

MINUTES

REGULAR MEETING, THURSDAY, SEPTEMBER 16, 2010 AT 7:00 P.M. OR AS SOON THEREAFTER AT BOROUGH HALL

OPEN PUBLIC MEETINGS ACT.

BOROUGH CLERK: this meeting is being held in accordance with the rules and regulations of the Open Public Meetings Act of the State of New Jersey. Adequate notice of this meeting was provided by forwarding a Sunshine notice which included the time, date and location of this public meeting of the Mayor and Council.

ROLL CALL:

COUNCIL MEMBERS: Councilman Bianchi, Councilman Hughes, Councilman Johnson, Councilman Kearney, Councilman Tanelli and Councilman Yampaglia

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

PLEDGE OF ALLEGIANCE

Mayor Massa – 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 kindly limit your comments to five minutes so that everyone has an opportunity to be heard. Once everyone has been heard, anyone who wants to be heard again will be recognized. Please restrict your comments to municipal matters. In the interest of time and in the interest of making certain that everyone wants to be heard about municipal issues. Neither myself nor members of the council will comment on the hearing of citizens until all citizens have been heard. Gary?

PUBLIC COMMENTS

Gary Burns – 12 Eckhardt Terrace. Mayor, I read your letter in the South Bergenite today and I assumed you wrote it since you signed it. Where did you get the 28 million dollars debt amount in 2004?

Mayor Massa – well I'll answer that at the conclusion.

Gary Burns – okay. You stated you reduced the debt to 17,200,000, a reduction of 40%. Currently the debt is approximately 21 million dollars with interest. You overstated your debtness and hurt it by 30%. In addition to your letter, you stated the squandering of temporary host fees of 45 million dollars over two decades. What I had been able to find from 1986 to 2002, a period of 17 years was just under 34 million in host fees which was applied to the municipal budget. This in average is approximate 2 million dollars per year. From 2003 to 2009, an approximate amount of 14 million dollars in host fees were applied to the municipal budget. I can't differentiate between 1986 and 2002, the difference between what took place at that period of time and 2003 and 2009. as remembered mayor, you were pushing to keep the baler opened. Mayor, I truly believe that you're being a little less than honest with the tax payers with these numbers. Okay, thank you.

Mayor Massa – thank you sir. Anyone else?

John Parisi – I live at 40 Geraldine Road. Reason I'm here is I have a problem with my back fence. My property looks out over to the Meadows. My property abuts the for any redevelopment project, the end part of it. What's happening is, I have a problem with my back fence; it [inaudible] and then the last pole v's down, just dropped down about 2 feet. In front of my property is a drain, water drain, right underneath the edge of my property, right out into the Meadows. What's happened over the years I'm sure from all the rain all the snow all the storms and everything, all that water has run down through this pipe has created a ravine, an actual gully on the back of the hill there, has eroded away the

retaining wall. Said it might [inaudible] and it actually has created an opening underneath the fence. Now, I don't know whose problem that is, if it's my problem or if it's the borough's problem. I know you guys needed to put the pipe in obviously, it's been there for years and years but now there's the result of it of all this water runoff. I don't know what else I can do. I had Mr. Kairys, the gentleman in the back come up, he took last fall he came, he took pictures, agreed that it was definitely a problem, didn't say it was my problem, didn't say it was your problem, just said it was a problem. He brought it up to the engineering department, Mr. Neglia. Around the holidays, a Spanish gentleman came, he took about 20 pictures of both sides of the fence, my side, outside, of all the water running out and he obviously couldn't do anything, he was just there to take pictures. He bumped it up to a Jason Mandela who came, if you remember late winter early spring, we had two real heavy bad storms, and he came at the second storm. He actually came up on that day, I was very surprised. He saw the water running out this pipe down to this ravine. It was running so fast, you could do white water rafting on that water because it was going pretty fast. He said they got to scope the pipe. I didn't know what that meant, scoping the pipe, I assumed the pipe, checked the pipe was running, I could tell them [inaudible] it was running pretty good, there's nothing in there. Anyway, that was the end of it, my communications. I haven't heard anything in paper or anything from the council from the engineering department.

Mayor Massa – how long ago was this sir, last contact you had with somebody?

John Parisi – I'm sorry?

Mayor Massa – when was the last contact you had with someone from the borough?

John Parisi – I'd say late winter early spring, when we had the real [inaudible]...

Mayor Massa – some months back.

John Parisi – and if you come to look, I would like someone to come look at it now. I mean as soon as you see it, you'll see that there's definitely a problem. The only problem now is there's a lot of vegetation obviously that's grown over it, over the hole and everything. In the winter time obviously, there's nothing there, you can see it a lot better. They did take a lot of pictures, they're in my file somewhere, sure maybe if anyone has a few minutes to come and look, I can be home all day, any day of the week. And just give me a call because I have two dogs, I need to put them away before any one comes.

Mayor Massa – thank you sir. Anyone else to be heard?

Bob Norcia – 108 Sunset Avenue. I had asked several times for an answer to a violations of 110 Sunset, Linda Jacewich. What were the violations because the zoning had issued other contractors and people; 7 to 10 days if there was a violation to fix it otherwise they were fined \$500 a day. This went on two years and nothing was done. There's a copy of the two violations that she admits herself that she got and then she admits in a letter saying that she didn't do anything wrong. The problems with this illegal fence that you people allowed and that you yourself knew about mayor can't have a fence and the zoning say 6 foot on one side and somebody else can build 6 foot 7 or 6 foot 8. Previous to that that no one ever did anything about just to show what kind of politics are taken place and how you're handling things. There's pictures of a straw fence that was perfectly illegal for a year that no one ever came down was complained about, may pictures and it just sat there sat there and they said it was illegal. No one did anything about it and this properties starting to look like the wizard of oz. after she put up the other fence, she put up blocks. I'm expecting them to paint the yellow blocks, you know, maybe she'll make the yellow brick road next. But nothings ever done anything about this one person. But yet you prove her wrong, you give her tickets, she admits she's wrong, and nothing's ever done. Still can't find out how much the violations were being that it went on for two years. I also asked you about an incident that happened and I came up and reported something to Mr. Wall. And there were only three people in the room including myself. The lawyer find out, she find out, that's a conflict of interest. If I come up and make a complaint, not suppose to be telling because he's the prosecutor, Mr. Daveys and she finds out what's going on and then they send me a letter the next day that

I'm harassing them by complaining about something you gave them tickets for. I came and I asked from the beginning what's the procedure. I went through the channels, went through Mr. Kairys, Mr. Fernandez, Mr. Antonicello, my wonderful friend Mr. Antonicello...

Mayor Massa – Mr., I don't want to interrupt you Mr. Norcia, I'm giving you the deference of listening to your issues but I think it's improper make any adverse comments about somebody who's not present.

Bob Norcia – [inaudible] a friend. You use to see him at diners all the time, you know. But all of a sudden things turned around for some reason, why?

Mayor Massa – I don't know what you're talking about about things turning around sir.

Bob Norcia – why, because [inaudible] from a friend, started giving daggers, threatening people, intimidating...

Mayor Massa – well again, you're making characterizations that I don't know where the evidence is. Be advised that the comments that you're making are on the record here and are subject to public scrutiny and anybody that you may say anything adversely about may want to defer that to their attorney.

Bob Norcia – well I don't like to be threatened in the driveway or in a place of business okay. You want to settle it, it should have been settled from the beginning. I didn't create this horror, you knew what the rules were from the beginning and you did nothing about it. I came to you twice in May and June. In May, you said to me I told Robert Kairys about it, it's all quoted and documented the day and the time. I told Robert Kairys I want this rectified and I'm holding you responsible. You said the same words in June, a month later, I'm holding you responsible Robert Kairys, I want this rectified. Nothing ever done, why? I got the short end of the stick. I'm the one with the flood in the yard.

Mayor Massa – I don't want to interrupt you but last month you were here and I believe the administrator was directed to gather all of the relevant documentation and submit to you a comprehensive report I believe he's in the process of doing that, is that correct Mr. Wall?

Administrator Wall – I called Mr. Norcia this morning to discuss the outstanding issues with him and I'll speak to him offline. I can call you again tomorrow.

Bob Norcia – speak to? What is there to speak about? Nothing was done. You yourself said Mr. Norcia you won the decision 5 to 1. Why wasn't anything done?

Mayor Massa – I don't believe this was a decision that you one, this was a decision that the board made regarding your neighbor.

Bob Norcia – the board made, yeah. She went to a zoning...

Mayor Massa – that was a zoning issue. It wasn't an adversarial process as I recall between you and her.

Bob Norcia – no, no, no.

Councilman Tanelli – point of order your honor.

Mayor Massa – Councilman Tanelli.

Councilman Tanelli – this is every month. She lost the appeal on the fence; she'd have to reduce the fence correct? So I'd like to direct Mr. Kairys being that he's been so intimately involved in this to explain was she fined, how much was the fine, did she pay the fine, is the fence in compliance. That's the question here. I mean we hire professionals in the borough to do their jobs. You're holding the mayor and myself, Councilman Bianchi, and ex councilman DiBlasi responsible for your fence.

Bob Norcia – my fence, not my fence.

Councilman Tanelli – I’m sorry, the fence, I’m sorry. The bottom line here that’s what the professionals that work in town handle. They do everything by the law. So if there’s a law broken, that’s when it gets escalated up to us. So far we’ve been told by our professionals that work for the borough that everything that was supposed to be done for this fence situation has been completed, am I not correct Mr. Kairys?

Robert Kairys – correct.

Councilman Tanelli – so your only recourse that you’ve been told 40 times already is that you need to go to court and civilly sue this neighbor to rectify the fence situation...

Bob Norcia – that’s what you’re saying.

Councilman Tanelli – that’s what every professional that I’ve spoken to...

Bob Norcia – what other professional?

Councilman Tanelli – the attorneys.

Bob Norcia - You guys want to put the burden on me when I’m paying taxes.

Councilman Tanelli – that’s not correct.

Bob Norcia – it’s not correct.

Councilman Tanelli – no. you’re asking us to break the law.

Bob Norcia – is it correct for you and Councilman D’Elia to allow this woman to take 3 feet, you agreed, I’ll get the tape its on the tape, you with Councilman D’Elia saying she has more property. You allowed her to take 3 feet of somebody else’s property. Let me finish.

Councilman Tanelli – I didn’t say anything.

Bob Norcia – because Mr. McCallister came and asked me why is that fence on his property. I said Bob that’s not my fence. That’s her fence. 3 feet of his property, the guy can’t clean around his property. You agreed with Mr. D’Elia on the tape at a meeting.

Councilman Tanelli - I agreed with Mr. D’Elia?

Bob Norcia – yeah, you said this is over with. Mr. D’Elia...

Councilman Tanelli – another tape, bring that one too.

Bob Norcia -... Mr. D’Elia said quote Mr. D’Elia said this is over with. So you give 3 feet of somebody else’s property to someone else?

Councilman Tanelli – no but I’m telling you is you keep coming before this board with the same cry about the fence when we’re being told by our professionals that we hired that work here full time all day long that everything is in compliance and everything that the borough was responsible to do is now done. We have nothing else to do. You can ask Mr. Pearce now our new borough attorney to look into this and then he can give you same letter that Mr. D’Elia gave you.

Bob Norcia – he’s not gonna look, gave the same letter?

Councilman Tanelli – I’m sure he’ll look through it and it’ll come to the same results that the professionals have done their job in the borough.

Bob Norcia – but you have two councilmen....

Mayor Massa – thank you councilman. Mr. Norcia, by the way you've had 7 minutes. I'd like to give somebody else the opportunity to be heard at this point.

Bob Norcia – I can come back again?

Mayor Massa – sure.

Bob Norcia – because I'm getting to like this coming up here. I feel like a movie star.

Mayor Massa – anyone else wish to be heard? Mr. Norcia, you want to continue for another five minutes.

Councilman Bianchi – look Mr. Mayor, maybe I can shed some light on this.

Mayor Massa – point of order to Mr. Bianchi.

Councilman Bianchi – point of order. Sal DiBlasi and I spent a couple hours down there trying to rectify this problem and Sal brokered a great, he brokered a great deal. Even though the fence is a few inches higher, he was willing to actually let that go as long as the woman cleaned out underneath the bottom of the fence because on her side, she put a lot of dirt so it makes the fence like five feet.

Bob Norcia – excuse me for interrupting, camouflaged the violation, that's what they allowed to do.

Councilman Bianchi – well let me finish. So what happens is, when it rains being his property is higher than hers, he gets a big flood in his yard, 3 or 4 inches of water. So, Sal said, they brokered a deal in the respect that he didn't even care if the fence was twenty feet high. The thing was that if she would clean out underneath the bottom of the fence for air circulation and water.

Councilman Tanelli – could I just add to right there for one second?

Councilman Bianchi – go ahead.

Mayor Massa – point of order Councilman.

Councilman Tanelli – while the water was collecting, both the health department and the building department were dispatched to the home to see if there are any violations, am I understanding there were no health violations and there were no building code violations?

Mayor Massa – please continue Councilman Bianchi.

Councilman Bianchi – oh that I don't know but I mean I did see the water.

Councilman Tanelli – that's what I was told.

Councilman Bianchi – I did see the water. He had pictures of it too but anyway so the woman agreed, I was on one side of the fence and Sal was talking to her. The woman agreed to clean out underneath the bottom of the fence, so the natural flow of water would go down the thing but she never did that; she built up more dirt on her side of the fence and now the guys got water in his backyard. And Sal thought that he had it all solved, I said Sal you did a great job because it was good you know but anyway to make a long story short nothing was ever done. If she would have cleaned out underneath the bottom of the fence just a few inches to let the natural flow of water, this would not go on. But instead she built more dirt and cinder blocks on the other side of fence, she went higher so it keeps the water bath. What can I tell you?

Mayor Massa – thank you Councilman. Okay, once again Mr. Norcia in the interest of remedy here, I know pretty much all of your issues. I'm going to direct the borough

administrator to review this matter again with the appropriate officials Mr. Kairys, board of health, maybe the borough engineer wants to take a look at this, Mr. Pearce can review the file and Mr. Pearce will send you an official communication from the municipal government.

Bob Norcia – just to add something to the board of health. There are violations of mosquitoes and West Nile and Mr. Tanelli said they found no violations. The board of health did find violations. See if they want me to sue because of her stupidity and ignorance, I got to sue when I'm paying taxes. He said there's no violations. The waters 30 feet long, 18 wide, 4 inches deep.

Mayor Massa – that's why I'm having the borough attorney review this and he will be able to advise you as to whether or not this is a civil matter between you and your neighbor or whether it is a matter involving action that has to be taken by the borough.

Bob Norcia – I'll be done in about two minutes. This is the letter of agreement that thanks to Mr. Bianchi and Mr. DiBlasi...

Mayor Massa – well if that letter's part of the record, it's not necessary for you to present it over and over again. It's part of the record.

Bob Norcia – [inaudible] record. It's the first time I'm [inaudible].

Administrator Wall – we can enter it into as an official part of the record without, you just mark it as....

Mayor Massa – part of the file.

Bob Norcia – of the agreement that she would take care of something. That she would do the kind things to stop all the animosity, you have that record, you have that?

Administrator Wall – what I'm saying just from a parliamentary standpoint, the mayor and council can enter that into the record without it being read as a narrative [inaudible].

Bob Norcia – well I wont read it, do you want it?

Administrator Wall – you have to accept it if mayor and council accepts it as a matter of record.

Mayor Massa – sure. Submit it to the clerk and he'll put it in file.

Bob Norcia – how many you want?

Administrator Wall – copy that to, I'll copy that to the mayor...

Mayor Massa – this will be referred also to the borough attorney.

Administrator Wall – I'll copy that to the mayor and council and I'll set up a meeting is indicated by the mayor, just by way of clarity the local board of health indicated that the county was interested in pursuing charges against Mr. Norcia actually to eliminate the drainage issue on his particular property just as a matter of clarity but I'll set up that meeting.

Mayor Massa – thank you.

Bob Norcia – first of all, one thing I'd like to make clear before I forget, I think it's rude and wrong that cell phones be used on the dais and for people be sending text messages back and forth. I think it's rude if they're councilman, they should come prepared, not be advised by other people...

Mayor Massa – well I don't know who's in the process of sending text messages back and forth, I don't see anybody texting anything.

Bob Norcia – they shouldn't be allowed to be used while an important meeting like this.

Mayor Massa – well I see everyone here as paying attention.

Bob Norcia – that's tonight, right now.

Mayor Massa – well I can't say what happened at previous meetings.

Bob Norcia – don't you know what goes on in North Arlington? you show the movies, all we keep seeing is the one meeting with the budget. We've had many meetings, nothings...

Mayor Massa – Well that's, Mr. Norcia that's not a municipal matter.

Bob Norcia – it's not a municipal matter, its information that's being deprived...

Mayor Massa – the movies on television are public interest issues...

Bob Norcia – to this taxpayers. Now tell me it's not.

Mayor Massa – well how are the taxpayers being deprived?

Bob Norcia – what goes on in these...

Mayor Massa – these are public meetings, they're on the record. Everything we do here is on the record.

Bob Norcia – nobody has a record.

Mayor Massa – anybody can come here, anybody can speak. We listen to everyone. They come back here time and time you got a problem, I'll listen to you. I don't think there's been an administration that's been so accommodating that I can recall. And there are gentlemen here that probably will agree to that.

Bob Norcia – this would not exist this problem if you handled it the way you should have handled it, okay? And I offered to speak to you but you ...

Mayor Massa – Mr. Norcia, I do not interfere with the business of public officials. I do not interfere with the business of the police department. I do not interfere with the construction official. I have trust and confidence in the professionals that work here to do their jobs. The only time I will make an inquiry if there is an allegation or some kind of contention that somebody hasn't been doing their job and I did extend myself to you on several occasions to review certain issues. Now were at the point where it seems to be there's still are issues that you can't get resolved with your next door neighbor. So, I've directed it to our very experienced and skilled borough attorney and the administrator to review the entire file and send you a formal communication as to what our position is and perhaps to what your options are sir. I don't know what else I can do for you at this point.

Bob Norcia – well you gave her a private seating with [inaudible].

Mayor Massa – I didn't give anybody a private seat.

Bob Norcia – well I have letters that she was to speak to you.

Mayor Massa – [inaudible]. She met with me and the administrator just as you did.

Bob Norcia – yeah as I did and I'm very glad you said that because you said you don't get involved with your councilmen right? You objected that the two councilmen that went down that were good enough to go down and try and resolve it and got a letter...

Mayor Massa – no I didn't object to it because its not the job of councilmen to go these things. Its not their job.

Bob Norcia – you said I don't want.

Mayor Massa – they extended themselves...

Bob Norcia – the words were I don't want, my councilmen going down and investigating.

Mayor Massa - ...They extended themselves. Mr. Norcia do you have any other issue you want to raise besides this tonight?

Bob Norcia – yeah, I'll be done in a second. I'll read the rest off. You created this situation yourself.

Mayor Massa – we've allowed you speak for 15 minutes now so I would like you to wrap it up.

Councilman Johnson – can we just let the man speak and then we can comment?

Bob Norcia – you defy words in the dictionary like discrimination and the double standard. I brought the dictionary because you seem to have a different vocabulary than I. You defy several law books, meaning of conflict of interest. You told me in May, I've repeated about Robert Kairys, you told him twice; I'll skip that because you got a good memory. You defy science itself by saying water does not run down hill. You defy our colds and violations by enforcing them whenever and wherever you choose. You told the people at mayor and council meeting I won the zoning decision but nothing was ever done. All these I get, I was BS'd all along from all you people. Very important, why aren't are all these mayor and council meetings shown. That was very important to me because I feel the taxpayers have the right to know and the biggest problem is this is the biggest problem and you don't want to face it and I can't see something like this happening in the town of North Arlington.

Mayor Massa – well I'm going to tell you something about that Mr. Norcia. When you take away the Martin Scorsese style photograph and the provocative headline, it's been reviewed by legal experts. There's very little there sir. All you seem to want to do is criticize me, criticize everybody else. If you can prove to me I did something wrong there...

Bob Norcia – I don't have to prove. The paper you have to prove to the paper...

Mayor Massa – no I don't have to prove anything to no newspaper sir. I don't have to prove anything. The people of North Arlington will make their determination about my character and my integrity.

Bob Norcia – this is what I read; I go by what I read.

Mayor Massa- how do you know everything there is accurate sir? You don't.

Bob Norcia – we'll soon find out.

Mayor Massa – and your making characterizations that people did things wrong without all of the evidence and that's really unfair. I never treated you that way.

Bob Norcia – i was at the last meeting; Mr. Wall said something he denied it. The paper wrote it and he says I never said that. he was down my house [inaudible] time. He was down my house once, 5 months after I complained and you people, when you people whoever was involved allowed the violation to be camouflaged. Now he wants to come down and measure the fence. When I spoke to you, you made it sound like you don't measure from the ground up, you measure from the top of your socks up because that's what it was, 6 inches...

Mayor Massa – I never remember saying the top of the socks but in any event thank you sir.

Councilman Hughes – Mr. Mayor, could we re-look into this, have Mr. Wall [inaudible].

Mayor Massa – I'll entertain a motion to close hearing of citizens.

MOTION TO CLOSE PUBLIC COMMENTS

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

Mayor Massa – anybody wish to comment on hearing of citizens?

Councilman Tanelli – couple things. Mr. Norcia, I think if you would like to purchase a camera at Best Buy, we'd be more than happy to have you tape the meetings and then provide them to Comcast because that's the only way that they get the cable companies. If somebody has to sit here and tape the meetings and then deliver them down to whoever's going to show them. That meeting just happened to have been video taped and that person happened to turn it over to the television station. So I'd be more than happy to have you sit here...

Bob Norcia – [inaudible].

Mayor Massa – Mr. Norcia! He's answering. You had your chance to talk!

Bob Norcia – I'm answering him.

Mayor Massa – you don't have to answer him sir. You had your chance.

Councilman Tanelli – [inaudible] that paper's looking a little ratty. I might be able to get you a nice glossy 8 by 10 this way you can bring it up to the meetings.

Bob Norcia – do what you want, I'll put it on the car for you.

Mayor Massa – Mr. Norcia again, if you outburst again, I'll have you removed by the police department! This is a public meeting, it's a governmental function, its not you floor show sir. I have been totally accommodating to every time you've been here. Everybody in this administration has been accommodating to you. You want to come here and put on a show, I don't have too much of a problem with it. I'll never abridge anybody's first amendment rights. However, you're not going to make a mockery of everybody sitting here and the people that work diligently in this administration to do the job to protect your rights as well as everybody else's. Does anybody else want to comment on this?

Bob Norcia – can I answer that?

Mayor Massa – no sir! You're out of order! And if you open your mouth again, I'm going to have the police remove you, I'll told you that.

Bob Norcia – I'm being a gentleman, I asked.

Mayor Massa – Councilman.

Councilman Bianchi – Mr. Parisi, can I answer Mr. Parisi?

Mayor Massa – sure.

Councilman Bianchi – what's your address to your house?

John Parisi – 40 Geraldine Road.

Councilman Bianchi – Sunday morning, can I come down Sunday morning take a look at it?

John Parisi – absolutely.

Councilman Bianchi – yeah, I'll come down Sunday morning.

John Parisi – what time?

Councilman Bianchi – oh I don't know, in the morning sometime. If you're there, you're there. If you're not there, I'll just, alright, I'll go in the back yard.

John Parisi – should I give you my number because I do have two dogs, Rottweiler.

Councilman Bianchi – [laughter] oh, you just lost me. I'm afraid of a Chihuahua

John Parisi – I can give you my number and then...

Councilman Bianchi – alright after the meeting I'll take your number down, I'll call you.

Mayor Massa – anyone else wish to comment on the hearing of citizens? Mr. Parisi, as Councilman Bianchi said we will have that examined immediately. Gary, I want to thank you for coming tonight and I want to thank you for your comments. There was in a newspaper article I believe an error with respect to the debt. I think we did have to raise it and some of it was raised; that was raised to accommodate the payment that we made to Encap after the litigation. That letter as I recall was written some time back and the information that we received and I got for that was from the records of borough that may not have been accurate. So if there are any inaccuracies there, I'll have the administrator take a look at it and I'll see that they're corrected but I do want to thank you for your presence tonight...

Councilman Hughes – point of order mayor.

Mayor Massa - ... and I want to thank you on the Record for your service to the community.

Councilman Hughes – point of order Mr. Mayor.

Mayor Massa – point of order.

Councilman Hughes – we had our auditor Paul Lerch back in the Spring prepare this report on capital projects, debt analysis that was presented at the June 10th council meeting. Its also available on the borough website because we had it posted there and the way the reports stipulated back in 2005 there was \$11,675,000 of refunding bonds. So that means there were \$11,675,000 of bonds that were outstanding at that time in 2005. I believe you were on the council at that time, so those bonds were refinanced to stretch out the payments. Also at that time, there was \$8,720,000 of general improvement bonds that were added to that. They were for bond ordinance that had been done that year or the year before around that time. And then there was a balance of an assessment trust that was done for the Porete Avenue improvements that was a special assessment to the building owners down there and that was a total of 780,000. So in 2005, the borough had \$21,175,000 of outstanding debt. Now, 21 million not I think the reported number was 28 million. As of 2009, because of the way some of these bonds were structured there's on the refunding bonds, there's still a balance because now you have to include all the interest that's being assessed on these bonds. There's still a balance of \$9,634,285. On the BCI, general improvement bonds, the way that was structured was structured with balloon payments. So the first five years of this bond very little of the debt was actually paid off and there's currently \$11,232,669 of still outstanding debt that wont be paid off until 2018 and that the grand total as of today as of well the end of 2009, \$21,547,234 of outstanding debt on the borough's [inaudible] that was the end of 2009 and this is available on the borough website.

Mayor Massa – I do recall at one point the debt had escalated to nearly 28 million dollars some years back as I recalled based upon record I got from the borough clerk’s office...

Councilman Hughes – okay, I don’t know where that came from.

Mayor Massa - ...but I don’t want to belabor that issue. I want to thank Councilman Burns for being here tonight, former councilman Burns for being here tonight and appreciate the fact that you’re able to take the time out to do some [inaudible]. Any other comments? Move along with the regular course of business please.

Administrator Wall – yes mayor and council, next is presentation of...

Councilman Johnson – I think there’s one more.

Administrator Wall – oh I’m sorry.

Mayor Massa – we’ve closed the hearing of citizens Mr. Phillipone so ...

Mr. Phillipone – oh I didn’t hear you.

Mayor Massa – yeah, if you wish to be heard, I’ll be happy to have you come up.

Mr. Phillipone – I’m sorry, I didn’t hear close. I’ll be brief. Buddy Phillipone, 45 Ridge Road. I’ve just come in to because I spoke with Mr. Wall and Mr. Bianchi and we discussed the retaining wall in the parking lot and I understand there’s been some changes now and because of these changes you can really expedite...

Mayor Massa – that’s correct, in fact I directed Mr. Wall to take care of that some weeks back as I recall.

Buddy Phillipone – the towns good but Mr. Wall said we can act on it almost immediately if he is directed to even at this meeting.

Administrator Wall – just to clarify, I indicated to Mr. Phillipone that should the mayor and council direct the administrator to affirmatively secure two confident votes, rather two competent quotes within the local public contracts law because our bidding threshold is now 36,000 that I can come back to you with those two affirmative quotes and you can look at potentially awarding to the lowest responsible bidder, a contract to repair that wall if you chose to do so.

Councilman Bianchi – point of order. I talked to Buddy about it and Terence. I only see the wall from the street; I didn’t walk in and looked at it closely. Three quarters of the wall is there, the other quarter is missing. It just can’t be patched and then cemented over, wired and cemented?

Buddy Phillipone – no, the part that’s still standing there, first of all remember one thing, it was not built originally as a retaining wall. It was built as a wall of a building that then burned, they leveled it off and patched it up but it was not built as a retaining wall. Different type of wall construction. Second of all, the wall the south part which is the one that’s standing happens to be leaning up against my building now because it has come over that [inaudible]. The part all the way to the North part that you say is missing, it was never there because like I said...

Councilman Bianchi – no that’s right the store was...

Buddy Phillipone – the store wall became the retaining wall and because of this condition, every time we get a rain like we had tonight, I will have to send some of my men down Dr. Marone’s basement; he has a finished basement that he rent from us and we have to mop it up. And for the past two plus years, this wall has should have been repaired. That was the arrangement, that was the agreement that we struck. I had two months in which to finish my part of the agreement. I finished my part of the agreement. We’re now into

the second year going into the third year and every time it rains like this, I got a problem okay. So now what happens is Mr. Wall, Mr. McCabe, Mr. Bianchi, they're tired of hearing from me. I sound like a broken record but the point is and the fact is it hasn't been done. So I come to a meeting once in a while and somebody says we'll look into that. we'll take care of that, check it out tomorrow and then nothing is done.

Mayor Massa – it will be done sir.

Councilman Hughes – Mr. Mayor, can I have point of order?

Mayor Massa - Councilman.

Councilman Hughes - Mr. Phillipone is absolutely right, we have neglected taken care of this in a timely fashion, its been going on way too long. I make a motion that we direct Mr. Wall to secure the quotes and at the earliest possibility we, once we get an acceptable quote to get the wall corrected, repaired, fixed, replaced, whatever needs to be done, properly and securely that we award a contract to do that.

Councilman Tanelli – I'll second that.

Councilman Hughes – I think there's money left in the bond that we just recently passed that would accommodate that and I think we need to expedite this immediately.

Councilman Bianchi – Buddy, one question. Once this wall is completed across the back, the retaining wall, how will that stop the water from getting into his basement? There's still dirt in the back of the building.

Buddy Phillipone – but then you can direct the run off. Right now, it all goes along the wall wherever it is, and the topography of the land is going toward Lyndhurst so it runs down no wall here, runs out. It's a very simple thing; all you have to do is take a walk up there and really ...

Councilman Bianchi – I'm there every night.

Buddy Phillipone – the joke is, the real joke is when I was accused of having never patched the black off, remember that? They said you didn't patch the blacktop and I said yes I did and they said no because we're told there's dirt there. I say if you bring a shovel and you dig two inches of soot out of there, you will see there's black top underneath there. That's how much garbage is in there because of the runoff, just keeps running off like that and I'm in the middle of that. Now, one other important thing and I spoke to you briefly today about it, this will require the removal of some trees in the back. Okay, which are on the Riverview Gardens property. Now, I have a situation where some of these trees have grown over our roof and I was going to have that taken care of. The gardens agreed to share in the removal or pruning of these trees okay. Now as you look at it, you cannot do the wall without removing the trees. The Gardens and myself already got a bid from the fellow who does it which is this Uncle Matty guy to remove all of these trees, a \$1400 which sounded pretty reasonable to me but that's my own opinion. I don't want to have that neglected and then somebody says we're all ready to go, we have to go back and then add that in because it's another expenditure. Okay. So the two things are integrated here. It's the removal of these trees and the wall and time is of the essence Mr. Mayor because another month goes by, you know what's going to happen? It's going to be too late to do foundation work. We'll have to wait until the spring. Okay, then we have to deal with all the snow. So, it's very very important that we move on this not in a timely fashion, in a very very rapid fashion.

Mayor Massa – I think for the record I mentioned this to Mr. Wall several weeks ago as to what the progress was with this situation.

Administrator Wall – we can try to have quotes ready for your September 30th meeting...

Councilman Hughes – well point of order. I made a motion...

Councilman Tanelli – it was seconded.

Councilman Hughes – it was seconded. We need to take a vote. Assign a resolution number to it and add write the resolution [inaudible].

Mayor Massa – any discussion on the motion?

Councilman Hughes – I don't think so. I think we need to get it done.

Mayor Massa – okay. Call the roll.

ROLL CALL: All council present vote in the affirmative

Mayor Massa – the motion will be so documented.

Administrator Wall – yes, that will be resolution 243.

Mayor Massa – very good, thank you. Thank you Mr. Phillipone.

Buddy Phillipone – thank you for giving me the opportunity.

Councilman Bianchi – point of order. Now that we're up there and fixing that wall, we talked about this in closed session a number of times. There's supposed to be a sign on the front of that North Arlington parking garage or something like that exit and enter. Okay. Mr. Phillipone agreed to let us hang the sign on his building, maybe we can finish the whole project and get it done with because I think this project is going on ten years now Buddy? About ten year...

Mayor Massa – long time.

Councilman Bianchi – so this way we can get it done with. Now I don't know how much the sign would cost that says municipal parking garage enter and exit, a lit sign or not lit sign. Goose neck lighting or whatever, I think maybe we should finish this whole job and get it done with and get this out of our...

Mayor Massa – agreed.

Councilman Bianchi – do I need that in the form of a motion so we can go out and get a price on signs?

Administrator Wall – we'll have a package including all of those items. We'll also have to work on an access easement would be for folks who control the property to for access Mr. attorney with getting the work done, we'll work on the entire package and try to have it back to you before September 30th.

Councilman Bianchi – and we finish that, get it done, over.

Councilman Johnson – try to have it for that meeting.

Councilman Bianchi – we don't need a special resolution for that?

Mayor Massa – no we've already been, voted on it and it's passed. Continue with the regular course of business please.

Administrator Wall – yes mayor and council, next on the agenda is presentation report to council on the investigation of the water system sale. Handing out these documents, are there any other documents [inaudible].

PRESENTATION - REPORT TO COUNCIL ON THE INVESTIGATION OF THE WATER SYSTEM SALE

Peter Scandariato – from office of Eastwood Scandariato and Steinberg. It's nice to be back.

Mayor Massa – nice to see you sir.

Peter Scandariato – Mayor Massa, council president Hughes, council members, Mr. Wall, Mr. Pearce good evening. As you know my firms been retained to review the 2004/2005 sale of the borough's water system to Passaic Valley Commission. Tonight I presented you with a report and with your permission I'll summarize some of the conclusions to the record. On or about August 30th 2004, Mayor Pitman and the PVWC signed a letter of intent to discuss the potential sale of North Arlington's water system. The letter requires entry of a purchase agreement with a closing no later than December 31 2004. The purchase price was to be \$4,900,000, less adjustments. In no event was the purchase price to be less than \$4,000,000 except that in closing, amounts owed for water service could be deducted. That is also required that the borough and PVWC keep confidential the existence of any discussions of the possible transaction and that the borough not solicit other buyers or discuss a possible purchase with any person or company other than PVWC. Mayor Pitman executed a formal purchase agreement dated December 1 2004 which still required a closing on December 31. The purchase price was reduced to \$4,393,000. The files contained no details of how that final purchase price was calculated. At closing on December 31 2004, the borough received \$3,900,000 for its water system. The borough never performed evaluation for water system part of the sale and never solicited other potential buyers to ensure that the borough would receive fair value and the best possible price for this important asset. We have not been able to confirm [inaudible] properly calculated. The files contain no closing statement or details concerning how adjustments to the purchase price are made. The purchase agreement made an expressed condition proceeding to the purchase and sale of the system that the borough and the PVWC enter into an access and [inaudible] service agreements. No such agreement was ever entered into. The borough granted the PVWC exclusive right to provide water service within the borough with no limit or no duration. The local public contracts law provides that a contract for goods and services may not exceed 24 months except that a contractor to provide water may not exceed 40 years provided the contract is approved by the division of local government services. Files contain no evidence and set approvals wherever requested or achieved. The key factor from the borough's viewpoint should have been an affirmative answer to the question would a potential sale benefit the borough's customers and its citizens. And if so, which potential purchaser would offer the best overall cost and benefits consideration to the borough and it's citizens. We find no evidence that that analysis ever occurred. The borough should have had the value of the water system praised by an independent appraiser prior to the sale. It should have sought the purchase offers from other parties prior to contracting with the PVWC. The governing body was over eager to sell the system and based upon the financial analysis performed by the Alaimo group, did not receive fair value for water system. The borough did receive approximately \$3.9 million after the sale of the system. How that final purchase price and the adjustments were calculated could not be assessed for accuracy. Neither the borough files nor the closing binder nor the PVWC's closing binder contain closing statements. The party's never entered into an access ancillary agreement which was a condition precedent for the sale and for the benefit of the borough. And finally, the limited duration of the water supply services as I said violates the local public contracts law. I thank you for this assignment and the opportunity to be of service to this community. The report is obviously more detailed [inaudible].

Mayor Massa – thank you sir. Any questions on that?

Councilman Hughes – yeah, I have a couple questions. Pete, Mr. Scandariato could you just, this ancillary agreement that should have been included in the contract, could you just kind of give us a brief overview of what that should have entailed.

Peter Scandariato – the ancillary agreement would have dealt with police matters, street openings, matters like that, how those matters were handled, from what I understand even though you have an excellent road opening permit, it was done by a former borough attorney. The PVWC is basically coming in and doing what they want to do. That agreement again for the benefit of the borough would have achieved notice regarding

[inaudible] and how the police matters would handle opening the streets, closing the streets etcetera for those repairs.

Councilman Hughes – And I also from what you mentioned that the agreed to price by letter to Mayor Pitman was \$4,900,000. The actual purchase price agreed to was \$4,393,000 but the actual money that was received by the borough was \$3,900,000. Do we know where that \$400,000 went and do we also know where the why the difference between the \$4.9 million and the \$4.3 million.

Peter Scandariato – the files contain no indication of how the price went from 49 to 43.

Councilman Hughes – so we have an agreed to price but the money that was actually received by the borough is considerably less than what was agreed to on the price...

Peter Scandariato – yes.

Councilman Hughes – and with no explanation whatsoever in any of the contracts or any agreements.

Peter Scandariato – not anything we've been able to find. Normally, even if you buy a condominium somewhere there's a closing statement that indicates the deductions, the purchase price deductions [inaudible]. There's nothing in the file, any of the files indicating a close of statement. I do know, I understand from the files that the price down to the 3.9 had to do with with at least in part water bills that were owned by the borough, however, where that money went that was collected, there's no indication [inaudible] in the file either.

Councilman Hughes – so, the money that was owed to Passaic Valley Water that year for water purchase in bulk because they were they were the supplier before the system was sold to them. There's no indication where the money that was collected how everybody's water bill went to that year.

Peter Scandariato – not in the files that I have. Not in the files was it provided to me, no sir.

Councilman Hughes – so, okay.

Councilman Bianchi – Mr. Scandariato, can I ask you a question?

Peter Scandariato – yes sir.

Councilman Bianchi – with your report there, what does that actually mean to the mayor and council?

Peter Scandariato – it means a number of things. There are some other analysis contained in [inaudible] potential litigation but I think Mr. Pearce should review that and discuss it with you. There is potential litigation perhaps for the council to consider. Mr. Pearce, I think we'll review [inaudible].

Councilman Tanelli – just real quick, you mentioned a number of things that were not completed that were supposed to be completed in the deal. You mentioned a lot of violations. Does this mean that there's a possibility that this deal is void due to the fact that these things were not completed?

Peter Scandariato – Councilman Tanelli, that's always a possibility, that is something we address in great detail in the report and I think you'll find your answer there.

Councilman Tanelli – thank you.

Peter Scandariato – I don't want to jeopardize something that borough attorney may wish to do in the future.

Councilman Tanelli – thank you.

Mayor Massa – with respect to potential litigation, are you in the body of this report have any specifically identified Pete?

Peter Scandariato – there are a few matters in here, yes sir.

Mayor Massa – okay, so they're identified?

Peter Scandariato – They're identified...

Mayor Massa – at this point you wouldn't want to discuss it to our borough attorney...

Pete Scandariato – I think the borough attorney should review it, I think that's appropriate.

Councilman Hughes – I think that would be a matter for closed session mayor.

Mayor Massa – certainly, that's why I wanted him to go on the record with that.

Administrator Wall – so just to clarify administratively then these two documents would still be attorney client privilege Mr. Pearce, this point and time is there an open public records act request?

Randy Pearce – these fan letters from our special counsel which at this time would be attorney client privilege.

Administrator Wall – okay, so I just want to clarify that for the record and when they're able to be released to the public, the borough attorney...

Councilman Bianchi – point of order. Mr. Scandariato I have one more question.

Peter Scandariato – yes sir.

Councilman Bianchi – tell me if I'm out of line, you stop me with if I say something. Lyndhurst purchases their water if I'm not mistaken from the same company and that water passes through North Arlington and they dug up our streets big time to get the water to Lyndhurst without permits, I'm almost positive there was no permits. They dug up what I think was Union Avenue down there...

Councilman Johnson – that's where the hookup is.

Councilman Bianchi – and one on Ridge Road I think also. How does that play into this? The water comes through our town, they dug up our streets, it goes to Lyndhurst, they got a cheaper rate then we got...

Peter Scandariato – well you have a road opening [inaudible] why they're not doing that I don't know, there's a road opening ordinance, I'll tell you I have the same one in Ramsey, I have the same road opening permit that was adopted in North Arlington its just in Ramsey. They pay for our streets [inaudible] when they're done....of course it's a different water company.

Councilman Bianchi – cause they've owned the water system since about 2004 if I'm not mistaken. They've dug up a thousand streets in our town and we've never got a nickel.

Peter Scandariato – I can't answer that sir. Certainly, the road opening permit, your opening ordinance controls that. The ancillary agreement that was supposed to be signed also would have controlled [inaudible].

Councilman Bianchi – where is that, that ancillary report?

Peter Scandariato – it was never done. It should have been done, it was a condition for [inaudible] of the contract.

Councilman Bianchi – so then they're in the rights to do what they want to do.

Peter Scandariato – well they still have road [inaudible] permit, you still have a road opening ordinance in town.

Councilman Johnson – Mr. Scandariato, if I can ask you one question, when you reviewed the file, did you find it strange that Passaic Valley was the only bidder. I know we're talking about getting some improvements to the town and we have to get some different estimates and things of that nature. It seems to me because maybe I'm missing the [inaudible] through the trees...

Peter Scandariato – that's what I said, I think that there should have been other potential suitors should have been contacted without a question.

Councilman Johnson – so that struck you as a big problem?

Peter Scandariato – that struck me as an issue, yes sir, absolutely. It seems to me that you don't, you know its negotiation 101, you don't set an end date for negotiation; only negotiate with one person to expect to get the best price. You don't say you have to close by December 31 only to negotiate with one person and expect to get the best price, doesn't happen. Also, there's no as far as I can tell, there was no compensation for that exclusive negotiating period...

Councilman Johnson – and you also didn't understand how they came to the 4 million dollar purchase price or there about or...

Peter Scandariato – exactly, that should have been more detailed, there should have been a closer [inaudible].

Councilman Kearney – Mr. Scandariato, just as a point of information, I haven't had a chance to peruse through the whole report in detail but your saying since this purchase, the water, the cost of our water has increased 500% to our residents here?

Peter Scandariato – I believe that's the cost of the basic base price.

Councilman Kearney – there's no protections to limit that you're saying?

Peter Scandariato – no, there are no protections to limit that. There are no protections to limit that because we sold it to Passaic Valley Water as opposed to a private company.

Randy Pearce – Peter, can I ask you two questions so I'm clear?

Peter Scandariato – certainly.

Randy Pearce – just, you and I are attorneys but just for the benefit of the board and the rest of the town's people, you've done real estate closings over the course of time during your career?

Peter Scandariato – just a few, once or twice.

Randy Pearce – and from what I can see from page 3 of your report, Mr. Campian was retained to represent the borough in the transaction, correct?

Peter Scandariato – that's correct.

Randy Pearce – and Mr. Aslanian was retained to actually do the closing.

Peter Scandariato – Mr. Aslanian actually did the closing because Mr. Campian had a I think he was going on vacation or something, so he was unavailable, yes.

Randy Pearce – and in the last several months you’ve been working on this despite your requests, you’ve been unable to obtain from either of the attorney’s work on this a closing statement showing where each penny involved in the transaction goes?

Peter Scandariato – yes.

Randy Pearce – and that’s a standard document in every real estate closing?

Peter Scandariato – every real estate closing that I’ve done, certainly and I’ve done closings for more than this and I’ve done closings for a lot less, every one. We met with Mr. Campian in his office, spoke to Mr. Aslanian.

Randy Pearce – and along the lines of what was just talked about with the rights of the water price, was there some sort of a time frame as I understood it where the water rates would remain fixed under the contract?

Peter Scandariato – I believe there was, I believe there was. I think the water rate aspect of it, Mr. Alaimo will discuss more loosely. I think his report is more.

Mayor Massa – with respect to the rates, are those rates market rates at the present time or statutory rates? Okay, Mr. Alaimo will answer that question.

Peter Scandariato – I know that there are substantial increase from what was here before Mr. Mayor, that’s all I know.

Mayor Massa – okay.

Peter Scandariato – if there is nothing else, why I counsel up in Ramsey, its called three times the rate [inaudible] so I’m going to run certainly if anybody has any questions, please feel free.

Randy Pearce – thank you Mr. Scandariato.

Peter Scandariato – thank you for this assignment. See you guys again.

Councilman Hughes – thank you very much Mr. Scandariato.

Nick Alaimo – Mr. Mayor, my name is Nick Alaimo. I’m the consulting engineer retained by the board to review the aspects of the purchase agreement. What we have before you a book which I will skim through...

Councilman Hughes – Mr. Alaimo, could you pull the microphone a little bit closer so everybody can hear?

Nick Alaimo – okay, better?

Mayor Massa – a little bit closer.

Nick Alaimo – I’m not going to read 12 pages but I’ll skim through it so you can just get the highlights and if there’s any questions, we can go back and answer any questions you may have okay. And some of this is going to be repetitive because the attorney has laid the ground works for the deal. Basically there was a proposed agreement August the 30th 2004; you’ll find it in this book. Its exhibit A. There was a final purchase agreement we’ve entered into on December the 1st 2004 Exhibit B in the book. The borough’s rates schedule, the time of water rate schedule in 2004 is in the book Exhibit C. The Commission become the owner and operator of the system effective January 1 2005. The proposed purchase agreement, the August agreement and a [inaudible] of basic principles of what the file agreement should be. The borough was turning over 3700 and 36 residential customers at that time. Five years later, we checked the records; there has been no significant increase in customers that’s so that we know that we’re comparing apples with apples and not apples with watermelons. So you have the basic same system, basic

same number of customers. The commission again as you've heard somehow they came up with a number which would be no more than 4.9 million dollars and in no event less than 4 million dollars. They defined the system as 32 miles of water main. The final purchase price is on page three. The final purchase price which was \$4,393,499.38 was adjusted before what I believe to be the water supply agreement. I believe you owed them 500 some thousand dollars. You didn't pay your water bill and I think that was an offset. And they were seller's billings that had billings so that they adjustments brought it down to three nine but there's no record. I mean we just have to surmise what you think logically is it and I don't think anybody stole the money. I think its matter of that we have sloppy records. The rate transition that was alluded to as part of the agreement, they agree on a transition of rates from your rates to a higher rate over a three year period of time. That's shown in Exhibit D. The commission agreed to buy the system as is where is, no doubts, no buts. That also means you can't go back either unless you find something completely fraud. The findings, [inaudible] there was no study. We cant find any record it was worth 4 million, 5 million, or 10 million other than the fact that someone made a deal to make it at a certain price. We created what we consider to be one of the ways through to look at a system that's basically reproduce the system today's cost, see how much depreciation has this system suffered and therefore what is the depreciated value today. That depreciated value shown as approximately 6 million dollars based on the fact that many of the water mains are old but you had put some new water mains in to giving it a weighted vary about 6 million dollars. That's shown on the next page, 5.883 million. On page five, you have in your 2003 audit that's shown in Exhibit E on page 120. The book value of this system is 3.6 million 330,136 interesting your billings of 2003 1,255,000 just remember that number because I'm going to tell you later that Passaic Valley's billings are 2.2 million so you're comparing what the gross revenue is at that time versus what the gross revenue is 6 years later 2.2 million. So the book value is 3.6 million which is a depreciated value. The accountants should have been using properly, properly show the depreciation. 2004 audit which is shown on exhibit F defines the receipt, confirms the receipt of 3,904,220.19 that's shown on page 113. Your records show you got 3.9 million approximately. The findings are usual with water rate which was alluded to before. The biggest effect on your system was a minimum rate and that's part of it what the rates are, your minimum plus your overage but you can see what happened with in 2005, your minimum rate use to be \$40 and in '05 it was 85, '06 was 85, and '07 was 187, '08 and '09 was increased again. This was after the transition period for 232 and now it's \$241.16. That's a 500 and 3% increase. Now that doesn't mean everybody went up 5 but the smaller users, the mom and pops got hit from a tremendous increase. Next page is the water rates themselves. In the beginning the commission had a lower overage rate than you had and therefore the big users were benefited plus the average user in this town is about 8,000 cubic feet per year in laymen's terms that's 60,000 gallons a year okay which is about the average in this town. That means that there rates went over the 6 year period, went from \$232 to \$401. They had a 73% increase so the average water user in this town went up 73% in that period of time. The audit of 2003 which is exhibit E shows that the water utility had a loss in 2003 of \$226,994 that's shown on page 35. Its difficult to analyze an audit report related to losses or gains and water utilities because many of the water utilities are intermingled with public works departments so you never know if the water utility is doing public works work or the public works people are doing water utility work. So sometimes what appears to be something is not something right so I can't tell whether they're really losing money or not but obviously it was at a marginal basis of operation at that time. The next three pages, four pages are the tables which show you what the rate difference meant. This is 2004 and you can see, just look in the lower right hand corner. These are the increases, the annual increases for the basic users at that time and I won't dwell on them there. They are what they are and they come out. There was a transition period went to 2007 which is shown on page 2, that's the last quarter. They kind of raised them over the each quarter of 2007. In 2008, there was another increase which was in effect from 2008 to 2009. There's another increase in 2010 and that's what I showed you before, made the average great increase to 73%. The conclusions are shown on begin on page 9, there's many ways to determine fair value. Book value is something we've all heard, what is the book value of the system and you've heard it in the stock market, it's selling for two times book, three times book, its showing reproduction costs less this. The real value of the systems how much money is the guy making okay whether you're buying a candy store, a sewer operation, a water operation, a liquor store, what's the bottom line. How much can I go to the bank borrow to buy this system? And that's

really what the value of the system is. The commission is not interested in depreciation and not interested in tax consequences. They're interested in selling the water and their choices had to be how much money were we making from North Arlington, selling in bulk water versus selling in retail water okay. And if we have this system, can we then buy, sell water to other municipalities. Obviously they thought so because they went through the transaction. The sales price of 4.4 million was generally keeping it at the book value somewhat less than what we think of as depreciated value but the real economic value is in how much money can they make and how much money will they make in the future. On page 10, go through an exercise for you. As I told you before, the gross revenue the system and you'll see that in Exhibit G on page 2. 2009, they received 2.2 million dollars in payments. Now, putting a figure in basically saying they gave you four million dollars therefore they finance that 40 million dollars on a twenty year basis; that's \$350,000 so they cost themselves \$350,000. I work through and I had these are again assumptions, we have nothing from their books, we have nothing from your books. These are best techniques related to assumptions. I estimate that their surplus on the earnings is \$450,000 a year. You put the \$450,000 a year together with the other; you come up with \$800,000 in net income. \$800,000 in net income will support a 20 year bond issue of the five percent bond issue for 10 million dollars. If I'm going to do a bond issue, I want some safety, I'm going to say I want a twenty percent coverage on the bond issued therefore the bottom line is I should be able to pay you 8 million dollars for this system. That's what our opinion is to value the system. You got paid 4.4 million, you should have bargained for a higher, that's all I can tell you. But this is 6 years later.

Mayor Massa – Mr. Alaimo did you examine the rate structure and the debt structure of the water system prior to the sale?

Nick Alaimo – prior to the sale, no.

Mayor Massa – you didn't?

Nick Alaimo – I don't know what you're talking about.

Mayor Massa – you able to tell us what the...

Nick Alaimo – you're talking about North Arlington?

Mayor Massa – how much money the water system was being subsidized by?

Nick Alaimo – no, I told you that the best I can find is from the audit reports and they showed a loss at \$223,000 in the year 2003.

Mayor Massa – so when the borough showed a loss of...

Nick Alaimo – they showed \$223,000 loss in that one year.

Mayor Massa – in that one year. But you didn't take a look at previous years?

Nick Alaimo – it didn't matter, you can't tell. As I said, they intermingle funds.

Mayor Massa – cause you said before you [inaudible] water utility.

Nick Alaimo – I've been a municipal engineer for a long time and I know municipal operations related to public works department and they do things up and down [inaudible] reasonably they didn't have they think they're on a pay as you go basis, it appeared then they had done some bond issues. They may have been deluding themselves with the bond issues and therefore they were going to be short of money, that's what I think but there's no facts to back that up.

Mayor Massa – did you review an engineer report from borough engineer that was on the water system many time prior...

Nick Alaimo – yeah but that only Neglia’s thing only showed what you should do in the future and what you had spent. I mean the audit report shows that you had potential bond issue at 1.6 million dollars and they showed it on the books but it hadn’t been bonded, hadn’t been done yet so you see these things but unless you can get into the head of the guys doing the audit and the public works people, you really have a look at it but you haven’t got all the shadows.

Mayor Massa – did you make an attempt to take a look at some of the old records from when the borough ran it?

Nick Alaimo – oh yeah, [inaudible] up to 2003.

Mayor Massa – and that was it?

Nick Alaimo – that’s all I got.

Mayor Massa – that’s all you got. From the borough?

Nick Alaimo – from the borough.

Mayor Massa – did you ask for any other records from previous years?

Nick Alaimo – I asked for everything I can get.

Mayor Massa – okay. So that’s all you got...

Nick Alaimo – that’s all I got.

Mayor Massa – I’m not looking to...

Nick Alaimo – I may have 2001, 2002, come to think of it, rang the bell.

Mayor Massa – I’m just trying to clarify in my mind as to what records you had going back.

Nick Alaimo – yeah my responsible [inaudible] was find out whether 2004 sales agreement was fair. Whether the water system was making a lot of money before that doesn’t mean anything to me. And were they losing a lot of money doesn’t mean anything to me. The problem was they signed a deal that had an open end to it. That open end was the buy can raise the rates all they want. If I raise the rate 10% tomorrow again, the systems not worth 10 million dollars, it’s worth 12 million dollars. It’s that simple.

Mayor Massa – in your conclusion here, it says the cost to deliver water has increased over the last 5 years due to power costs, labor, and more restrictive potable water regulations by DEP and EPA and therefore the bulk sale of water cost in 2004 reasonably be increasing 600,000 to 900,000 comparison sake. So are the rates that North Arlington is paying now similar to non-owner rates that ...

Nick Alaimo – you’re probably [inaudible], I don’t recall. I haven’t looked at Passaic rate. You’re probably paying 25% more than Passaic and again don’t forget...

Mayor Massa – No Passaic’s an owner...

Nick Alaimo – Passaic’s an owner, Clifton. Paterson. They’re entitled to a profit. No question about it okay. They took the risk, they built the system, you came along Johnny come lately asked him to buy your system. You’re going to pay a premium. The problem you have is as part of this sales agreement, there should have been a peg rate. Your agreement should have said will pay whatever Passaic pays plus 25%, whatever the number is so it’s on top of the table. The problem you have here is they raise your rate in 8, they raised your rate in 10, I don’t know if they raised their rate. That’s the problem and you [inaudible] on their BPU, they’re not on the BPU, you can’t even go to public utilities to complain because they’re outside...

Mayor Massa – what was the debt for the water utility at the time?...

Nick Alaimo – oh I don't recall.

Mayor Massa – is it a fact that there was several million dollars in debt on this system at the time?

Nick Alaimo – I don't recall. Its in the audit report to be shown in the 2004 audit report.

Mayor Massa – that would be in your report or the attorney's report?

Nick Alaimo – its in the book, its in the book.

Mayor Massa – it'd be your report.

Nick Alaimo – it's in the back. Its one of the exhibits.

Councilman Johnson – So Mr. Alaimo, is it clear that Passaic Valley right now can hold North Arlington hostage and charge whatever they want for the water, whatever they choose? There's nothing to limit them...

Nick Alaimo – pretty much. If it goes wacky, I'm sure your attorneys will take them to court but that should have been part of what they're alluding to as part of the closing record. The closing record should have been if they're going to come in this town, they should give advance notice, there should be a balance related to when are they going to repair stuff. You're not going to stop a utility from going through your town let me tell you, you can't do that. Those days are gone. It's just a matter of timely repair of the blacktop, [inaudible] and notice possibly notice the cops should always be notified. They ought to know if the streets going to be closed.

Mayor Massa – any other questions or comments? Councilman.

Councilman Tanelli – I met with Passaic Valley a number of times to argue about rates and the way they explained to me was the reason that it gradually increased was to get us from the rate that they offered at the sale to the rate that everybody gets a non owner municipality is paying. Now nobody on this council including the mayor, none of us were on the council when this was sold so we're all scratching our head trying to put some answers to this. Through your summary, you're mentioning that we're only paying \$40 for our water rates back before we sold...

Nick Alaimo – minimum, that's the minimum.

Councilman Tanelli – my question is kind of where the mayor was going, how do we know if that wasn't being subsidized from other areas because back then we still have a contract out in [inaudible] dates for any type of service. So there's really no way to really determine what our water rates were actually at that time as far as I know.

Nick Alaimo – yes you do. I mean the minimum was just part of the rare great structure, I mean no one uses zero. I mean that's a stand by rate. The smallest user would use a thousand cubic feet per quarter. Maybe they'd use, I mean I said the average about 60,000 gallons but to mom and pop probably uses 20,000 gallons. So yeah, the small user is the one who got affected the most. If you look historically at Passaic Valley's rate structure, very low rate for big users. Why? Because they had oil companies, they had textile companies, they had beer companies, those were the big boys in Passaic and Clifton. So that rate was really the low rate as time had gone on, everybody has gotten that rate up because the cost of water has gone up and enforcement related to water has gone up and that's why they have been increasing and that's why when we made this study I said they couldn't if they're a producing water and selling it to you for \$600,000 a year six years ago, they can't possible do that now so that's why we said it would cost them 900 to produce water and sell you water. Plus the fact also if you look in the analysis, now they're in charge of reading the meters, they're in charge of making the

minor repairs, they're in charge of a lot of things, so they do have risk. So you got 4 million dollars and you got no headaches but you should have got 8 million dollars instead and I think that's what the best you could have done. You could have done maybe a little better but by the same token, we can't find any analysis related to any of this study being done by anyone.

Mayor Massa – any other questions, comments?

Councilman Johnson – I mean I guess what you're saying being that they get such a low purchase price for the system, the water should be less expensive or there should be some kind of...

Nick Alaimo – no, no, no I think both parties agreed that number one, your rates were too low and therefore the rates would be phased in as opposed to giving the people shellshock in one year, they phase it in over three years. I don't know why it's important for you to be the same because you're not the same as Lyndhurst, you're not the same as Lodi. I don't know where that argument goes other than the fact that they want you more at a higher rate than what they have and they wouldn't be able to maintain a low rate here and have everybody else, you couldn't possibly be getting water cheaper than you're going to get in Paterson and Clifton and that's there, those are the owners and you're going always paying a premium over the owner.

Councilman Johnson – would you say that it was a poorly negotiated contract?

Nick Alaimo – well all I have is what I have in the Record so I don't know what I don't have, okay, I really don't. It's what we were able to piece together. It's difficult to piece something together after six years so if someone's got a better record, I mean show me, that's all I can say.

Councilman Hughes – does your report also contain the northwest financial rate projections or rate recommendations for the borough?

Nick Alaimo – no, that was a separate document. At one time you had a study here which basically said if you raise the rates to this amount and its more than what you need, then you can keep a level rate. They never did it but you know by the same token, one of the choices they had in 2004 was rather than sell the system, increase the rates themselves. I could have increased the rates 50% and they would be paying less than those paying Passaic Valley because you're going to be paying more than what they pay Passaic Valley. This is not a very difficult system. There's no storage tanks, there's no wells, there's no booster stations. All you have is there distribution system, so it's very easy to maintain. That was the choice that was made.

Councilman Hughes – yeah, I believe the northwest financial report actually recommended that the year this system was sold should have had a rate increase and then several rate increases over the next three years, but those rate increases were substantially less than what Passaic Valley is charging us. I think also the two make a distinction that the water rate that the borough of North Arlington had at the time included a thousand cubic feet of water per quarter and the fact that Passaic Valley's base rate does not include any water with that base rate.

Nick Alaimo – well Passaic Valley has with a lot of water systems and it's basically a readiness to service they call which is zero gallons and you pay from the first gallon on so...

Councilman Hughes – so that's another way that they really stacked against us.

Nick Alaimo - ...but it's not uncommon nowadays. The difficulty water companies have is the fact that when you have a wet season like we had last year, they lost 20% of their revenue because of a wet time, yet when there's a dry time obviously they make 20% more but they don't like the ups and downs of the water system. That's why they have a very high minimum nowadays. Mr. Mayor you want anything else?

Mayor Massa – I want to read your report then I'm sure that I'll have a few more other questions. This is the first time I've seen it, I didn't see it [inaudible] but I want to thank you for being here tonight.

Nick Alaimo – what's in the back are basically exhibits which are part of the conclusions, how we came to those conclusions, and most of them are from your own documents that were [inaudible]...

Mayor Massa – they were I know from my own experience just as a side note, walking around the community after Passaic Valley took this system over, a large valve in my neighborhood was being worked on in the daytime while I was trying to sleep and my neighbor told me he'd been told by a foreman that the valve hadn't been cleaned in thirty years, had to be completely replaced and we had reports from some of our local people telling us that some of the old repairs were done with old stop signs. There were a number of issues. The night that the decision was made to go forward with this by the former administration, he brought in a chunk of pipe that was completely clogged as an example. I don't know I can't say where it came from, it came from someplace in the community because the mayor had brought it in. There was a number of allegations that there was a lot of neglect to this system because a lot of the work had been done by outside contractors, some of it had been done by employees and as you say it's difficult to qualify what work was done by under went budgets so maybe none by the water department budgets, some are done under public works budgets so in any event I want to take a look at this and if we have any further questions, we'll be contacting you.

Nick Alaimo – okay fine, thank you very much.

Mayor Massa – thank you.

Randy Pearce – thank you Mr. Alaimo.

Councilman Hughes – Mr. Alaimo, thank you very much for you time.

Nick Alaimo – 9 copies, you need more?

Councilman Hughes – yes we do, please leave the extra copies.

Mayor Massa – presentation on energy services.

Administrator Wall – yes mayor and council, next item is presentation on energy services. I have folks from Veridian.

Mayor Massa – gentlemen, just state your name and address for the record or you business address.

PRESENTATION - ENERGY SERVICES

John Apresto – I'm in Weehawken NJ.

Edward Chesney – Rutherford NJ.

John Apresto – thanks for this time and this opportunity to bring my company into light especially in the Borough of North Arlington. Lived in this town for seven years. My parents currently resign on Elm Street North Arlington for 16 years. Company we represent, we're independent representatives for a third party energy provider called Veridian Energy. We were founded 15 months ago, we're out of Stanford Connecticut and we've been operating in the states of Connecticut, New Jersey, Maryland, and Pennsylvania. We went live in Pennsylvania in March and live in New Jersey and Maryland, May and June respectively so we're a new company, a third party provider but our forte really is residential market. We are marketing our energy residentially. For the last 11 years since the federal government deregulated the energy program in New Jersey, most of the third party providers have targeted commercial and industrial businesses and properties and our niche is residential. We require no contracts and the state mandate for

renewable energy in New Jersey right now is 7%; we operate at 20% wind and solar and we are certified, green east certified. That [inaudible] is it certified actually the feds stepped down on the board of public utilities in Connecticut to investigate 17 third party providers on their green content and only two checked out, one being [inaudible] solutions, the other being Veridian. The board of public utilities, their website in the state of New Jersey literally list on their site [inaudible] floating variable is generally a percentage of the wholesale cost so there's a guaranteed savings built in regardless of which direction the market goes. So, our company is providing a greener component trying to cut down on our carbon footprint by delivering more green content to the grid. We don't require contracts of any of the residents. There's absolutely no obligation and they have a choice to switch and actually full disclosure on the bill. PSE&G actually sends our customers a welcome letter that welcomes the customer to the energy choice program in New Jersey. And Veridian Energy is clear as a bell. It's on the generation portion of the bill and on the back of the bill, there's your price to compare. So our customers actually very transparent can look at their bill, see what rate Veridian's charging on our website, and they can make the choice it takes three minutes to sign up on line and we're just putting money back in the community, putting money back in the pockets of families and while going green you're not paying a premium and there's another very large third party provider in the country called Constellation Energy and they are marketing [inaudible] New Jersey where they require an 18 to 30 month contract and there's no contracts with Veridian. Again the highest green content in the state and you're not paying a premium.

Mayor Massa – so, other than deregulation now, people in the community can make that choice on their own whenever they want?

John Apresto – of course. So they can just take advantage of the fact that there are 26, 27 third party providers, not too many are a marketing energy residentially and that is our niche, we're saving our customers in PSE&G around 15%. Atlantic City Electric, we're saving our customers 34% and J.C. Peen 14% currently. Our track record is, were just a young company, but over the last 15 months we've saved our Connecticut customers 18% below the utility. That's Connecticut Power Lighting and United Illuminating. And we plan on going into the New York market five boroughs in November as well as the Chicago market and Massachusetts market and Canada eventually. I appreciate your time.

Mayor Massa – anybody have any questions on Veridian?

Councilman Bianchi – yes. Who do you buy your energy from?

John Apresto – well it's purchased on the commodities market. The spot on a commodities market. The renewable energy part is some of the money behind Veridian is in already renewable energy, wind and solar farms in Pennsylvania. So our niche is a little sweeter because of our marketing plan. It's direct selling; it's a warm marketing plan so there is really no overhead. We're not doing a huge marketing campaign. We don't pay our employees to go out there and market, we're independent associates. So we're strategically positioned to come in below the utility; the closest we got to the utility in Connecticut was 9% below the utility and even with the market spike this July, the rates went through the roof went up 60% because of the usage. We were still 15% below the utility.

Councilman Hughes – you mentioned the independent marketing like you have no power plants, you have no windmills, you have no solar farms, and you have no marketing department, you're all independent. Now I did notice, I did take the opportunity to go to your website, it almost seems like you recommend a program to me and sign me up and you get a commission from them.

John Apresto – correct.

Councilman Hughes – I recommend that to Joe, I get a commission on that and then I guess you also get a commission on that?

John Apresto – yes, it’s actually set up where they part of their marketing plan is to go to non profits or what they’re calling them now is renewable I’m sorry residual fundraising entities. You don’t have to be a 501 3c to partake. They’re marketing their energy to universities, the first university to get involved was UConn University and they did it for the athletic scholarship fund and for every household that switched to Veridian a \$2 annuity each month went to the university. So they have five thousand fans and alumni switch and they’re raising \$10,000 a month for the university. Garfield actually just signed up.

Councilman Hughes – so it almost sounds like it’s a...

John Apresto – it’s not direct direct selling, you want to say the p word, I know everybody wants to say the p word, pyramid or multilevel...

Councilman Hughes – yeah or [inaudible].

John Apresto – pyramid and [inaudible] schemes are illegal.

Councilman Hughes – sounds like the [inaudible] pyramid.

John Apresto – yeah but the beauty of the M-way thing is and I love the model itself but we’re not selling any products. This is a commodity that everyone has to buy. There’s no reorder. There’s no monthly minimums. It’s just pay your utility bill and save and there’s no financial obligation for the customer; doesn’t cost anything to switch, doesn’t cost anything to switch back, there’s no contract. So, if someone’s not happy saving a few bucks, using a greener component, they can switch back to utility. But with the utility you’re not paying, you’re paying market rate. You’re not getting a discount with PSE&G. They’re not allowed to profit from the generation portion of your bill.

Councilman Hughes – so what is it you are looking for?

John Apresto – ultimately to actually just green up the township and literally raise money for the township.

Mayor Massa – I think before we’re able to consider even to talk about that, we’d have we’re going to have our borough attorney examine the legal issues as to whether or not we’d have to go out to bid. And of course if we go out to bid, everybody that’s in the area here would have the right to bid and then we would have to evaluate what positive impact this would have financially on the municipality and on the taxpayers. That’s our objective to try to save the taxpayers every nickel that we can.

John Apresto – that’s correct.

Mayor Massa – but anybody have any other comments or questions?

Councilman Johnson – is there any downside to it?

John Apresto – you know what, that’s the toughest part being a Jersey City kid. That hyper-critical-cynical line that most people [inaudible] how is this possible. Unfortunately and fortunately, it’s just a catch 22. There is no downside. Most of the third party providers that came in the state never thought of targeting 3.5 million residential meters, they went after 300,000 commercial/industrial pieces of property. Our business models very simple, give the residents of specifically to northeast an option to choose a greener product with no financial liability, no contract to hold you in, save some money, I mean the bills are phenomenal. When you show somebody a bill that says Veridian Energy LLC, \$253 and then it says you’re currently purchasing your energy supply from another supplier; if you’ve been purchasing your electricity from PSE&G, you’d been billed 296. So, it’s really transparent. There’s no catch, you have been overcharged \$43 this month, it’s that simple.

Councilman Hughes – how far back does the revenue stream go? I mean if I sell to Joe, Joe sells to Chris...

John Apresto – well Michael’s a trained actuary, the CEO of the company. The marketing plan is specifically designed for people who work in the business but an entity like a residual fundraising entity or an NPO. They literally get \$2 a household for everybody that comes in. When you want to, it switches under that entity.

Councilman Hughes – in addition to what the individual also recommends to sign up other people?

John Apresto – correct. That person would get a \$1 a household. It’s not a lot of money.

Councilman Hughes – but how far down the stream does that go? Like the pyramid scheme, one builds on another...

John Apresto – the compensation plan literally is for a marketing professional; \$2 for your own customers a \$1. \$1.50 and 25 cents, it goes down infinity literally. But most people won’t work their business as a marketing professional. I’m finding that my own business I’ve got 3500 customers in my business in less than 4 months and there’s nothing but positive feedback. [Inaudible] dying on the vine or just not taken the initiative to spread the good word and it’s really, it’s selling without selling. I’m going to someone and saying how much are you paying for utility right now, can I see your electric bill, I’d like to lower it for you and by the way it’s got a better environmental impact. So, it’s a nice marketing plan but just to be able to just save people money, that’s the platform that we’re here tonight.

Councilman Hughes – good, but we’re also governed by local public contract laws. How far back will the company provide names of who are the people that are in that revenue stream that would benefit from the say it’s the Borough of North Arlington signing up for this? I mean this may be information that may be required as part of the bid process. The company release that information?

John Apresto – oh okay, we will definitely. Definitely yes. I mean ultimately, you’re bringing the municipality in, you can bring another municipality under that municipality. UConn did it with a few churches and actually Waterbury Hospital got involved and they rolled it out as an employee benefits program, listen for every household that switches for every employee to the hospital, \$2 donation goes to children’s a children’s foundation.

Councilman Johnson – you have any other town signed up?

John Apresto – Garfield, I’m in the process [inaudible] Mayor Stack in Union City. Mayor Ganelli they had a council meeting two nights ago in Secaucus and a few towns in Myrell and Laurel Maryland but definitely you can see if you look up NJ.com, Garfield signed off and they’re saving \$5,000 a month on energy bills.

Randy Pearce – just so I understand, your presence here tonight is to sell energy to the Borough of North Arlington, not the individual residents?

John Apresto – well actually both.

Randy Pearce – no what I’m saying is you’re not looking for the borough to do anything with regard to individual property owners?

John Apresto – no.

Randy Pearce – you’re goal is to get the borough to switch over to...

John Apresto – obviously the borough to switch over but then make the actual borough residents aware that they can save money and actually cut down on their carbon footprint to the town, go green. Everybody’s going green right now. It’s a great way to satisfy that whole...

Randy Pearce – I hear, I just wanted to make sure I understand when you say Garfield, you mean the town or borough of Garfield has now agreed to buy their energy from Veridian?

John Apresto – that is correct, that is correct.

Mayor Massa – as the council was saying of the municipal government is buying from you from Veridian rather than PS?

John Apresto – correct, yeah.

Councilman Johnson – who’s the owner of your company?

John Apresto – his name is Michael J. Faulkwest. Michael is a most of his background, he has an MBA from Cornell, he’s a trained actuary, his background on the commodities market was wholesale and took a company called Commerce Energy in California as a COO from a \$25 million deficit. They were purchased on the open market for 300 million and those same financiers put 25 million dollars up and Veridian was formed but two other companies are doing this in Texas, Ambit Energy was listed in Ink Magazine, September edition, as the fastest growing privately held company in the country and Ignite Energy, markets energy out of Texas and Georgia. And they’re currently doing a billion dollars in annual sales marketing energy in two states residentially. With 50 competitors, they do credit checks in Texas, they do separate billing. You’d get a utility bill and an energy bill so with green component, single billing, no contract, it’s a great value proposition. I appreciate your time.

Mayor Massa – thank you so much gentlemen.

John Apresto/Edward Chesney – thank you.

Administrator Wall – mayor and council, next item is approval of minutes July 22nd 2010.

APPROVAL OF MINUTES

July 22, 2010

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

RESOLUTIONS ON CONSENT

R-217-10 RESO RE: AUTHORIZATION TO PAY CLAIMS

R-218-10 RESO RE: APPROVAL OF PURCHASES OVER \$3,000

R-219-10 RESO RE: AGREEMENT FOR PROFESSIONAL SERVICES FOR 2010 MUNICIPAL RESURFACING PROGRAM, SUNSET AVE, BELMOUNT AVE, VANDERBILT PLACE

R-220-10 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-221-10 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE HIGH SCHOOL

R-222-10 RESO RE: ON PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-223-10 RESO RE: OFF PREMISE RAFFLE QUEEN OF PEACE GRAMMAR SCHOOL

R-224-10 RESO RE: PROCLAIMING OCTOBER AS DOMESTIC VIOLENCE AWARENESS MONTH

R-225-10 RESOLUTION AUTHORIZING THE SALE OF SURPLUS PERSONAL PROPERTY NO LONGER NEEDED FOR PUBLIC USE THROUGH A PUBLIC AUCTION

R-226-10 RESO RE: APPROVAL OF 2010 BUSINESS LICENSE

R-227-10 RESOLUTION RE: CANCELLING BALANCE OF GENERAL CAPITAL IMPROVEMENT AUTHORIZATION

R-228-10 RESO: RE: ENCROACHMENT AT 22 PERSHING PLACE NORTH ARLINGTON, NEW JERSEY

R-229-10 RESO RE: CHANGE ORDER 2009 SUNSET AVE ROAD RESURFACING

R-230-10 CLOSE OF CONTRACT SUNSET AVE ROAD RESURFACING

R-231-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM THE DEVELOPERS' ESCROW FUND

R-232-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM TAX SALE PREMIUMS

R-233-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM THE WILLIAM SWELICK MEMORIAL FUND

R-234-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER AND DEPOSIT OF MONIES FROM LIEN REDEMPTIONS

R-235-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM PARKING OFFENSE ADJUDICATION

R-236-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM MUNICIPAL ALLIANCE DONATIONS

R-237-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM FIRE SAFETY PENALTIES FUNDS

R-238-10 RESOLUTION OF THE BOROUGH OF NORTH ARLINGTON REQUESTING APPROVAL OF THE DIRECTOR OF THE DIVISION OF LOCAL

GOVERNMENT SERVICES TO ESTABLISH A DEDICATED TRUST BY RIDER FOR THE COLLECTION AND DEPOSIT OF MONIES FROM POLICE ACCUMULATED LEAVE

R-239-10 RESOLUTION AUTHORIZING THE RECEIPT OF PUBLIC BIDS FOR THE 2010 MUNICIPAL RESURFACING PROGRAM FOR SUNSET AVE., BELMONT AVE. AND VANDEBILT PLACE IN THE BOROUGH OF NORTH ARLINGTON

R-241-10 RESO RE: AUTHORIZING PURCHASE OF STREET-SWEEPER

R-242-10 RESO RE: APPROVAL OF PURCHASES OF VEHICLES

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Kearney

ROLL CALL: AYES: Councilman Bianchi, Councilman Hughes*, Councilman Johnson, Councilman Kearney, Councilman Tanelli**, Councilman Yampaglia**

* refuses self from all fire department purchases

**except on water sale investigation

ORDINANCES

SECOND READING AND ADOPTION OF ORDINANCES:

ORDINANCE NO. 2059

AN ORDINANCE TO AMEND THE GUIDELINES WITH REGARD TO POLICE OVERTIME BILLING

Administrator Wall – this relates to off duty assignments not related to traditional overtime. This is for off duty assignments.

MOTION TO OPEN PUBLIC HEARING ON ORDINANCE NO. 2059

INTRODUCED BY: Councilman Bianchi

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

[no one wishing to be heard]

MOTION TO CLOSE HEARING AND ADOPT

INTRODUCED BY: Councilman Tanelli

SECONDED BY: Councilman Bianchi

ROLL CALL: All council present vote in the affirmative

ORDINANCES

FIRST READING OF ORDINANCES

ORDINANCE NO. 2060

AN ORDINANCE TO AMEND CHAPTER 30 §2 OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “FIRE DEPARTMENT”

Administrator Wall – just note for the record that there are some numbering changes, the verbiage is all the same but there’s some numbering changes that were forwarded later on in the day and will be made part of the record as well but they’re de minimis items, council.

INTRODUCED BY: Councilman Bianchi
SECONDED BY: Councilman Tanelli

Mayor Massa – I think the clerk will have the amendments prepared for the second reading of this ordinance.

Administrator Wall – that’s correct and the language is accurate, it’s the numbering, has some numbering issues but all the language is correct.

Mayor Massa – call the roll.

ROLL CALL: AYES: Councilman Bianchi, Councilman Johnson, Councilman Kearney, Councilman Tanelli, Councilman Yampaglia
ABSTAINS: Councilman Hughes because of involvement with the fire department

ORDINANCE NO. 2061

AN ORDINANCE TO AMEND CHAPTER 243 §8(A) OF THE CODE OF THE BOROUGH OF NORTH ARLINGTON ENTITLED “NOISE”

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

ORDINANCE NO. 2062

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

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

ADMINISTRATOR’S REPORT

Administrator Wall – briefly we submitted our certification for Sustainable Jersey for a [inaudible] certification, so we’re awaiting word on that particular item. This has to do with renewable energy, energy efficiency, things along these lines. We’ve increased our recycling; Mark Cunningham has done an excellent job as your recycling coordinator interfacing with the apartments and other entities to increase your recycling efforts which also increases your grants. So, we believe we’ve met the certification levels for bronze; we will find out shortly and we will advise you accordingly. Also, October 8th is the filing deadline for community development block grants. We also have our engineer who serves as a vice chair of that fine organization. So I think we’re in good clover. But we do need to decide which street we wish to pursue. During a prior meeting, Councilman Bianchi indicated that Gold Street was in a state of disarray disrepair for a million paving. That is eligible and so working with the engineer unless there’s other inputs we can choose that street to and have a resolution prepared for you on September 30th, choose that street to apply for October 8th and we also do a parks and recreations opportunities if you can please give me some input, we will apply as well for that grant opportunity through the Bergen County open space recreation trust fund. That deadline is concurrent with the CDBG, community development block grant fund. CDBG is federal funds. Bergen County Open Space is county tax fund, funded improvements. There’s some budgeted items which I’ll defer to the finance chair, recent news that had come in and that would conclude my administrator’s report unless you have any questions for me that I can answer.

Mayor Massa – any questions on the administrator’s report? Engineer’s report.

ENGINEERS REPORT

Engineer – thank you mayor and council. Our report for September is four items that you should have in your mail packet, the 2009 DOT program which is Sunset Ave was on the agenda tonight to be closed. With that closing, we'll submit to DOT for the final submission of the grant money. It finished under budget so you had a \$200,000 grant and you'll get paid a hundred percent back of construction and management fees. Ridge Road streetscape, everything was approved at your last meeting. We're waiting for the twenty day stopple period. Once the purchase order is issued for the PSE&G lights, the contract will move forward hopefully by the beginning of October and construction in the early fall.

Administrator Wall – and that's imminent the 20 day stopple period post bond approval as passed and we can now issue that purchase order so PSE&G can do the mark outs for the contractor to move that project forward.

Engineer – okay. 309 River Road Green Acres grant application. We did phase 1, environmental study, we got a proposal and recommendation on phase 2, we're just waiting to find out if we're going to move forward or not.

Administrator Wall – following that Green Acres, they have accepted our application for processing. They haven't asked us to consider and we're going to move forward on this to approve for more acquisition funds. We received in '08 approximately a 25% matching grants to acquire the property but we can now based on a recent email work with Green Acres, attempt to add additional funding to that property with additional Green Acres funding; they've also given us information on site remediation funds that may be available as well. So what we're trying to do is dove tail these various funding avenues to secure site, remediate the site at very little cost to the taxpayers so you can increase your [inaudible] and renovate and otherwise utilize better utilize former junkyard on River Road.

Engineer – next on our list is 2010 municipal program that was approved for tonight, that will be expedited in the next week or two and go out for bid at the next meeting for hopefully the fall award. It's important to note and I'll reiterate what Mr. Neglia said at the last meeting. If you notice 2009 road program for DOT is closing tonight. You're authorizing 2010 to move forward, you have an application for 2011 and I can tell you from personal experience that if those things don't happen in order, it does affect your next award. So with good news that you're passing everything in order, I'm sure that the DOT committee will look highly upon the next application that's before their review committee. Lastly is the roof at Schuyler firehouse. We were told that you were looking into solar use or solar panels on the roof. Neglia did design the firehouse back in 1993. Being of the age of the project, it's in our archives, so we're going to go back into the archives and find where the plans are to find out the structure of the roof and come back with a report of how much weight bearing the roof can hold. And that's my report. And Gold Street as the administrator said, we're going to get a direction on what portion of Gold you'd like. I understand you have a special meeting on September 30th so we can have a resolution for the mayor and council to submit to the county at that meeting.

Administrator Wall – right, so we'll the deadline of October 8th.

Engineer – correct sir.

Mayor Massa – thank you. Council reports, Councilman Bianchi.

COUNCIL REPORTS

COUNCILMAN BIANCHI – well I usually report on the fire department but the chief didn't give me a report this month, so before I give my report on what I'm going to talk about, I want to clear up one thing first mayor. Two months back I missed the last meeting because I wasn't feeling well but the meeting before we had a gentleman here that wanted to turn old baler or transfer station into a recycled garbage incinerator or whatever the hell it was I don't know. But anyway I was a little confused the night he was here and I want to put it on the record that after I researched it and studied it, I don't like the idea and I will never vote for anything like that. I could never in a million years

do that to the people that live down in that area. So I want to clear it up because I know you had in the paper agreeing that I liked it but I was just confused that night and I want to just put on the record that I am dead set against it. I can't put an incinerator down there on Schuyler Ave. Okay, now, we have some good news for the people in North Arlington. The state of New Jersey granted us a \$400,000 transitional aid that's what I was looking for. And we thought we were going to get nothing. There was articles in the paper a few months ago stating that we were looking to get a grant get this transitional aid from the state of New Jersey but and that we weren't going to get it because the state was broke. Well low and behold, 4 o'clock today, we found that we're getting \$400,000 to put into our tax relief which means that the people will probably saving about \$150 in tax relief. I can't give the people that are sitting here and exact percentage of what the taxes are going to be until September 30th mayor. I'm going to have a special meeting on September 30th to introduce the final budget and then you will get the numbers. As far as the state of New Jersey, I want to thank them wholeheartedly for giving North Arlington, I think there was only 6 towns in the whole state that got money and North Arlington was one of them I want to thank from the bottom of my heart I want to thank Paul Lerch, Terence Wall, and our council president Rich Hughes for all the work that you guys did. I know you did a lot Terence and I want to thank you very much for getting the town of North Arlington this \$400,000.

Administrator Wall – thank you.

Councilman Bianchi – I know you were on them everyday. They know your name in Trenton now that's for sure. I want to thank Richie and Paul Lerch who's not here, I want to thank him, he's been the spear head down in Trenton. He's been going down in fact he has to go down again and I just want to thank you guys for getting the town of North Arlington that \$400,000. And I want to know if it's okay if we have a special meeting on September 30th. Do we need a resolution for it or what?

Mayor Massa – set up the meeting and we'll adopt the budget.

Administrator Wall – I'll schedule that.

Councilman Bianchi – and then I'll finalize it on the 30th and I'll give you the exact numbers but we got to definitely thank the state of New Jersey.

Administrator Wall – I conveyed the thanks on behalf of the mayor and council to a Thomas Nepp who's the new director; we had a very positive conversation and he's looking forward to partnering with the mayor and council and the citizens here in North Arlington and moving us forward into a better financial picture.

Councilman Bianchi – thank you. That's all I have.

Mayor Massa – thank you councilman. Councilman Hughes.

COUNCILMAN HUGHES – thank you Mr. Mayor. First of all, I'm very happy that we tonight passed resolution 227-10. It was canceling the balance of a general capital improvement authorization that was done last year to the 2,750,000 so because of a recent grant that we received from the New Jersey Meadowlands Commission of 1 million dollars to upgrade the joint sewer meeting plant. We were able to then avoid laying this the cost of the upgrades that are desperately needed down there because that plant's in excess of 22 years old right now. We can actually cancel out this debt and you know further relieve the residents of North Arlington of additional debt so we're doing our part to reduce outstanding debt sir. Also, from the health department there's a couple programs coming up that are very good. On September 30th, they're going to be having a multiphasic blood screening program which has a nominal fee for it to cover the land expenses and that starts at 7 :15 am and if they want to get you before you eat breakfast. October 7th they're going to be doing a first aid for senior's course which is going to include lunch. It's a free program starting at 12:30 in the afternoon and then on October 20th, they're going to be doing another program emergency preparedness for seniors which is also a free program and that also starts at 12:30 pm. Contact the health

department for signing up for any of these programs and they do have a very full agenda of programs for the rest of the year which I'll be reporting on it next month.

Mayor Massa – thank you. Councilman Johnson.

COUNCILMAN JOHNSON – thank you mayor. It's been a long meeting; I'm going to be brief. Thanks to the bond that was passed last meeting, the DPW is finally going to get some much needed equipment. We have a new street sweeper in the works and also a new mini street sweeper. The mini street sweeper goes into the areas of town where the large street sweeper can't reach. You'll also often see Danny Coleman driving this, picking up leaves along the curb so it's definitely something that's beneficial to the town. The old street sweeper had reached a point where it was being repaired and repaired several times during the summer months. It was broke so the repairs were just costing the town too much money. It's beneficial to the town. We're also looking to purchase some new vehicles that are going to be used I think jointly between the police department the DPW, maybe the DPW will be allowed to use them during the snow storms for minor plowing. We have some improvement projects that are about to take place, the cemetery's going to continue the streetscape; they've agreed thanks to Terence negotiating with them. River Road is going to be paved from the pike to Jauncey Avenue and that's bound to start within the next couple of weeks and the regular streetscape project from Melrays to Inman is going to start and that's going to continue the streetscape down. So we're in good shape; we're looking good, lot of improvements that are going to take place throughout the town. Jimmy in the DPW are getting the salters and plows ready for the winter time and they always need a little bit extra care just because of the age of the equipment itself. That's all I have.

Mayor Massa – Councilman Kearney.

COUNCILMAN KEARNEY – yes, I wanted to thank the council president Hughes and Terence as well as Mr. Lerch for all their efforts in getting us that \$400,000 and congratulating Mr. Wall for this qualified purchasing agents certificate that he obtained for the benefit of the residence of North Arlington as well as us as a body. And getting to the youth center report from Mr. Kraft, basically and I know it's been a long meeting also but I have to say some things on the record to thank him. It's been a very successful summer program which ended basically on August 20th of 2010. We had approximately 140 participants in the tiny tot program between the ages of 2 and 4. They basically had many activities as well as not only the tiny tot programs from ages 2 to 4 but 4 to 9. The junior rec program also was for ages 10 to 11. The staff consisted of certified teachers and college counselors. There were arts and crafts, gymnastics, water games, baseball, video game tournaments, tae kwon do classes were held in the evening at the end of the summer, bowling was held every Friday at the North Arlington Bowladrome. There was movie day at the Clifton Commons. Also, one time a week they had mommy and me cupcake decorating class which was taught by one of the college counselors. It was a lot of events for our residents to get involved in and I thank the program, I thank Mr. Kraft for running such a good program. The fall program has begun at the youth center for the middle school students. Michael Kraft is in the process of setting up a fall calendar of events which will include but it's not limited to tutoring sessions, there's a chess club, there's various other events that will be announced, they're working in conjunction with the school as well as the junior Vikings one night a week. Each organization will be holding meetings with their coaches and teams to [inaudible]. There's also been brownie meetings on one week, one night a week. For those of us that like brownies. There's a Halloween parade and activities that are planned Thursday October 28th, there'll be a parade that'll commence at Ridge Road and Bergen Avenue at 6:30 pm. It'll proceed down Ridge Road to borough hall parking lot. A trunk or treat has been established for safe trick or treating for a period of time after the parade. A magic show has been booked for the youth center immediately following the trunk or treat and Mr. Magic will perform his world renowned magic show for the crowd. We're going into the future here and I might be repeating some of this in the future, there's a Christmas spectacular radio city musical that's been planned. The date of that is Thursday December 9th of 2010. They'll be advertising for the event which will begin within a week. There's fifty tickets that will be available to residence. Tickets will be disbursed on the first paid basis. Basically seating is limited and the event is expected to be a huge success. I guess we'll found out

the cost of the event will be 60 dollars. This includes the ticket to the show as well as transportation from the borough hall and returning back to borough hall for the North Arlington baseball, the short summary on that is that the North Arlington little league fall baseball is running. George Rotundo and company has been representing North Arlington well in the league. With regard to North Arlington soccer association, the new president Joe Cappelluti has the organization running smoothly. Both girls and boys are in [inaudible] for the season and travel teams are competing at a high level and they're winning games. With regard to the North Arlington Junior Vikings and cheerleading, the season opened up on the 11th of September at Rutherford. Unfortunately all of the levels did not post a victory. The teams have been practicing hard along with the dedication of the coaches. And they will return to the schedule this week traveling to New Milford on Saturday the 18th. Games begin at 5:30 pm. And lastly, with regards to North Arlington girls basketball, I'm sorry, the baseball league permits have been submitted to the elementary schools for use of the gymnasium. The respective leagues have been preparing already for their opening in December and that wraps up my report. Sorry if that was long [inaudible] Mr. Mayor.

Mayor Massa – thank you for that very comprehensive report councilman.

Councilman Kearney – I just want to make sure I give everybody credit where credit is due and I'm sorry if I left anybody or any event out.

Mayor Massa – and he's completely correct because if he did this report tonight and ignored somebody, he wouldn't be hearing the end of it tomorrow morning. Councilman Yampaglia.

COUNCILMAN YAMPAGLIA – thank you Mr. Mayor. I spoke to Stephanie Burke regarding the library. During the summer a number of statewide [inaudible] had been conducted. Governor restored most but not all the funding for the state, New Jersey state library. The cuts will affect some online resources but these cuts should not affect, North Arlington citizens should not be affected by these cuts. That's all I have.

Mayor Massa – Councilman Tanelli

COUNCILMAN TANELLI – a little end to this meeting and Councilman Kearney's report, I'm going to hold my report til next meeting only due to we have the fact that we have executive session. Thank you.

Mayor Massa - thank you councilman, that's very kind of you.

MAYOR MASSA – with respect to my own report, I too am going to be brief. However, I think it's important that we make some special notes about this grant of transitional aid that was awarded to the borough today. It was a product of a great deal of hard work on a part of the people involved, Councilman Bianchi and Councilman Hughes and the auditor and the borough administrator. I always like to give credit where credit is due. However, we do have some caveats here and I think this caveat is good. I tell you why. Many times I pick up the newspaper and I see some kind of major problem in some local government here in New Jersey or Bergen County. Where something went wrong in the police department and it's all over the newspapers or something went wrong in the DPW and it's all over the newspapers, or the board of health, or some other agency, the construction department sometimes running problems with jobs not being done properly or all kinds of issues. I say to myself what went wrong there and can we make sure these things don't happen in my town and going along with that, the letter in granting us the aid says that from Laurie Griffin the commissioner of community affairs, please advise if you choose to except this aid, the municipality will be required to enter into a memorandum of understanding, an MOU with the division of local government services that may include oversight of items such as limiting contracting and personnel actions. As part of the MOU, you will be required to begin implementation of the best practices set forth in the best practices checklist. If you have not already implemented all of these practices, this is the long list that came out of the department of community affairs in the governor's office essentially telling us what we have to do to follow the best practices of government operation. In my reviewing this memorandum today with the borough

administrator before the meeting, he made mentioned to me that most of these 80 issues I believe it is...

Administrator Wall – 88.

Mayor Massa – 88 issues that are on this list we do here already. So with all due respects for the people who come to the council meetings and have issues that they want to bring to our attention, I do have to say that the borough administration's run fairly effectively. Nobody's perfect, no department is perfect. We try our best to comply with these best practices even before we got these notices from the department of community affairs because if you don't comply with the best practices checklist and you don't comply with the inspection requirements of DCA, you could lose the money and I don't want the taxpayers of this community losing \$400,000. So, we're going to make sure that we comply with these requirements. The letter goes on to say that the MOU will be forthcoming in the next few days and must be signed and returned to the division within 15 days of receipt or the aid will be forfeited. Well, we'll make sure we sign that as soon as get it. Even if you get it in the middle of the night, wake me up and I'll come up and sign. Should you have any questions, please contact the department. So again, very few municipalities applied for this aid. Other councilman made a comment not too many nobody thought that aid was going to be granted to too many communities because of the state being broke and a minimum amount of money being allocated for this type of program to help local government. And in fact, in light of the fact that we did lose \$270,000 of state aid this year, this helps us out quite a bit. So, it's my intention that we will comply with this memorandum of understanding with the division of local government services. We will comply with all of these best practices. We will do the things we have to do to make sure we don't lose this money. So that's my commitment to the community tonight and to the gentleman that sit here on the council who month after month give so much of their time and energy to make sure that the municipal government is running as well as we can humanly possible get it to run. So that's it for my report and I think we have to go into executive session.

Councilman Hughes – actually point of order mayor, in order to expedite signing of these memorandum of agreement or understanding, I'd like to put a motion on the floor right now that when this documentation comes in, we authorize you to sign it immediately and not wait to the next council meeting and I'd like to make that in a form of a motion to be added to the agenda and so that can be expedited.

Mayor Massa – certainly, because its got to be signed within 15 days of receipt, we don't know when that's going to be forthcoming and we don't want to take any chances to jeopardize that grant so a motion by Councilman Hughes, going to second that Councilman Tanelli. Any discussion? Call the roll.

Administrator Wall – this'll be resolution 244.

R-244-10 MOTION TO EXPEDITE THE SIGNING OF THE MEMORANDUM OF UNDERSTANDING

INTRODUCED BY: Councilman Hughes

SECONDED BY: Councilman Tanelli

ROLL CALL: All council present vote in the affirmative

Councilman Bianchi – point of order mayor. One quick thing and then [inaudible] session. I was made notice of by Tony Blanco that Roosevelt School was one of the, one of three schools in the state of New Jersey that got a special award for what is it, blue ribbon school. And I think it would be nice maybe at the next council meeting that you give them a proclamation.

Mayor Massa – certainly, we can prepare that proclamation as a matter of interest. Roosevelt School did receive the blue ribbon award from the United States department of education which is quite an accomplishment because very few schools in the country receive that award and I understand in my conference the other day with the superintendent of schools that the administration will be invited to Washington for

[inaudible] with the commissioner of education and possibly even somebody higher than that in the administration to verify and document this award and show their recognition.

Councilman Bianchi – so we can have something?

Mayor Massa – we will definitely prepare a proclamation to present to the board.
Executive session.

R-240-10 EXECUTIVE SESSION

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

MOTION TO RETURN

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

ADJOURNMENT:

MOTION TO ADJOURN

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