

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MAY 17, 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 to remember our armed forces fighting for us and all those who put their lives in harm’s way to protect our freedom.

4. Roll Call

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

5. Presentations/Mayor’s Appointments

Mayor’s Welcome to Mount Arlington Public School Seventh Grade Students.
The Mayor introduced those on the dais and gave an overview of meeting procedures, the election process, and agenda items.

The Mayor appointed Ruth Stone to the Recreation Committee; Council voiced their approval of this appointment.

6. Utility Receipt Report for the Month of April, 2011.

The Clerk read the Utility Receipt Report for April, into the record.
Grand Total: \$268,020.71.

Tax Collector’s Report for the Month of April, 2011.

The Clerk read the Tax Collector’s Report for April, 2011 into the record.
Total Receipts: \$1,399,347.53.

7. Approval of Minutes

April 5, 2011 Regular Meeting

Motion to Approve: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

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

None Opposed.

Motion Approved.

Motion to Approve with Corrections: Council President Sorge.
Second: Councilman Cangiano.
Roll Call:
Aye: Danchuk, Council President Sorge, Cangiano,
Windish, Stanzilis.
None Opposed.
Motion Approved.

8. Mayor' Report

The Mayor read his report into the record.

9. Open to Public

Numerous students had questions for the Mayor and Council, mostly pertaining to recreation programs, recreation facilities and lighting at Fireman's Field. Other topics included a bike path, litter problems, the proposed rain garden, status of the old police station, and the Memorial Park Path project.

Motion to Take a Break While the Students Leave: Councilman Stanzilis.
Second: Councilman Windish.
All in Favor - Aye:
None Opposed.
Motion Approved.

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

10. New Business

1. Property Maintenance 3-Step Enforcement Process.

Joe Weaver, Zoning Officer, gave a brief overview of the process and recording, indicating he has been using this enforcement process since 2009 but will now have all the forms on 8.5 x11 paper.

2. Morris County Community Development and Home Program (Federal Fiscal Years 2012, 2013 and 2014).

The Mayor stated this pertains to CDRS and the requirement to belong to this program in order to apply for grants/assistance. The Clerk will obtain the agreement for Council approval and prepare a resolution to execute such agreement.

Motion to Prepare Resolution to Execute the Renewal Agreement: Council President Sorge.
Second: Councilman Windish.
All in Favor - Aye:
None Opposed.
Motion Approved.

3. Resolution Opposing Senate Bill 1351 Amending OPRA to Include New Requirements.

The Council agreed to have this resolution prepared for Council adoption at the next meeting.

Motion to List the Resolution on the June 14, 2011 Meeting Agenda: Council President Sorge.
Second: Councilman Windish.
All in Favor - Aye:
None Opposed.
Motion Approved.

4. Amendments to Chapter 17, Temporary Sign Ordinance.
The present sign ordinance will remain in effect; the corrected ordinance will be introduced at the June 14, 2011 Council meeting. To further clarify the present ordinance, the proposed ordinance will specifically list Primary, General, School Board and any Special Election signs pertaining to black-out periods before and after the election date.
5. Ordinance Amending Chapter 48, Animals, To Update Fees for Animal Control Services.
Council agreed to introduce this ordinance at the June 14, 2011 Council meeting.
6. Mount Arlington Draft Employee Handbook.
Attorney O'Donnell recommended the Personnel Committee review the handbook and recommend final approval to the Council; this sample is the "standard" handbook from the Morris County JIF.
7. Model Local Unit Civil Rights Resolution, required by MCJIF.
Also standard from the Morris County JIF, the Personnel Committee will review the resolution.
8. Grant Writer.
Councilman Sorge stated that due to time constraints, we recently lost our opportunity to apply for a new Dial-A-Ride bus. Council agreed to follow the process of requesting RFQ's to ascertain a Borough Grant Writer. Attorney O'Donnell recommended the final selection be chosen by committee. The Mayor appointed a Grant Writer Committee: Council President Sorge, Chair, Councilman Windish, Councilwoman Danchuk, Attorney O'Donnell.

11. Old Business

1. 2011 Annual Fall Convention.
The Mayor confirmed those attending the NJLM convention in November and asked Council to respond to Terry Smith as soon as possible.
2. Valley Road Proposed Re-Development.
The Mayor acknowledged Mr. Myrtle and Mr. Atkins in the audience. The resolution before Council is a non-binding resolution authorizing this matter to proceed to the Land Use Board. After all professionals report to the Land Use Board, the Board will make a recommendation to Council. The Mayor stated that the Borough Planner will be paid by the escrow of the developer, which is mandated by state statute. Council had concerns regarding the best use of the property if redevelopment was granted, tax implications, etc., which will all be researched by the Land Use Board and professionals. If the Land Use Board approves the redevelopment, the Council has the final say as to the passage of this project. The Borough Planner will look at all aspects, including the best usage of the land, possible redevelopment, the Borough Master Plan, etc., not just the proposed redevelopment plan.

*Added Resolution

2011-185 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing and Directing the Planning Board of the Borough of Mount Arlington to Undertake a Preliminary Investigation to Determine Whether a Certain Area within the Borough is a Redevelopment Area.

Motion to Approve: Councilman Windish.

Second: Council President Sorge.

Roll Call:

Aye: Council President Sorge, Windish, Stanzilis.

Nay: Cangiano.

Abstain: Danchuk

Motion Approved.

3. Albert Ferrara and Jack Richards Memorials.

Council President Sorge proposed the Library be named the Jack Richards Memorial Library and spoke to the President of the Library Board of Trustees who indicated they would provide a plaque for the building.

Council President Sorge proposed the flag area in Memorial Park be named Albert Ferrara Pavilion with a plaque on mounted on bedrock. Council President Sorge stated that it is time for the Borough to recognize those who have made physical, material and lasting contributions to the Borough.

Motion to Authorize Up To \$1,600 to Pay for Memorial Plaque for Mr. Ferrara:
Council President Sorge.

Second: Councilman Cangiano.

All in Favor - Aye:

None Opposed.

Motion Approved.

4. Electronic Sign Policy.

Council presently authorizes Borough sponsored events on the electronic signs but had previously discussed changing the usage to be able to charge and receive revenue for the use. The policy is use for Borough sponsored events only, the same policy as use for the Civic Center rentals wherein only Borough groups do not pay the rental fee. The Mayor conducted a straw poll and Council agreed to leave the sign policy as is.

5. Ordinance 10-11, Amending and Supplementing Chapter 17, Land Development Ordinance, et al. (Tabled at May 3, 2011 Council Meeting.)

The Clerk indicated that at this time, Chapter 17 is not on the Borough website but we are in the process of including same. The revised ordinance clarifies and simplifies the original ordinance and incorporates any new changes now being addressed.

13. Ordinances – Introduction

10-11 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 17, Land Development Ordinance, Article II, General Provisions, Section 17-2; Article III, Land Development Administration, Section 17-5; Article IV, Development Procedures, Section 17-10; Article VII, Design Standards for Development, Section 17-24; Article VIII, Zoning, Section 17-29, Section 17-30 and Section 17-32; Article IX, Stormwater, and Flood Plain Regulations, Section 17-39; and Chapter 133, Property Maintenance, Article II, General Provisions, Section 133-12, Outdoor Storage.

The Mayor read Ordinance 10-11 by Title.

Motion: Council President Sorge stated that Ordinance 10-11 be introduced by Title and passed on First Reading and that a meeting be held on June 14, 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: Councilman Cangiano.

Attorney O'Donnell suggested Daren Phil be present at the June 14, 2011 Council Meeting for the Public Hearing.

Roll Call:

Aye: Danchuk, Council President Sorge, Cangiano, Windish, Stanzilis.
None Opposed.

Motion Approved.

6. Council Committee Reports.

Councilwoman Danchuk:

- Police: meeting with Roxbury Council and Police this week; Roxbury will present their figures, etc., regarding a possible merge.

- There is a course on redevelopment and Council agreed it would be beneficial for her to attend as a member of the public (with regard to proposed Atkins redevelopment).
- Robin LaHue wants the Borough to apply for an open space grant for the property she owns in Lake Rogerene; the deadline for the grant application is June 24, 2011. Council agreed full Council should be present to vote on this issue. If the Borough did acquire the property for open space, the liability would be on the Borough to maintain, patrol and enforce safety on that property. There are 4-5 buildable lots. Councilman Cangiano said this is a very important tract of land to the lake and should stay wooded to maintain a better environment for the lake. Council agreed to further discuss this in September for possible open space application for 2012.

Council President Sorge:

- Advised Dial-A-Ride of the loss of the grant.

Councilman Stanzilis:

- Paul Nelson will be meeting with JIF inspector to inspect both the old library building and the old borough hall building in order to report back to the Lieutenant Governor as to what we have to offer.
- Recent School Election, no one opposed, all the incumbents were re-elected. Sheila Studint, BOE Board Member was in attendance and notified Council that Board meetings will be held on Monday evenings, rather than Tuesdays.

Councilman Windish:

- Recreation: update on programs and noted an increase in sign-ups. Committee is looking for equipment storage space; looking at possibly the old borough hall or the old library building. Paul Nelson will look into possible storage space.

Councilman Cangiano:

- Board of Health meeting last week; working on ordinance revising some of the fees. Board member Laura Stanzilis offered to spearhead efforts for a nutritional awareness program.

12. Resolutions

2011-181 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 Deeds of Roadway Dedication for the Areas to be Conveyed to the Borough for the Howard Boulevard Proposed Right of Way Acquisition Plan.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

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

None Opposed.

Motion Approved.

2011-182 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 Easement, Dated November 1, 2010, for the Altenbrand Avenue Public Beach Pump Station No.: 4, Located on Block 18, Lot 12.

Motion to Approve: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

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

None Opposed.

Motion Approved.

- 2011-183** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing Lifeguards for the 2011 Season.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

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

None Opposed.

Motion Approved.

14. Ordinances – Second Reading

- 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 opened the Hearing to the Public on Ordinance #07-11 and read the Ordinance by title.

Council President Sorge stated, I move for adoption and final passage of Ordinance #07-11.

Second: Councilman Cangiano.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #07-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 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.
Ordinance to be Withdrawn for Further Clarification.

The Clerk stated that this ordinance was previously tabled because we did not have confirmation of the addresses exempt from snow and ice removal; we subsequently received a request from Suburban Consulting that Council authorize them to verify this work; at that point, this ordinance will be introduced on June 14, 2011 or as soon thereafter as Suburban completes its study.

Motion to Withdraw: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

Aye: Danchuk, Council President Sorge, 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 opened the Hearing to the Public on Ordinance #09-11 and read the Ordinance by title.

Council President Sorge stated, I move for adoption and final passage of Ordinance #09-11.

Second: Councilman Windish.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #09-11 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

15. Motions

None.

- The Clerk asked Councilwoman Danchuk about the on-line payments for the utility department; a report will be given at the next meeting.
- The Attorney referred to the list of committees prepared by the Clerk and asked the chairs of each committee to identify the committees' purpose and meeting time or specify "as needed". Mayor stated chair of committee should set up meetings and be accountable for committee activity; status/committee reports to be given in public.

*Councilman Cangiano left the meeting.

- The Attorney stated that the property owner who wanted to donate 533 Dell Road had died without a will. Borough should do a title search prior to accepting the property; there are many tax liens on the property and it might be possible for the Borough to ascertain the property in rem foreclosure.

16. Executive Session

2011-184 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: Pending Litigation
Personnel

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

Second: Councilman Stanzilis.

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.

*Added Resolution:

2011-186 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing Execution of an Agreement for Early Termination of the CY 2010/CY 2011 Transitional Aid Memorandum of Understanding By and Between the Borough of Mount Arlington and the Division of Local Government Services.

Motion to Approve: Council President Sorge.

Second: Councilman Stanzilis.

Roll Call:

Aye: Danchuk, Council President Sorge, Windish, Stanzilis.
None Opposed.

Motion Approved.

17. Adjourn

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



Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of August 2, 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 April 2011

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN APRIL 2010</u>
\$ 29,829.98	SOLID WASTE RECEIPTS	\$ 28,595.44
\$ 187,465.63	SEWER RECEIPTS	\$ 179,987.06
\$ 50,725.10	WATER RECEIPTS	\$ 49,337.94
(WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL))		
\$ 0.00	(TRUST ACCT) SEWER CONN FEE INSTALL PLAN	\$ 13,794.65
\$ 268,020.71	GRAND TOTAL	\$ 271,715.09
\$ 20.00	RETURN CHECK FEE (Garbage)	
\$ 20.00	RETURN CHECK FEE (Sewer)	

Completed By Patricia E. Simari, CTC

cc: Mayor & Council
C. Rinaldi
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 April 2011

Dated May 5, 2011

Completed By Patricia E. Simari, CTC

Collections:

Current Taxes (1-01-17-001-001)	\$ <u>1,337,312.48</u>
2010 Taxes (1-01-17-001-003)	\$ <u>52,666.83</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>6,753.21</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>18.00</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>.25</u>
Tax Sale Costs (1-01-16-500-018)	\$ <u>601.12</u>
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums (Trust Account)	
6% Delinquent Penalty (1-01-16-500-025)	\$ <u>1,995.64</u>
Tax Paid Certification	
Total Receipts	\$ <u>1,399,347.53</u>
<u>Total Receipts April 2010:</u>	<u>\$ 1,021,974.91</u>

cc: C. Rinaldi
c:\trialbalancereceipts

COMPUTER
MATRIX

P. O. Box 308
Succasunna, NJ 07876

Borough of Mount Arlington
419 Howard Boulevard
Mount Arlington, NJ 07856

4/8/2011

This letter is to inform the borough that Computer Matrix has performed a DOD wipe of 4 hard drives that were in 4 old pcs in storage in the basement. A DOD (stand for Department of Defense) is a bleaching and shredding process that over writes a file with a set of random characters and numbers about 3 times so any info on the file can't be recovered. This procedure was performed free of charge as a long standing customer.

Sincerely,

Michael Gallego
Owner

Tel: 973-927-5959 * Fax: 973-252-3651
[HTTP://www.thecomputermatrix.com](http://www.thecomputermatrix.com)

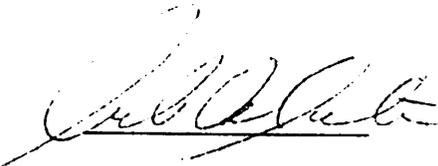
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Resolution

WHEREAS, the Borough of Mt. Arlington has various computers in the Tax Collector, Finance and Municipal Clerk Offices which are now outdated and no longer useful for its day-to-day operations,

NOW THEREFORE BE IT RESOLVED that the Mayor and Council of the Borough of Mt. Arlington hereby authorizes the disposal of the above mentioned computers in a proper manner thereby 'retiring' these items from the Fixed Asset Report.

I hereby certify that this is a true and correct copy of the Resolution adopted at the Council's meeting held on Jan 18 2011



Linda DeSantis, RMC