

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
JANUARY 22, 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 December 7, 2006; notice was posted on the bulletin board in the main hallway of the Municipal Building on November 28, 2006 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 pray for our troops overseas and to pray for their safe return soon.

4. Roll Call

Councilwoman Mulligan, 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.

5. Presentations/Mayor's Appointments

1. Oath of Office – Tom Perillo, Fire Chief.

- The Mayor read a letter from the Mount Arlington Fire Company to the Mayor and Council, dated January 22, 2007, into the record. The Mayor stated that Ken Smith has some health problems and unfortunately could not continue to be Chief of the Fire Department; the Mayor expressed his disappointment as he would have liked to work with Chief Smith and he would have been a great Chief. The Mayor stated that Tom Perillo was the Chief for the past two years and has done a great job and is willing to take on the position again for one more year; the Mayor commended Mr. Perillo on taking on this responsibility. The Mayor administered the Oath of Office to Tom Perillo. The Mayor expressed his admiration to Marc Feinberg for realizing that he was not ready to take the Chief's position and waiting to get more experience. The Council applauded Marc Feinberg.

6. Old Business

1. Clerk's Follow-Up Report Memorandum, dated January 17, 2007.

- The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items.

7. New Business

1. Highlands Regional Master Plan.
2. Tree Ordinance.
3. Shed Ordinance.
4. Sign Ordinance.
5. Mine Ordinance.

JoAnne Sendler stated that a different approach is needed when presenting ordinances to the Council; we are realizing that we should obtain Council's input prior to the introduction of ordinances. Ms. Sendler distributed information regarding the above list and will be requesting Council's input. Daren Phil will be attending the February 12, 2007 Council meeting and will discuss some of these items at that time. Ms. Sendler stated that Mr. Phil will give Council a letter stating the goals and effects of any new/proposed ordinances.

8. Utility and Tax Collector's Report for the Month of December, 2006.

The Clerk read the Utility Report for the Month of December, 2006 into the record:

Grand Total: \$36,991.52.

The Clerk read the Tax Collector's Report for the Month of December, 2006 into the record:

Total Receipts: \$154,349.54.

9. Treasurer's Report for the Month of December, 2006.

The Clerk read the Treasurer's Report for the Month of December, 2006 into the record:

Total Available: \$189,300.00.

10. Approval of Minutes

None.

11. Open to Public

Sandra Hartman, 370 Howard Boulevard and Helene Begraft, 298 Howard Boulevard:

- Ms. Begraft received a certified letter indicating that the town applied for a permit to widen the road and she owns a lot of the property recently surveyed. The Mayor stated that the letter requesting the permit was sent by Daren Phil and concerns the removal of the curve at Speakertown. Ms. Hartman informed him that the whole area is underground springs and when they fill in for a road, they will be unable to stop the water, whether now or in the future after construction. The Mayor stated that the County is planning to straighten the road to make it less dangerous but has not seen the actual plans as of yet. Ms. Begraft received two Wetlands Application Checklists in the mail, one regarding Howard Boulevard Roadway Improvements and Sidewalk Installation and the other regarding Realignment of Howard Boulevard and Sidewalk Installation. The Mayor stated that the Clerk will forward copies of these letters to Daren Phil and Mr. Phil will meet with them and explain the purpose/meaning of these letters. The Mayor stated that this is a "gift" from the County; they asked us to pay for the engineering, they will do the construction and the Borough will only pay a fraction of the entire cost of this project.

Brian Kincaid, 16 Maple Lane, Mount Arlington and President of the Fire Department:

- Mr. Kincaid reconfirmed the Mayor's earlier statements regarding Tom Perillo replacing Ken Smith as Chief. Mr. Kincaid expressed his appreciation to Ken Smith, Tom Perillo and Marc Feinberg.

- Mr. Kincaid stated that there are 6 or 7 new volunteers graduating from the Fire Academy in February; the Mayor would like to honor and recognize the new members at an upcoming Council Meeting.

12. Executive Session

None.

13. Resolutions

2007-24 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Approving the Check Register Dated January 22, 2007.

Motion to Approve: Councilman Sorge.

Second: Council President Driscoll.

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

Motion Approved.

2007-25 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing Execution of Interlocal Services Agreements with the County of Morris.

Motion to Approve: Councilman Sorge.

Second: Councilman Stone.

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

Motion Approved.

- 2007-26** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing a Transfer of Funds.

Motion to Approve: Councilman Doran.

Second: Councilman Sorge.

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

Motion Approved.

- 2007-27** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Appointing Richard Husni as Deputy OEM Coordinator.

Motion to Approve: Councilman Stone.

Second: Councilwoman Cerasoli.

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

Motion Approved.

- 2007-28** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Appointing Tom Perillo as Deputy OEM Coordinator.

Motion to Approve: Council President Driscoll.

Second: Councilman Doran.

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

Motion Approved.

14. Ordinances – Introduction

- 01-07** 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 Improvements to the Lake Rogerene Firehouse and Appropriating \$32,000 for the Financing Thereof.

The Mayor read Ordinance 01-07 by Title.

Motion: Council President Driscoll stated that Ordinance 01-07 be introduced by Title and passed on First Reading and that a meeting be held on February 26, 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 Sorge.

JoAnne Sendler stated that a contaminated fuel tank had to be removed from the firehouse property in Rogerene; this cost was above what we had anticipated and by law the contamination must be removed.

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

Motion Approved.

15. Ordinances – Second Reading

None.

16. Motions

1. Civic Center Applications: Permission to Waive Fee AND Security Deposit:

1. Valerie Kourtz, Mount Arlington Police Department, for candy pick-up, Friday, January 19, 2007 from 4:30 pm to 6:30 pm. (Note: Request received January 17, 2007.)
2. Lisa Miller, Mount Arlington Recreation Soccer, for Soccer Sign-Ups on Tuesday, January 30, 2007 and Tuesday, February 6, 2007 from 5:00 p.m. to 9:00 p.m.
3. Frank Federico, United States Coast Guard Auxiliary, for monthly meetings (second Wednesday of every month – February, 2007 through December, 2007) from 7:30 p.m. to 9:30 p.m. (Note: Clerk still holding security deposit from 2006 usage.)
4. Frank Federico, United States Coast Guard Auxiliary, for Public Education Courses (see schedule attached). **Note: USCG charges a fee for these classes.**

5. John Longtine, Cub Scout Pack 60, for Cub Scout Meeting and test of Pinewood Derby Track, Wednesday, January 24, 2007 from 5:00 pm to 9:00 pm.
6. Keith Licata, Fraternal Order of Police, for FOP event-Tour de Lake Bike Ride, Sunday, April 29, 2007 from 7:00 am to 2:00 pm.

JoAnne Sendler stated that she had approved #1 because we were asked on January 17th if the FOP could use the Center on January 19th, which was prior to the next scheduled Council meeting.

Motion to Approve Numbers 1, 2, 5, 6, With Waiver of Fee and Security Deposit:
Councilwoman Mulligan.
Second: Councilman Doran.
Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
Motion Approved.

Linda DeSantis stated that in regard to #3, Council asked to retain one security deposit for the all the dates requested; the Clerk is still holding this \$150. Ms. DeSantis stated that #4 is also a request from US Coast Guard but not for meetings, for paid training courses (schedule attached). The Mayor and Council asked for a breakdown of the fees the Coast Guard is charging and what the fees cover; if they are making a profit, we cannot waive the fees. Council discussed the amount of dates the Coast Guard wants to reserve. The Mayor stated that we are a lake community and should offer lake-safety courses if we can. Councilman Doran stated that since they are charging a fee, maybe the USCG can help offset our costs.

Motion to Approve Number 3 for February and March, 2007 Only, With Waiver of Fee and Security Deposit (presently holding one "blanket" security deposit):
Council President Driscoll.
Second: Councilman Sorge.
Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
Motion Approved.

The Mayor asked the Clerk to ascertain the breakout of fees the USCG charges for educational courses and their costs.

Motion to Approve Number 4, With Waiver of Fee and Security Deposit, Only After Receipt of Information Pertaining to Fees and Costs: Councilwoman Mulligan.
Second: Councilman Doran.
Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
Motion Approved.

2. Civic Center Applications:

1. Marcia Dougherty, 36 Richard Drive East, for a family party on April 28, 2007 from 8:00 a.m. to 5:00 p.m.

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

17. Mayor's Report

- The Mayor thanked all those who attended the Mayor's Ball.

Mayor's Activity Report:

- 01/08/07: The Mayor hosted a meeting with the State Police, Police and Fire Chief's from communities around the Lake, Picatinny, the County, Sheriff and Park Police to discuss safety on Lake Hopatcong. The big issue is that funds have been cutback and the State Police are now utilizing a computer program alerting them to areas that need immediate assistance.

- 01/09/07: The Mayor met with the Lakeshore Harbor Association to answer some questions on ongoing issues.
- 01/16/07: The Mayor attended the Morris County Chamber of Commerce annual luncheon at the Hilton; with the Jets moving into Florham Park, the players might actually be looking for housing in the area.
- 01/17/07: JoAnne Sendler and the Mayor attended the Legislative Day in Trenton. The one issue discussed is that when the State mandates something, they don't send money which hurts our budget (i.e., the new court regulations are mandated and costs municipalities).
- 01/18/07: JoAnne Sendler and the Mayor met with residents from the Windermere Castle regarding reconstruction issues.
- 01/20/07: The Mayor performed a wedding ceremony at the Arlington.

- The Mayor stated that he has a CD from the NJ Highlands Council containing maps regarding planning and highlands areas; if anyone want to view this CD, he will leave it with the Clerk.
- The Mayor stated that the Raritan Highlands is going to focus on the pros and cons of opting-in: if you opt-in, you must follow certain rules, if you don't opt-in, there are still stipulations you must follow.
- The Mayor mentioned the new COAH; JoAnne Sendler stated that it is about how we can fund what we don't want to fund. We had previously discussed the possibility of paying other municipalities so we could be certified.

18. Borough Administrator's Report

- JoAnne Sendler stated that our lease with St. Peter's for use by the Seniors ends in April; Ms. Sendler is requesting Council assistance on whether to renew this lease.
- JoAnne Sendler spoke to Nancy Gage regarding the MacDowell property; our six month contract with them ends on February 15th and she asked Ms. Gage about our options since no work has been done.

- Councilman Doran stated that he read in communications that there is a Bill regarding people paying rental based on their incomes; there is some type of pending legislation that may assist them in their rental charges. Councilman Doran has been approached about rent control in the Borough. Ms. Sendler stated that Linda DeSantis had previously researched this and consulted with Nancy Gage. Ms. DeSantis stated that she has Landlord Registration forms but in discussing this with Nancy Gage, we have not gone any further. The problem is the forms stop with Ms. DeSantis and are kept in her office; if there is a fire, an emergency, no one knows that there are tenants in these buildings. Ms. DeSantis does not charge any fee for landlords; Ms. Sendler stated that we will ask Nancy Gage to research the new legislation.
- Councilwoman Mulligan made reference to a recent communications packet (January 8, 2007) regarding energy assistance to seniors and requested this information be placed on the website for information purposes. The Mayor stated that our website should contain this type of information; the Clerk stated that we recently added information regarding radon, and just received information regarding mosquito control. The Council asked the Clerk to work with Tina Mayer in implementing this on the website.
- Councilman Doran asked if newer residents are being updated on emergency help and other information pertaining to the Borough. Councilman Doran stated that he knows everyone uses the calendar as their bible but it lacks information on our relationship with the hospital, our contracts, etc. The Mayor stated that in the past, Councilwoman Mulligan had addressed a possible Welcome Wagon. JoAnne Sendler stated that we can request Jack Marchione to forward any new resident listings to the Clerk's office and request Tina Mayer to mail out information packets on regular basis; Councilwoman Cerasoli offered her assistance in this process.
- The Mayor read a letter from the Pinelands Preservation Alliance, dated January 15, 2007, into the record and, with Council's approval, requested the Clerk to send a letter ensuring our support of this pending Off-Road Vehicle Legislation. Council did express concern over the possible mandating of this legislation but the cost of enforcement would be on the Borough.

19. Adjourn

Motion to Adjourn: Councilman Sorge.

Second: Council President Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of February 12, 2007.

MOUNT ARLINGTON FIRE COMPANY

BOX 182

MOUNT ARLINGTON, N.J. 07856

January 22, 2007

To: Honorable Arthur R. Ondish – Mayor
JoAnne Sendler – Borough Administrator
Honorable Maureen Cerasoli – Counsel Liaison

From: Thomas Perillo, Fire Chief, Borough of Mount Arlington
Brian W. Kincaid, President Mount Arlington Fire & Rescue Company

Please be advised on January 14, 2007, Kenneth Smith was compelled to resign as Fire Chief for the Mount Arlington Fire & Rescue Company due to health reasons. The membership of the Fire & Rescue Company conducted a vote on Monday, January 15, 2007, at which time Thomas Perillo was elected Chief for the year of 2007.

Respectfully submitted:

Thomas Perillo, Chief, Mount Arlington Fire Department

Brian W. Kincaid, President Mount Arlington Fire & Rescue Company

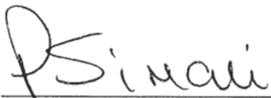
BOROUGH OF MT. ARLINGTON

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 December 2006

| <u>AMOUNT</u> | <u>DESCRIPTION</u> | <u>ACCOUNT NO.</u> |
|---------------------|---|--------------------|
| \$ 11,135.41 | SOLID WASTE RECEIPTS | 190-0353-097 |
| \$ 20,714.76 | SEWER RECEIPTS | 190-0356-097 |
| \$ 5,141.35 | WATER RECEIPTS | 190-0354-097 |
| \$ 36,991.52 | GRAND TOTAL | |
| \$ 1,420.00 | (TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS | |
| \$ 1,052.71 | WATER REPAIR RECEIPTS | |



Patricia E. Simari, CTC

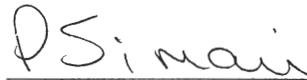
BOROUGH OF MT. ARLINGTON

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

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

The Month of December, 2006

Dated January 4, 2007



Patricia E. Simari, CTC

Collections:

| | |
|--|-----------------------------|
| Current Taxes (5-01-17-001-001) | \$ <u>135,263.83</u> |
| _____ Taxes (5-01-17-001-002) | |
| Future Taxes (5-01-17-001-004) | \$ <u>16,184.92</u> |
| Munic. Red. (5-01-17-004-001) | |
| Interest & Costs (501-08-112-000) | \$ <u>2,820.54</u> |
| Return Ck. Fee (5-01-16-500-021) | |
| Tax Searches (5-01-08-105-010) | |
| Duplicate Bills (5-01-16-500-021) | |
| 3 rd Party Red. (5-01-17-004-002) | |
| 3 rd Party Red. Int./Subs (5-01-17-004-003) | |
| Misc. <u>Copies</u> (5-01-16-500-021) | \$ <u>80.25</u> |
| Tax Sale Costs (5-01-17-001-005) | |
| Tax Sale Premiums | |
| 6% Delinq. Pen. (5-01-16-500-021) | |
| Tax Paid Certification | |
| Total Receipts | \$ <u>154,349.54</u> |

Boro of Mt. Arlington
Finance Office

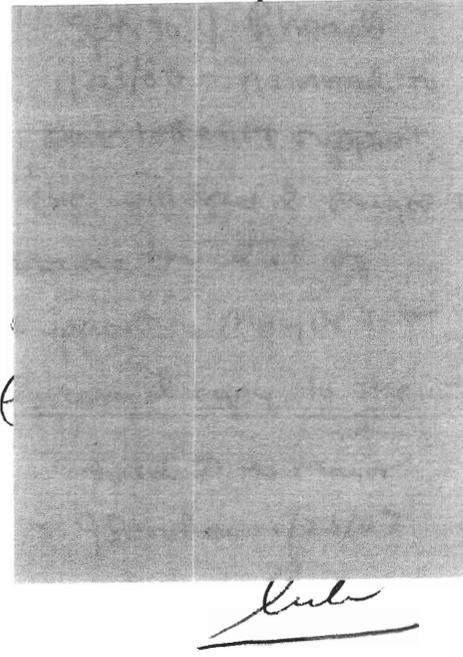
Treasurer's Report

December 2006

| | |
|------------------------|------------|
| Current Balance 11-06 | 189,629.00 |
| Current Receipts 12-06 | 749,659.30 |
| Disbursements 12-06 | 749,988.30 |
| Total Available | 189,300.00 |



PINELANDS PRESERVATION ALLIANCE
17 PEMBERTON ROAD
SOUTHAMPTON, NJ 08088
PHONE 609.859.8860 FAX 609.859.8804
ppa@pinelandsalliance.org



January 15, 2007

Honorable Jon Corzine
Governor, State of New Jersey
State House
PO Box 001
Trenton, NJ 08625

Re: Off-road Vehicle Legislation

Dear Governor Corzine:

New Jersey mayors recognize the need for new measures to prevent illegal off-road vehicle (ORV) use including registration of all ORVs, effective enforcement, and public education. The illegal use of ORVs on private and public property has caused damage to farm fields, disturbed residential communities, destroyed rare plant communities, and disturbed wildlife communities. Several New Jersey municipalities have increased enforcement and established strict fines for illegal ORV riders through ordinances, but local action alone, although necessary, is not sufficient to solve the problem.

The establishment of a statewide plan requiring registration of all the vehicles, funding for stepped-up enforcement and public education is critical to success. New Jersey's future statewide program needs to include the following six essential elements. The ORV registration fees should be calculated to accomplish these elements.

1. Require the registration and tagging of all vehicles in such a way as to readily identify the respective owners and adequate signs in appropriate areas expressing key aspects of the statewide policy, especially the prohibition of ORV traffic on any areas of state lands. The current problems with irresponsible ORV activity are largely attributable to the lack of law enforcement, especially due to the inability of officers to readily identify and apprehend offenders.
2. [Create a fund or better enable the use of the Federal Recreational Trails Grants program which specifically requires a mandatory 30% minimum for motorized trails and is approximately \$250,000 each year, so that strategically located ORV parks can be established (not multi-use trails throughout state land) to address the interests of the ORV recreation public.] Individuals who enjoy ORV recreation should have authorized locations to engage in this activity, provided that the specific property meets carefully formulated criteria.
3. Require mandatory education for all applicants for such registration. Every sport has legal, social, and environmental contingencies, and we expect the state to apply this principle to ORV recreation.

4. Develop enforceable safety and noise standards for the vehicles.
5. Establish a fund sufficient to develop programs and hire staff to maintain strict enforcement of all laws pertaining to ORV traffic throughout the state. A calculated portion of the money generated by the registration fees should be allocated specifically to the additional personnel, vehicles, training, and equipment needed by law enforcement agencies for this specific purpose as well as tracking natural resource damages. Penalties for offenders must be calculated to create a genuine deterrent to repeat offenses.
6. Create a diversion program for first-time juvenile offenders, with emphasis on education.

According to Mayor Robert DePetris of Woodland Township in Burlington County, "People are complaining about (the operators driving on) their private property and it's a noise nuisance. It's becoming a real problem and it's dangerous. What we would like to do is have the state start registering the ATVs, have license plates for them, require (the operators) to get insurance and have a specific area that they could ride."

The mayors signed on to this letter believe that the 6 elements of a state-wide plan implemented through state legislation are vital to protection of private property rights, resident safety and protection of natural resources. The state has the opportunity to take a leadership role in making this happen in 2007, and Pinelands Preservation Alliance and the following New Jersey mayors look forward to working with the state.

On behalf of Pinelands Preservation Alliance, I would be happy to discuss this effort further, 609-859-8860 ext. 18.

Sincerely,

Jaclyn Rhoads
Director for Conservation Policy
Pinelands Preservation Alliance

cc: Commissioner Lisa Jackson, DEP
Senator Richard Codey
Senator Bernard Kenney, Jr.
Senator Leonard Lance
Assemblyman Joseph Roberts, Jr.
Assemblywoman Bonnie Watson Coleman
Assemblyman Alex DeCroce

The below Mayors have endorsed this letter.

Mayor Chuck Chiarello, Buena Vista Township, Pinelands Municipal Council, Chair
Mayor Mark Dykoff, Lacey Township
Mayor Robert DePetris, Woodland Township
Mayor William Pikolycky, Woodbine Township
Mayor Michael Fressola, Manchester Township
Mayor Sue Ann Metzner, Winslow Township
Mayor Malcolm C. Fraser, Cape May Point Borough
Mayor Peter Rustin, Tenafly Borough
Mayor F. Lyman Simpkins, Pemberton Borough
Mayor Brooke Tidswell, Mount Holly Township
Mayor Lisa Post, Medford Township
Mayor Jason Varano, Berkeley Township
Mayor Gerald J. Tarantolo, Eatontown Borough
Mayor Daniel J. Gallagher, South Plainfield Borough
Mayor Daniel Gibney, Avon-by-the-Sea Borough
Mayor Cindy Rau-Hatton, Gloucester Township
Mayor John E. Murrin, Pompton Lakes
Mayor Carol Foster, Corbin City
Mayor Amelia A. Messina, Weymouth Township
Mayor Angelo Corradino, Manville Borough
Mayor Harry A. Moore, Oldmans Township
Mayor Kate Fitzpatrick, Delanco Township
Mayor Nancy Merse, Edgewater Township
Mayor John Coiro, Totowa Township
Mayor John Dean DeRienzo, Haworth Township
Mayor Frank J. Ryan, Bound Brook Borough
Mayor Thomas E. Hartman, Jr., Barnegat Township
Mayor James R. Sekelsky, Ogdensburg Township
Mayor Thomas E. Harper, Wrightstown Borough
Mayor Herbert D. Stiles, Jr., Elmer Borough
Mayor Serena DiMaso, Holmdel Township
Mayor Betty Simmons, Borough of Victory Gardens