

**BOROUGH OF MOUNT ARLINGTON  
COUNCIL MEETING MINUTES  
FEBRUARY 2, 2010**

**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 November 25, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on November 23, 2009 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. 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 our troops fighting for us and to remember those dealing with tragedy in Haiti.

**4. Roll Call**

Councilman Driscoll, Councilman Sorge, Councilman Sadow, Council President Galate, Councilman Windish, Councilman Doran, Mayor Ondish. Thomas Segreto, Borough Attorney, was also present; JoAnne Sandler, Borough Administrator, was absent.

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

1. Proclamation Declaring March 2, 2010 Read Across America Day.  
The Mayor read the Proclamation into the record.
2. Proclamation Declaring February 5, 2010 National Wear Red Day for Women.  
The Mayor read the Proclamation into the record. Councilman Sadow stated cardiovascular disease is the leading cause of death in women and urged residents to relay this message to their family, friends and neighbors.

**6. Open to Public**

Dr. Stephan Sher, 101 McGregor Avenue:

- Dr. Sher stated the Proclamation for National Wear Red Day for Women and the issue of cardiovascular disease in women is significantly important and requested copies of the Proclamation be available to the public.
- Dr. Sher stated the clock outside the municipal building is a negative hallmark to anyone driving by since the clock does not work. The Mayor explained that no money has been spent for the clock and Daren Phil has been working with the manufacturer to replace the clock.

Debra Hill, 352 Howard Boulevard:

- Ms. Hill requested Council President Galate forward the Green Initiative information to her for the CARMA website, along with information regarding the rain garden.
- Ms. Hill stated that at the last Council Meeting, the Mayor made a statement regarding the employee/coffee issue from a couple of years ago. Ms. Hill stated the person who originally spoke of the coffee issue was not a member of CARMA.

Veronica Silkes, Succasunna Road:

- Ms. Silkes asked about the solar energy plans at the landfill. The Mayor stated he envisions the space as a place for parking boats, trailers, etc.; more a long term storage facility, not in and out parking.
- Ms. Silkes asked if the Borough was considering sharing police services again. The Mayor stated not at this time.
- Ms. Silkes stated that at the last meeting, Councilman Sadow stated that he was at the OPRA payroll proceedings, unlike the plaintiff. Ms. Silkes stated she works and had an attorney to adequately represent her.

Wendy Mahler, 75 Mountainview Avenue:

- Ms. Mahler stated that NJ rate of employment is at 10.1%. Ms. Mahler asked why Carolyn Rinaldi received an increase of \$2.00 per hour. The Mayor responded that it is inappropriate to discuss this without Ms. Rinaldi present but if someone is doing extra work, they should be paid for it.
- Ms. Mahler inquired as to why the Borough Hall was closed from 1p.m. to 2 p.m. every day for lunch hour. The Mayor stated this was a Council decision due to so few employees being in the building; the building is closed, the employees do not have to scramble for coverage, and for security, as no one should be in the office alone with the doors open to the public.

Mike Valenti, 33 South Bertrand Road:

- Mr. Valenti inquired as to our why our Moody's rating has been lowered. The Mayor stated that this should really be explained by JoAnne Sendler, our accountant or our CFO but he believes this is due to not having the reserves we used to have; trying to keep the taxes down actually has an effect on your bond rating.
- Mr. Valenti asked about grants. The Mayor explained that, due to grants, the only project we had to incur debt on was the water/sewer project at Circle/Southard/Parker.

Nancy Abselom, 15 Oak Street:

- Ms. Abselom inquired about the municipal elections process.

Susan Sher, 101 McGregor Avenue:

- Ms. Sher stated she thought there were always two people in Borough Hall. The Clerk explained the present staffing and advised that for security reasons, one person should never be in the building alone with public access; should that occur, the police are always called to be advised of the situation.
- Ms. Sher inquired about the employee receiving \$2.00 more per hour and received confirmation from the Mayor that the employee is spending more time doing extra work.

## **7. New Business**

None.

## **8. Old Business**

### **1. Discussion on Council Committees.**

- The Clerk stated that per Council's approval, this matter should be discussed in Executive Session under Council Policies/Procedures.

### **2. Council Comments.**

- Council President Galate stated that this is to be in lieu of Council Committee discussions; just Council commenting on committee activity, anything they are doing or anything they want to present to the Council, not an obligation to give a committee report.
- Council President Galate stated that the Green Team will be holding their first Meet & Greet and will be distributing pledge cards; there will be baskets at the Board of Education, introducing MAGIC and its functions.
- Council President Galate stated the schools ranked among the top in Morris County for their test scores.

- Board of Education member Sheila Studint was in the audience and the Mayor asked her to give a brief overview of the Board activities. Ms. Studint stated the schools scored in the GH level are comparable to Mountain Lakes, and at a recent Board meeting

Principal Mason presented a comparison of scores for grades 7,8 and 9. Further, Mount Arlington is improving on the grade level scores. Ms. Studint discussed the variables that can skew test results and feels that the Borough is over-regulated by the State. Ms. Studint publicly thanked the Mayor for visiting the school and reading to the children. The MAPS Library is being automated this week. Council President Galate mentioned the schools were also doing Pennies for Haiti and an Antibiotic Cream Drive for Haiti.

- Councilman Doran, Liaison to the Police Department, stated that FOP contributions have been made to Feed the Hungry Program, Make A Wish Foundation, Leukemia and Lymphoma Society, 2010 Polar Bear Plunge in Seaside Heights to Benefit Special Olympics, Mount Arlington School Fundraiser for the Victims of the Earthquake in Haiti and on June 14, 2010 they will hold the 21<sup>st</sup> Annual Golf Outing Fundraiser.

- Councilman Doran stated Chief Peterson has prepared his Annual Summary Report which reflects over 7800 individual incidents in 2009 and nearly 100,000 miles driven.

- Councilman Doran stated that as representative to the Lake Level Management Committee, he would welcome any comments from lake front property owners who wish to express their point of view as to how the lake level is managed.

- Councilman Driscoll stated Paul Nelson would be surveying water leaks on Howard Boulevard at night, when there is less traffic, because we are losing a lot of water. We recently found two heavy leaks, one on Howard and McGregor and one on Howard and Larson, which are the responsibility of the MUA; they will be checking the one on McGregor and the Jefferson Township Meter pit at a later date. There has been a significant amount of water loss and possibly the Borough will meet with the MUA to try to get reimbursement for the manpower/labor. The Mayor publicly thanked Joe Schwaab of Suburban for assisting Paul Nelson and contacting the MUA regarding their lines.

- Councilman Driscoll stated the DPW is in good shape with salt for the upcoming storm.

- Councilman Doran thanked the County for realizing it was important enough to reduce the preservation tax by one penny, however, this is a time when it should be more than one penny; a community such as Mount Arlington has no opportunity to make use of this preservation tax in the future and are being penalized by having to pay that tax to the County. Councilman Doran stated it is not to fault the County, they obviously are moving in the right direction, but this is the time where they should eliminate it. We have preserved about everything that we should, we don't need to pay for moving houses out of flood zones and we shouldn't be paying using preservation dollars, which are taxpayer dollars. Councilman Doran stated he thinks it's time the County bite the bullet and cut back more; the preservation tax represents over \$280,000 of taxpayer money from Mount Arlington each year. The Mayor stated this is due to the County-wide referendum; people approved and wanted the money collected for open space. The Mayor stated the tax pays for all County park facilities, County facilities, and County shared services. The Mayor stated we did go after open space money about 8 years ago but unfortunately the cost of the property far exceeded the amount we could get from the County to offset the cost to the Borough. The Borough is one of the few municipalities that had never put an open space tax in place.

- The Mayor stated he is interested in a few issues before Governor Christie: the consideration of eliminating COAH and bringing it back to the local communities, and the possibility of eliminating the 4% cap on the tax levy.

### 3. Master Plan.

Council agreed to table this discussion.

### 4. Block Parties.

The Chief of Police' opinion was to not allow block parties; Council has to rely on and respect the safety issues expressed by the Chief. Councilman Sadow stated that as a Council, we should have the ability to receive a block party request, subject to safety issues as determined by the Chief on an individual basis; he sees no problems with having block parties within the provisions used by other municipalities. The Mayor stated that as a Council, we agree to the concept of block parties but the permission is up to the discretion of the police. The Mayor asked the Attorney to prepare an ordinance.

## 9. Approval of Minutes

January 19, 2010

Regular Meeting

Motion to Approve with Corrections: Councilman Sorge.

Second: Councilman Sadow.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Abstain: Windish.

Nay: None.

Motion Approved.

## 10. Resolutions

**2010-27** 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 2, 2010.

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Windish, Doran.

Nay: None.

Motion Approved.

**2010-28** 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: Councilman Sorge.

Second: Councilman Doran.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Windish, Doran.

Nay: None.

Motion Approved.

**2010-29** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the 2010 Temporary Budget (2/2/2010 version)

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Windish, Doran.

Nay: None.

Motion Approved.

### \*Added Resolution:

**2010-31** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Urging the Elimination of 4% Cap on Local Tax Levy.

The Mayor explained this resolution will leave it to the municipalities to determine what number is best for them, based on all the factors of the budget; the 4% cap doesn't meet the amount of expenses that have gone up, pension, insurance, etc., and the 4% cap just brings the budget down too tight.

Motion to Approve: Councilman Sadow.

Second: Councilman Sorge.

Discussion:

Councilman Sadow stated this is certainly not something that is going to happen tomorrow yet the Council is being presented with a non time of the essence resolution. The Mayor stated the bill could be passed next week so it is time of the essence, due to the fact that we have gone for waivers and will be looking for a waiver this year; it is appropriate for us to be one of the first to support this cap elimination. The Mayor stated

endorsing this resolution would not leave it open-ended, our budget is subject to State approval. The Mayor stated the resolution says, "Municipalities to live within their means" ; the budget process is public and this resolution eliminates the State from telling us how much we can raise our taxes.

Councilman Doran recommended the resolution be tabled so Council has time to consider all the aspects of this bill.

Roll Call:

Aye: Council President Galate.

Nay: Driscoll, Sorge, Sadow, Windish, Doran.

Motion **Not** Approved.

The Mayor agreed to table this resolution.

#### 11. Ordinances – Introduction

None.

#### 12. Ordinances – Second Reading

None.

#### 13. Motions

1. Vendor Application to operate a limousine service, submitted by Abdullah Yasar, Orient Express, Mount Arlington, NJ.
2. Raffle License Application #RA:10-05 for Raffle from Mount Arlington Senior Citizens for the year 2010 to be held at The Elks Lodge, 201 Howard Boulevard, Mount Arlington.
3. Bingo License Application #BA:10-04 for Bingo from Mount Arlington Senior Citizens for the year 2010 to be held at The Elks Lodge, 201 Howard Boulevard, Mount Arlington.

Motion to Approve #1, 2, and 3 By Consent: Councilman Doran.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Windish, Doran.

Nay: None.

Motion Approved.

#### 14. Mayor's Report

- 01/21/10:** chaired a meeting of the Utilities Sub-Committee for the Conference of Mayors in Trenton. This committee was created to help the major state utilities define difficulties that prevent them from working with municipalities, therefore making them less efficient.
- 01/22/10:** attended an ELC event at the Hanover Marriott; discussion on property taxes and school funding.  
- attended wake for Kevin Walsh, former Mayor in Washington Township.
- 01/25/10:** attended Congressman Frelinghuysen's quarterly breakfast in Parsippany for an update on Washington, DC issues.  
-attended a Prosecutor's Event at the Police Academy regarding new community policing between the prosecutors office and the local police departments. Council President Galate attended as well.
- 01/26/10:** accepted 100 books in honor of the Mayor's Book Club and the Healthcare Institute of NJ; Superintendent Jameson and Mayor did a press conference and promotion of Early Literacy in NJ; this was a joint effort of the Mayors Book Club, the National League of Cities and NJ League of Municipalities. The Mayor publicly thanked Haskell Berman of the Healthcare Institute of NJ for delivering the books to the 7 participating municipalities in NJ and thanked Superintendent Jameson and her staff for all the assistance.
- 01/27/10:** attended a meeting regarding the NJ Clean Cities Coalition, a group focused on alternative energy vehicles.  
- attended Land Use Board meeting.
- 01/28/10:** attended a Mayors Committee for Green Future meeting in New Brunswick to discuss the next steps for Sustainable Jersey.

**01/29/10:** attended a meeting of the Tax Reform Steering Committee of the League of Municipalities; focused on taking school funding out of property taxes; not changing the amount of money, just changing how it is funded and possibly taking it out of the property taxes to make it more fair for seniors and low income residents.  
 - Cablevision interviewed the Mayor about our Dial A Ride Program, as well as Patty and Judy; it will be run on Cablevision about the great service we provide for our Seniors and other qualified riders. They also interviewed a frequent rider and rode the van one day this week.

**02/01/10:** Attended the Prosecutor's Office Black History Month celebration.

- The Mayor has received about a dozen positive responses to his letter regarding a local Chamber of Commerce/Municipal Alliance. The Marriott has offered a meeting room and the Mayor will be setting a date for the first meeting.
- The Mayor stated Fireman Brian Heber's father recently passed away.
- The Mayor stated Judge Mienza was promoted to Superior Court and will be leaving the Joint Municipal Court in Dover. Judge Mienza was the primary judge and the committee appointed Judge Arnold Miniman as alternate judge; he will handle the court until Judge Mienza can be replaced. The Mayor publicly praised Judge Mienza for the good work he has done with the shared court.

#### **15. Borough Administrator's Report**

None.

#### **16. Executive Session**

**2010-30** 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.

Executive Session Topics: Attorney Client Privilege, Council and Personnel Policy, and Approval of Executive Minutes.

Action will be taken following Executive Session.

Motion to Go Into Executive Session After a Short Break: Councilman Doran.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

Motion to Return to Open Session: Councilman Sorge.

Second: Councilman Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

The Borough Attorney stated that by Council approving the following Minutes, they are approving them to form, not approving the release of any and all information contained therein; Executive Session Minutes have confidential information that only when the need for confidentiality no longer exists can they be released to the public.

Motion to Approve the Executive Minutes of January 19, 2010:

Councilman Sadow.

Second: Councilman Doran.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Abstain: Windish.

Nay: None.

Motion Approved.

Motion to Approve the Executive Minutes of December 14, 2009:  
Councilman Doran.  
Second: Council President Galate.  
Roll Call:  
Aye: Sadow, Council President Galate, Doran.  
Abstain: Driscoll, Sorge, Windish.  
Nay: None.  
Motion Approved.

Motion to Approve the Executive Minutes of April 14, 2008, May 12, 2008 a.m. meeting, June 9, 2008, June 30, 2008, July 14, 2008, September 8, 2008, October 13, 2008, November 10, 2008, November 24, 2008, and December 22, 2008, Subject to Council Members Abstaining as to Those Meetings Which They Did Not Attend: Councilman Driscoll.  
Second: Councilman Sorge.  
Roll Call:  
Aye: Driscoll, Sorge, Council President Galate, Doran.  
Abstain: Sadow, Windish.  
Nay: None.  
Motion Approved.

## 17. Adjourn

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

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Linda DeSantis, RMC  
Borough Clerk

Minutes Approved With Corrections at Council Meeting of March 2, 2010.

# PROCLAMATION

**WHEREAS**, the citizens of the Borough of Mount Arlington stand firmly committed to promoting reading as the catalyst for our student's future academic success, their preparation for America's jobs of the future, and their ability to compete in a global economy; and

**WHEREAS**, the Borough of Mount Arlington has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

**WHEREAS**, *NEA's Read Across America*, a national celebration of reading, will be conducted on **March 2, 2010**, which would have been the 106<sup>th</sup> birthday of Theodor Seuss Geisel, better known as Dr. Seuss; and

**WHEREAS**, *Read Across America – NJ* is being conducted statewide by the New Jersey Education Association, in partnership with the New Jersey State League of Municipalities, the New Jersey Library Association, and their local affiliates across the State to promote reading and adult involvement in the education of our community's students.

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Borough Council of the Borough of Mount Arlington call on the citizens of the Borough of Mount Arlington to assure that every child is in a safe place reading together with a caring adult on **March 2, 2010**.

**AND, BE IT RESOLVED**, that this body enthusiastically endorses *NEA's Read Across America* and *Read Across America – NJ*, and recommits our community to engage in programs and activities to make America's children the best readers in the world.



Arthur R. Ondish, Mayor

February 2, 2010

# PROCLAMATION

**WHEREAS**, diseases of the heart are the nation's leading cause of death and stroke is the third leading cause of death;

**WHEREAS**, cardiovascular diseases (CVD) claim the lives of nearly 455,000 American females each year or about one death per minute;

**WHEREAS**, each year, 53 percent of all cardiovascular disease deaths occur in females, as compared to 47 percent in men, and nearly 30,400 more females than males die from a stroke;

**WHEREAS**, in 2009, the estimated direct and indirect cost of cardiovascular diseases and stroke in the U.S. is estimated at \$475 billion;

**WHEREAS**, more women die of cardiovascular disease than the next five leading causes of death combined, including all cancers;

**WHEREAS**, one in 2.7 women die from cardiovascular disease and 64 percent of women who die suddenly from coronary heart disease have no previous symptoms;

**WHEREAS**, February is designated as American heart Month;

**WHEREAS**, Go Red for Women is the American Heart Association's national movement to make women aware of their risk for heart disease – the leading cause of death for women – and to empower women to make choices and take action to reduce that risk;

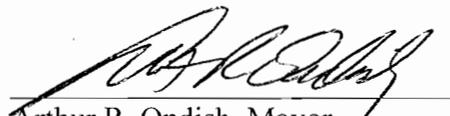
**WHEREAS**, all women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red For Women Heart CheckUp, Go Red BetterU and by talking to their healthcare provider.

**NOW, THEREFORE**, I, Mayor Arthur R. Ondish, in recognition of the importance of the ongoing fight against heart disease and stroke, do hereby proclaim Friday, February 5, 2010 to be

## NATIONAL WEAR RED DAY FOR WOMEN

in the Borough of Mount Arlington, and urge all citizens to "go red" for the day and wear red on February 5, 2010 to call attention to the magnitude of cardiovascular disease in women, and as a show of support to fight it, as well as in recognition of family, friends and neighbors who have suffered from cardiovascular disease. By increasing awareness of the risk factors for this devastating disease and taking actions to reduce them, we can save thousands of lives each year.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and caused to be affixed the Great Seal of the Borough of Mount Arlington this 2<sup>nd</sup> day of February, 2010.



Arthur R. Ondish, Mayor  
February 2, 2010