

1

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
DECEMBER 16, 2014**

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 and Roxbury Register on November 20, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on November 20, 2014 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, and for our local police and military – let's pray they will be home soon with their families for the holidays.

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

None.

6. Finance Report for the Month of October, 2014.

Current Fund:

Total Receipts: \$1,688,360.16

Total Disbursements: \$1,551,885.85

Finance Report for the Month of November, 2014.

Current Fund:

Total Receipts: \$3,521,921.51

Total Disbursements: \$1,982,326.52

Motion to Move **Resolution 2014-149** to This Point in the Meeting: Council President Sorge.

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

2014-149 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 Any and All Documents Relating to the Financing Requirements for the Redevelopment Agreement By and Between the Borough of Mount Arlington and Valley Road Development LLC, and As Assigned to Valley Road Development Urban Renewal, LLC.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Discussion: Mr. Santola, Woodmont Properties, stated that this is really just a formality to authorize the execution of the estoppel letter that Council agreed to regarding financing. Borough Attorney O'Donnell stated he has reviewed the document, made some minor revisions which he discussed with Chair/Councilman Sadow, and this is just a boiler plate request from the developers lender. Due to time constraints and the banks requirement to have this completed by year end, Attorney O'Donnell stated the resolution is on the record now but will be memorialized tomorrow. Attorney Valandingham will prepare the resolution during this meeting and it will be provided to Council prior to the end of this meeting..

Roll Call:

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

Abstain: Danchuk

None Opposed.

Motion Approved

Motion to Move **Resolution 2014-146** to This Point in the Meeting: Councilman Sadow.

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

2014-146 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Hiring Joseph Parichuk as Police Officer.

Motion to Approve: Councilman Sadow

Second: Council President Sorge

Roll Call:

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

None Opposed.

Motion Approved

Motion to Return to Original Agenda: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

7. OPRA Report

The Mayor stated that one of our larger OPRA requestors, with a total of \$6,140 cost to the Borough for the year 2014, is Ms. Veronica Silkes and when asked why, Ms. Silkes responded because she can. Councilman Sadow thanked the Clerk's Office for compiling the year-end report which will be more readily available next year as they will now keep a running month-to-month total. With regard to the year-end OPRA report, Councilman Sadow stated Councilman Windish was responsible for \$4,414 cost for OPRA as well, but that his requests were in direct connection with the complaints and issues brought to the Prosecutor's Office. The Mayor stated we had 31 OPRA requests in the month of December.

8. Approval of Minutes

December 2, 2014

Regular Meeting

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

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

None Opposed.

Motion Approved

9. Mayor's Report

- Mayor performed a few weddings in the past weeks.
- The Re-Organization Meeting will be held on Sunday, January 4, 2015 at 11:00 a.m. at the Municipal Building. The Mayor stated that at the last Council meeting, he invited everyone to a party after the Re-organization meeting but due to the cost, the party will be by invitation only.
- The new Dial-a-Ride van is up and running.
- The Borough calendar will be mailed out shortly.
- The Mayor wished all a Merry Christmas and happy, healthy and prosperous New Year.

10. Chief of Police Report

No report.

11. Municipal Administrator's Report

No report.

12. Council Committee Reports**Councilman Stanzilis:**

No report.

Councilman Windish:

No report.

Councilman Sadow:

- Stated that the Dial-A-Ride van is retrofit-able to natural gas, should that become financially feasible in the future. Councilman Sadow met with John Shortino of Blue Diamond, who currently has 24 trucks which have been converted to natural gas vehicles; this continues to make Mount Arlington greener and cleaner and something that Sustainable Jersey might be able to use as part of our certification.
- Thanked the entire Borough for participating in the Toys-for-Tots campaign effort; they have distributed 18 washing-machine-size boxes of toys, 8 bicycles and 5 fishing poles so far this year. The Mayor personally thanked Councilman and Betty Sadow for all their efforts and success with Toys-for-Tots.
- The Mayor stated the Borough also delivered two truckloads of coats donated for the recent Jersey Cares Coat Drive.

Council President Sorge:

- The new Dial-A-Ride van is big, it's awesome, and it's ours; he was the first passenger on the new bus.

Councilman Cangiano:

- Councilman Cangiano stated Recreation met recently; commission member Kathy Appleby will be leaving but Carolyn Rinaldi stated the vacancy has been filled. Councilman Cangiano stated they are always looking for volunteers for the several committees.

Councilwoman Danchuk:

No report.

13. Public Comment

Marlene Ackerman, 56 Rogerene Way:

- Ms. Ackerman read an excerpt from the Book of Proverbs from the Jewish Tenoch and the Christian Old Testament, the principal author was Solomon. As this is the first night of Hanukah, it also represents the light of hope in the winter darkness; next week Christians will celebrate the birth of Jesus Christ. Ms. Ackerman asked all present to search their soul and allow peace, joy and restoration to take place in this assembly tonight; may God be with you all and harmony fill this hall.

Andrew Danchuk, 50 Elizabeth Way:

- Mr. Danchuk wished the Mayor, Council, municipal employees and their families a very Merry Christmas and a Happy Hanukah. Mr. Danchuk said a significant portion of the Christian community is Eastern Orthodox and celebrate Christmas according to the Julian calendar; my family, who are Ukrainian Orthodox, celebrated Christmas Eve on January 6th last year, at which time a guest at their house received a summons for overnight parking. Mr. Danchuk asked the Mayor and Council extend or suspend the overnight parking ordinance for January 6th and 7th going forward in observance of this significant and widely recognized holiday. Chief Licata was present and stated this would fall under our ordinance for holiday parking, providing no snow is on the ground.

Motion to Approve to Add January 6 and 7 to the Borough Ordinance regarding Holiday Parking: Council President Sorge

Second: Councilman Windish

Roll Call:

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

Motion Approved

14. New Business

None.

15. Old Business

None.

16. Resolutions

2014-139 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 Cangiano

Roll Call:

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

Motion Approved.

2014-140 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 16, 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.

2014-141 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, 2015 Through December 31, 2015.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll Call:

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

None Opposed.

Motion Approved.

2014-142 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing The Receipt of Bids. (Borough-wide Landscaping)

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed.

Motion Approved.

2014-143 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Hiring Part-time Seasonal Help for DPW.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed.

Motion Approved.

2014-144 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 a Shared Services Contract with Morris County Municipal Utilities Authority for Transporting, Accepting, Processing and Marketing Recyclable Materials.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll Call:

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

None Opposed.

Motion Approved.

2014-145 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Reduction of Performance Bonds for Nolan's Ridge Phase III.

Motion to Approve: Council President Sorge

Second: Councilman Windish

Roll Call:

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

Abstain: Sadow

None Opposed.

Motion Approved.

2014-147 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving and Authorizing Execution of the Developer's Agreement with Quick Chek Corporation for the Property Located at 7-9 Howard Boulevard Designated as Block 61, Lot 39.01.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Discussion: Councilman Sadow stated he was distressed at the findings of the traffic study because the traffic in front of this location is already difficult. The traffic study was done on a Wednesday in November in a town that has the largest lake in New Jersey and a boating community that continually travels that area. The Mayor stated it is another change, and every change that has happened in his eighteen years elected, everything that was going to happen was going to be horrible but it all works out. Councilman Sadow said he thinks Chief Licata can attest that that is the single most traffic accident involved intersection in Mount Arlington year in and year out, and we will be adding traffic to an already congested traffic circumstance. The Mayor stated we have met with the NJDOT and made suggestions regarding the exit ramps off of 80; they are actively investigating and we are hoping to see improvements there in the near future, which could coincide with when Quick Chek opens or shortly thereafter. The Mayor stated we had originally requested DOT to install a traffic light at the stop sign at the end of the ramp coming off 80 West. However, Carolyn Rinaldi, Sabine Watson and the Mayor met with DOT and they suggested the exit ramp become four lanes, all stopping at the one traffic light. Sabine Watson stated they made observations of the traffic in September both in the morning and evening and the observations have been written up in report form; DOT has the report in support of their recommendation to bring all the traffic to one light. Councilman Sadow stated with or without the project, he feels that is an excellent idea, but there are no guarantees this will happen. The Mayor stated the owners of the original Quick Chek plaza are actively searching for an anchor store.

Roll Call:

Aye: Cangiano, Council President Sorge (but noted not happy with the traffic situation), Windish, Stanzilis

Abstain: Danchuk

Opposed: Sadow

Motion Approved.

2014-148 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving and Authorizing Execution and Recordation of the Proposed Stormwater Management Easement Agreement and Sight Triangle Easement Agreement Located at 7-9 Howard Boulevard Designated as Block 61, Lot 39.01.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed.

Motion Approved.

2014-150 Resolution of the Mayor and Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Execution of An Agreement with the State of New Jersey Regarding Pedestrian Walkway Improvements To a Portion of the Right-of-Way of Howard Boulevard.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Discussion: Sabine Watson stated in 2011 there were three issues with regard to funding: one is now a non-issue due to the weather and vegetation has pretty much died away from the area; second is something that we negated, because it actually goes against the standard for the collapsible sections of the guardrail; and lastly is the Agreement which has been distributed to Council, which is typical when you assume any type of grant from DOT. The Borough will be taking care of the improvements however

the Borough has the ordinances which require properties that have frontage on right of ways to do that maintenance as well. Councilman Sadow stated we are going to do the sidewalks that are south and east of the boatyard and the boatyard (Quick Chek) will be responsible for their own sidewalks. Ms. Watson stated that the entire sidewalk under this funding is inclusive in the Agreement; it is actually from the train station past the boatyard and up the hill.

Roll Call:

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

Motion Approved.

2014-151 Resolution of Censure of Council Member Paula Danchuk by the Mayor and Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey.

Motion to Approve: Council President Sorge

Second: Councilman Windish

Discussion: Councilwoman Danchuk stated she demands more time to go over this resolution; there are four pages of charges against me, I only received it this past Friday night, I've not had sufficient time to prepare a defense or retain an attorney or to gather witnesses in my defense. I demand a full Hearing on all the charges, with time to prepare a defense before a neutral arbitrator prior to this Hearing. I demand an attorney of my choosing with legal fees and costs paid for by the Borough. I demand a more complete and detailed recitation of the charges, some of them are very vague and unclear and make it impossible to respond to and I object to this resolution being voted on until I have had time to defend myself with the facts and the legal basis for the charges after preparing a defense with the assistance of an attorney, with adequate notice, and detailed charges. Council President Sorge stated that for the past year Council has been talking to Councilwoman Danchuk about this and he wants to vote on this right now. Attorney O'Donnell stated there are no charges pending against Councilwoman Danchuk, this is just a resolution memorializing what Council has been admonishing of your behavior and conduct over the past year or so. These are not charges, there is no defense, there is no Hearing, there is no arbiter, this is the Governing Body's actions being memorialized. Councilwoman Danchuk stated she contacted the NJLM and there are no there are no specific statutory provisions relating to censure of a Governing Body member; William Kearns stated it is purely a local matter and it has no legal impact beyond Council disapproving something Councilwoman Danchuk had done. Councilman Stanzilis stated this censure is just expressing a severe disapproval of Councilwoman Danchuk's past patterns and actions; if he worked for an organization and was doing things that the organization was not happy with, he would be written up and get a verbal reprimand. The Mayor stated he is a very forgiving person; can we put our hand out, shake hands and just move forward, let the past be the past and move forward in a positive way. Councilman Cangiano stated that each one of the items listed in the resolution represents issues that we spent hours discussing, and they have no benefit to the Borough; he read through the resolution, sat through these painstaking meetings discussing issues that have no benefit to the town. Councilwoman Danchuk stated she does not think this is moving forward, it is going to cause even more discussion and expense for the Borough. Councilman Windish stated the criminal complaints that Councilwoman Danchuk has brought against this Governing Body to the Prosecutors Office are atrocious; this is a blatant abuse of power by elected officials. The Borough Attorney reiterated that this merely memorializes what this Council has been discussing but he is amazed how the tables are turned and Councilwoman Danchuk is acting like this is the first time she has heard this. Councilman Cangiano stated he would like to amend the resolution to remove the last bullet point, "Councilwoman Danchuk ... member of CARMA....." , stating he feels that this item refers to her private opinion.

Roll Call:

Aye: Cangiano (with note of his objection to the last bullet point in the resolution), Council President Sorge, Sadow, Windish, Stanzilis
Abstain: Danchuk
None Opposed.

Motion Approved.

Added**Resolution:**

2014-153 Resolution of the Mayor and Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, to Cancel Garbage and Sewer Charges for Property Known as Block 10, Lot 12.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

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

None Opposed.

Motion Approved.

17. Ordinances – Introduction

None.

18. Ordinances – Second Reading

None.

19. Motions

None.

20. Executive Session

2014-152 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.

- Attorney-Client Privilege:

- Approval of Executive Minutes of December 2, 2014

Action May or May Not Be Taken.

Motion to Go Into Executive Session: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

Motion to Return to Open Session: Council President Sorge

Second: Councilman Windish

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

Motion to Approve Executive Minutes of December 2, 2014: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

Attorney Elizabeth Valandingham distributed Resolution 2014-149 as discussed earlier in the meeting. The Mayor read the resolution by title into the record once more.

2014-149 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 Any and All Documents Relating to the Financing Requirements for the Redevelopment Agreement By and Between the Borough of Mount Arlington and Valley Road Development LLC, and As Assigned to Valley Road Development Urban Renewal, LLC.

21. Adjourn

Motion to Adjourn: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

All in Favor: Aye

None Opposed.

Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of January 20, 2015.

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report Current Fund

October 2014

Receipts	1,688,360.16
Disbursements	1,551,885.85

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report Current Fund

November 2014

Receipts	3,521,921.51
Disbursements	1,982,326.52