

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
FEBRUARY 3, 2015**

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 December 11, 2014; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 3, 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.

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

Leon Moreau, Lake Hopatcong Foundation

- Leon Moreau and Walter Wurster gave a brief overview and distributed information regarding the Foundation's upcoming events, including the Block Party, the Lake Loop, an annual members meeting at their new train station location, and the annual gala in July at the Lake Hopatcong Yacht Club.

6. OPRA Report

- The Mayor briefly explained the OPRA process and monthly report. The Mayor stated Veronica Silkes submitted the following OPRA requests: \$630 for executive meeting minutes, \$168 for invoices, \$97 for check registers, \$52 for recreation information, and \$104 for attorney invoices and library salaries. There was a request from Leonard and Leonard regarding Davy's Dogs, \$156. There were 22 total requests this month.

7. Approval of Minutes

January 4, 2015

Re-Organization Meeting

Tabled at January 20, 2015 Council Meeting

Motion to Approve: Council President Sorge

Second: Councilman Windish

Discussion:

- The Clerk stated that on page 3, Council had requested the reason for Councilwoman Danchuk's abstention be noted.
- Councilman Sadow stated that according to Roberts Rules, an abstention is a non-vote and the format for this probably should have been a separation of question, and in that way vote on the individuals separately rather than abstain from the entire vote. The separation of question is done at the time the resolution or motion is being offered and at the time of discussion. There is nothing in Roberts Rules that indicates such a requirement but has been past practice for our Council to give an explanation as to an abstention vote.

- Councilwoman Danchuk stated she has an issue with the changing of the Minutes; you cannot put something in the Minutes that did not occur at the meeting but the Council directed the Clerk to change the Minutes. Councilwoman Danchuk spoke with the President of the Municipal Clerks Association of NJ, John Mitch, who agreed that this cannot be done. She asked Attorney O'Donnell why he is allowing the Council to instruct the Clerk to change the Minutes? Attorney O'Donnell responded by asking exactly what she is requesting to be changed and then ask Council to table this to the next meeting.
 - Councilman Sadow quoted Robert's Rules, "...if the existence of an error or material omission in the Minutes becomes reasonably established after their approval, even many years later, the Minutes can then be corrected by means of a Motion to amend something that has been previously adopted, with a footnote, which requires 2/3 vote or a majority vote or a vote of the majority of the entire membership....." Councilwoman Danchuk stated Council asked the Clerk to put something in the Minutes that did not happen and she would like the abstention vote to have an asterisk indicating "see Minutes of January 20, 2015", where the issue is explained.
 - Council agreed to change the abstention vote "verbiage" to a footnote, indicating to refer to Minutes of January 20, 2015.
- Motion to Approve Withdrawn.

Motion to Approve With Footnote, As Revised: Council President Sorge

Second: Councilman Sadow

Roll:

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

None Opposed

Motion Approved.

January 20, 2015

Council Meeting

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll:

Aye: Danchuk, Sadow, Windish, Council President Sorge

Abstain: Cangiano (absent 01/20/15), Stanzilis (absent 01/20/15)

None Opposed

Motion Approved.

8. Mayor's Report

- The Mayor thanked everyone for their kindness, prayers, thoughts and outpouring of support for the loss of his father on January 8, 2015.
- Recently performed a wedding and has more scheduled.
- Read a resignation letter from Emil Cardona, Recreation Commission.
- Read a letter from a resident commending Paul Nelson and Aitor Ostolaza, DPW.

9. Chief of Police Report

Nothing to Report.

10. Municipal Administrator's Report

- Has been working on the budget, hopeful for a March introduction.
- Finance, Personnel and Code Committees have scheduled meetings, Water and Sewer Committee will meet in March.

11. Council Committee Reports

Councilman Stanzilis:

- Commended Paul Nelson and DPW for snow removal efforts.

Councilman Windish:

- Will be attending the upcoming Personnel and Code Committee meetings.

Councilman Sadow:

- Attended the Seniors meeting; all questioned how their email addresses were released to have solicitation by another site. Councilman Sadow explained the OPRA function to the Seniors and explained that there are people who use OPRA to their own personal will. The Seniors expected that when they gave the Borough their email addresses, it would be a one way communication from the Borough regarding emergency information and information pertinent to their lives.
- Councilman Stanzilis stated the initial intent of OPRA is about transparency, not pushing agendas or soliciting.
- Councilman Sadow stated that what he finds most incredible about this discussion is, "because I can" is the least transparent answer that could possibly be given.

Council President Sorge:

- With regard to the Seniors and the email addresses, Council President Sorge has had several phone calls to voice disapproval, and the Seniors are incensed that their privacy has been invaded.
- The Mayor stated that as of a few hours ago, our Fire Department has been helping with a water main break in Belleville near Clara Maas Hospital; we are there with our tanker truck as many towns rely on hydrants and do not have tankers. The Mayor said just another example of our service to others and the mutual aid we provide and would be provided if need be.

Councilman Cangiano:

- The Board of Health re-organization meeting had to be re-scheduled and will be held on February 10, 2015.
- Stated Emil Cardona has been on the Recreation Board for a long time and is sorry to see him leave; we have two new members on the Board and now will have to fill Emil's spot as well.

Councilwoman Danchuk:

- Stated DPW is doing great; a copy of Paul Nelson's report has been distributed to Council.

12. Public Comment

None.

13. New Business

None.

14. Old Business

Discussion on Borough Landfill:

- Councilman Sadow stated we have a closed but not capped landfill in the Borough; we have no problems with it and monitor it on a quarterly basis. The Landfill Committee met last week and the ideas discussed were redevelopment of a brownfield, which is a green idea, solar energy, also a green idea, perhaps parking vehicles on the landfill which will alleviate some of the crowding at local marinas as well as provide revenue to the Borough, and the provision of energy generated by the solar panels.
- Tom Brys, Matrix New World Engineering, was present and stated that Matrix was asked to determine the practical and economic feasibility of installing a solar generating station and surface parking; they did on-site inspections, on site shade analysis, tree and vegetation species identification, and worked with a land use consultant regarding boundaries and history. The site is conducive, it's practically and economically feasible to install solar at the site, and its practically and economically feasible to install solar at varying levels and varying degrees at the site. Mr. Brys stated the details of the project will be specified in the RFP; Mr. Brys will determine the minimum technical requirements as well as the minimum financial requirements and logistics. The proposer will be required to do a traffic study in and around the area, and mitigate whatever recommendations are included in that study. The proposer will own, operate and maintain the entire site.
- The Mayor stated we already have the easement for the electric line to go to the school, which had to go through the Highlands and the DEP. The Mayor stated we are going to be moving forward in the best way possible for the Borough.
- Councilman Sadow stated the investment tax credit which is the lynchpin of this project evaporates on December 31, 2016 so we must have an aggressive timeline.
- Mr. Brys stated the proposer bears all the benefits and burdens of owning the project; they will be responsible for permitting however there are things the Borough has to do to meet the permitting process as well.

- Councilman Sadow stated we had \$5,000 to determine the feasibility, and an additional cost to the Borough of \$20,000 to get the RFP out there and bring it back; the project might bring \$5 million over thirty years, cash in hand, to the Borough.
- Councilman Cangiano stated that whatever the proposer submits is what he will have to maintain; the entire project is guided by the proposer, he has to live with the choices made during this project.

15. Resolutions

- 2015-37** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, In the County of Morris, New Jersey, Authorizing Advertisement for Requests For Proposals.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll:

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

None Opposed

Motion Approved.

Added:

- *2015-37A** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Matrix New World Engineering, Inc. to Prepare a Request for Proposal for the Implementation of a Solar Photovoltaic (PV) Redevelopment Project at the Borough of Mount Arlington Landfill. (the cost not to exceed \$20,000)

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Discussion: Councilman Cangiano requested that the RFP be reviewed by Council prior to advertising, as authorized in Resolution 2015-37; Council agreed. The Mayor indicated that due to our time constraints, we might have to schedule a special meeting to review the RFP.

Roll:

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

None Opposed

Motion Approved.

- 2015-38** 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 Sadow

Roll:

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

None Opposed

Motion Approved.

- 2015-39** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing 2015 Temporary Budget.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll:

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

None Opposed

Motion Approved.

- 2015-40** 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 3, 2015.

Motion to Approve With the Exception of Check #14166: Council President Sorge

Second: Councilman Windish

Roll:

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

Motion Approved.

Motion to Approve Check #14166 (Attorney's Fees): Councilman Sadow

Second: Councilman Windish

Discussion:

- Councilwoman Danchuk stated there are quite a few items on the Attorney's bills that she knew nothing about, not sure when or if the items were discussed. Councilwoman Danchuk feels that maybe Attorney O'Donnell should give a report during the Council meetings of the things he is working on for the Borough.

- Councilman Cangiano stated we are a small Borough and we don't have the ability to hire full time counsel; we hire consultants who perform the day-to-day operations that don't have to be brought to Council.

- A lengthy discussion ensued regarding Councilwoman Danchuk questioning the attorney's bills. Councilman Sadow asked Councilwoman Danchuk why she is singling out these bills but has approved them for the past four years. Councilwoman Danchuk stated the legal fees are increasing but Councilman Sadow our professional fees have been going down.

- Attorney O'Donnell asked Councilwoman Danchuk where she obtained the December bill list and she replied from the Mount Arlington Mirror website.

Roll:

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

Opposed: Danchuk

Motion Approved.

- 2015-41** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Temporary Suspension of Parking Restrictions on Primrose Lane and Seasons Drive as Set Forth in New Jersey Traffic Code 39:4-138.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll:

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

None Opposed

Motion Approved.

- 2015-42** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Endorsing Submission of the 2014 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll:

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

None Opposed

Motion Approved.

- 2015-43** 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 of a Municipal Services Reimbursement Agreement Between the Borough of Mount Arlington and Lakeshore Village Condominium Association, Inc.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll:

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

None Opposed

Motion Approved.

- 2015-44** 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 of a Municipal Services Reimbursement Agreement Between the Borough of Mount Arlington and Nolan's Ridge at Mount Arlington Condominium Association, Inc.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll:

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

None Opposed

Motion Approved.

- 2015-45** 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 of a Municipal Services Reimbursement Agreement Between the Borough of Mount Arlington and Horizon (Ridgeview) Condominium Association, Inc.

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Roll:

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

None Opposed

Motion Approved.

- 2015-46** 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 of a Municipal Services Reimbursement Agreement Between the Borough of Mount Arlington and Seasons Glen.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll:

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

None Opposed

Motion Approved.

16. Ordinances – Introduction

None.

17. Ordinances – Second Reading

None.

18. Motions

None.

19. Executive Session

- 2015-47** 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 January 20, 2015

Action May or May Not Be Taken.

The Mayor stated that if there is anything legally that needs to be discussed with Council, it is done here in Executive Session, under Attorney-Client Privilege.

Motion to Go Into Executive Session: Council President Sorge
Second: Councilman Sadow
Roll:
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 January 20, 2015: Council President Sorge
Second: Councilman Sadow
Roll Call:
Aye: Danchuk, Sadow, Windish, Council President Sorge
Abstain: Cangiano (Absent 01/20/15), Stanzilis (Absent 01/20/15)
None Opposed.
Motion Approved

22. Adjourn

Motion to Adjourn: Council President Sorge
Second: Councilman Cangiano
Roll Call:
All in Favor: Aye
None Opposed.
Motion Approved



Linda DeSantis, RMC
Borough Clerk

Minutes Approved with Corrections at Council Meeting of March 3, 2015.

Carolyn Rinaldi

From: Brenda Temple
Sent: Tuesday, February 03, 2015 3:23 PM
To: Carolyn Rinaldi
Subject: Fwd: Resignation from MTA Recreation Committee

Sent from my iPhone

Begin forwarded message:

From: Emil Cardona <EMilCardona@optonline.net>
Date: February 3, 2015 at 3:20:35 PM EST
To: MAmayor@optonline.net
Cc: Brenda Temple <btemple@mtarlingtonboro.com>, MTA REC <MTAREC@mtarlingtonboro.com>
Subject: Resignation from MTA Recreation Committee

Dear Mayor Ondish,

I regret to inform you that effective immediately I must respectfully resign from the Mt. Arlington Recreation Committee. My current work schedule prevents me from actively participating in most events and meetings with involving the Mt. Arlington Recreation Committee, therefore I believe it would be best if I resign at this time.

It has truly been a pleasure serving on the committee with such wonderful people and I will ensure to stay in contact with everyone and continue to volunteer for whenever I am available. Thank you for the privilege to serve and I hope that I may do so again when time allows me.

Sincerely,

Emil Cardona

Howard Halperin
17 Lakeshore Drive
Mount Arlington New Jersey 07856

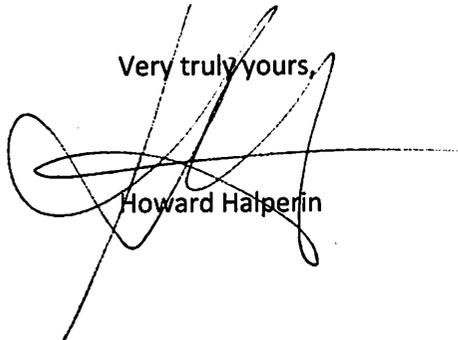
January 25, 2015

Mayor Arthur Ondish
419 Howard Blvd
Mt. Arlington NJ 078856

Dear Mayor Ondish,

I just wanted to let you know how thankful I am with the Department of Public Works especially with Paul and Ostolaza. I apologize as I do not know their last names. I broke the shut off valve below the water meter Friday January 16 at 10:00PM. The plumber stopped the leak but could not fix the valve until the water was shut off from the street. Unfortunately the shut off valves are not easily found in this complex. The police were able to get in touch with the DPW; Paul called me at 1:00AM and assured me that he would have someone out to resolve the problem. He apparently came out at 2:00AM but because the shut off was covered with grass and mulch he could not find it, Ostolaza was at my house at 7:30AM and after shoveling thru frozen ground was able to find the valve and shut the water off. I had pictured a holiday weekend without bathrooms or any running water. Thanks to these two men what could have been a disastrous weekend was averted.

I just want to express my deep appreciation to these men who came out on a holiday weekend (and an extremely cold one) to help me.

Very truly yours,

Howard Halperin

Linda DeSantis, RMC, CI
Borough Clerk

JAN 30 2015

Borough of
Mount Arlington

Borough of Mt. Arlington
Department of Public Works
419 Howard Blvd.
Mt. Arlington, NJ 07856
Tel: 973-398-4200
Fax: 973-398-3344

Paul A. Nelson, CPWM
Supervisor of Public Works

February 2 ,2014

To: Councilwoman Paula Danchuk

Monthly Report for January 2014:

Buildings and Grounds:

The borough hall, police station, concession stand bathrooms and the civic center are cleaned every Monday, Wednesday and Friday borough hall is cleaned on Tuesdays on meeting nights. Garbage's are emptied, floors vacuumed and floors mopped. Bathroom fixtures and cleaned and sanitized and all paper products are restocked. Light fixtures are check and bulbs or ballast are replaced as needed. Outside areas are policed for debris and garbage and for any evident problems. Exit signs and emergency lighting are checked on a weekly basis. Already bagged garbage and recycling is collected from the library 2 or more times per week.

Weekly town garbage cans are emptied at the parks beach and playgrounds. These areas are also checked for debris and hazards. All playgrounds components are checked for any damage or unsafe conditions and safety surface is redistributed evenly thru out area. This procedure is everyday do to use. This is completed in the spring, summer and fall months only. Winter months are bi weekly

Remove all holiday decorations from street lights along Howard Blvd
Remove all building decorations
Remove portable radar signs for poplice dept.

Roads:

Salt and plow roads 1/3
Salt roads 1/6,9,12 2 minor snow and 1 ice event
Salt roads 2 times 1/18 freezing rain
Salt and plow roads 7.2inches snow
Salt and plow roads 1/26,27

Linda DeSantis, RMC, CI
Borough Clerk

FEB - 3 2015

Borough of
Mount Arlington

Salt roads minor snow 1/29
Patch pot holes

Vehicle Maintenance:

Vehicle checks are performed daily before the work day starts this includes, all fluids, lights, tires and overall body and interior inspection. Fluids are added if needed, when repair condition is present it is noted on the daily vehicle check sheet. If repair is not an emergency or a safety related problem vehicle may be used only after mechanic clears it

Repair exhaust rack truck
Various repairs to plows and salt machines
Clean all salt trucks and equipment after each event

Maintenance performed during the month included:
See Chief Licatas report on police vehicles repaired

Sewer Utility:

All 5 pump stations are inspected every Monday, Wednesday and Friday. Every inspection day pump hours are logged, all alarms are inspected for proper operation, emergency generators fluids are checked and topped off when needed, bioxide system is checked and gallons used and left in tank are logged waste pit debris baskets are checked and cleaned if necessary. Every Friday waste pits are washed and the walls scraped down to remove grease from them.

Emergency generators are exercised once a week, this only happens when the air quality standards permit this function. I obtain this information from NJ Air. Time, date and hour meter before test and after test are logged into the generator log book, there is one log per pump station and generator sight.

- 5 sewer utility mark outs were completed
- Preventative maintenance was completed on all sewer pump station generators

Water Utility:

Monthly coli-form water samples were taken and delivered to the lab. 2 samples are collected from the main water system and 1 sample is collected from the Kadel water system. The chain of custody forms are filled out by myself and signed by the lab when the samples are delivered to them. Copies are kept on file in my office as well as the utility office.

-5 water utility mark outs were completed.
Quarterly water utilization report completed and sent to NJDEP

Recycling Center:

The recycling center is only open on Saturdays from 8am to 1pm. There is a rotating schedule in place for DPW personal to work the center. There is a total for the month of January of 20 man hours of over time to run the center. Dumpster are packed to capacity before they are removed by the MUA for proper disposal..

Dumpsters pulled for the month are as follows:

Single Stream -3
Scrap Metal- 1 Times
Grass/Leafs-0Time
E-Waste – 1 Time

General Information



Paul A. Nelson, CPWM Supervisor Public Works

Cc: Mayor Arthur Ondish
Administrator Carolyn Rinaldi