

1

**BOROUGH OF MOUNT ARLINGTON  
COUNCIL MEETING MINUTES  
OCTOBER 16, 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. *Notice of Change in Meeting Time was published in the Daily Record and the Roxbury Register on September 13, 2012, and said Change Notice was posted on the bulletin board in the main hallway of the Municipal Building on September 5, 2012.*

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 special remembrance of Officer Joseph Wargo on this first anniversary of his death.

**4. Roll Call**

Councilwoman Danchuk, Council President Sorge, Councilman Sadow, Councilman Cangiano, Councilman Stanzilis, Mayor Ondish. Matthew O'Donnell, Esq., Borough Attorney, and Carolyn Rinaldi, CFO/Municipal Administrator, were also present. Councilman Windish arrived at the meeting at 6:10 p.m. (during Council Committee Reports).

**5. Presentations/Mayor's Appointments**

**1. Proclamation Naming the Month of January, 2013 as Radon Action Month.**

The Mayor read the Proclamation into the record and asked that this be noted on the website and electronic sign in January, 2013.

**2. Proclamation To Designate January 11 Each Year as Human Trafficking Awareness Day.**

The Mayor read the Proclamation into the record and asked that this be noted on the website and electronic sign in January, 2013.

**6. Utility Receipt Report for the Month of September, 2012**

The Clerk read the Utility Receipt Report for September, 2012 into the record.  
Grand Total: \$57,224.51

**Tax Collectors' Report for the Month of September, 2012**

The Clerk read the Tax Collector's Report for September, 2012 into the record.  
Total Receipts: \$108,239.28

**7. Finance Report for the Month of September, 2012.**

The Clerk read the Finance Report for September, 2012 into the record.  
Total Receipts: \$ 437,519.59  
Total Disbursements: \$1,469,043.53

**8. Approval of Minutes**

October 2, 2012

Regular Meeting

Motion to Approve: Council President Sorge

Second: Councilwoman Danchuk

Roll Call:

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

Absent: Windish

None Opposed.

Motion Approved.

The Clerk advised Council that in response to a recent OPRA request, the Executive Minutes from January, 2012, through September, 2012, will be submitted for approval during the Executive Session on November 5, 2012. The Clerk had explained the approval process to the requestor, thus justifying the extension of time to respond.

**9. Mayor's Report**

- The tree on Bertrand's Island is down; the neighbors settled their dispute.
- The NJ Natural Gas lines are in on Bertrand Island and residents are hooking up. There is a meeting at Borough Hall on October 17<sup>th</sup> for residents of Succasunna Road regarding gas on that road. The Mayor stated the road construction project would not start until the spring, but the installation of gas lines causes very little disruption to the road. The Mayor, Carolyn Rinaldi and Daren Phil will be meeting with NJ Natural this week to obtain the map of gas lines for the entire Borough.
- The Mayor complimented the Howard Boulevard road project, new sidewalks, etc. There are a few more spots in need of repair on Howard Boulevard; Daren Phil spoke with Steve Hammond at the County, who suggested the Borough fix the problems and the County will pay for them.
- The Mayor stated the Borough received a \$300,000 grant from Green Acres for the beach project. We have a resolution on tonight's agenda to promote the refund of Green Acres money for future projects.
- The Clerk's office received a huge OPRA request and Attorney O'Donnell requested the request itself be distributed to all Council for review. Attorney O'Donnell stated we cannot be more open or more transparent; the Clerk posts as much as possible on our website, and the litigation costs that this Borough has paid for this harassment is out of control. In just over two years, the Borough spent about \$100,000 in OPRA costs; our Administrator and Clerk have been more than accommodating and our employees have better tasks to do. The Council, with the exception of Councilwoman Danchuk, agreed to place the information regarding our OPRA requests on the website, indicating the quantifiable cost to the Borough, and the name of the requestor. Mayor and Council, with the exception of Councilwoman Danchuk, requested to add "OPRA Reports" after "Finance Report" on future agendas. The Mayor asked the Attorney to provide a resolution for the November 5, 2012 meeting, specifying placing OPRA requests on the agenda.
- Read letter of resignation from Brenda Temple, resigning from Recreation Commission due to her position as part time employee. Ms. Temple's replacement will be appointed at the next Council meeting.

Motion to Accept Resignation: Council President Sorge

Second: Councilman Cangiano

Roll Call:

All in Favor – Aye.

Absent: Windish

None Opposed.

Motion Approved.

**10. Municipal Administrator's Report**

- Spoke with Chris Raths, Roxbury Administrator, regarding road improvement costs, etc. of Succasunna Road; we might enter into an interlocal agreement of some sort. Roxbury DPW Supervisor will be meeting with our engineers and get back to us.
- The ceremony for Jack Richards has been changed to November 17, 2012, Saturday, 11:00 a.m. at the Library; we are still trying to reach members of Mr. Richards family.
- Ms. Rinaldi has been working with our insurance broker; new contracts and resolutions will be on agendas in November/December so everything will be effective January 1, 2013.

- Met with a company regarding phone systems in an attempt to integrate our services, hopefully eliminating our long distance all together. Ms. Rinaldi will keep Council advised.
- Suburban Consulting is handling our Zoning Officer professional service; Erin Abline has replaced Joe Weaver.
- Will be meeting with Daren Phil on Thursday to discuss the costs associated with all the recreation projects we have discussed and other capital issues, followed by a meeting with Joe Kovalcik to start the budget process and set up a Finance Committee meeting.

## 11. Council Committee Reports

### Councilman Cangiano:

- Borough received Bronze Sustainable Jersey Certification and will be recognized at the Sustainable Jersey Luncheon at the NJLM Convention in November. The Borough has been asked to send five photos to the NJLM for a slide show to be displayed at the League.
- Participated in the Joe Wargo 5K run, indicating it was a great event.
- With regard to a tree management grant, Councilman Cangiano asked Councilwoman Danchuk to keep him informed as the Borough can obtain points and certification from Sustainable Jersey.

\*Councilman Windish joined the Council Meeting.

### Councilman Stanzilis:

- Commended Councilman Cangiano and the Green Team for Sustainable Jersey Certification.
- The Joe Wargo 5K was a huge success, which raised \$8,661.59 for DARE NJ, who in turn is giving the total amount to DARE Mount Arlington. There will be a link on our website with 5K photos and statistics and the Committee plans to hold this as an annual event.
- Mayors Wellness Committee is planning their next event, a health and wellness lifestyle makeover type of event; they are preparing a proposal for Mayor and Council.

### Councilman Windish:

- Nothing to report.

### Councilman Sadow:

- On October 5<sup>th</sup>, the Mayor, Carolyn Rinaldi and Councilman Sadow met with the NJDOT Assistant Commissioner for Government & Community Relations in reference to the maintenance agreement for the train station. Before the DOT agrees to the sidewalk construction permit, the issue of the maintenance of the sidewalks for the long term must be resolved. NJDOT has agreed to maintain the sidewalks for the upcoming 2012-2013 winter, but no longer than that time. A failure to complete the project could force the NJDOT to rescind the entire grant, which would leave Mount Arlington responsible for \$220,000. In order for the project to reach completion, Mount Arlington will have to accept the responsibility of the sidewalk maintenance to the train station. Paul Nelson will ultimately provide the cost of this maintenance. If Council wants the parking lot as well, a second agreement would be required between NJDOT and NJ Transit, as they own a small portion of the lot. The Borough cannot complete sidewalk without a permit from NJDOT, we cannot obtain a permit until we have signed a maintenance agreement, and NJDOT will not maintain sidewalks beyond end of winter 2012/2013. Council needs to adopt a resolution tonight allowing the Mayor to sign the Memorandum of Agreement regarding sidewalk maintenance, then a permit will be issued to allow completion of the project, and Council can explore leasing the parking lot; if the Borough takes the parking lot, the transfer would occur on January 1, 2014. Ultimately, the revenue from the parking lot will offset the cost of maintenance for the lot and sidewalk.

### Council President Sorge:

- Expressed thanks to the Council members who attended the meeting in Roxbury regarding merging the two municipalities; 95% of the people at the meeting were from Mount Arlington.

### Councilwoman Danchuk:

- Indicated that the group initiating the possible merge of towns is going through with their efforts; they have all the Roxbury signatures for their petition. The Mayor stated that if any good could come out of a merge, he would have been involved years ago. Councilwoman Danchuk described the procedure for appointing a commission and asked if Council wanted a Council member to be involved. Councilman Sadow stated that the law passed in 2007 empowers the citizens to form these petitioning bodies, completely outside of the realm of governing body. If

they are successful in obtaining signatures equal to 10% of voters in the last general election, they can form a commission, outside of the governing body. It is recommended by the people that do these things that it is good for the municipalities to pass a resolution to work toward getting a commission but this can be totally and absolutely done without the blessing of the governing body whatsoever. If the commission were to occur and the municipalities were ever to go together, Governor Christie said he would foot the bill for 20% of the total coalition to merge the two municipalities. This entire project, with or without funding, can be done totally without the governing body's approval or participation. Councilman Windish stated the dissimilarities between the two towns are such that it prevents a cohesive joining without a mandate. Councilman Stanzilis stated that Christie's Toolbox includes that municipalities that do consolidate maintain their own ordinances and keep their debt service separate until the date of the merge; the bond rating of the two municipalities would be the highest bond rating of the two municipalities prior to merge. Councilman Sadow stated that if the commission does form, if it is recommended to merge, and if it goes on the ballot, and if 50% +1 in each municipality vote to do it, the Council is out of a job, that day. Council, with the exception of Councilwoman Danchuk, agreed that there should not be a Council representative on any committee working toward this commission/merge.

**12. Public Comment**

None.

**13. New Business**

None.

**14. Old Business**

None.

**15. Resolutions**

**2012-132** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Supporting Sustainable State Funding For Preservation and Stewardship of Open Space, Parks, Farmland and Historic Sites in New Jersey.

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

All in Favor – Aye.

None Opposed.

Motion Approved.

**2012-133** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Submission of a Grant Application and Execution of a Grant Contract with the New Jersey Department of Transportation for the Succasunna Road Paving and Road Improvements Project.

Motion to Approve: Council President Sorge

Second: Councilman Cangiano

Roll Call:

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

None Opposed.

Motion Approved.

**2012-134** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Disposal of Fixed Asset Items. (1992 ambulance)

Motion to Approve: Council President Sorge

Second: Councilman Sadow

Councilman Sadow discussed his concern regarding an ambulance plan and

our agreement with Saint Clare's. Carolyn Rinaldi stated we have been using Saint Clare's ambulances because both of ours are out of service; waiting for DPW to advise whether our second ambulance is even worth fixing. Ms. Rinaldi stated our service has not been compromised by using Saint Clare's ambulances, nothing has changed, our services are here.

Roll Call:

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

None Opposed.

Motion Approved.

- 2012-135** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Disposal of Fixed Asset Items. (Two computers/DPW)

Motion to Approve: Council President Sorge

Second: Councilman Stanzilis

Roll Call:

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

None Opposed.

Motion Approved.

- 2012-136** 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 Maintenance Agreement with NJDOT for the Howard Boulevard Sidewalks to Transit Project.

Motion to Approve: Councilman Sadow

Second: Council President Sorge

Roll Call:

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

None Opposed.

Motion Approved.

#### **16. Ordinances – Introduction**

None.

#### **17. Ordinances – Second Reading**

- 13-12** 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 36, Alarm Systems; and Chapter A210 of the Borough Code, Entitled "Fees" to Update the Fees Provided for in Chapter 36, Alarm Systems.

The Mayor opened the Hearing to the Public on Ordinance #13-12 and read the Ordinance by title.

Council President Sorge stated, I move for adoption and final passage of Ordinance #13-12.

Second: Councilman Sadow

Roll Call:

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

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #13-12 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

#### **18. Motions**

None.

**19. Executive Session**

**2012-137** 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.

Motion to Withdraw: Council President Sorge

Second: Councilman Stanzilis

All in Favor – Aye.

None Opposed.

Motion Approved.

**Councilman Sadow** requested that since we are working with NJ Transit, could we possibly use the trestle to welcome people to Mount Arlington; we could add this to our negotiations with NJ Transit. Councilman suggested involving the school students for ideas for the sign, as it would be a perfect Borough entrance billboard.

**20. Adjourn**

Motion to Adjourn: Council President Sorge

Second: Councilman Stanzilis

All in Favor – Aye.

None Opposed.

Motion Approved.



Linda DeSantis, RMC  
Borough Clerk

Minutes Approved with Corrections at Council Meeting of November 27, 2012.

# BOROUGH OF MT. ARLINGTON

419 HOWARD BOULEVARD  
MT. ARLINGTON, NEW JERSEY 07856  
TAX & UTILITY OFFICE  
(973) 398-6832 EXT. 13 & 14  
FAX (973) 398-2309

## UTILITY RECEIPT REPORT FOR

MONTH OF SEPTEMBER 2012

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN SEPTEMBER 2011</u>
<u>\$ 9,520.04</u>	<u>SOLID WASTE RECEIPTS</u>	<u>\$ 9,869.09</u>
<u>\$ 33,589.98</u>	<u>SEWER RECEIPTS</u>	<u>\$ 35,793.82</u>
<u>\$ 7,739.49</u>	<u>WATER RECEIPTS</u>	<u>\$ 3,868.28</u>
<u>(WATER REPAIR RECEIPTS INCLUDED IN WATER RECEIPT TOTAL)</u>		
<u>\$ 6,375.00</u>	<u>(TRUST ACCT) SEWER CONN FEE INSTALL PLAN</u>	<u>\$ 8,075.00</u>
<u>\$ 57,224.51</u>	<u>GRAND TOTAL</u>	<u>\$ 57,606.19</u>

Completed By Patricia E. Simari, CTC

PS

cc: Mayor & Council  
C. Rinaldi  
c:\trial\balance\utilitysept12

**BOROUGH OF MT. ARLINGTON  
TAX & UTILITY OFFICE**

To the Mayor & Council of the Borough of Mt. Arlington:  
I hereby submit my report of receipts & disbursements for

**The Month of September 2012**

Dated October 2, 2012

Completed By Patricia E. Simari, CTC

PS

**Collections:**

Current Taxes (2-01-17-001-001)	\$ <u>98,783.94</u>
2011 Taxes (2-01-17-001-003)	\$ <u>4.55</u>
2011 Taxes (Collected at Tax Sale)	
Pre-Paid Taxes (2-01-17-001-004)	\$ <u>3,576.26</u>
Municipal Redemption (2-01-17-004-001)	
Interest & Costs (2-01-08-112-000)	\$ <u>2,121.78</u>
Interest & Costs (Collected at Tax Sale)	
Return Ck. Fee (2-01-16-500-017)	
Tax Searches (2-01-08-105-010)	
Duplicate Bills (2-01-16-500-016)	\$ <u>15.00</u>
3 <sup>rd</sup> Party Red./Subs (2-01-17-004-002)	\$ <u>3,213.92</u>
3 <sup>rd</sup> Party Red. Int. (2-01-17-004-003)	\$ <u>471.83</u>
3 <sup>rd</sup> Party Rec. Fee. (2-01-17-004-003)	\$ <u>52.00</u>
Misc. Copies (2-01-16-500-017)	
Tax Sale Costs (2-01-16-500-018)	
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums (Trust Account)	
6% Delinquent Penalty (2-01-16-500-025)	
Tax Paid Certification	
Redemption Calculation Fee	
<b>Total Receipts</b>	\$ <u>108,239.28</u>
<b><u>Total Receipts September 2011:</u></b>	\$ <u>184,407.31</u>



BOROUGH OF MOUNT ARLINGTON  
FINANCE OFFICE

Finance Report Current Fund

September 2012

Receipts	437,519.59
Disbursements	1,469,043.53

## PROCLAMATION

**WHEREAS**, radon is a naturally occurring radioactive gas that is the second leading cause of lung cancer, causing as many as 500 lung cancer deaths annually in New Jersey; and

**WHEREAS**, elevated radon levels are found in many homes and pose a serious health threat to families residing in these homes; and

**WHEREAS**, any home may have high levels of radon -- even if neighboring homes do not; and

**WHEREAS**, radon testing is easy and inexpensive -- and elevated levels of radon can be effectively reduced at the cost of a typical home repair; and

**WHEREAS**, a significant number of homes in the Borough of Mount Arlington have elevated levels of radon;

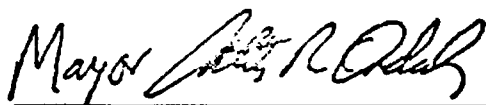
**WHEREAS**, by mitigating homes with radon concentrations at or above 4 pCi/L in New Jersey, 140-250 lives are saved annually.

**NOW, THEREFORE**, I, Arthur R. Ondish, Mayor of the Borough of Mount Arlington, on behalf of the Mount Arlington Borough Council and residents of Mount Arlington, do hereby proclaim the month of January, 2013, as

### **RADON ACTION MONTH**

in the Borough of Mount Arlington and call upon all residents who have not yet tested to test their homes for radon and to reduce radon levels if elevated levels are found, to protect their families from the serious health risk of radon.

Signed this 16th day of October, 2012.



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Arthur R. Ondish  
Mayor

**PROCLAMATION TO DESIGNATE JANUARY 11 EACH YEAR AS  
HUMAN TRAFFICKING AWARENESS DAY**

**WHEREAS**, human trafficking is a borderless crime against individuals that violates the most basic human rights and deprives victims of every shred of personal freedom; and

**WHEREAS**, human trafficking occurs when a person is recruited, harbored, obtained, or exported through force, fraud, or coercion for the purposes of sexual or labor exploitation, involuntary servitude, and other types of mental and physical abuse; and

**WHEREAS**, human traffickers target impoverished and marginalized children, women and men, isolating them from society and supportive networks and exploiting them for personal and monetary gain; and

**WHEREAS**, human trafficking is the fastest growing criminal enterprise in the world today, and is tied with arms smuggling as the second largest international criminal industry, falling only behind the illicit drug trade; and

**WHEREAS**, the United Nations' International Labor Organization has estimated that at least 12.3 million adults and children worldwide are currently in forced labor, bonded labor, or forced prostitution; and it is estimated that more people are now harmed by Human Trafficking worldwide than have been at any other point in human history. Approximately 80% of the victims are women and girls, and 50% are younger than age 18; and

**WHEREAS**, many victims trafficked into the U.S. do not speak or understand English and are unable to communicate to seek rescue. Under U.S. law, any person under 18 involved in the commercial sex industry is considered a Human Trafficking victim; and victims include U.S. citizens and documented immigrants; and

**WHEREAS**, we recognize that New Jersey is a prime location for Human Trafficking because it is a major national and international transportation corridor and a culturally diverse state; and

**WHEREAS**, human trafficking is modern-day slavery, a practice that is in direct opposition to the fundamental principles of liberty and human rights upon which our nation was founded; and

**WHEREAS**, on February 1, 1865, President Abraham Lincoln signed the 13th Amendment to the United States Constitution. Once ratified, it officially outlawed slavery and involuntary servitude except as punishment for a crime; and

**WHEREAS**, although the federal government and the State of New Jersey have enacted laws to prosecute human traffickers and protect the victims of human trafficking, traffickers use techniques to keep their victims enslaved that severely limit self-reporting and that require broad public awareness of human trafficking issues for enforcement and prevention to occur; and

**WHEREAS**, the New Jersey State Constitution declares that all persons are by nature free and independent and have certain natural and unalienable rights; and

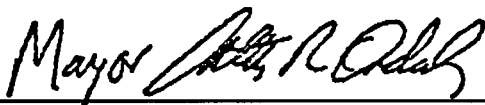
**WHEREAS**, the people of New Jersey, regardless of political persuasion, creed, race, or national origin, stand together with the global community to protect the fundamental freedoms and rights of all persons, to fight the proliferation of human trafficking in all of its forms, and to assist survivors of modern day slavery; and

**WHEREAS**, the Borough of Mount Arlington stands committed to protecting human rights and individual freedom by eliminating human trafficking.

**WHEREAS**, the Borough of Mount Arlington is resolved to support the goals and ideals of observing a National Day of Human Trafficking Awareness on January 11 of each year and to support all efforts by individuals, businesses, organizations, and governing bodies to raise awareness of and opposition to Human Trafficking.

**WHEREAS**, the Borough commends the work of the NJ Coalition Against Human Trafficking for its statewide efforts to end human trafficking through education, advocacy, and assistance to survivors and to increase coordination and visibility of New Jersey's commitment to end human trafficking.

**NOW, THEREFORE**, the Mayor and Borough Council hereby proclaim January 11 of each year as Human Trafficking Awareness Day in the Borough of Mount Arlington, to raise awareness about the signs and consequences of human trafficking, to promote opposition to human trafficking in all of its forms, and to encourage support for the survivors of human trafficking throughout the State of New Jersey and across the world to put an end to this criminal activity and restore freedom and dignity to its survivors.

A handwritten signature in black ink, appearing to read "Mayor Arthur R. Ondish", is written over a horizontal line.

Arthur R. Ondish, Mayor

October 16, 2012