

**BOROUGH OF MOUNT ARLINGTON  
COUNCIL MEETING MINUTES  
DECEMBER 3, 2013**

**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 Daily Record on December 22, 2012; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 21, 2012 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.

**3. Flag Salute**

The Mayor asked for a moment of silence to remember all those who put themselves in harm's way to protect our freedoms.

**4. Roll Call**

Councilwoman Danchuk, Councilman Cangiano, Council President Sorge, Councilman Sadow, Councilman Windish, Councilman Stanzilis, Mayor Ondish. Matthew O'Donnell, Esq., Borough Attorney, and Carolyn Rinaldi, CFO/Municipal Administrator, were also present.

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

JCP&L representative Michael O'Bremski was present to wish Mayor and Council a happy holiday season, and remind them that they can call him at any time with any issues or concerns. Mayor Ondish thanked Mr. O'Bremski for quick and reliable service in recently repairing two street lights. Mr. O'Bremski briefly described the new JCP&L procedure where they post messages to the local municipalities when there is an outage or power problem, estimated time of repair work and estimated time power will be restored. Council President Sorge commended the tree cutting efforts as well.

**6. Utility Receipt Report for the Month of October, 2013.**

The Clerk read the Utility Receipt Report for October, 2013 into the record.  
Grand Total: \$268,339.99

**Tax Collectors' Report for the Month of October, 2013.**

The Clerk read the Tax Collector's Report for October, 2013 into the record.  
Total Receipts: \$2,200,049.94

**7. Finance Report for the Month of August, 2013.**

None.

**8. OPRA Report**

The Mayor briefly explained the OPRA process and monthly report; there were no requests costing \$100.00 or over in this report.

**9. Approval of Minutes**

None.

## 10. Mayor's Report

- The Mayor read his report into the record.
- Councilwoman Danchuk suggested the Morris Council League of Municipalities consider a dinner boat cruise rather than hosting a dinner at the Yacht Club every summer.

## 11. Chief of Police Report

- Chief Licata met with the CERT Team members tonight; with 3 new members, total of 10 on the team. They are presently looking at training sessions and presentations as well.
- The Mayor publicly complimented Chief Licata and the entire Police Department on their response times and excellent public service.

## 12. Municipal Administrator's Report

- Confirmed next Council Meeting will be Thursday, December 19, 2013; general business due to December meeting scheduled so early in the month. Councilman Windish will not be able to attend that date. The Clerk will publish the public notice.
- Confirmed the Re-Organization meeting will be held Tuesday, January 7, 2014 at 6:00 p.m.
- Resolution for Council Meeting Dates for 2014 and Borough Holidays for 2014 will be on the December 19<sup>th</sup> agenda.
- Previously Councilman Sadow suggested a plaque at the Civic Center to commemorate its 25<sup>th</sup> anniversary and to publicly thank those who were instrumental in building the Center. Tom Valiante was involved in constructing the building and has been able to identify other volunteers. Ms. Rinaldi will have price quotes and a sample template for the December 19, 2013 meeting.
- Typically the Rabies Clinic was held in November for one hour; this year we extended to two hours and vaccinated over 140 animals. It is definitely worth the extra hour and we will continue the same for this year. Ms. Rinaldi publicly thanked those who volunteered.
- The Recreation Commission teamed up with our MAGIC Program/Green Team for a youth clean up; Brenda Temple sent emails regarding the details of 5 different clean-up days. We received a tremendous amount of youth volunteers; the Council will acknowledge the volunteers at the December 19, 2013 meeting.
- With regard to previous discussions with NJ Transit and the Park & Ride, Ms. Rinaldi has been contacted by NJ Transit once again. Ms. Rinaldi would like to have a resolution on the December 19, 2013 meeting, authorizing her to continue discussions with NJ Transit but feels it is more beneficial at this time to create a committee. The Mayor, Councilman Sadow and Ms. Rinaldi had met with them previously and Councilman Windish had expressed an interest as well. Committee will be appointed at the December 19<sup>th</sup> meeting, along with the authorizing resolution.
- Regarding the Green Team and moving forward with the Community Garden, Sustainable Jersey has sent information regarding the availability of small grant programs. The Mayor stated he was recently appointed as a member of the Board of Directors for Sustainable Jersey.
- Regarding Succasunna Road, the Borough Engineers have been speaking with Roxbury and consequently there may be further design revisions and cost reductions; we will discuss this at length at our next Council meeting.
- The feasibility study petition has been submitted to the Clerk for certification of the signatures but Ms. DeSantis has received numerous requests from signers to have their names removed from the petition; she is seeking further direction on how to proceed.
- The Mayor reminded everyone that the Borough Christmas Tree Lighting will be on Friday, December 6<sup>th</sup>.

## 13. Council Committee Reports

### Councilman Stanzilis:

- Mayor Ondish, Councilwoman Danchuk, Councilman Cangiano and Councilman Stanzilis attended Shaun Carroll's Eagle Scout Ceremony.
- Attended the 5<sup>th</sup> Grade CCD Bake Sale, lots of goodies.
- Asked about our grant progress with Bruno Associates. Ms. Rinaldi stated we receive monthly reports from them and currently we are not actively pursuing anything; will ask for their help with the Sustainable Jersey grants. The Mayor stated we received \$142,000 grant for generators and storm preparation; Chief Licata and Paul Nelson have put a lot of effort into the grant application and Bruno Associates is assisting in the process.

**Councilman Windish:**

- Land Use Board proceeding along nicely, working on updating the Land Use Code.
- Councilman Windish has information from the NJLM Convention which will be distributed to Council regarding upcoming programs, assistance, etc. for municipal recreation programs. Councilman Windish suggests using the NJLM Parks and Recreation website for further information.
- Councilman Windish stated that the feasibility study petition has 113 signatures, 14 have already requested to have their name removed and more requests are coming in. The process starts at the petition but the bottom end result is that this is a path that leads to a binding referendum that is required to be funded by the towns.

**Councilman Sadow:**

- Nolan's Ridge has been a designated drop-off site by the US Marines for the past four years for the Toys for Tots project. Now, the project has expanded with the help of the Girl Scouts and there were drop-off sites all through-out the Borough, including Decker and MAPS schools, the Library and the Police Department.
- Ms. Rinaldi added that the NJ Cares Coat Drive has been a huge success this year, and even though it runs through early February, the Borough had to make a delivery already due to the amount of coats we received. The Mayor stated we are a generous community.
- The Mayor commended the DPW on the wreaths and lights and holiday decorations.

**Council President Sorge:**

- The Fire Department was on a call when an engine belt broke; Ms. Rinaldi is waiting for a price quote from the Chief but in the interim, we have a loaner. Council President Sorge wants to meet with Chief Norman and the Committee to discuss maintenance issues; Ms. Rinaldi will schedule the meeting.
- The Mayor publicly commended the Chief and entire Fire Department for doing a great job.

**Councilman Cangiano:**

- Board of Health met in November; no issues, concerns, etc. The contract with Mount Olive expires this year; they provide health and safety inspections, manage compliance issues, enforcement, public health nurse, and Health Officer Frank Wilpert and his team are top notch. The resolution awarding the health services contract to Mount Olive is on tonight's agenda.
- Thanked Carolyn Rinaldi and Paul Nelson for help with the prospective Green Team community garden. Recently received an email from someone wanting to join the Green Team as new member; they had read the MAGIC website.

**Paula Danchuk:**

- Our time on the County Open Space Committee has ended; each municipality gets a chance to be represented for a three year period.
- Serves on the Morris County Flood Mitigation Committee; Morris county has purchased over 67 homes as of November, 2013 to be demolished and the land left as open space. Councilwoman Danchuk stated the towns where the properties are located own the property. The Mayor stated this Committee is funded by County money; he further stated he believes Governor Christie is looking to fund open space in 2014 with state funds, but this is not confirmed as of yet.
- Borough Engineer is familiarizing himself with our sewer and water issues and the committee will be meeting soon.

**14. Public Comment**

- Brian Kincaid, 16 Maple Lane:  
Mr. Kincaid congratulated the Mayor and Council on all the good things happening in Mount Arlington. Regarding the possible merger with Roxbury, Mr. Kincaid expressed his satisfaction, gratitude and emphasized the value of our own Police Department and other local services; he questioned the actual value to such a merger and stated that taxpayers pay for the consultant to do the study, anywhere to \$180,000. Mr. Kincaid expressed his thanks to resident Charles Squires, who has been very involved with letting residents know the facts of the petition, and who has been instrumental and successful with various Borough issues in the past.

- Charles Squires, 26 Birch Terrace:

Mr. Squires has spoken to residents who had signed the petition for the feasibility study for a possible merger and those individuals either do not remember signing or are not in favor of the merger; the individuals have requested their names be stricken from the petition. Mr. Squires stated that Roxbury would like to merge with Mount Arlington because we have numerous upscale 55+ communities, taxable properties. Mount Arlington Strong. Smaller is better with more accountability and control, and he is opposed to a feasibility study for a merger.

- Councilman Windish stated the petition to perform a feasibility study is one aspect of a statute driven process. The study is just one step but the end result is a binding referendum; the study is only the first step in a chain of events that will, by statute, take place.

- Marguerite Wilson, 536 Curtis Road:

Ms. Wilson is an election poll worker and certified community advocate and one of her joys is to see the residents of Mount Arlington, everyone is her neighbor. Recently she received a phone call from Tony in the County Election Offices to commend Mount Arlington on their care and concern of the Mount Arlington voters. The Mayor expressed his thanks to all the poll workers in the Borough, especially recalling the aftermath of Hurricane Sandy last November. With regard to the petition for a feasibility study, Ms. Wilson stated she is in this community because the leadership is strong, the participation is strong and the community has, and continues to, develop; we have community policing, community programs, and people want the intimacy. Who will benefit from a merger and how will the merger be distributed among the communities involved. Mount Arlington has community values; we are a community built on legacy.

- The Mayor publicly thanked the residents for the kindness, support and concern over his recent diagnosis.

## 15. New Business

None.

## 16. Old Business

Councilwoman Danchuk stated at our last meeting in November, Council went into Executive Session for Attorney Client Privilege and she thought we discussed other matters that do not fall under Executive Session. Council President Sorge stated Councilwoman Danchuk sent an email discussing items discussed in Closed Session; even though it was only sent to those who were in the Closed Session, it is now considered a public document. Councilman Windish stated the chain of control has been breached, anyone could have gotten that document; breach of Closed Session does exist. Councilwoman Danchuk feels Council was in violation of the Sunshine Law at the last meeting. Councilman Windish stated there are far reaching consequences for this and it is now a problem. The Mayor clarified for the public that Council did not discuss the feasibility study petition in Closed Session but we did discuss her conduct and Councilwoman Danchuk's involvement. Councilwoman Danchuk stated there were people that signed the petition in front of her; Councilman Windish stated she was an orchestrator, she had a vested interest. Councilwoman Danchuk stated she was not a petitioner on the petition, there are five names listed and she is not one of them; she is not a petitioner, she signed that the people on the page signed in front of her. Councilman Stanzilis stated once again this is a matter of perception and the fact that she is endorsing the petition. Councilman Windish stated he thinks we should go forward with ethics charges but it is expensive. Matthew O'Donnell stated we have addressed this issue several times. Councilman Sadow stated that in the past, he believes he was instrumental in holding Council at bay with regard to charges, but would like Councilwoman Danchuk to explain why this should not be brought up to the State Ethics Committee. Councilwoman Danchuk stated she is trying to involve everyone, trying to get answers to her questions, trying to work with the Borough and understand what is allowed and not allowed. When she did research on this, it says go to the Prosecutors Office; she did not want to do that and cost the Borough money, but she feels she is participating in something not kosher. Councilman Sadow asked why Councilwoman Danchuk does not bring her questions to the Council President. Mayor Ondish stated this situation is very uncomfortable and it has happened quite a few times, especially in

front of the public. Matthew O'Donnell stated that Councilwoman Danchuk just created a hostile litigation for the Borough and there is a protocol, everything goes through Council President Sorge. The Mayor asked if this should now go to the State Ethics Board. Councilman Cangiano stated he thought it was an odd email but he does think the intent was to get guidance on how to do the proceedings.

Motion to Move this Matter onto the State Ethics Commission for Determination:  
Councilman Windish.

Second: Council President Sorge.

Roll Call:

Aye: Council President Sorge, Windish, Stanzilis

Recuse: Danchuk

Abstain: Sadow

Opposed: Cangiano.

Motion Approved.

Matthew O'Donnell will now proceed with this matter for the Council.

## 17. Resolutions

**2013-122** 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 December 3, 2013.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

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

None Opposed

Motion Approved.

**2013-123** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing a Transfer of Funds.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

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

None Opposed

Motion Approved.

**2013-124** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Issuance of Towing Licenses for the Period January 1, 2014 Through December 31, 2014.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed

Motion Approved.

**2013-125** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Execution of An Agreement with Lake Hopatcong Elks for Senior Citizens Meetings.

Motion to Approve: Councilman Sadow

Second: Council President Sorge

Roll Call:

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

None Opposed

Motion Approved.

- 2013-126** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing An Interlocal Health Services Agreement with the Township of Mount Olive for Certain Health Services for the Years 2014 Through 2016.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll Call:

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

None Opposed

Motion Approved.

- 2013-127** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Person-to-Person Transfer of Alcoholic Beverage License #1426-44-008-004 from Suhradham, LLC (Super Saver Liquors) to Shree Umiya Gauri, LLC.

\*\*Resolution Pulled from Agenda: Transfer Process Not Complete as of Yet.

- 2013-128** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Waive the Food & Drink Licensing Fees for the Board of Recreation Commission Concession Stand for 2014.

Motion to Approve: Council President Sorge

Second: Councilman Windish

Roll Call:

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

None Opposed

Motion Approved.

## 18. Ordinances – Introduction

None.

## 19. Ordinances – Second Reading

- 12-13** An 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.

The Mayor opened the Hearing to the Public on Ordinance #12-13 and read the Ordinance by title.

No Public Comment; the Mayor closed the Hearing to the Public.

Council President Sorge stated, I move for adoption and final passage of Ordinance #12-13.

Second: Councilman Cangiano

No Council Discussion.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #12-13 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 13-13** An 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 4, Administration of Government, Section 4-8 Administrative Organization, SubSection A (4) (C) and SubSection C (1) and (2); 4-11 Payment of Claims, SubSection A, B and D (2); 4-14 Police Department, SubSection B and K (5); 4-16 Department of Public Works, SubSection J; to Add a New Section 4-24 Board of Health, SubSection C; to Add New Section 4-29 Board of Recreation Commission, SubSection E and H, and Updating Section Letters.

The Mayor opened the Hearing to the Public on Ordinance #13-13 and read the Ordinance by title.  
No Public Comment; the Mayor closed the Hearing to the Public.  
Council President Sorge stated, I move for adoption and final passage of Ordinance #13-13.  
Second: Councilman Sadow  
No Council Discussion.  
Roll Call:  
Aye: Danchuk, Cangiano, Council President Sorge, Sadow, Windish, Stanzilis  
None Opposed.  
Motion Approved.

The Mayor declared that Ordinance #13-13 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

**20. Motions**

None.

**21. Executive Session**

None.

**22. 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 January 28, 2014.

# December 3rd Agenda Items

## BOROUGH OF MT. ARLINGTON

### UTILITY RECEIPT REPORT

#### MONTH OF OCTOBER 2013

Dated: November 13, 2013

Completed by Patricia E. Simari, CTC <sup>PS</sup>

AMOUNT	DESCRIPTION	COLLECTED IN OCTOBER 2012
\$24,922.42	SOLID WASTE RECEIPTS	\$13,290.79
\$180,396.31	SEWER RECEIPTS	\$143,031.14
\$63,021.26	WATER RECEIPTS	\$67,749.66
\$0.00	SEWER CONN FEE INSTALL PLAN	\$0.00
<b>\$268,339.99</b>	<b>GRAND TOTAL</b>	<b>\$224,071.59</b>

**BOROUGH OF MT. ARLINGTON**  
**TAX & UTILITY OFFICE**

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

**The Month of October 2013**

Dated: November 13, 2013

Completed by Patricia E. Simari, CTC *PS*

**Collections:**

Current Taxes (3-01-17-001-001)	<u>\$2,121,227.51</u>
S/C State Audit Chargeback Payments	<u>\$200.00</u>
2012 Taxes (Collected at Tax Sale)	
Pre-Paid Taxes (3-01-17-001-004)	<u>\$47,309.59</u>
Municipal Redemption (3-01-17-004-001)	
Interest & Costs (3-01-08-112-000)	<u>\$1,526.04</u>
Interest & Costs (Collected at Tax Sale)	
Return Check Fee (3-01-16-500-017)	<u>\$20.00</u>
Tax Searches (3-01-08-105-010)	
Duplicate Bills (3-01-16-500-016)	
3rd Party Red./Subs (3-01-17-004-002)	<u>\$28,368.81</u>
3rd Party Red. Int. (3-01-17-004-003)	<u>\$1,293.99</u>
3rd Party Red. 6% YEP (3-01-16-500-025)	
3rd Party Rec. Fee (3-01-17-004-003)	<u>\$104.00</u>
Misc. Copies (3-01-16-500-017)	
Tax Sale Costs (3-01-16-500-018)	
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums (Trust Account)	
6% Delinquent Penalty (3-01-16-500-025)	
Tax Paid Certification	
Redemption Calculation Fee	
<b><u>Total Receipts</u></b>	<b><u>\$2,200,049.94</u></b>
<u>Total Receipts October 2012</u>	<u>\$901,377.89</u>

Mayor report for 12/3/13

Since our meeting on 11/14/13

11/18/13- Attended the wake of Alice Atkins. The Atkins family has been a part of the Borough for so many years they are family. Alice was a wonderful person and my thoughts and prayers go out to the family.

11/19/13- I attended the League of Municipalities Convention in Atlantic City.

I will not bore you with the details and they are included in my report but I will say it was a very informative and exciting convention. I believe being we lost last year's convention to Sandy, it was missed and well attended this year.

Tues:

Spoke at the Sustainable Jersey Lunch

Moderated a session focused on getting the most out of your convention experience.

Attended the resolutions committee

Attended the Leagues Executive Board Reception where I was given a plaque for my time served on the board. I will now be ex-officio and no longer a board member. I recommended William Chegwidden serve in my open position. He was chosen and now will serve along with Frank Druetzler as the representatives of Morris County on the League's Board of Directors.

I then attended the NJ Conference of Mayors Dinner  
Networked into the evening

Wed:

Attended a nominating committee meeting

Moderated a panel on the Former Governors thoughts on the election results

Attended Mayors Box Luncheon.

Networked into the evening

Thurs:

Moderated a session on “Taking leadership on energy issues within your community”

Attended delegates lunch

Moderated a session “The BPU and Alternative Fueled Vehicles

Attended the Business Meeting and gave my report as Chair of the Nominating Committee

Networked into the evening.