

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
APRIL 23, 2007**

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 Roxbury Register and the Daily Record on January 18, 2007; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2007 and said notice is on file in the office of the Borough Clerk.

3. Flag Salute

The Mayor asked for a moment of silence to remember our troops overseas and their families.

4. Roll Call

Councilman Doran, Councilman Sorge, Councilwoman Cerasoli, Council President Driscoll, Councilman Stone, Mayor Ondish. JoAnne Sendler, Borough Administrator, and Joseph Bell, Borough Attorney, were also present. Councilwoman Mulligan was absent due to illness.

5. Presentations/Mayor's Appointments

None.

6. Old Business

1. Clerk's Follow-Up Report Memorandum, dated April 12, 2007.
The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items. Daren Phil, Borough Engineer, was present to address his follow-up items.

7. New Business

1. Amendment to Construction Fees.
Nancy Gage is working on this ordinance amendment.

8. Finance Report for the Month of March, 2007.

The Clerk read the Finance Report for the Month of March, 2007 into the record:
Total Available: \$195,253.00.

9. Approval of Minutes

April 9, 2007 Special Meeting Minutes

Motion to Approve: Councilwoman Cerasoli.
Second: Councilman Doran.
Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone – Abstain.
Motion Approved.

April 9, 2007 Regular Meeting Minutes

Motion to Approve: Councilman Sorge.
Second: Council President Driscoll.
Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone – Abstain.
Motion Approved.

10. Open to Public

Andrew Danchuk, 50 Elizabeth Way:

- Mr. Danchuk submitted another signed copy of the petition regarding Open Space.
- In response to Mr. Danchuk's request for his comments to be memorialized in their whole content, Joseph Bell stated that Mr. Danchuk's statements will be memorialized on tape, but transcribed as general.

- Mr. Danchuk asked if it is the sentiment of this governing body to place this question (additional local tax for Open Space) on the ballot and asked the underlying motivation for not pursuing the purchase of this property at this time. Since the Borough currently has 31% of land preserved as Open Space, the Council decided it is not the time to look into purchasing property in the Lake Rogerene area nor any other property in the Borough. Mr. Danchuk presented a letter to the Clerk, addressed to the Mayor and Council.

Motion to Move the Executive Session to 8:00 p.m.: Councilman Sorge.
 Second: Councilman Stone.
 All in Favor – Aye; None Opposed.
 Motion Approved.

12. Ordinances – Introduction

- 11-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank for the Calendar Year 2007.

The Mayor read Ordinance 11-07 by Title.

Motion: Council President Driscoll stated that Ordinance 11-07 be introduced by Title and passed on First Reading and that a meeting be held on May 24, 2007 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: Councilman Stone.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved.

- 12-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington Providing for Orben Drive Roadway Reconstruction, Section I, in the Borough of Mount Arlington, and Appropriating \$350,000 and Authorizing the Issuance of Bonds and/or Notes in an Amount Not to Exceed \$165,000 for Paying the Cost Thereof and Making the Down Payment for Said Improvement Authorized to be Undertaken In and By the Borough of Mount Arlington, in the County of Morris, New Jersey.

The Mayor read Ordinance 12-07 by Title.

Motion: Councilwoman stated that Ordinance 12-07 be introduced by Title and passed on First Reading and that a meeting be held on May 24, 2007 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 Driscoll.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved.

- 13-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington Providing for Various General Improvements in the Borough of Mount Arlington, and Appropriating \$2,183,000 and Authorizing the Issuance of Bonds and/or Notes in an Amount Not to Exceed \$1,806,500 for Paying the Cost Thereof and Making the Down Payment for Said Improvement Authorized to be Undertaken In and By the Borough of Mount Arlington, in the County of Morris, New Jersey.

The Mayor read Ordinance 13-07 by Title.

Motion: Council President Driscoll stated that Ordinance 13-07 be introduced by Title and passed on First Reading and that a meeting be held on May 24, 2007 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: Councilman Stone.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved.

13. Resolutions

2007-58 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Introducing the 2007 Municipal Budget.

The Borough Administrator stated that Sheet 3b of the Budget was incorrect; the auditors will make the correction.

The Mayor read the Resolution into the record, indicating that the Public Hearing of the Budget will be on May 24, 2007 at 7:00 p.m. at the Municipal Building.

Motion to Approve: Councilman Sorge.

Second: Councilman Doran.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved

2007-59 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Police Presence at the Municipal Beach During the Memorial Day, Fourth of July and Labor Day Holidays.

Motion to Approve: Councilman Sorge.

Second: Councilwoman Cerasoli.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved

2007-60 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Temporary Parking Restrictions and Road Closures During the Memorial Day Parade.

Motion to Approve: Council President Driscoll.

Second: Councilman Stone.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved

2007-61 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 An Agreement for Alcohol and Drug Testing Services.

Motion to Approve: Council President Driscoll.

Second: Councilman Doran.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved

2007-62 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Awarding Contract for Dump Truck Cab and Chassis.

Motion to Approve: Councilman Doran.

Second: Councilman Sorge.

Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.

Motion Approved

- 2007-63** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Awarding Contract for Dump Truck Body with Central Hydraulic System and Associated Equipment.

Motion to Approve: Councilman Doran.
 Second: Councilman Stone.
 Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved

- 2007-64** 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 NJDEP Treatment Works Application.

Motion to Approve: Councilwoman Cerasoli.
 Second: Councilman Doran.
 Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved

14. Ordinances – Second Reading

None.

15. Motions

1. Civic Center Application - Permission to Waive Fee and Security Deposit:

Charlotte Wilson, Mount Arlington Welfare Department, for a Morris County Municipal Welfare Directors' Association Meeting on April 26, 2007 from 9:00 a.m. to 12:30 p.m.

Motion to Approve with Waiver of Fee and Security Deposit: Councilman Stone.
 Second: Councilman Doran.
 Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

Added Application - Permission to Waive Fee and Security Deposit:

Richard Husni for a Family Gathering on May 4, 2007 from 8:00 a.m. to 1:00 p.m.

Motion to Approve with Waiver of Fee and Security Deposit: Council President Driscoll.
 Second: Councilman Stone.
 Roll Call: Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

16. Mayor's Report

- The Mayor attended the Mayor's Convention last week.
- The Mayor attended the NJ Builders Convention.

17. Borough Administrator's Report

- The Borough is not disbanding the Rescue Squad but we are unable to fund them right now. Diane Post submitted a list (not yet complete) of items that are in the Squad's possession and the Administrator requested Council direction. The Mayor and Council applauded the efforts of Diane Post and the Squad.

11. Executive Session

- 2007-57** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing Conference of the Mayor and Borough Council with the Public Excluded.

Motion to Go Into Executive Session, After a 5-Minute Break: Councilman Doran.
 Second: Councilwoman Cerasoli.
 All in Favor – Aye; None Opposed.
 Motion Approved.

Motion to Return to Open Session: Councilman Doran.
Second: Council President Driscoll.
All in Favor – Aye; None Opposed.
Motion Approved.

18. Adjourn

Motion to Adjourn: Councilman Stone.
Second: Councilman Doran
All in Favor – Aye; None Opposed.
Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting on May 24, 2007.

Boro of Mt. Arlington
Finance Office

Finance Report

March 2007

Current Balance 2-07	179,379.00
Current Receipts 3-07	1,687,330.51
Disbursements 3-07	1,671,456.51
Total Available	195,253.00

Andrew Danchuk
50 Elizabeth Way
Landing, NJ 07850



April 23, 2007

Mayor Arthur Ondish
419 Howard Blvd.
Mount Arlington, NJ 07856

*M+C pkt
J Sandler
4/24/07*

Dear Art:

As a resident and active registered voter in the sleepy Borough of Mount Arlington N.J. for almost 20 years, I have taken for granted that my local elected government officials had in mind the best interests of all of its constituents. However, as I have recently become more involved, informed and awakened on issues occurring within the town I have been provided a harsh education on the practices employed by you and your administration. Mayor Ondish, I remind you of your words from the Summer 2005 Issue of Mount Arlington Community News, where you wrote to the people of Mount Arlington in your column "Thoughts from the Mayor"; that residents should get involved in town meetings, read the minutes taken from these meetings when they are posted to the Borough website and generally be well informed. Mr. Mayor you stated that "we place all minutes taken at the meeting on the website in an effort to share information with those people who could not attend". Unfortunately, in the last month Borough Administrator JoAnne Sandler has ordered the Town Clerk to change the standard for the creation of meeting minutes and reduce the previously well-written minutes to completely minimized one word gibberish, which completely fails to convey the essence of town council meeting "open to public" discussions to all potential readers. After reading the minutes from the March 12, and March 26, 2007, one would not be aware of any of the important comments or heated exchange occurring between the public and the Mayor and Council. For all intents and purpose it is like it didn't happen at all. Furthermore, when memorializing the March 26, 2007 minutes you did not include a copy of a letter submitted to you bearing the signatures of numerous residents of Elizabeth Way concerning a requested development buffer zone. This minimization tactic is deplorable and is an attempt by the Borough administration to silence the voice of its citizens.

At a recent town meeting this resident was treated to an unprovoked tongue-lashing from you Mayor Ondish while presenting a proposal and "petition" letter from several hundred Mount Arlington residents concerning land preservation in Mount Arlington. Mr. Mayor you aggressively questioned this resident as to the methods and reasons I was making inquiry and requesting copies of your Local Government Ethics Law Financial Disclosure Statement Forms while at the same time alluding to a Morris County political "blog" posting. The Financial Disclosure Statements are generated for the public use and do not require a disclosure of purpose or assertion as to why the requester wants access to the document, as per the September 30, 1991 findings by Attorney General Robert Del Tufo. The unjustified ensuing attack from you seems to have been prompted by questions

that make you very uncomfortable. Mr. Mayor, I remind you that you are a public servant and as such are open to public scrutiny. I believe in transparent government and efforts to silence these inquiries will only lead to increased vigilance. Clearly this administration encourages development of all remaining vacant land, however, it is unclear whether ethical standards have been violated and conflict of interest issues exist within the confines of New Jersey or Federal Law while on the quest to further this agenda. I believe that my actions follow a logical progression and look to systematically answer questions such as why you have reneged on your promise to the citizens of Mount Arlington "to save any and all undeveloped land left in town", as published in the same Summer 2005 issue of Mount Arlington Community News- thoughts from the Mayor. Mr. Ondish, what has changed since that public statement and plea to the residents of Mount Arlington to try to understand why the development that has taken place in Mount Arlington was unavoidable. Mayor Ondish your recent employment change to Clough Harbour Associates Land Development/Engineering LLC immediately following the approval of Shadow Woods gives rise to warranted speculation, since Clough Harbour was the firm responsible for engineering during the application process of the Shadow Woods Subdivision. There is an ethical standard where "even the appearance of impropriety can cause a devastating loss of faith in government" and that whether one can still act with integrity, matters not if one will be perceived that way. Questions of conflict of interest, hidden agendas and behind the scenes lobbying arise. I assure you Mr. Ondish that my actions are based on a desire to contribute something positive to the community I live in, grounded in good intentions, and move forward without any concern for the advancement of any personal agenda. Furthermore, my participation is most definitely not designed to offend you or other members of the Council.

Sincerely,



Andrew Danchuk

Cc: Town Council Members