

**BOROUGH OF MOUNT ARLINGTON  
COUNCIL MEETING MINUTES  
APRIL 19, 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 the armed forces and all people that put their lives in harm's way to protect our safety and freedom.

**4. Roll Call**

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

**5. Presentations/Mayor's Appointments**

1. Daren Phil, Borough Engineer:

Proposed Beach Improvements: Created first phase of project, to stay within the remaining \$85,000 from the Flood Control Project Grant. Plan to create a beach park, bleachers, bocci ball courts, roller rink, volleyball court, seating/picnic area with play tables designed for handicap usage. By mandate, any project under \$100,000 does not have to be bonded. Mr. Phil showed an illustrated map outlining the proposed project and described the project in great detail. Bathrooms and additional parking will be part of phase 2 of the project, not included in the \$85,000 grant. A resolution authorizing the Clerk to go out to bid for this project will be added for adoption. Council discussed beach parking charges, beach usage and possible beach admittance charge to help cover cost of lifeguards. Councilwoman Danchuk will contact Open Space to get more information.

**Added Resolution**

**2011-174** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Publication and Receipt of Bids for Beach Improvements, Phase I.

Motion to Approve: Councilman Windish.

Second: Councilman Sadow.

Roll Call:

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

None Opposed.

Motion Approved

**Lights at Firemen's Field:**

Mr. Phil has been in contact with Musco Lighting; Suburban is reviewing their proposal. Mr. Phil also indicated that Musco has a lease purchase plan for municipalities. Council discussed utilizing LED lighting.

**Status of Water Study:**

Mr. Phil has completed the water rate study, the audit is not completed; he has to research blasting the water lines on Kadel, where the water line was destroyed. Mr. Phil will provide Carolyn Rinaldi, Bud Jones and Joseph Kovalcik a draft copy of the water study to date. The Mayor asked to schedule another Water Sewer Committee meeting. Mr. Phil stated the completed study, not the audit, should be completed by the May 17, 2011 meeting; we basically need to know the cost to run our water and the number of subscribers. The present rate study went back to 2008 and out to 2015.

Attorney O'Donnell stated his office was working on the Dunlap Street Road Dedication and the Sandra Drive Easements and resolutions were needed to go forward with these issues. Daren Phil stated the right of way on Dunlap Street is very narrow and with water being brought into the residents there, they decided to fix the road as well; resolution is required for this action. Due to the area on Sandra Drive, the Borough needed to create a road dedication.

**Added Resolutions:**

**2011-175** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Accepting of Property and Recordation of the Proposed Deed of Roadway Dedication for the Area to be Conveyed to the Borough Located on Block 26, Lot 4, Dunlap Street, for a Proposed Right of Way.

Motion to Approve: Councilman Windish.  
Second: Councilman Sadow.  
All in Favor – Aye; None Opposed.  
Motion Approved

**2011-176** 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 and Recordation of the Proposed Utility Easements, Dated October 29, 2010 and November 2, 2010, for the Sandra Drive Pump Station No.: 2, Located on Block 61, Lot 17.01.

Motion to Approve: Council President Sorge.  
Second: Councilman Cangiano.  
All in Favor – Aye; None Opposed.  
Motion Approved

**6. Utility Receipt Report for the Month of March, 2011.**

The Clerk read the Utility Receipt Report for March, into the record.  
Grand Total: \$68,000.07.

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

The Clerk read the Tax Collector's Report for March, 2011 into the record.  
Total Receipts: \$238,208.59.

**7. Finance Report for the Month of March, 2011.**

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

Receipts	\$1,079,284.02
Disbursements	\$1,619,662.21

**8. Mayor' Report**

The Mayor read his report into the record.

## 9. Open to Public

Nancy Absalon, 15 Oak Street:

- Ms. Absalon questioned item #3 listed on the Agenda under New Business, with regard to campaigning. The Borough Attorney stated the ordinance from Colts Neck was included in the Agenda for discussion and clarification only and reiterated that no distribution of campaign materials or solicitation for political contributions are to take place in a government building or publicly owned property. Ms. Absalon asked if she could use the Log Cabin for a political event; the Attorney stated there is nothing currently on the Borough Code to prohibit such an event.

Andrew Danchuk, 50 Elizabeth Way:

- Mr. Danchuk inquired as to why the Mayor has not responded to his interest in serving on the Land Use Board; the Mayor stated he has reasons to not appoint him to the Land Use Board. The Mayor stated he would speak to Mr. Danchuk privately regarding this appointment.

## 10. New Business

### 1. Dial-A-Ride Van.

- Councilman Sadow stated there is a grant available from the Federal Transportation Administration, through NJ Transit, to procure a new Dial A Ride van. Van life expectancy is approximately 5 years or 150,000 miles, our van is a 2004; replacement cycle is 18 to 24 months from the date of filing, which is May 6, 2011. Councilman Sadow is in the process of completing our application. The grant award is 80% of the cost of the van and 20% is provided by NJ Transit. Councilman Sadow has asked Judy Bauer, Dial A Ride Coordinator, to provide a usage chart for Council review, which should be completed in June.; Council President Sorge stated that with the rising cost of gas, the passengers should pay a minimal fee for the service; Councilman Cangiano stated that would help to offset the cost of another part time driver if needed.

### 2. Rain Garden at MAPS.

- The Mayor stated the Raritan Highlands Compact awarded the Borough a grant for materials for a rain garden and the Borough has chosen to place it at MAPS school, behind the Kadel pillar; DPW will assist with minimal maintenance. Councilman Cangiano explained a Rain Garden is similar to a tiny detention basin/slight depression where you redirect the runoff into the species of plants that can stay wet; it is an excellent green initiative, way to slow down and use rain water runoff. Council approved.

### 3. Campaign Distribution Policy Ordinance.

No action; candidates should use a common sense approach.

## 11. Old Business

### 1. Tax and/or Utility Bill Email Reminders.

- This service would cost 12 cents a person per year; however, if the Borough provides the service to those who use email, then we open to complaints from those who do not use email. Attorney O'Donnell stated the Borough would run the risk of those stating they never received the email, and the collection rate drop. Council decided this was a dead issue.

### 2. On-Line Payment Services.

- Councilwoman Danchuk explained the Borough would charge the resident using the service; the cost to the Borough would be \$2,400. Patty Simari has researched two vendors; Councilwoman Danchuk will contact PNC to see if we can work with them directly. Council decided to table until we have more information.

### 3. Council Comments.

Councilman Cangiano:

As liaison to Board of Health, there were two instances of measles in Morris County, apparently stemming from someone who was visiting from out of the country.

Councilman Windish:

Recreation Department - Easter Egg Hunt will be on April 23, 2011 and volunteers are needed.

Councilman Stanzilis:

Memorial Park Project: First day for volunteers will be Saturday, April 23, 2011, 9am; the Cub and Boy Scouts will be assisting. Paul Nelson, DPW, will be meeting with Mr. Hanson regarding where to place the logs and debris for pick up.

Councilman Stanzilis stated he is working with Paul Nelson regarding a plaque for the DPW for their extraordinary efforts this past winter; we received a little under 7 feet of snow and ice.

Councilman Stanzilis stated that the Board of Education will be doing Super Sunday on school election night; the Celebrate NJ Awards Ceremony will also be that night. Three 4th grade Mount Arlington students were picked from the State for an essay regarding the history of New Jersey, one of them being Michael Stanzilis.

Councilman Sadow:

Councilman Sadow confirmed the grants we received for Clean Energy and asked copies be given to Paul Nelson. We received a \$50,000 energy grant; Paul Nelson will deal with the Direct Install personnel. The program is no cost to the Borough.

Councilman Sadow is in the process of setting up a meeting of the Citizens Financial Advisory Committee.

Council President Sorge:

Council President thanked the Memorial Day Parade Committee and Mayor Ondish for the appointment of Grand Marshall this year, stating it was an honor.

Council President Sorge stated he was approached by several Council members wanting to rescind certain ordinances regarding the BA; we can reinstate the ordinances should we fill that position. The Council discussed at length the position of Borough Administrator, the current Borough Code governing such position, the parameters of a Borough form of government, and the day to day operations of the Borough. Borough Attorney O'Donnell stated the Borough is in dire need to have one point person to handle the day to day operations of the Borough; would actually lessen the attorney fees because the administrator would work with the attorney. Borough Attorney O'Donnell will review the ordinances and advise back to the Council.

Councilwoman Danchuk:

Roxbury Police Chief Noll visited our police station and went over figures with Acting Chief Licata; Roxbury put their numbers in an excel format and sent it to Chief Licata to plug in the Borough's numbers. Acting Chief Licata and Councilwoman Danchuk will attend the Senior's meeting on Wednesday to explain a little about the police situation. Our Seniors have been frightened in the past and rather than have them fear and hear rumors, thought it best to hear it from the Chief and Council representative, who will explain the Borough is in the exploratory phase.

Councilwoman Danchuk spoke about the upcoming Valley Road presentation for the May 3, 2011 Council meeting. Michael Selvaggi, our Land Use Board attorney, had previously indicated the Borough has never had a redevelopment. Borough Attorney O'Donnell stated the statute process is long; the project is presented to Council, then the Planner looks at the feasibility, then the Land Use Board reviews the application and makes a recommendation to the Council. The Mayor emphasized that Council can ask questions at the presentation.

Councilman Windish, read into the record:

"NJSA 40A:60-7 Miscellaneous. The Borough Council may by ordinance delegate all or a portion of the executive responsibilities of the municipality to an administrator who shall be appointed pursuant to NJSA 40A:9-136." Further, "the Borough Council may by ordinance adopt an administrative code. The administrative code shall restate the major provision of the administrative code, the Borough's charter and the general laws supplementing the charter".

**12. Resolutions**

**2011-168** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Supporting Morris County Board of Chosen Freeholders Resolution #33 to Amend the Current OPRA Laws.

Motion to Approve: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

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

None Opposed.

Motion Approved.

**2011-169** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Urging the Swift Passage of A-3430, A-3431 and A-3432.

Motion to Approve: Councilman Sadow.

Second: Council President Sorge.

Roll Call:

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

None Opposed.

Motion Approved.

**2011-170** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Temporary Parking Restrictions and Road Closures During the Memorial Day Parade.

Motion to Approve: Council President Sorge.

Second: Councilman Cangiano.

Roll Call:

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

None Opposed.

Motion Approved.

**2011-171** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Temporary Budget of April 19, 2011.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

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

None Opposed.

Motion Approved.

**Added Resolution:**

**2011-173** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Patricia Simari, CTC, and Keith A. Bonchi, Esq., to Proceed With Foreclosure Action on Five Municipal Tax Lien Certificates.

Motion to Approve: Council President Sorge.

Second: Councilman Cangiano.

Roll Call:

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

None Opposed.

Motion Approved.

### 13. Ordinances – Introduction

**07-11** Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending and Supplementing Borough Code Chapter 144, Solid Waste, Article I, Recycling, to Amend Sections 144-1, 144-2 and 144-8, to Implement the New Jersey Waste Electronics Recycling Act, NJSA 13:1E-99.94.

The Mayor read Ordinance 07-11 by Title.

Motion: Councilman Sadow stated that Ordinance 07-11 be introduced by Title and passed on First Reading and that a meeting be held on May 17, 2011 at 10:00 a.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.

**08-11** Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 137, Snow and Ice Removal, of the Code of the Borough of Mount Arlington To Exempt Certain Properties From Its Requirements.

The Mayor read Ordinance 08-11 by Title.

Motion: Council President Sorge stated that Ordinance 08-11 be introduced by Title and passed on First Reading and that a meeting be held on May 17, 2011 at 10:00 a.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: Councilman Cangiano.

Roll Call:

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

None Opposed.

Motion Approved.

**09-11** Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending and Supplementing Borough Code Chapter 144, Solid Waste, Article II, Collection, to Include Subsection R., Entitled, "Refuse Container/Dumpsters" in Section 144-19, Preparation for Collection and Disposal.

The Mayor read Ordinance 09-11 by Title.

Motion: Councilman Sadow stated that Ordinance 09-11 be introduced by Title and passed on First Reading and that a meeting be held on May 17, 2011 at 10:00 a.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: Councilman Stanzilis.

The Mayor noted that Section 1. D.: penalties "...a fine not to exceed \$500.00."

Roll Call:

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

None Opposed.

Motion Approved.

**14. Ordinances – Second Reading**

**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 opened the Hearing to the Public on Ordinance #04-11 and read the Ordinance by title.

Councilman Sadow stated, I move for adoption and final passage of Ordinance #04-11.

Second: Councilman Stanzilis.

Roll Call:

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

None Opposed..

Motion Approved.

The Mayor declared that Ordinance #04-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

**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 opened the Hearing to the Public on Ordinance #05-11 and read the Ordinance by title.

Councilman Sadow stated, I move for adoption and final passage of Ordinance #05-11.

Second: Council President Sorge.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #04-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

The Clerk noted that the Ballot Draw for the Primary Election will be held at the Clerk's office on April 21, 2011 at 3:00 p.m.; anyone is welcome to attend.

**15. Motions**

None.

**16. Executive Session**

**2011-172** 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 Topic: Personnel

Motion to Go Into Executive Session After a Five Minute Break: Council President Sorge.

Second: Councilman Cangiano.

All in Favor – Aye; None Opposed.

Motion Approved.

Motion to Return from Executive Session: Council President Sorge.

Second: Councilman Stanzilis.

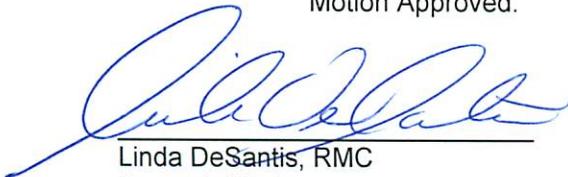
All in Favor – Aye; None Opposed.  
Motion Approved.

The Clerk discussed Council follow-up:

- Asked which Council members would be attending the NJLM Conference in November.
- Asked Councilman Sadow if Citizens Financial Advisory Committee meeting had been scheduled; not yet.
- Councilman Stanzilis will price a plaque for DPW – Snow Removal this year.
- From the December 14, 2010 meeting, Council wanted to look at DPW overtime and possibly reduce the number of hours Joe Schwab from Suburban Consulting oversees DPW. Council agreed that Councilman Stanzilis will speak with Paul Nelson and Daren Phil. Council previously mentioned reducing cost from \$15,000 to \$7,500/\$5,000.
- The Mayor appointed Councilman Stanzilis to the Green Team.

#### 17. Adjourn

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



Linda DeSantis, RMC  
Borough Clerk

Minutes Approved with Corrections at the Council Meeting of May 17, 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 March 2011

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN MARCH 2010</u>
\$ 12,310.88	SOLID WASTE RECEIPTS	\$ 19,050.53
\$ 39,307.88	SEWER RECEIPTS	\$ 47,658.25
\$ 8,306.31	WATER RECEIPTS (WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL))	\$ 11,389.29
\$ 8,075.00	(TRUST ACCT) SEWER CONN FEE INSTALL PLAN	\$ 9,651.75
<b>\$ 68,000.07</b>	<b>GRAND TOTAL</b>	<b>\$ 87,749.82</b>

Completed By Patricia E. Simari, CTC

cc: Mayor & Council  
C. Rinaldi  
c:\trialbalanceutilityMar11

**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 March 2011**

Dated April 6, 2011

Completed By Patricia E. Simari, CTC

**Collections:**

Current Taxes (1-01-17-001-001)	\$ <u>204,468.44</u>
2010 Taxes (1-01-17-001-003)	\$ <u>29,593.94</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>4,143.21</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>3.00</u>
3 <sup>rd</sup> Party Red./Subs (1-01-17-004-002)	
3 <sup>rd</sup> Party Red. Int./Fees (1-01-17-004-003)	
Misc. Copies (1-01-16-500-017)	
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	
<b>Total Receipts</b>	<b>\$ <u>238,208.59</u></b>
<u>Total Receipts March 2010:</u>	<u>\$ 172,920.76</u>

cc: C. Rinaldi  
c:\trialbalancereceipts

BOROUGH OF MOUNT ARLINGTON  
FINANCE OFFICE

Finance Report for March 2011

Current Fund

Receipts	1,079,284.02
Disbursements	1,619,662.21

Mayor report for 4/19/11

Since our meeting on 4/5/11:

4/6/11- Attended NJ State League of Municipalities Education Foundation officers meeting in Trenton.

4/8/11- Attended NJ State League Legislative Review Committee meeting in Princeton.

4/9/11- Officiated a wedding for George Ondish at our Mount Arlington Beach.

4/12/11- Attended Dover Council Meeting where Michael Luther was appointed as our new Joint Court Primary Municipal Judge. Mayor Leary attended as well.

4/13/11- Kicked off the Mayors Book Club by reading with the 1<sup>st</sup> graders at Decker School. We read the first two chapters of Flat Stanly and they will continue to read up to 500 books by June. It was a great time and the kids are very excited about reading. That is the point of the program.

4/15/11- Attended a Mayors Committee for a Green Future meeting in Trenton to discuss the new structure for Sustainable Jersey.

4/16/11- Officiated a wedding at the Arlington.

4/19/11- Attended Zoning Committee meeting about the outdoor storage ordinance update. The ordinance is complete and will be introduced at our May 3 meeting to be adopted June 14<sup>th</sup>. We will extend the non enforcement of the current ordinance beyond the date of May 15<sup>th</sup> until the updated ordinance is adopted. There is not point enforcing the old ordinance when the new one will be in place shortly after.