

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MARCH 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.

3. Flag Salute

The Mayor asked for a moment of silence for our armed services working all over the world to maintain our freedom and for those suffering from the recent earthquake and tsunami.

4. Official Oath of Office - Councilman Michael Stanzilis

Borough Attorney Matthew O'Donnell administered the Oath of Office to Michael Stanzilis, with his family at his side.

5. Roll Call

Councilwoman Danchuk, Council President Sorge, Councilman Sadow, Councilman Windish, Councilman Stanzilis, Mayor Ondish. Matthew O'Donnell, Esq., Borough Attorney, was also present.

6. Presentations/Mayor's Appointments

1. Mount Arlington Public School Sixth Grade Students: US Champions in Global Biodiversity Campaign 2011. Ms. Crawford, MAPS teacher, briefly described the program and introduced the 6th grade students, who gave a synopsis of their campaign to save the bats. MAPS Principal Stuart Mason was also present. The Mayor presented each student individually with a certificate of accomplishment.

2. Mayor Appointments:

The Mayor made the following appointments:	
Board of Education Liaison, exp. 12/31/2011	Councilman Michael Stanzilis
DPW Council Liaison, exp. 12/31/2011	Councilman Michael Stanzilis
Building Committee Member	Councilman Michael Stanzilis
Sewer & Water Committee Member	Councilman Michael Stanzilis
Liaison to the Seniors Club, exp. 12/31/2011	Councilman Steve Sadow

7. Executive Session

2011-150 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.

The Mayor stated that the Executive Session would focus on interviewing three candidates for the Council vacancy, filling the unexpired term of Councilwoman Galate.

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

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

The Mayor thanked the audience for their patience during this process and stated Council had a difficult task due to three excellent candidates chosen by the Republican Committee. The Mayor announced that Council has chosen Andrew Cangiano to fill the Council vacancy and thanked the other candidates for their interest and time. The Borough Attorney administered the Oath of Office and Councilman Cangiano took his seat on the dais.

Motion to Take a Break: 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 Stanzilis.
 All in Favor – Aye; None Opposed.
 Motion Approved.

Roll Call of New Council:

Councilwoman Danchuk, Council President Sorge, Councilman Sadow, Councilman Cangiano, Councilman Windish, Councilman Stanzilis, Mayor Ondish.

8. Utility Receipt Report for the Month of February, 2011.

The Clerk read the Utility Receipt Report for February, 2011 into the record.
 Grand Total: \$228,824.55.

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

The Clerk read the Tax Collector's Report for February, 2011 into the record.
 Total Receipts: \$2,690,446.62.

9. Finance Report for the Month of February, 2011.

The Clerk read the Finance Report for February, 2011 into the record.
 Current Fund:

Receipts	\$2,974,935.67
Disbursements	\$2,307,241.51

10. Mayor's Report

The Mayor read his report into the record.

11. Open to Public

Jeremiah Tobin, 100 Rogerene Way:

- Questioned the replacement of Jim Garland, Library Director, who will be retiring April 1, 2011. The Mayor stated the Board of Trustees are in discussions about the open position.
- Mr. Tobin has been a martial arts teacher for 50 years and offered his services to the Borough. The Mayor asked Councilman Windish, Recreation Liaison, to contact Mr. Tobin.

Olga Tobin, 100 Rogerene Way:

Mrs. Tobin thanked the Mayor and Borough Council on behalf of the Women's Federation for World Peace for issuing a proclamation recognizing the Bridge of Peace Ceremony Honoring Unity Between Black and White Women Coming Together As Sisters During Black History Month in February, 2011. Proclamations were also issued by the Mayors of Elizabeth and Passaic.

John Hanson, 358 Howard Boulevard:

- Mr. Hanson inquired about the status of his proposal to clean up Memorial Park. The Mayor asked Mr. Hanson to submit a brief proposal of the project to the Clerk to obtain the proper insurances, etc. Councilman Stanzilis has offered to be the liaison to the project. Mr. Hanson would like to begin by April 1, 2011.

Nancy Absalom, 15 Oak Street:

- Ms. Absalom asked when the Citizens Budget Committee would be meeting. The Mayor stated that the budget is done and will be introduced tonight but he did not feel it was necessary for the Committee to meet. Councilman Sadow stated as Committee Chair, he would like the Committee to meet so the members will disperse the correct information to the community. The Budget Summary will be published in the paper and on the website.
- Ms. Absalom questioned what is offered to the volunteer firemen, other than death in the line of duty. The Mayor stated the members are volunteers and we provide their equipment; there is no LOSAP or training. The Mayor publicly thanked the Fire Department for their excellent service.

12. New Business

1. Employee Handbook

The Mayor stated the Borough handbook requires updating to conform with our participation in the MCJIF. The handbook has been updated and will be reviewed by MCJIF for conformance; at that point, it will come to Council for review and approval.

Motion to Amend the Agenda to Add Item to New Business: Council President Sorge.

Second: Councilman Sadow.

All in Favor – Aye; None Opposed.

Motion Approved.

Added Item:

Ordinance to Amend the Towing and Storage Fees: our ordinance must be amended to conform with changes in state regulations. The Attorney will prepare the new ordinance to be introduced at an upcoming Council meeting.

13. Old Business

1. Council Comments.

Councilwoman Danchuk:

Police Liaison:

- The letter from the State FOP in the communications packet merely confirms our local FOP will no longer be using the State arbitrators.
- We have a two officer minimum at all times, so if someone is out, any officer can sign up for the overtime hours.
- In October we received a letter from Roxbury Township regarding a regional approach to our police services and as Council Liaison to the Police Department, would like Council approval to set up a meeting with Roxbury. Roxbury has a large number of officers retiring this year and will have to fill those positions. The Mayor has spoken with Mayor Smith of Roxbury who has been introducing the GEM project, a long term plan on how to share police services county-wide. Councilmember's agreed that the Police Liaison and Committee should meet with Roxbury. The Mayor stated that if the Council decides Roxbury is the way to go, he will demand a public referendum on the issue.
- State of NJ sent a letter that the property at 126 Orben Drive is no longer held by DEP enforcement, meaning now the Borough can move to remedy the problems.
- Attended the Boy Scout Dinner and Governor Christie's appearance in Hopatcong.
- Publicly thanked the Police Department for all efforts, especially the past few months.

Councilman Sadow:

- Stated he wants to meet with Cablevision; about a year ago, we brought them in for phone and internet services at a savings to the Borough and now the Police Department wants to be included, which will bring more savings to the Borough. The Mayor will contact Cablevision and set up a meeting with the Technology Committee.
- The CDRS grant for \$80,000 for stairs at the 404 Howard Boulevard building is being returned to CDRS; the funds derived were from the federal budget but distributed at the county level. The project would entail receiving other grant funds as well, making the \$80,000 grant useless by itself. We were commended by the county for returning the money. The Mayor stated we have two vacant buildings in town that we could possibly lease; the Borough Attorney will research the option of using a realtor. The Mayor gave a description of a committee he was just appointed to as co-chair regarding opposing federal government cuts in funding of CDBG grants for local projects across the country.

Councilman Stanzilis:

- Attended the Board of Education Budget meeting on Saturday. The budget is just about flat from last year and considerably less than two years ago at \$20.96 per \$100,000 assessed value. The two issues were the salary increases and some necessary capital projects.

- Read to his son's class for Read Across America.
- Met with Paul Nelson for a brief overview of the DPW. The DPW did an amazing job this winter and Councilman Stanzilis would like to officially thank them for their hard work.

Councilman Windish:

- Recreation programs are running well. Lakeshore Village has volunteered the use of their tennis courts at no cost for at least a year since the Borough courts are in need of repair.
- Commended the school board on their budget and noted that there was no funding for after school programs; Recreation will look into any programs they may be able to pick-up. A decision will have to be made as to whether these are Borough funded programs or school programs.
- The Borough paid for the controller for the score board because the school did not have the funding.
- The roller rink repair will be dealt with in conjunction with our 2011 budget.

Mayor Ondish:

- Regarding repaving Maple Path, the estimate from Daren Phil was between \$150,000 and \$200,000.
- The Mayor explained that our Joint Court has been very successful; we have a need for a judge as the former judge is going to preside in Superior Court. Dover houses the court so Dover appoints the primary judge and the other four towns chose the secondary judge. The governor's office called prior to appointing a new judge, indicating the governor would choose the judge, which spurred the decision of the five towns to change to a Shared Court, where only the towns involved could appoint the judge. The Governor is going to appoint the judge suggested by Dover, Michael Luther, so we will now remain a Joint Court.

14. Resolutions

- 2011-151** 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 March 15, 2011.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Councilman Sadow stated these two checks are attorney fees from our former attorney. Attorney O'Donnell stated these are payments for matters during the transition period from the former attorney and are reasonable charges. Acting CFO Carolyn Rinaldi was present and stated check #9688 was a 2010 service charge. The Mayor stated these two bills total \$345.00 due to a business decision until Matthew O'Donnell was officially the Borough Attorney; there are no other issues to be handled by the former attorney.

Roll Call:

Aye: Danchuk, Council President Sorge (except #9636 and #9688), Sadow (except #9636 and #9688), Windish (except #9636 and #9688), Stanzilis.

Abstain: Cangiano.

Motion Approved.

Motion to Approve Check #'9636 and Check #9688: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Cangiano, Stanzilis.

Abstain: Windish.

Motion Approved.

- 2011-152** 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 Addendum, Dated March 15, 2011.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

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

Abstain: Cangiano.

Motion Approved.

Added to Agenda:**Ordinances – Introduction**

05-11 Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Exceed the Municipal Budget Appropriation Limits and To Establish a CAP Bank (NJSA 40A:4-45.14).

The Mayor read Ordinance 05-11 by Title.

Budget Consultant Joseph Kovalcik gave a brief description of this ordinance.

Motion: Councilman Sadow stated that Ordinance 05-11 be introduced by Title and passed on First Reading and that a meeting be held on April 19, 2011 at 7:00 p.m. at the Municipal Building, 419 Howard Boulevard, Mount Arlington, NJ, for a Public Hearing, consideration of Second Reading and Passage of said Ordinance, and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of law.

Second: Council President Sorge.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Cangiano, Windish, Stanzilis.

None Opposed.

Motion Approved.

Resolutions Continued:

2011-153 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Introducing the 2011 Municipal Budget.

Motion to Approve: Councilman Sadow.

Second: Council President Sorge.

Councilman Sadow congratulated Joseph Kovalcik and Carolyn Rinaldi for producing an excellent budget and excellent financial planning strategy for the Borough. Councilman Sadow stated for the year 2011, the Borough will not be applying for any financial aid from the state. The tax levy will be 5.09%; 3.09% of that is due to state statutory/mandated and/or contractual obligations. The remaining 2% is the amount that we can raise and give the Borough the opportunity to build our reserves. The municipal portion of the tax rate will be approximately \$41.00 per \$100,000 assessed value. The Mayor stated that the NJDCA will discontinue our two year Memorandum of Understanding, executed due to transitional aid received for 2010, because of the excellent turn around in bringing the Borough out of debt. Joseph Kovalcik detailed various aspects of the 2011 budget and future planning. Councilman Sadow discussed devising a plan for infrastructure improvement and capital improvements. The Mayor thanked Carolyn Rinaldi and Joseph Kovalcik for their efforts.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Cangiano, Windish, Stanzilis.

None Opposed.

Motion Approved.

2011-154 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the 2011 Temporary Budget.

Motion to Approve: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Cangiano, Windish, Stanzilis.

None Opposed.

Motion Approved.

2011-155 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Opposing A3766/S2664, Market Competition and Consumer Choice Act.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

The Mayor stated that if this legislation is passed, the money will be coming directly to the municipalities, not the State.

Roll Call:

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

Abstain: Cangiano.

Motion Approved.

- 2011-156** 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 (1999 Chevy Tahoe SUV).

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

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

Abstain: Cangiano.

Motion Approved.

- 2011-157** 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 (Well House 1930).

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

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

Abstain::Cangiano.

Motion Approved.

- 2011-158** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Settlement of the Tax Appeal Entitled Ko vs. Borough of Mount Arlington.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

This equates to losing the taxes on \$500,00, not losing \$500,000.

Roll Call:

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

Abstain::Cangiano.

Motion Approved.

Resolutions 2011-159 through

2011-161 Approved By Consent:

- 2011-159** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing a Risk Management Consultant and Authorizing Execution of a Risk Management Consultant Agreement.

- 2011-160** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Agreement to Join the Morris County Municipal Joint Insurance Fund, Subject to Approval of Assessment.

- 2011-161** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Accepting the 2011 Morris County Municipal Joint Insurance Fund Assessment.

Motion to Approve #2011-16 through #2011-161 By Consent: Council President Sorge.

Second: Councilman Cangiano.

Roll Call:

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

Abstain::Cangiano.

Motion Approved.

15. Ordinances – Introduction

- 04-11** Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 103, Games of Chance, of the Code of the Borough of Mount Arlington.

The Mayor read Ordinance 04-11 by Title.

Motion: Councilman Sadow stated that Ordinance 04-11 be introduced by Title and passed on First Reading and that a meeting be held on April 19, 2011 at 7:00 p.m. at the Municipal Building, 419 Howard Boulevard, Mount Arlington, NJ, for a Public Hearing, consideration of Second Reading and Passage of said Ordinance, and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of law.

Second: Council President Sorge.

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Cangiano, Windish, Stanzilis.

None Opposed.

Motion Approved.

16. Ordinances – Second Reading

None.

17. Motions

None.

18. Executive Session

2011-162 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.

Executive Session Topics:

Personnel

Pending Litigation

Action May Be Taken.

Borough Attorney Matthew O'Donnell stated that one of the items is pending litigation and due to involvement with the plaintiff, he respectfully requested that Councilwoman Danchuk recuse herself from closed session discussions. The Attorney added that it is in Councilwoman Danchuk's best interest to recuse herself from these discussions as it will protect Councilwoman Danchuk and all members of Council.

Motion to Go Into Executive Session: Council President Sorge.

Second: Councilman Cangiano.

All in Favor: Aye.

None Opposed.

Motion Approved

Councilwoman Danchuk left for the Pending Litigation portion of Executive Session.

Motion to Return to Open Session: Council President Sorge.

Second: Councilman Sadow.

All in Favor: Aye.

None Opposed.

Motion Approved

19. Adjourn

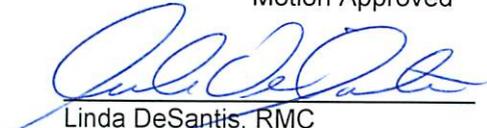
Motion to Adjourn: Council President Sorge.

Second: Councilman Sadow.

All in Favor: Aye.

None Opposed.

Motion Approved


Linda DeSantis, RMC
Borough Clerk

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 February 2011

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN FEBRUARY 2010</u>
\$ 29,892.34	SOLID WASTE RECEIPTS	\$ 31,741.31
\$ 140,042.24	SEWER RECEIPTS	\$ 157,508.06
\$ 55,064.97	WATER RECEIPTS	\$ 70,023.62
(WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL))		
\$ 3,825.00	(TRUST ACCT) SEWER CONN FEE INSTALL PLAN	\$4,250.00
\$ 228,824.55	GRAND TOTAL	\$ 263,522.99
\$ 20.00	RETURN CHECK FEE (WATER)	

Completed By Patricia E. Simari, CTC

cc: Mayor & Council
Carolyn
c:\trialbalanceutilityFeb11

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 February 2011

Dated March 2, 2011

Completed By Patricia E. Simari, CTC

Collections:

Current Taxes (1-01-17-001-001)	\$ <u>2,656,095.08</u>
2010 Taxes (1-01-17-001-003)	\$ <u>31,247.50</u>
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)	\$ <u>3,055.69</u>
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)	\$ <u>48.00</u>
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)	\$ <u>.35</u>
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	\$ <u>2,690,446.62</u>
<u>Total Receipts February 2010:</u>	\$ <u>2,648,983.05</u>

cc: C. Rinaldi
c:\trialbalancereceipts

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for February 2011

Current Fund

Receipts	2,974,935.67
Disbursements	2,307,241.51

Mayor report for 3/15/11:

Since our meeting on 2/15/11:

2/16/11- Attended Mayors Legislative Day in Trenton

2/18/11- Attended a Master Plan Committee Meeting
Attended a Zoning Committee Meeting

2/19/11- Attended Barbara Wilsons memorial service in Randolph. Mike Stanzilis joined Yvonne and I

2/21/11- Attended a Joint Court meeting in Dover

2/23/11- Attended our Land Use meeting

2/24/11- Addressed the Leadership Morris Class of 2011 at Picatinny Arsenal.

2/26/11- Participated in the League of Municipalities Executive Leadership training seminar at Mercer County College

2/27/11- Attended Cub Scout Troop Blue and Gold Dinner at the Jefferson House. Councilwoman Danchuk and Councilman Stanzilis also were in attendance. We presented the proclamations to the new Cubs that moved up to Scouts.

2/28/11- Attended the Read Across America day at Decker School. Read to two classes. It was great as usual. Linda DeSantis also took time to read to two classes.

3/1/11- As you are aware our regular council meeting was cancelled due to a lack of a quorum.

3/8/11- Attended the Chamber of Commerce Government Affairs Lunch in Morristown.

3/9/11- Attended Governor Christies town hall meeting in Hopatcong

3/10/11- Attended a Capital Budget committee meeting and following that a finance committee meeting.

3/14/11- Spent a few hours with Freeholder Masterangelo showing him around Mount Arlington.