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**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
FEBRUARY 5, 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 those who put themselves in harm's way to protect our freedoms. The Mayor asked for a special remembrance of Gerry Curtin, former Councilman and long-time Borough resident, who passed away last week.

4. Roll Call

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

5. Presentations/Mayor's Appointments

- Maxwell Grant, Captain of Roxbury High School Team, Appearance on The Challenge. The Mayor read the Proclamation into the record, followed by applause and congratulations for Maxwell Grant from the audience and Council.

- John Hudak, Esq., Borough Bond Counsel, to present an Overview of the Bond Process. Mr. Hudak stated the only way a municipality can borrow is through the Local Bond Law. Once the Finance Committee determines the projects to be financed, the Council must pass a bond ordinance listing the projects, assigning the projects a useful life, and pay 5% of the total project amount; long term borrowing (bonding) should be used if the projects are \$1 million or more. Mr. Hudak detailed the procedure, from the initial resolution through to adopting the bond ordinance. Borough Budget Consultant Joseph Kovalcik was also present and stated the Borough has some short term debt that will be paid off in 2014 and other wastewater treatment loans which will soon be paid as well. Therefore, over the next 2-3 years we will have some breakage where we can bring in additional debt; the Borough has a three-year capital plan, which should be looked at and fully considered prior to incurring debt. Mr. Hudak discussed the current interest rate trends regarding to bonding. The Mayor attributed our financial status to utilizing additional revenue we had from the additional building in town, infrastructure repair, roads, buildings, equipment and staffing; the Borough did not have to borrow money because we were very careful to use the money we had. The Mayor indicated that some municipalities pay cash up front for capital projects; Mount Arlington looks at the useful life of a project and borrows so the debt is shared for the useful life of the project - those who benefit from the project pay for the project.

6. OPRA Report

The Mayor stated the current report did not contain any requests costing over \$100.

7. Approval of Minutes

January 15, 2013

Regular Meeting

Motion to Approve with Correction (regarding the OPRA Report): Council President Sorge

Second: Councilman Windish

Roll Call:

Aye: Danchuk, Council President Sorge, Sadow, Windish

Abstain: Cangiano, Stanzilis

None Opposed

Motion Approved.

8. Mayor's Report

- Expressed his condolences again to Pat Curtin, who was in the audience, and stated there would be a service for Gerry at St. Therese's Church at 11:00 a.m. on February 9, 2013.
- Most of the streetscape lights on Howard Boulevard have been converted to LED lights using only 30 watts rather than 100; two lights are out but the underground wiring cannot be repaired until spring. All the lights will be rewired to one photocell so they will all operate at the same time.
- The Boy Scouts Pinewood Derby was a success; Mayor and Councilwoman Danchuk were judges.
- The Mayor participated in the Chamber Ride to Washington, DC which afforded the opportunity for good networking.
- The Mayor displayed the Sustainable Jersey Bronze Award awarded to the Borough at the recent Sustainable Jersey Luncheon. The award represents the Borough is saving money, being sustainable and doing positive things for our municipality. The Mayor thanked Councilman Cangiano especially for leading the Green Team and stated now that we are certified; we will have the opportunity to apply for certain grants. Councilman Cangiano thanked all those who donated their time and efforts toward this obtaining this certification.

9. Chief of Police Report

- There has been a large increase in the demand for firearm identification cards and pistol permits. The Police are continuing and are now advertising a free gun lock program; anyone who has a firearm and would like a free safety lock can come to the Police Station during normal business hours. Normally the Department issues about 50 pistol permits per year but in January, 2013, they issued over thirty.
- The Police have been continually working with the schools on an emergency operation plan but have increased the planning recently. The Police have always done school checks but now we provide e police presence in several different ways which is working very well. Recently Chief Licata worked with Carol Kitchin, who teaches a Life Skills class with sixth graders, and the program was very positive.
- Chief Licata has been working with our CERT team as the volunteers are eager to get involved.
- Chief Licata reported on the safety outreach program regarding pedestrians and speeding. The Police have been tracking and monitoring various locations but with the spring and nice weather coming, they will fully roll-out the program as the speeding starts up again.

10. Municipal Administrator's Report

- Ms. Rinaldi will be scheduling meetings to coordinate our Green Acres Award recently received for the beach, a Technology Committee meeting and a Landfill Committee meeting.
- Council agreed to introduce the Budget at the March 5, 2013 Council meeting.
- Council President Sorge commended Ms. Rinaldi and staff for a great job on the 2013 calendar and the fact that it was mailed in January for the first time.

11. Council Committee Reports

Councilman Windish:

- Technology Committee will be meeting shortly.
- Recreation is moving along.
- Attended the Sustainable Jersey Luncheon and described some of the grants available, particularly the bee program with the school.

Councilman Stanzilis:

- Congratulated Councilman Cangiano for doing an amazing job with the Green Team.
- Board of Education will be hiring a new Board Administrator this week.
- The Mayors Wellness Committee is meeting tomorrow night; they are planning the 5K for next year as a memorial for Officer Joe Wargo and to raise money for the Borough's DARE program. They are also planning a Health and Lifestyle Health Fair, with the goal to integrate the Board of Health and the Wellness Committees, addressing lifestyle changes for better health and weight.
- The Boy Scouts have to attend a Council meeting as an Eagle Scout requirement for a Citizenship in the Community merit badge; Councilman Stanzilis would like this to be placed on an upcoming agenda.

Councilman Sadow:

- Attended a subcommittee meeting of the Redevelopment Committee; will discuss later in the meeting.
- Councilman Sadow would like to schedule a Landfill Committee meeting regarding the stagnation of our landfill project. Councilman Sadow asked about the possibility of obtaining a grant for battery storage of solar energy at the landfill to utilize it as a car-charging station.

Council President Sorge:

- Attended the Fire Department meeting with Mayor Ondish and Carolyn Rinaldi; they discussed the Department holding their collections again and other issues.

Councilman Cangiano:

- Thanked the Mayor and Councilwoman Danchuk for attending the Pinewood Derby.
- There was a Board of Health meeting in January, the first meeting since Hurricane Sandy, and the Health Department spoke extensively about the processes and procedures they had to follow in the aftermath of the storm. The Health Department had given out packets to all food establishments prior to the hurricane regarding emergency issues from a hurricane.

Councilwoman Danchuk:

- There are two Finance Committee meetings scheduled to review the Budget and a Sewer & Water Committee meeting scheduled as well.

12. Public Comment

Gene Paradiso, 206 Howard Boulevard:

- Thanked Chief Licata for all the Department's work with the schools
- With regard to Boy Scouts, we have about six scouts getting ready for Eagle Scout status.
- Mr. Paradiso serves on the Finance Committee of the Board of Education, who has an interest in the redevelopment project. Mr. Paradiso questioned the Borough's decision to have a PILOT program with the developer rather than a tax abatement. Councilman Sadow stated the reason for the PILOT is the developer is taking raw undeveloped land within the Borough and turning it into some form of revenue for the Borough and cannot afford to do it any other way than to make a payment in lieu of taxes. Councilman Sadow stated the PILOT revenue is paid to the municipality and county, whereas abatement goes through the municipality only, with the regular flow of taxes.
- Mr. Paradiso had questions relative to the Borough paying off debt and the Borough budget planning; Joe Kovalcik explained his budget planning.
- Mr. Paradiso stated he has agreed to be one of the study petitioners with regard to the merging of Roxbury and Mount Arlington and believes the Borough should go into this with an open mind to possibly find shared services. The organization looking into the consolidation will pay for the study.

Nancy Absalon, 15 Oak Street:

- Asked about the sewer bond release in 2014. The Mayor stated we will be looking at the future needs for the sewer system; residents who have sewers pay for the sewers, it is not part of the taxes.

Marlene Ackerman, 56 Rogerene Way:

- Asked if the Borough had a food pantry, or relationship with another town for a pantry. The Mayor stated our social services are through the County. Ms. Ackerman said sometimes being a Mount Arlington resident excludes or bars residents from taking part in local events; her church is in Roxbury so when she donates food, it is designated for Roxbury residents only.
- Ms. Ackerman asked about the sewer fees. The Mayor specified only sewer users pay for the sewer, and the fees are not part of our taxes.

Sheila Studint, 88 Ridgeview Lane:

- Publicly thanked Chief Licata for the Police efforts in and around the schools.
- Ms. Studint stated when the PILOT was first discussed, Land Use Attorney Mike Selvaggi distributed a flow chart as to what issues could or could not be discussed. It is not the time to speak about money and certain issues must still be kept confidential because they have not been presented by the Council to the public. Members of the School Board are uninformed at this point, under the advice of the Land Use Counsel; anything not available to be OPRA'd is not to be discussed openly. Councilman Sadow explained it is not that the information is confidential, it's just not ready to be presented

13. New Business

None.

14. Old Business

None.

15. Resolutions

2013-34 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Check Register Dated February 5, 2013.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll Call:

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

None Opposed

Motion Approved.

2013-35 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the 2013 Temporary Budget.

Motion to Approve: Councilman Sadow

Second: Council President Sorge

Roll Call:

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

None Opposed

Motion Approved.

2013-36 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, Stanzilis, Windish

None Opposed

Motion Approved.

2013-37 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Financial Application with Valley Road Development Urban Renewal, LLC, in Connection with Block 61, Lots 42.01 and 42.02 Redevelopment Area and Pursuant to the Provisions of the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll Call:

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

None Opposed

Motion Approved.

**Added
Resolution:**

2013-39 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 to be Conveyed by the Borough of Mount Arlington.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed

Motion Approved.

16. Ordinances – Introduction

01-13 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 175, Water, Section 175-25, Use of Hydrants, Mains or Pipes; And Chapter A210 of the Borough Code Entitled "Fees", To Update the Fees Provided for in Chapter 175, Section 175-25, Use of Hydrants, Mains or Pipes.

The Mayor read Ordinance 01-13 by Title.

Motion: Council President Sorge stated that Ordinance 01-13 be introduced by Title and passed on First Reading and that a meeting be held on March 5, 2013 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.

Roll Call:

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

None Opposed.

Motion Approved.

02-13 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 133, Property Maintenance, to Amend Article I, General Provisions Applicable to All Developed Property, Section 133-10, Exterior Property Areas, to Revise Item C and Add a New Item D Addressing Sidewalk Maintenance; and Article II, Commercial Maintenance, Section 133-16, General Regulations, Section F, to Add New Items 2 and 3 Addressing Sidewalk Maintenance.

The Mayor read Ordinance 02-13 by Title.

Motion: Councilman Sadow stated that Ordinance 02-13 be introduced by Title and passed on First Reading and that a meeting be held on March 5, 2013 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, Cangiano, Council President Sorge, Sadow, Stanzilis, Windish
None Opposed.

Motion Approved.

- 03-13** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Vacating the Paper Street Located on the Property Known as Laurel Path, Located in Lake Rogerene Between Orben Drive and Rogerene Way, Causing Same to Be Annexed to Four (4) Adjacent Property Owners Property.

The Mayor read Ordinance 03-13 by Title.

Motion: Council President Sorge stated that Ordinance 03-13 be introduced by Title and passed on First Reading and that a meeting be held on March 5, 2013 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.

Roll Call:

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

Motion Approved.

- 04-13** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Execution of a Financial Agreement with Valley Road Development Urban Renewal, LLC. In Connection with Block 61, Lots 42.01 and 42.02 Redevelopment Area and Pursuant to the Provisions of the Long-Term Tax Exemption Law, N.J.S.A. 40A:20-1, et seq.

The Mayor read Ordinance 04-13 by Title.

Motion: Councilman Sadow stated that Ordinance 04-13 be introduced by Title and passed on First Reading and that a meeting be held on March 5, 2013 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

The Mayor stated that Councilwoman Danchuk should recuse herself from any discussion on this matter due to her residency being within 200 feet of the project. Lengthy discussion explaining the annual service charge, the language in the Agreement as per state statute, project term, revenue to the Borough, PILOT vs. taxable revenue (Councilman Sadow read into the record the developer's best dollar estimate), minimum payment clause and over-payment clause (if the developer takes in more money, the Borough also takes in more), and Borough services to the complex.

Roll Call:

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

Motion Approved.

- 17. Ordinances – Second Reading**
None.

18. Motions

- Vendor Permit Application:
John Cerra, Jr., "The Hopatcong Ice Cream Man", ice cream vending truck.

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

19. Executive Session

2013-38 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 Topics: Matters regarding Acquisition or Lease of Real Estate Property
 Personnel

Action Will Be Taken.

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

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

Added**Resolution:**

2013-40 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Approving Employment Contract Between the Borough of Mount Arlington and Carolyn Rinaldi, Municipal Administrator.

Motion to Approve: Council President Sorge
 Second: Councilman Sadow
 The Mayor stated the contract commenced on January 1, 2013, with a salary of \$160,000.

Roll Call:

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

Motion Approved.

The Mayor appointed a Planning Committee to assess our buildings, property inventory and possible purchase of property.

Mayor Ondish
 Council President Sorge
 Councilman Sadow
 Jessica Caldwell, Borough Planner
 Joe Toscano, Borough Special Engineer
 Matthew O'Donnell, Esq., Borough Attorney
 Carolyn Rinaldi, Municipal Administrator

Motion to Approve the Committee: Council President Sorge
 Second: Councilman Stanzilis
 All in Favor – Aye
 None Opposed
 Motion Approved.

20. Adjourn

Motion to Adjourn: Council President Sorge

Second: Councilman Sadow

All in Favor – Aye

None Opposed

Motion Approved.



Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of March 5, 2013.