

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
JUNE 26, 2012**

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 the Roxbury Register on December 22, 2011; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 14, 2011, has been available to the public, and 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. Speakers shall be courteous to the Council and other persons attending the meeting. Offensive remarks or unruly behavior will not be allowed and anyone who violates this policy will be barred from participating in the meeting.

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 freedom.

4. Roll Call

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

5. Presentations/Mayor's Appointments

None.

6. Approval of Minutes

June 12, 2012

Regular Meeting

Motion to Approve: Councilman Sadow.

Second: Council President Sorge.

Roll Call:

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

None Opposed.

Motion Approved.

7. Mayor's Report

The Mayor read his report into the record.

8. Chief of Police Report

Chief Licata had submitted his monthly report to Council prior to the meeting and stated most of what has been happening in the Department is taking place at tonight's meeting.

9. Resolutions

2012-99 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Hiring Matthew Fortunato and Ryan Sherburne as Police Officers.

Motion to Approve: Council President Sorge.

Second: Councilman Windish.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor administered the Oath of Office individually to Police Officer Ryan Sherburne and Police Officer Matthew Fortunato.

2012-100 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing Edward LaBruno as Lieutenant of the Borough of Mount Arlington Police Department.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor administered the Oath of Office to Police Lieutenant Edward LaBruno.

- Council President Sorge publicly wished the Mayor Happy Birthday.

- The Council took a short break.

2012-101 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Renewal of Plenary Retail Consumption/Distribution and Club Licenses for the Licensing Period Commencing July 1, 2012.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Roll Call:

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

None Opposed.

Motion Approved.

2012-102 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing Redeveloper and Authorizing the Execution of Redevelopers Agreement Pursuant to N.J.S.A. 40A:12A-8.

Motion to Approve: Council President Sorge.

Second: Councilman Sadow.

Councilman Sadow stated this is basically codifying the fact that we have previously agreed to this project being qualified to be a redevelopment project and the agreement establishes a relationship between the Borough and the developer of the project. This agreement is to begin the process; it merely names the developer of the redevelopment project. The next application will be for a PILOT program and there will also be a site plan application filed; the

developer's agreement is basically setting the stage as to how this is going to play out and is recommended by the sub-committee in its entirety. Carolyn Rinaldi confirmed the developers have been paying escrow.

Roll Call:

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

Abstain: Danchuk

None Opposed.

Motion Approved.

Added:

Tax Assessor's Report:

Tax Assessor Jack Marchione stated this year there have been more tax appeals than ever in the state and more tax appeals filed at the county level than any other year. Mount Arlington had 69 appeals filed this year; collectively the 69 appeals amounted to \$24 million which represents about 4% of our total ratable base. However, we lost \$1.1 million which amounts to about \$26,800 in total dollars that will not be collected, a total of less than 2/10's of one percent in total tax collected. Mr. Marchione felt the Borough did very well, 49 of the 69 appeals received zero reductions, and they were predominately Class II appeals; of the 40 that were dismissed, maybe 10 will go on to the state but we do not have any pending. The Mayor and Council congratulated Jack for a job well done and the Borough Attorney stated Jack Marchione is probably one of the best assessor's in the county.

10. Municipal Administrator's Report

- The on-line payment system is up and running.
- Carolyn Rinaldi has been working with Paul Nelson on quotes for Fireman's Field for turf, the track, lighting, security cameras (for various municipal properties); our grant writer is aware of our needs and upcoming projects.
- Carolyn Rinaldi has spoken with Suburban Engineering who is experiencing a significant amount of staffing changes in the very near future. Ms. Rinaldi spoke with our Borough Attorney regarding termination of the contract with Suburban for Land Use Board Secretary and Construction Secretary; our contract requires 30 day written termination notice and we could take over these functions as of August 1, 2012. We can educate our employee with additional hours, have DPW do the necessary work in the municipal building and bring our equipment back from Suburban. Council had previously discussed these changes at the June 12, 2012 meeting but now the time frame has changed. Council agreed to start this process as discussed.
- Carolyn Rinaldi stated is working on the job description and has not yet advertised for the part-time Recreation Administrative position. Council President Sorge confirmed with Carolyn Rinaldi that a council member has been asking where and when the ad would be placed. Council President Sorge advised Councilwoman Danchuk that she cannot do this because the implication is that she is using her position on Council as an "in"; she ran in election for transparency in government and cannot call the Borough Attorney for advice on a personal matter. Councilwoman Danchuk asked the Borough Attorney if, as a Councilperson, she was allowed to apply for the upcoming Borough job opening. Council President Sorge stated that if she wants this part-time job, she would have to resign from the Council. Councilwoman Danchuk stated she had applied for the Library Director position and was told they could not hire her because she works for the Borough but she was asking the Borough Attorney if that held true for this position. The Mayor stated it is more of a moral issue and puts everyone in a difficult spot if a council person is working for the municipality. Matt O'Donnell stated if Council needs him for a legal issue, the protocol is to go through the Council President but this is a personal issue because Councilwoman Danchuk is pursuing personal employment through the Borough. Council agreed that no one would feel comfortable hiring someone on Council.
- Council President Sorge stated the duties of a Council liaison is to be present and let the committee members run their meetings; the liaison is there as an advisor only. Council President Sorge directed the conversation at Councilman Windish because the Recreation Commission members have complained they were not allowed to run their own meetings, and supposedly the Councilman made derogatory comments about members on the Council. The Mayor has gotten comments on this situation as well. Council President Sorge will further discuss this with Councilman Windish after the meeting.

- The Mayor stated that even though premature, he received a letter from a company interested in purchasing our cell tower; the Borough receives annual rental income from this property. The company is proposing paying a lump sum to buy the tower for a sizable amount, which is negotiable, but Carolyn Rinaldi has to do research as to how this will affect the Borough in the future. Councilman Sadow suggested a member of the Finance Committee work with Carolyn Rinaldi on this as it will affect next year's budget. The Mayor stated that if the future technology eliminates the use of cell towers, it would be the company's responsibility to dismantle the tower. Council will further discuss this matter at a future meeting.

11. Council Committee Reports

Councilwoman Danchuk:

- Nothing to report.

Council President Sorge:

- Nothing to report.

Councilman Sadow:

- Councilman Sadow and the Mayor attended a meeting with the NJDOT and NJ Transit regarding the sidewalks to the train station. NJ Transit has agreed to maintain the sidewalks for another year. The Borough has to secure a permit to do the sidewalks, underneath the Route 80 bridge; the permit will allow the Borough to take down the guardrail, install the sidewalk and reinstall the rail, but the NJDOT is holding up the permit until the maintenance agreement is signed. There will be further meetings on the topic.
- Councilman Sadow noted people walking on the other side of Howard Boulevard, not using the sidewalks. Paul Nelson had suggested temporary "political" size signs, they are inexpensive and disposable, and possibly putting a blurb on the electronic signs, encouraging people to use the sidewalks. This might also be used in conjunction with the Mayor's Wellness Committee to get out and walk the new sidewalks.
- The section of sidewalk by Nolan's Ridge is now completed.
- Council discussed the remaining sections of Howard Boulevard yet to have sidewalks; the Mayor will speak with Daren Phil regarding the streetscape project sidewalk status. Borough Attorney O'Donnell mentioned that one resident on Howard Boulevard by Memorial Park has yet to sign the documents turning the sidewalk area over to the Borough.
- Councilman Sadow stated the LED lights for the Council Chambers have been ordered. The Mayor stated the LED's should last about twenty years, require less maintenance and the light is cooler.

Councilman Stanzilis:

- Councilman Stanzilis stated Chief Licata is working on the speed awareness campaign.
- The Lake Hopatcong Yacht Club utilized our Police this year during their annual boat show.
- Councilman Stanzilis stated the Joe Wargo 5K Memorial Run is moving along; Leann Phil is doing a great job. The money from the event will be donated to DARE.
- With regard to the sidewalks and possibly involving the Mayors Wellness Committee to urge the use of the sidewalks, Councilman Stanzilis stated it would be a good idea to combine this with the Safe Streets Program idea of safe walking for health.

Councilman Windish:

- Councilman Windish commended the Recreation 2012 Summer Fun in Mount Arlington booklet. Councilman Windish stated that he had asked the Recreation members to be sure the programs are self-sustaining, they stay within budget, they see Carolyn Rinaldi for any questions, and then, with any programs, they bring it to Council for approval. Councilman Windish reiterated that he does not run the meetings.

Councilman Cangiano:

- Councilman Cangiano stated we need someone to compile the information and other required documentation addressing all of the good initiatives we have started and worked on for Sustainable Jersey; we have the activities and we need to get the points. Councilman Cangiano is working with Carolyn Rinaldi and has spoken with Daren Phil regarding the Complete Streets, Safe Streets, tree management and water conservation programs.

12. Public Comment

None.

13. New Business

1. Letter from County of Morris Department of Planning & Development, received June 12, 2012, Requesting Consent Resolution, Future Wastewater Service Area Map for Morris County Proposed Amendment to the Upper Delaware, Upper Raritan and Northeast Water Quality Management Plan. (included in June 14, 2012 Communications Packet)

The Borough Attorney stated his only objection to adopting a consent resolution is that he would like to see the blessing of the Highlands Council before we pass something. The Mayor asked the Clerk to send a letter to the County, per our Attorney's recommendation, asking the position of the Highlands Council; Council agreed.

2. Letter from Morris County Board of Chosen Freeholders, received June 21, 2012, requesting Resolution Opposing the Proposed "Commuter Tax" on New Jersey Residents Who Work in New York City.

Council agreed to place this resolution on the July 10, 2012 meeting agenda.

14. Old Business

None.

15. Ordinances – Introduction

- 09-12** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, In the County of Morris, State of New Jersey, Providing for the Removal of Block 61, Lot 23.01, From the Sewer Franchise Area of United Water Arlington Hills Sewerage, Inc. in the Borough of Mount Arlington.

The Mayor read Ordinance 09-12 by Title.

Motion: Councilman Stanzilis stated that Ordinance 09-12 be introduced by Title and passed on First Reading and that a meeting be held on August 7, 2012 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.

Councilman Cangiano stated he spoke with Daren Phil about the overall plans for the sewer and water with the redevelopment, existing conditions at the Marriott, and the condition of available land if the Marriott expands. Borough Engineer Daren Phil had prepared a report for the Marriott on the condition of their existing system, not of the future growth regarding redevelopment. Daren Phil will be at the August 7th Public Hearing/Second Reading of this ordinance to answer any questions.

Roll Call:

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

Nay: Danchuk.

Motion Approved.

- 10-12** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, In the County of Morris, State of New Jersey, Amending Ordinance 10-09 Providing for the Municipal Consent of the Borough for United Water New Jersey Inc. to Provide Water Service to Block 61, Lots 42.01, 42.02, and 42.03; Block 72, Lots 1.01 and 1.02; Block 72.01, Lot 3; Block 82, Lots 1.01, 1.02, 1.03, and 1.04; Block 82.01, Lot 1; Block 83, Lots 9, 15.01 and 15.02; Block 83.01, Lot 1; Block 84, Lot 3; Block 72, Lot 2; and Block 72, Lot 3, in the Borough of Mount Arlington and for the Laying of Pipes and the Installation of Other Utility Facilities as May Be Necessary.

The Mayor read Ordinance 10-12 by Title.

Motion: Councilman Sadow stated that Ordinance 10-12 be introduced by Title and passed on First Reading and that a meeting be held on August 7, 2012 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: Council President Sorge, Sadow, Cangiano, Windish.

Abstain: Danchuk

Recuse: Stanzilis

Motion Approved.

16. Ordinances – Second Reading

None.

17. Motions

None.

18. Executive Session

2012-103 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.

Withdrawn

19. Adjourn

Motion to Adjourn: Councilman Sadow.

Second: Council President Sorge.

All in Favor – Aye.

None Opposed.

Motion Approved.



Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of July 10, 2012.

Mayor report for 6/26/12

Since our meeting on June 12, 2012:

6/13/12- Attended the employee appreciation and awards dinner. It was great to recognize the dedicated years of service of our great staff. Also to have our police officers recognized for their achievements in life saving and assisting our community. I was very proud to attend and be with these great people.

6/14/12- I attended the police academy graduation class that included our 2 fine officers.

6/14/12- Attended Patty Simaris Moms wake in Boonton.

6/15/12- Presided over the League of Municipalities Education Foundation meeting in Trenton.

6/18/12- Started my new job with PSEG.

6/18/12- I was honored to attend the Mount Arlington 8th grade graduation at Decker School. It is an honor I enjoy each year to have the chance to address our graduation class.

6/19/12- Attended meeting with DOT to discuss the maintenance and permit issues with the new sidewalks to the train station.

6/19/12- Attended the wake of Marie Ginder in Randolph, mother in law of Daren Phil.

6/19/12- Attended the Trenton Thunder baseball game in Trenton. It was the League of Municipalities Baseball appreciation night. I was invited to throw out the first ceremonial pitch. It was a great night and the Thunder won so that made it even better.

6/20/12- Attended the Leagues Legislative Review Committee meeting in Princeton.

6/21/12- Attended Mildred Morharts wake in Succasunna. She is the mother of Carol Morhart a longtime resident of Mt Arlington.