

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
FEBRUARY 15, 2011**

1. Call to Order

- 2. Adequate notice** of this meeting of the Mayor and Borough Council of the Borough of Mount Arlington was given as required by the Open Public Meetings Act as follows: Notice was published in the Roxbury Register and the Daily Record on December 23, 2010; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 15, 2010 and has been available to the public; notice of this meeting is on file in the office of the Borough Clerk.

In accordance with the Open Public Meetings Act (N.J.S.A. 10:4-1 et seq.). The Borough Council opens every public meeting for comments of the public. However, in accordance with N.J.S.A. 10:4-12 : "Nothing in this Act shall be construed to limit the discretion of a public body to permit, prohibit or regulate the active participation at any meeting....."

Speakers at Borough meetings shall have five minutes to present their comments to the Borough Council so as not to consume time that would otherwise be allotted to other persons who wish to speak. Speakers shall be courteous to the Council and other persons attending the meeting. Offensive remarks or unruly behavior will not be allowed and anyone who violates this policy will be barred from participating in the meeting.

1. Flag Salute

The Mayor asked for a moment of silence to remember our troops and to remember Barbara Wilson.

4. Roll Call

Councilwoman Danchuk, Council President Sorge, Councilman Sadow, Councilwoman Galate, Councilman Windish, Mayor Ondish. Elizabeth Valandingham, Esq., Borough Attorney, was also present.

The Mayor stated that the Executive Session would focus on interviewing three candidates for the Council vacancy, filling the unexpired term of Councilman Doran. In the past, any interviews for a Council vacancy were held in Executive Session but it has been requested the interviews be held in Open. Council voted to hold the interviews in Executive Session.

5. Executive Session

- 2011-145** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing An Executive Session of the Mayor and Borough Council and Excluding the Public from That Portion of the Meeting.
Action Will Be Taken.

Executive Session Topic:
Council Vacancy Interviews

The Clerk stated that the Approval of Executive Minutes listed on Resolution 2011-145 would be covered in another Executive Session to be added at the end of the Agenda.

Motion to Go Into Executive Session: Councilman Sadow.
 Second: Councilwoman Galate.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

Motion to Return to Open Session: Council President Sorge.
 Second: Councilman Sadow.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

The Mayor read a resignation letter into the record from Councilwoman Galate, effective March 1, 2011. The Mayor stated that the candidates interviewed this evening would have another opportunity to interview for Councilwoman Galate's unexpired term.

Motion to Accept Councilwoman Galate's Resignation: Council President Sorge.
 Second: Councilman Windish.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

The Mayor stated that Council has chosen Mike Stanzilis to fill the Council vacancy and thanked the other candidates for their interest and time, stating the decision was a very hard choice due to three excellent candidates chosen by the Republican Committee. Michael Stanzilis was administered the Oath of Office and took his seat on the dais.

6. Presentations/Mayor's Appointments

1. The Mayor accepted the resignation of Richard O'Connor, Lake Hopatcong Commission Alternate.
2. The Mayor appointed Ann Praves to Lake Hopatcong Commission, Alternate (filling 2-year unexpired term, expires on 12/31/12).

7. Utility Receipt Report for the Month of January, 2011.

The Clerk read the Utility Receipt Report for January, 2011 into the record.
 Grand Total: \$200,906.10.

Tax Collector's Report for the Month of January, 2011.

The Clerk read the Tax Collector's Report for January, 2011 into the record.
 Total Receipts: \$1,084,073.93.

8. Finance Report for the Month of January, 2011.

The Clerk read the Finance Report for January, 2011 into the record.

Current Fund:

Receipts	\$1,338,613.67
Disbursements	\$2,300,117.20

9. Mayor's Report

Mayor delivered the following report:

- Briefly discussed the homicide in town and the ongoing investigation.
- Memorandum of Understanding: the Mayor and Finance met with the DCA regarding transitional aid.
- Landfill project is eligible for Phase 3 grant (geotechnical work) to do the planning; no cost to the Borough to have planning work done.

- Councilman Sadow and the Mayor will meet with the County regarding Lee's Park and the possibility of joint revenue generation.
- The Mayor's Book Club, through NJLM and Centenary College this year, will be reading and participating with school children three times during the year
- The Mayor will attend the Mayor's Legislative Day on February 16, 2011.
- The Mayor has been appointed to co-chair a committee opposing President Obama cutting funding for CDBG grants for local projects across the country.

10. Open to Public

Veronica Silkes, Succasunna Road:

- Ms. Silkes asked about capital projects for 2011. The Mayor stated nothing is formalized yet but any projects not completed in 2010 will be included in the capital budget for 2011, if funds allow.
- The Master Plan modules are complete; Master Plan will be available for review when completed.
- Sidewalks from train station project is funded by \$220,000 from the State with no money from Mount Arlington.

Roger Rausch, 34 Rogerene Way:

- Two fire lanes in the Rogerene area cannot be used because they cannot be plowed; the removable ballards cannot be removed in deep snow in order to plow. The Mayor stated the Association requested to have the ballards put in, to deter people from driving on the lanes. Councilwoman Danchuk stated the Association did not want the roads blocked. The Mayor will speak with Acting Chief Licata and Paul Nelson.

Marlene Ackerman, 56 Rogerene Way:

- Thanked the Mayor, Police Chief, Prosecutor, and all personnel who attended the Senior Meeting to help clarify the recent homicide in town.
- The Ordinance being revised regarding outdoor storage has not yet been completed.
- Confirmed that fire lanes on Rogerene should be plowed; this is a safety issue for those residents on the lake.

11. New Business

1. Ordinance Permitting Municipal Clerk to Approve Granting of Raffle and Bingo Licenses in the Borough, as Promulgated by Legalized Games of Chance Control Commission Rule Amendments. The Clerk explained that this is new legislation from the State and Council approved introducing this ordinance at the next council meeting.

12. Old Business

1. Council Comments.

Councilwoman Galate:

- The schools produced and published a recipe book for sale - \$12.50

Councilman Windish:

- Recreation has a new children's bowling league which is very successful, soccer is underway and the adult programs have been successful as well.
- Councilwoman Danchuk and Councilman Windish attended a seminar for newly elected officials.

Councilman Sadow:

- Attended the Senior Meeting where the Mayor and law enforcement officers were present and thanked all involved for delivering factual information to the seniors.
- Borough received \$50,000 grant from Clean Energy NJ, which includes the audit on our municipal buildings, to find ways to save money on energy. Additional funds will be available in 2011.
- Involved in discussions with the county regarding Lee's Park and the possibility of revenue sharing with the county.
- The sidewalk project will be able to tie the sidewalks from the train station all the way to Pub 199, in phases. The Mayor stated this is a safety issue and had stressed that to the State in the past. The DOT will maintain the sidewalks; the project should start in the spring.

Council President Sorge:

- Council President Sorge asked if the sign on Howard Boulevard requesting information on the homicide could be removed. The Mayor stated it is the Prosecutor's sign, not Borough's. Councilwoman Danchuk will ask Acting Chief Licata about the sign duration.
- Due to inclement weather, decisions had to be made regarding closing Borough Hall and Council President Sorge suggested that if the schools are closed, the municipal buildings should be closed because we do not want to place our employees or public in jeopardy by coming out in inclement weather. The Mayor stated school closures are due to safety issue with the busses. The Mayor speaks with Acting Chief Licata and Paul Nelson to decide on closings/delayed openings.

Councilwoman Danchuk:

- The Boy Scout dinner is this weekend; anyone attending should be in some type of uniform for their military theme.
- Attended Newly Elected Officials course with Councilman Windish and has a handbook to share with any council members. NJLM has placed the presentation on their website as well.
- Regarding closing in inclement weather, presently there is no way to program the website or electronic sign off-site; it must be done from within Borough Hall.
- Attended the Government Efficiency Movement (GEM Program) meeting regarding a proposal for regionalization of police services in NJ.
- There is a resident on Maple Path in the Rogerene area that lives on an unpaved road; they have lived there for 17 years and DPW has always tried to plow the road. The Mayor stated the road would have to be reconstructed, not just paved, which would be too expensive for basically one resident's driveway. When ShadowWoods is built, there is a proposed road which may be able to give the resident a different entrance to his property. The Mayor will get an approximate figure from Daren Phil to reconstruct the road but last time this was addressed, the cost was to exceed \$100,000.

Councilman Windish:

- Just for clarification, each project is a stand-alone project; we use the term streetscape but each project is a separate capital project. Councilman Sadow added that the budget is a work in progress and a framework for running the Borough. The Mayor stated Rooney Road improvement is considered a capital project but the funding is coming from flood control grant that we received for that area.

The Mayor was recently appointed by Saint Clare's to the Patients/Family Advisory Committee, a two-year appoint with the hospital. If any residents have any issues with Saint Clare's, please advise the because the committee was formed to improve services.

13. Approval of Minutes

December 14, 2010 Regular Meeting

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Council President Sorge, Sadow, Galate, Windish.

Abstain: Danchuk, Stanzilis.

Motion Approved.

January 4, 2011 Re-Organization Meeting

Motion to Approve: Councilman Sadow.

Second: Council President Sorge.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

14. Resolutions

The Clerk stated that by error, Resolution #2011-24 through #2011-123 do not exist; notice is posted on the website and clarified on all resolution listings.

2011-138 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Check Register Dated February 1, 2011.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate (except for Check #9584), Windish.

Abstain: Stanzilis.

Motion Approved.

2011-139 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Execution of a One-Year Agreement Between the Borough of Mount Arlington and FOP Lodge 78. (Replaces Resolution #2010-157).

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Councilman Windish stated PERC was looking at a 2% cap and a one-year contract as a single time; this poses a concern for municipalities because if we were to be held accountable as under the 2% cap, and then overruled by PERC, we may be held accountable by State. The League emphasized this is still being discussed with all unions, statewide, not just police, no legislation as of yet. Councilman Sadow more agreeable to extending contract, with a raise that the Council can control; he would rather give the police 2% for two years than risk going higher.

Roll Call:

Aye: Danchuk, Council President Sorge, Galate, Windish.

Abstain: Stanzilis.

Nay: Sadow.

Motion Approved.

- 2011-140** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Changing the Custodian of Both Finance and Recreation Petty Cash Funds to Carolyn Rinaldi, Temporary CFO.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

Resolutions 2011-141 through

2011-143 Approved By Consent:

- 2011-141** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Correction to 2010 Fixed Asset Report. (Computer for Court)
- 2011-142** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Correcting Error on Fixed Asset Report (Pyramid Radio – Fire Dept.).
- 2011-143** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Submission of the 2010 Recycling Tonnage Grant Application to the NJ DEP.

Motion to Approve: Council President Sorge

Second: Councilman Sadow.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

- 2011-144** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing 2011 Temporary Budget.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

- 2011-145** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving Execution of a Grant Agreement with the NJDOT for the Mount Arlington Pedestrian Walkways to Transit Project.

Motion to Approve: Council President Sorge.
Second: Councilman Windish.

Roll Call:

Aye: Danchuk, Sadow, Galate, Windish.

Abstain: Stanzilis.

Nay: Council President Sorge.

Motion Approved.

Added Resolutions:

2011-147 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Check Register Covering the December 10, 2010 Payroll.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

2011-148 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Temporary Budget.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

15. Ordinances – Introduction

None.

16. Ordinances – Second Reading

01-11 Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 135, Sewers, of the Code of the Borough of Mount Arlington, By Adding Section 135-8.2, To Permit Installment Payments of Sewer Connection Fees.

The Mayor opened the Hearing to the Public on Ordinance #01-11 and read the Ordinance by title.

Councilwoman Galate stated, I move for adoption and final passage of Ordinance #01-11.

Second: Councilman Windish.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

The Mayor declared that Ordinance #01-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 02-11** Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 135, Sewers, and Chapter 175, Water, of the Code of the Borough of Mount Arlington.

The Mayor opened the Hearing to the Public on Ordinance #02-11 and read the Ordinance by title.

Councilwoman Galate stated, I move for adoption and final passage of Ordinance #02-11.

Second: Councilman Windish.

Mayor stated this is the 12.5% increase for sewer and water; we have ordered a rate study to be done for both utilities. Daren Phil suggested the 12.5% increase and once the study is complete, either authorize another increase or reduce one or the other. Council President Sorge stated it is not right to charge all residents for something only "some" residents use; the Borough should not touch the general fund. Councilman Sadow stated that less than half of the residents use municipal water; he would be inclined to do a 36% increase rather than 12% for three years but as a compromise, he would accept half, 18%, due to the pending water study. The Mayor stated that a past Council wanted to use the money to pay down the debt rather than raise the taxes. Councilman Windish stated we took a fixed revenue stream and used it to offset the operating costs of the town.

Roll Call:

Aye: Danchuk, Sadow, Galate, Windish.

Nay: Council President Sorge.

Abstain: Stanzilis.

Motion Approved.

The Mayor declared that Ordinance #02-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 03-11** An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending and Supplementing Chapter 4 of the Borough Code, Entitled "Administration of Government" So as to Amend and Supplement Section 4-25 Entitled, "Copies of Public Documents".

The Mayor opened the Hearing to the Public on Ordinance #03-11 and read the Ordinance by title.

Marlene Ackerman, Rogerene Way: Councilwoman Danchuk explained these are higher costs for tax lien documents resulting from new legislation, not OPRA requests.

Councilman Sadow stated, I move for adoption and final passage of Ordinance #03-11.

Second: Councilwoman Galate.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Galate, Windish.

Abstain: Stanzilis.

Motion Approved.

The Mayor declared that Ordinance #03-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

17. Motions**1. Renewal of Vendor Permit for Abdullah Yasar, Orient Express Limo, Inc.**

Motion to Approve: Council President Sorge.
 Second: Councilwoman Galate.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

Added Resolution:

2011-149 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing An Executive Session of the Mayor and Borough Council and Excluding the Public from That Portion of the Meeting.
 Action May Be Taken.

Executive Session Topic:
 Attorney Client Privilege
 Approval of Executive Session Minutes:
 December 14, 2010
 January 18, 2011

Motion to Go Into Executive Session: Council President Sorge.
 Second: Councilman Stanzilis.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

Motion to Return to Open Session: Council President Sorge.
 Second: Councilman Sadow.
 All in Favor – Aye.
 None Opposed.
 Motion Approved.

Motion to Approve the Executive Session Minutes of December 14, 2010 with Typo Correction: Council President Sorge.
 Second: Councilman Sadow.
 All in Favor – Aye.
 Abstain: Stanzilis, Danchuk.
 Motion Approved.

Motion to Approve the Executive Session Minutes of January 18, 2011 with Correction: Council President Sorge.
 Second: Councilman Sadow.
 All in Favor – Aye.
 Abstain: Stanzilis.
 Motion Approved.

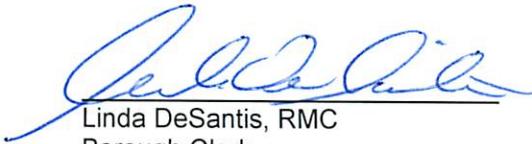
The Clerk discussed a few issues with Council:

- Morris County League of Municipalities dinner on February 16, 2011.
- Councilman Stanzilis will take a formal oath of office at the next meeting with his family.

- 533 Dell Road, Block 101, Lot 25: the owner wants to donate this vacant land to the Borough. The Borough Attorney stated we need to establish who is the executor of the estate; apparently the grandchildren do not want to maintain the property and would like to give it to the Borough. The Attorney will do research on this property, present it to the Council in Executive Session and then present it to the Land Use Board, which is statutory; Council can then make a determination whether or not to adopt an ordinance accepting this land.

18. Adjourn

Motion to Adjourn: Council President Sorge.
Second: Councilwoman Galate.
All in Favor – Aye; None Opposed.
Motion Approved.



Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of April 5, 2011.

BOROUGH OF MT. ARLINGTON

419 HOWARD BOULEVARD
MT. ARLINGTON, NEW JERSEY 07856
TAX & UTILITY OFFICE
(973) 398-6832 EXT. 13 & 14
FAX (973) 398-2309

UTILITY RECEIPT REPORT FOR

MONTH OF January 2011

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN JANUARY 2010</u>
\$ 13,139.37	SOLID WASTE RECEIPTS	\$ 18,156.35
\$ 139,519.46	SEWER RECEIPTS	\$ 135,390.46
\$ 48,247.27	WATER RECEIPTS	\$ 31,725.28
\$ 200,906.10	GRAND TOTAL	\$ 185,272.09
\$ 0.00	(TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS	
	<u>WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL)</u>	

Completed By Patricia E. Simari, CTC

cc: Mayor & Council
Carolyn
c:\trialbalanceutilityblanks

BOROUGH OF MT. ARLINGTON
TAX & UTILITY OFFICE

To the Mayor & Council of the Borough of Mt. Arlington:
I hereby submit my report of receipts & disbursements for

The Month of January 2011

Dated Feb. 8, 2011

Completed By Patricia E. Simari, CTC

Collections:

Current Taxes (1-01-17-001-001)	\$ 1,044,501.60
2010 Taxes (1-01-17-001-003)	\$ 38,129.79
2009 Taxes (1-01-17-001-002)	
___ Taxes (Collected at Tax Sale)	
Pre-Paid Taxes (1-01-17-001-004)	
Municipal Redemption (1-01-17-004-001)	
Interest & Costs (1-01-08-112-000)	\$ 1,438.64
Interest & Costs (Collected at Tax Sale)	
Return Ck. Fee (1-01-16-500-017)	
Tax Searches (1-01-08-105-010)	
Duplicate Bills (1-01-16-500-016)	\$ 3.00
3 rd Party Red./Subs (1-01-17-004-002)	
3 rd Party Red. Int./Fees (1-01-17-004-003)	
Misc. Copies (1-01-16-500-017)	\$.90
Tax Sale Costs (1-01-16-500-018)	
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums (Trust Account)	
6% Delinquent Penalty (1-01-16-500-025)	
Tax Paid Certification	
Total Receipts	\$ 1,084,073.93
<u>Total Receipts January 2010:</u>	\$ 929,191.05

February 14, 2011

Borough of Mount Arlington
419 Howard Blvd.
Mt. Arlington, NJ 07856

Dear Mayor Ondish, Council President R. Sorge and Council Members,

Please accept this as my letter of resignation as a member of the Borough Council, effective March 1, 2011.

It has truly been an honor to serve the residents of Mt. Arlington.

I would like to take this opportunity to say thank you. Thank you to all our volunteers, from appointed board members to those serving on committees, clubs and to our brave men on the Fire Department. Thank you, to all of our employees who do an incredible job keeping this Borough going on a daily basis.

Finally, my heart felt thanks I give to the residents, who gave me the opportunity to serve.

Warmest Regards,

Nita Galate

*2/16/2011 - will not
attend 3/1/2011 mtg -*