The feedback has been positive and its even more impressive considering

as the mayor had noted before that we only have 10 workers and 7 trucks. In comparison, neighboring towns operate with upwards of 50 workers and 40 trucks. I'm pleased with the work of our DPW. At the same time, I'm also a realist, and I understand that we cannot continue to succeed on effort alone. Therefore we're currently working on a comprehensive plan to replace aging equipment. As a council liaison, to public works, my goal is to have the cleanest roads around. Superintendent McCabe along with recycling coordinator Mark Cunningham, have shown that we can do more with less. North Arlington may be a small town but there's no reason why we can't lead the way for the entire county and set a good example. Thank you mayor.

COUNCILMAN KEARNEY – thanks to our new recreation director, Jim Herrmann, I'm going go based on his report to me. Share it with the public with regard to North Arlington baseball, I'm happy to report that there was a registration of approximately \$265 athletes and that registration's complete. A team roster was set. Uniforms and equipment have been ordered. Opening day is scheduled for April 3rd at 10 AM. A safety plan has been considered including preparation of first aid kits, the little league charter requirements are complete. I think that's fantastic. With regard to North Arlington Softball, I'm happy to report to our registration of a 100 [inaudible] athletes. There's also two travel teams. I guess Mike Tetto may have offered maybe one or more than that. The uniforms and equipments, that also has been ordered, and that's scheduled to open April 10th at 11 AM. With regard to North Arlington soccer, there was registration of 280 athletes consisting of both boys and girls ages 4 to 13. Opening day of soccer is schedule for Monday April 12th and there is an opening day for the travel team which is March 28th and we have a pioneer golf program being offered to all of North Arlington residents in conjunction with the Bergen County Golf courses director Kevin Purcell. Basically, this program exposes the only athletes to the challenge [inaudible] of the game of golf. More information will be available and will be communicated to the public so that they may participate in it. Basically, the community service hours were offered to high school students from North Arlington high school and Queen of Peace high school on Saturday, March 6th where the recreation department held a community clean up day at the recreation house located at 96 Schuyler Avenue and there were ten students that participated in the cleanup. Nine from North Arlington high school, one from Queen of Peace high school. The house was cleaned from top to bottom. Each student worked from 10 AM to 4 PM. Earning 6 community service hours toward their high school graduation requirements. And I would on behalf of the mayor and council, like to thank the following students, Abraham Jalah, and I apologize if I'm mispronouncing any of these names, Pedro Wells, Grenato Segato, Oliver Castinean, Chantel Prado, Greno Palvel, Austia Burke, Chris Avallone, Robert McCarthy, and Daniel Kearns. That's the end of that report. I don't know if Mr. Herrmann would like to add anything else to that. With regard to Mike Kraft, he's working on the summer program proposal. He's putting that together and that's all I have to report tonight Mr. Mayor.

COUNCILMAN TANELLI – I would also like to thank the DPW for a great job in that crazy snow storm, under tough situation with the amount of snow that fell and the time that it fell, it was difficult. Every time I looked out at the plow coming by, it was like Groundhog Day. Over and over, another two inches the next time they came down. I'd like to commend the fire department, emergency squad, police department for the job they did the other night working on the fire that Councilman Bianchi mentioned on West Street. I'm always amazed at the coordinated efforts at the scene and how professional all these individuals in the departments operate. This is just one example. They all answer many calls throughout the year and I just wanted to say thank you on behalf of the tax payers of this community. Also, mayor, police department made me aware of an issue that's been going on. They've been issuing warnings to the residents on the south end of town about some miscellaneous break ins. They're targeting multi level apartment buildings. They enter the building through the vestibule where they're covered and they have time to pick out selected apartments and pry the doors opened. They're specifically targeting large screen tv's and laptops. So the PD is requesting you latch your dead bolts and watch out for your neighbors. If you see anything suspicious, please call the police department. Thank you .

COUNCILMAN YAMPAGLIA – again to reiterate with Councilman Tanelli had said, I want to commend the DPW for a fantastic job in that snow storm. I work locally and actually [inaudible] and of the neighboring towns that I noticed. North Arlington was definitely when I was comparing the several towns surrounding North Arlington was way ahead of the game and doing an unbelievable job in comparison. Mr. Mayor, I'm going to approach this a little bit, last month I spoke to Tony Mondaro of the EMS and there seems to be some issues with the vehicles. Mr.

Mayor, I think we spoke about this, the first responders [inaudible], the transport vehicles, and I know you're familiar Alpha 1, the Alpha 7 which is currently out of commission as we speak and the Alpha 9. I would just ask that maybe this could be looked into being investigated further to see if maintenance or actual replacement of them would be an option. That's all I have mayor.

MAYOR MASSA – my own report tonight I'd just like to comment briefly that it was an honor to see North Arlington recognized by New Jersey monthly magazine as ranking 104 out of 567 municipalities as one of the top places to live in New Jersey. That's put North Arlington in the top 20% of all places to live here in the state of New Jersey and it was very nice to see that in the New Jersey monthly magazine. I also included that information in a letter I wrote to the editor that appears in the Leader this week. Very importantly, I want to thank the members of the DPW for the great job they did the recent snow fall, the police department, the fire department, EMS, and our volunteers. And also, I personally contacted the fire chief regarding the excellent job the fire department did at the serious fire on West Street. But I also want to comment on the situation involving the expenditures of public money that I have taken an issue with and I'm respectfully taken an issue with, with the money that's been allocated for the water sale investigation. We Democrats have disagreed with Councilman Hughes and Councilman Bianchi and the Republicans on whether we should have hired an attorney, Mr. Peter Scandariato and an engineering firm for a fee of up to \$30,000 simply to investigate the water sale that the borough engaged in with the Passaic Valley Water Commission 6 years ago in 2004. Personally, I believe its practically impossible for anybody to now go back in time 6 years and accurately reliably estimate the value of the water system as it existed at the time. I've also learned that there were very few buyers who were interested in buying the water system at that time. And Passaic Valley was one of the only [inaudible] interested. It's also apparent to me that Mr. Scandariato was law firm was a long time borough council in the administration of former Mayor Kaiser and was and still is a big financial contributor to Mr. Kaiser and the Republican in North Arlington but there going to be given up to \$15,000 of taxpayer money to go on what I think is really a futile effort. I'm concerned that we are spending taxpayer's money only to take care of Mr. Kaiser's friends and supporters of the republicans on this council. Despite the fact that we have huge deficits, I implore Republicans to reverse their decision and stop spending this unnecessary taxpayer money. I can't vote on it, it must come from the four who voted for it. I do understand the Republicans hiring an attorney even though it's a contribute to their campaigns. I understand that they have people that they have people that they trust and they rely on and I have all due respect for that, but you can't spend precious tax payer dollars on lawyers just to get something done for the purpose political expedience. I only can see money spent on, taxpayer money spent on attorneys when we get something back for out taxpayers. Unless we get something for our money, otherwise we're just given taxpayers money to political supporters for no real valid reason and that's what's happening here with this investigation. Republicans admit that this investigation won't get the water system back and our rates will go down. They still want to spend \$30,000 on this investigation of this 2004 water sale. Last month, Mr. Bianchi said that this is nothing more than what we Democrats did with Encap. However, its not the same thing. With Encap we were able to stop the project from coming to fuition by refusing to condemn private property. Encap then sued North Arlington. They tried to get us to live up to this contract that we didn't want but we stopped the project by fighting in the courts and we were successful by only having to pay back 2 million dollars that was given to the previous administration. And the money that was held in Escrow was returned to Cherokee. That's entirely different. This water system deal is completed and I heard no comment about it and nobody ever wanted an investigation of it until recently. Not one councilman, Republican or Democrat, in the last five years, ever introduced a resolution to do this investigation. It happens 6 years ago. North Arlington tax payers got money from the sale, got millions of dollars. Passaic Valley Water Commission also put between 2 and 3 million dollars worth of repairs into the system since they've acquired it. There is nothing for us to stop. And this investigation will probably not go very far. Spending taxpayer's money on this investigation will only take care of Republican supporters and those who are very close to Mr. Kaiser like Pete Scandariato who I have personal regard for; he's the lawyers that the Republicans hired to do this work. Again, I'm not opposed to hiring lawyers and spending money on important projects, things that might save money in the long run or stop a [inaudible] like Encap. But spending taxpayer's money now, on a witch hunt that will get us nowhere but a report which will just gather dust on a shelf. This seems to be nothing more than just payback to Mr. Scandariato and the engineering firm; both of them contributed a lot of money to Republicans here in North Arlington. And for their every report which I ask for from the attorney and from Mr. Alaimo, I ask for it to be delivered on March 1st, said itself we believe the borough will be hard press to dispute the sale unless we can show

meaning the borough, that Passaic Valley's enjoying some kind of wind fall profit. So let's remember that we are being charged water rates, based on New Jersey statutes. So forget proving that Passaic Valley is making a windfall of profit. And stop paying taxpayer's money on this witch hunt because like the engineer says we won't be able to do anything this sale. Mr. Yampaglia and Mr. Tanelli voted against spending that \$30,000 from day 1. So they can't be asked to reconsider this decision. So I ask tonight to Mr. Hughes, Mr. Bianchi, Mr. Johnson, Mr. Kearney move a resolution that will not continue to spend taxpayer's money on investigating the value of the water system back in 2004. Remember, the sale happens before Mr. Tanelli and Mr. Yampaglia arrived or I were even on this council. So we have nothing to fear high but my administration is always focused on taxpayers. Not spending money unnecessarily. Its why we're able to get our taxes in order with very small increases over the last several years with taxes only going up the year that we fought Encap. [Inaudible] voted for two republicans last time, the republicans now control this council and this year's budget. Spending money on this to take care of there supporters will be just a waste of money. So I ask these members of the council again to reconsider this action. Sure, Councilman Hughes says that Clifton and Passaic paid lower rates than we do. That's cause they own the system. I've been reminded since then that we were told last year about the law, that we are paying statutory rates. Clifton, Passaic, and one other community own the system and they can charge themselves whatever they want to charge cause its their system. They put it in place and they spend a tremendous amount of money to maintain it. We already looked into this and we got an answer. North Arlington is charged rates like every other non ownership community. And that's the important part. I ask Mr. Pearce to provide a written opinion explaining why Clifton and Passaic are able to charge different rates. So, there's no mystery about it, that's the law. You may want to call Mr. Delia who already gave us an answer. And then we can all move onto dealing with the real problems that are facing North Arlington because this supposedly investigation is nothing more than just an expenditure of taxpayers money that we just can't afford right now. So I'll ask them to act after the executive session this evening to rescind these resolutions so we can concentrate on the important business that's facing this community. That's all I have for my own report. At this time, I'll entertain a resolution to move to executive session.

R-93-10 RESO RE: EXECUTIVE SESSION

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

MOTION TO RETURN

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

Terence – back on then, the agenda's resolution 92-10 is a resolution regarding person to person, place to place transfer of liquor license #0239-44-017-0006

R-92-10 RESO RE: PERSON TO PERSON, PLACE TO PLACE TRANSER OF LIQUOR LICENSE #0239-44-017-006

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

*With condition that includes separation between two stores

Terence – last resolution, is resolution 93-10. This is resolution regarding appointment of recreation aid, whereas there's a need for recreation aid, and now therefore be it resolved by the mayor and council of the Borough of North Arlington that the following individual be appointed as recreation aid and receive an annual stipend of \$2500 with a term to expire December 31, 2010. Name being Tara Banuls, North Arlington, New Jersey.

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

Mayor Massa – discussion?

Councilman Bianchi – discussion. Her pay, 2500 a year, can we make that retroactive back to March 1st?

Randy Pearce – per year?

Councilman Bianchi – for the year.

Randy Pearce – for the whole year.

Councilman Bianchi – so then how her pay is figured out would be from January 1 to December 31st.

Terence – we can have it paid out for a total of 2500 by this resolution, paid out in full 2500 paid out by December 31st.

Councilman Bianchi – okay.

Mayor Massa – so that would be retroactive to January 1?

Councilman Hughes – yeah or else just make it 2500 for the 10 months.

Terence – for the period, correct.

Councilman Hughes – 250 a month for the ten months that we have.

Terence – you can direct payroll accordingly.

Mayor Massa – okay. Any further discussion? Call the roll.

Terence – may we have a motion to adjourn if there's no...

ADJOURNMENT:

MOTION TO ADJOURN

INTRODUCED BY: [Inaudible]

SECONDED BY: Councilman Bianchi

ROLL CALL: All council present vote in the affirmative