

**BOROUGH OF MOUNT ARLINGTON
SPECIAL COUNCIL MEETING MINUTES
MARCH 26, 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 March 15, 2013 and the Roxbury Register on March 21, 2013; notice was posted on the bulletin board in the main hallway of the Municipal Building on March 12, 2013 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 wished all a Happy Easter and Happy Passover.

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.

5. Ordinances – Second Reading

- 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 opened the Hearing to the Public on Ordinance #04-13 and read the Ordinance by title.

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

Councilman Sadow stated, I move for adoption and final passage of Ordinance #04-13.

Second: Council President Sorge.

Council Discussion:

- Councilman Sadow stated several Council members had issues with the introduced ordinance, including definitions, verbiage, and financial issues. Since that time, the Committee has worked with the Land Use attorney, Borough attorney and the attorneys for Atkins and has produced an amended document with expanded definitions, and a significant change in the minimum annual payment of \$40,000 to \$150,000 per year. Any year that the project fails to reach \$150,000, as 11% of their gross, the Borough will receive \$150,000.
- The Mayor personally thanked Councilman Sadow and the Committee for thoroughly following this through and amending the original agreement; the Mayor thanked the Atkins, Borough professionals and all involved staff as well.
- Councilman Stanzilis, Council President Sorge and Councilman Cangiano expressed their thanks to the Atkins for listening to our recommendations and fine tuning the agreement.

- Borough Counsel O'Donnell stated that these are material changes to the introduced ordinance so the Governing Body will withdraw this ordinance, to be reintroduced at the April 2, 2013 Council meeting for first reading and introduction. Richard Wenner, Esq. present for Michael Selvaggi, Land Use Board attorney, stated the Governing Body has to adopt another resolution accepting the amended financial agreement prior to the introduction of the ordinance.
- After Council discussion, it was agreed that the resolution and first reading of the ordinance would be at the next regularly scheduled Council meeting of April 2, 2013; the public hearing and second reading will be held at a special meeting on Monday, April 15, 2013 at 7:00 p.m.

Motion to Withdraw Ordinance #04-13: Council President Sorge

Second: Councilman Windish

Roll Call:

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

Abstain: Danchuk

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #04-13 is withdrawn.

6. Adjourn

Motion to Adjourn: Council President Sorge

Second: Councilman Windish

Roll Call:

All in Favor - Aye

None Opposed.

Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of April 15, 2013.