

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
FEBRUARY 27, 2006**

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 19, 2006; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 10, 2006 and has been available to the public; notice of this meeting is on file in the office of the Borough Clerk

3. Flag Salute

The Mayor asked for a moment of silence to pay tribute to our troops overseas fighting for us so that we may have these open public meetings and the freedoms we enjoy.

4. Roll Call

Councilwoman Mulligan, Councilman Doran, Councilman Sorge, Councilwoman Cerasoli, Council President Driscoll, Mayor Ondish. JoAnne Sendler, Borough Administrator, and Nancy Gage, Borough Attorney, were also present. Councilman Stone was not present due to a call out at work.

5. Presentations/Appointments

None.

The Mayor welcomed Kasandra Levetz, a seventh grader at St. Michaels's School; she is learning about the constitution in school and wanted to attend a meeting of her local government. The Mayor provided Ms. Levetz with an agenda and advised that he will be happy to assist her if she has any questions during the meeting.

6. Old Business

1. Proclamation Promoting NEA Read Across America - NJ Day on March 2, 2006.
 - The Mayor read the proclamation into the record.
2. Electronic Sign Approval.
 - JoAnne Sendler stated that she has the electronic sign guideline and since this is not an urgent matter, she asked to postpone this discussion.

Motion to Table the Electronic Sign Discussion: Councilman Sorge.
Second: Councilwoman Cerasoli.
All in Favor – Aye; None Opposed.
Motion Approved.

3. Discussion on Recreation Restriction Ordinance.
 - Nancy Gage stated that she was given direction to delete two sections of the Parks, Recreation Areas and Senior Citizens Civic Center ordinance and asked Council to review Section 123-5 and 123-15 for possible deletion/inclusion. The Mayor asked that the Parks Committee review the ordinance and bring their suggestions back to Council.
4. Discussion on Pavers.
 - Councilman Doran stated that the paving stones to be engraved are not a direct replacement for the circle kit that was put in Memorial Park. Councilman Doran spoke with some DPW employees who feel we can do the same thing as was done in Brundage Park in Randolph, which is to make a walkway out of the stone and remove the concrete sections, starting with the closest to the circle and working back every time we get enough pavers to actually replace the concrete from expansion joint to expansion joint; this will ultimately even look better than the contrasting color of the concrete. DPW agreed with this solution; each expansion joint takes roughly 70 stones and they will install in groups of 70. Councilman Doran and Councilwoman Mulligan discussed the size of the stones and confirmed that we will have to buy all new pavers to do the sidewalk

area. Councilman Doran stated that the best scenario would be if we purchase the stones directly from the engraver. Councilwoman Mulligan will follow-up with diagrams, colors, etc.

5. Clerk's Follow-Up Report Memorandum, dated February 17, 2006.
 - The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items. JoAnne Sendler confirmed that Tina Mayer will be following up on the status of the listed items on a weekly basis.

7. New Business

1. Discussion on Beach Bash.
 - Councilwoman Mulligan stated that it is not necessary to have this discussion.

8. Treasurer's Report for the Month of January, 2006.

The Clerk read the Treasurer's Report for the Month of January, 2006 into the record:
Total Available: \$1,307,005.00.

9. Approval of Minutes

February 13, 2006 Regular Meeting

Motion to Approve the Minutes with Corrections: Council President Driscoll.

Second: Councilwoman Cerasoli.

All in Favor – Aye; None Opposed.

Motion Approved.

10. Open to Public

Eric Stone, 582 Audrey Road and Mount Arlington Board of Education Member:

- Mr. Stone commended the efforts of the Mayor and Council on the number of projects that have taken place over the last few years.
- Mr. Stone is a member of the Board of Education and Chairman of the School Buildings and Grounds Committee. Along with the PTA, the Board of Education is requesting assistance in completing a project; the PTA had previously raised approximately \$15,000 for a playground, which has been tabled for a number of reasons. The playground will be designed to correlate with the physical education curriculum and will cost \$15,000 to \$19,000, not including any of the site work. Mr. Stone is requesting specific assistance with regard to area grading, permit fees, and possibly labor from DPW. Mr. Stone distributed photos of proposed fitness and athletic equipment.
- Mr. Stone stated that one of the objectives for both organizations is to create an improvement for the functionality of the field and allow the PTA to close out their books on fundraising efforts which have taken place a number of years ago; while some of those funds have been expended for the playground at Decker School, the PTA still has a reserve that must be appropriated. The two items they would like to complete are the recreation equipment and the refurbishment of the baseball field; both will be open to the public.

Joseph Keltos, 551 Eric Lane and Mount Arlington Board of Education Member:

- Mr. Keltos has researched the ballpark renovation costs and the work required; the location chosen is along the fence line on Kadel Drive and grading needs to be done, which will include grading permits, drawings, etc. The school utilizes the field as part of their outdoor physical education curriculum. Mr. Keltos stated that the site contractor at Pennington Woods will donate approximately 300 cubic yards of dirt; they will truck it and dump it in a designated place but we need a front end loader to move it and a compactor to compress it. Councilman Doran asked for a priority list for the Borough's assistance and Mr. Keltos replied that the builders at Pennington will be removing all remaining dirt that needs to be taken off site so they need soil preparation, issuance or waiver of the grading permit and coordinating with the contractor as they deliver the dirt, taking the dirt from a staging location with Borough equipment or rent a compactor to bring it to the grading area. The Mayor thanked Mr. Stone and Mr. Keltos for their presentation and indicated that the Council will discuss their request.

The Mayor closed the meeting to the public.

Motion to Amend the Agenda and Hold Executive Session at the End of the Meeting: Councilman Sorge.
 Second: Councilwoman Cerasoli.
 All in Favor – Aye; None Opposed.
 Motion Approved.

12. Resolutions

2006-51 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing the Borough to Enter into a Memorandum of Understanding with the County of Morris for Access to the Morris County Integrated Justice Information System (MCIJIS).

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

2006-52 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Amending Resolution 2006-09, Council Meeting Dates. (May 8, 2006 Meeting to Commence at 10:00 a.m.)

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

2006-53 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Rejecting All Bids for the Parker/Circle/Southard Sewer, Water and Roadway Improvements.

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

2006-54 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing IN REM Foreclosure for Property Known as Block 12, Lot 1.

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

13. Ordinances – Introduction

05-06 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Amending and Supplementing Chapter 175, Water, of the Code of the Borough of Mount Arlington, County of Morris, New Jersey, to Impose Restrictions on the Outside Use of Water.

The Mayor read Ordinance 05-06 by Title.

Motion: Council President Driscoll stated that Ordinance 05-06 be introduced by Title and passed on First Reading and that a meeting be held on March 27, 2006 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.

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

Motion Approved.

- 06-06** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Repealing Chapter 139, Soil Removal, of the Mount Arlington Code.

The Mayor read Ordinance 06-06 by Title.

Motion: Councilman Doran stated that Ordinance 06-06 be introduced by Title and passed on First Reading and that a meeting be held on March 27, 2006 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.

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

Motion Approved.

The Mayor took a moment to explain the difference between resolutions and ordinances, first and second readings, to student Kasandra Levetz.

- 07-06** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Repealing Chapter 75, Driveways and Private Roads, of the Mount Arlington Code.

The Mayor read Ordinance 07-06 by Title.

Motion: Council President Driscoll stated that Ordinance 07-06 be introduced by Title and passed on First Reading and that a meeting be held on March 27, 2006 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.

Nancy Gage explained that these are changes in procedure to consolidate the processes, as recommended by Sandor Nyari and Daren Phil; the responsibilities will be shifted from the Clerk to the Construction Office.

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

Motion Approved.

- 08-06** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Amending Chapter 86, Excavations, of the Mount Arlington Code.

The Mayor read Ordinance 08-06 by Title.

Motion: Council President Driscoll stated that Ordinance 08-06 be introduced by Title and passed on First Reading and that a meeting be held on March 27, 2006 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.

Nancy Gage explained that excavations pertain to street openings; soil removal is covered under the Land Use Code.

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

Motion Approved.

- 09-06** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Amending Section 17-30.8, Grading Permit, of Chapter 17, Land Development, of the Mount Arlington Code to Revise Grading Permit Review Fee.

The Mayor read Ordinance 09-06 by Title.

Motion: Councilman Doran stated that Ordinance 09-06 be introduced by Title and passed on First Reading and that a meeting be held on March 27, 2006 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.

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

Motion Approved.

14. Ordinances – Second Reading

02-06 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Providing for Amending Ordinance #08-04 and Appropriating \$100,000 for the Financing Thereof.

The Mayor opened the Hearing to the Public on Ordinance #02-06 and read the Ordinance by title.

Mayor Closed the Hearing to the Public.

Councilman Sorge stated, I move for adoption and final passage of Ordinance #02-06.

Second: Council President Driscoll.

No further Council discussion.

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

The Mayor declared that Ordinance #02-06 is passed on second reading and directed the Clerk to publish the notice of adoption a required by law.

03-06 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Amending and Revising Chapter 169, Vehicles and Traffic, of the Code of the Borough of Mount Arlington.

The Mayor opened the Hearing to the Public on Ordinance #03-06 and read the Ordinance by title.

Mayor Closed the Hearing to the Public.

Councilwoman Cerasoli stated, I move for adoption and final passage of Ordinance #03-06.

Second: Councilman Sorge.

The Mayor stated that this ordinance relates to all bus stops and bus shelters, not limited to school busses.

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

The Mayor declared that Ordinance #03-06 is passed on second reading and directed the Clerk to publish the notice of adoption a required by law.

The Mayor took a moment to introduce the Council, Administrator, Attorney and Clerk to student Kasandra Levetz and briefly described the various municipal departments and their functions.

04-06 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris and State of New Jersey, Authorizing Criminal History Background Checks of Employees and Volunteers Involved with Borough of Mount Arlington Programs or Services for Minors.

The Mayor opened the Hearing to the Public on Ordinance #04-06 and read the Ordinance by title.

Mayor Closed the Hearing to the Public.

Councilwoman Mulligan stated, I move for adoption and final passage of Ordinance #04-06.

Second: Councilman Sorge.

JoAnne Sender stated that for at least six years, every employee has had a background check; the Mayor stated that these checks are absolutely essential to protect our children. This ordinance will be retroactive to all volunteers

currently on board and will now include fingerprints. JoAnne Sendler asked the Clerk to send a memorandum to Joseph Newkirk, Recreation Committee, regarding compliance with this ordinance (the Borough will absorb the fee).
 Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll.
 The Mayor declared that Ordinance #04-06 is passed on second reading and directed the Clerk to publish the notice of adoption a required by law.

15. Motions:

1. Civic Center Rental – Permission to Waive Fee and/or Security Deposit:

- Councilwoman Kerri Ann Mulligan for Preparation for the Bike Tour on April 22, 2006, from 3:00 p.m. to 8:00 p.m.

Motion to Approve: Council President Driscoll.

Second: Councilman Sorge.

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

Motion Approved.

2. Raffle License Application:

- Application for a Raffle License: RA:06-03, Rotary Club of Lake Hopatcong, for a 50/50 Raffle on May 16, 2006 at The Arlington, Mount Arlington, NJ, from 7:00 p.m. to 9:00 p.m.

Motion to Approve: Councilman Doran.

Second: Councilman Sorge.

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

Motion Approved.

3. Vendors Permit

- Walter J. Slater, Schwan's Food Company, for a permit to solicit new customers for his frozen food delivery service. (Health license already issued) (Tabled from February 13, 2006 Council meeting.)

Nancy Gage stated that voting on this motion ensures that our guidelines are followed; we have an ordinance in place that places restrictions on solicitation and extends as far as we can the first amendment of the constitution in limiting solicitation in the town. The Borough, as a unit of government, is bound by the constitution to not limit people's constitutional rights; we can regulate them and require permits but we cannot deny. The Mayor stated that he does not feel we should turn this application down unless we have complaints; the Clerk stated that Council approved this permit last year and since that time, she has not received any negative feedback.

Motion to Approve: Councilman Sorge.

Second: Council President Driscoll.

Roll Call: Mulligan - No, Doran - Yes, Sorge - No, Cerasoli – Not Voting/Abstain, Council President Driscoll – Yes, Mayor Ondish – Yes.

Motion Approved.

Councilwoman Cerasoli stated that it is nothing against Mr. Slater, it is the principle of going door-to-door. JoAnne Sendler stated that we could comprise a no solicitation list; we can send a mailing with the tax bills for residents to sign up. Nancy Gage will prepare a no solicitation list ordinance and will assist the Clerk in preparing the form for residents to complete.

16. Mayor's Report

- Two weeks ago the Mayor attended an EPA Conference with the Lake Hopatcong Commission in Albuquerque, which targeted watersheds.
- The Mayor would like to assist the PTA and Board of Education, as requested by Eric Stone earlier in the meeting.
- The Mayor stated that his new job is going well and affords greater flexibility to attend to business and meetings at Borough Hall.

- The Mayor stated that the Employee Appreciation Dinner will be held on June 8, 2006 at 5:00 p.m., at the Lake Hopatcong Yacht Club; this is the fourth year for this event. The Mayor has decided to announce employee anniversaries at Council Meetings and distribute awards at the annual dinner.

17. Borough Administrator's Report

- JoAnne Sendler stated that she spoke with Daren Phil and Dave Leo today regarding the blinking light in front of the Firehouse; they are still looking into something solar powered but stated the price \$60,000 for the light, which is one-cent on the tax bill. The Mayor stated that the blinking light is a safety issue and we cannot put dollars on safety. Councilman Sorge offered to spear head this issue and will report back to Council.

- JoAnne Sendler stated that she received a letter from Chief Peterson regarding clothing allowances for Peterson, Licata and the two detectives, DiStasio and Wargo. They are requesting that we simply pay them twice a year on their submitted clothing receipts instead of ordering through a vendor, since they wear streetclothes. Ms. Sendler stated that this was not problematic and they will be getting a lot more clothing with the same clothing allowance amount. The Finance Office had no objection but Ms. Sendler asked for Council approval. For the year 2006, the allowance is \$600 per year, 2007 it is \$625 and for 2008 it is \$650. Council approved this request.

- The Mayor read a letter from Councilwoman Mulligan, dated February 27, 2006, into the record; it was a letter indicating the resignation of Councilwoman Mulligan as Chairperson of the Mount Arlington Events Committee, effective June 30, 2006. The Mayor accepted the resignation and expressed his gratitude for her past efforts.

- JoAnne Sendler reminded the Mayor to appoint the Library Opening Day Committee because it was going to be under the Events line. The Mayor appointed Councilwoman Cerasoli and Mary Johanna LoPonte to the Library Dedication Committee:

Motion to Accept the Appointments: Councilwoman Mulligan.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

Ms. Sendler also requested Council permission to rearrange some of the Events dollars, so we have money to put in the Library Dedication line without increasing the budget; the Library budget is not involved with this because it is a Borough building. Councilwoman Cerasoli stated that the events that the Library plans will be from separate funding.

Motion to Move Money to Fund the Library Dedication Event (\$2,000):
Councilwoman Mulligan.

Second: Council President Driscoll.

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

Motion Approved.

- The Mayor stated that the Borough is a member of the Raritan Highlands Compact; Council President Driscoll, JoAnne Sendler and the Mayor occasionally attend meetings. The Mayor invited Council members to attend these meetings as it is an opportunity to meet people and expand our knowledge of what is going on in the different areas of the county.

- Councilman Sorge stated that the Veteran's Committee has received approximately 78 responses to their 200+ mailed letters; the next step will be sending invitations to the Veteran's Day event.

- The Mayor stated that #9 in the Communications Packet of February 24, 2006, was an invitation from the county to the Mayor and Council to attend the Saint Patrick's Day Parade on Saturday, March 11, 2006. Council President Driscoll stated that if our Fire Department wanted to participate in the parade, they would have to contact the County Parade Committee in advance to sign up.

11. Executive Session

2006-50 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 Take a Ten-Minute Break, Followed by Executive Session:
 Council President Driscoll.
 Second: Councilman Sorge.
 All in Favor – Aye; None Opposed.
 Motion Approved.

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

*Added Resolution:

2006-55 Resolution of the Mayor and Council of the Borough of Mouton Arlington, County of Morris, State of New jersey, Increasing Compensation and Duties for Land Use Board Secretary Carolyn Rinaldi.

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

Motion to Approve Spending Up to \$5,000 for a Water Rate Study:
 Councilwoman Cerasoli.
 Second: Councilman Sorge.
 Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll.
 Motion Approved.

18. Adjourn

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

Linda DeSantis, RMC
 Borough Clerk

Minutes Approved at Council Meeting of March 27, 2006.

Boro of Mt. Arlington
Finance Office

Treasurer's Report

January 2006

Current Balance 12-05	206,253.00
Current Receipts 1-06	3,545,203.46
Disbursements 1-06	2,444,451.46
Total Available	1,307,005.00

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

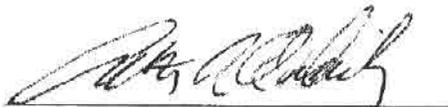
WHEREAS, the Borough of Mount Arlington has provided significant leadership in the area of community involvement in the education of our youth, grounded in the principle that educational investment is key to the community's well-being and long-term quality of life; and

WHEREAS, *NEA's Read Across America*, a national celebration of reading, will be conducted on March 2, 2006, which would have been the 102nd 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, Saturn-UAW, 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, 2006.

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 27, 2006

Borough of Mount Arlington



*Events Committee
419 Howard Blvd.
Mount Arlington, New Jersey 07856*

February 27, 2006

Dear Mayor:

This letter is to inform you that effective June 30th, 2006, it is my decision to resign from my position as Mount Arlington Events Chairperson partially due to the fact that I am ~~pursing~~ pursuing new opportunities.

pursuing

I will coordinate and work all events up to June 30th.

I am grateful for the opportunity of this appointment for the past five⁺ years and it was my honor and pleasure to have served the community in this capacity.

I will assist in any way I can to help find a suitable replacement to ensure these very special events continue on in our community.

Sincerely,

A handwritten signature in cursive script that reads "KerriAnn Mulligan".

Councilwoman KerriAnn Mulligan
Mount Arlington

Cc: Councilmembers
J. Sandler
L. DeSantis
T. Smith
D. Gardner
S. Levitt
Chief Peterson
Chief Perrillo
Diane Post
Paul Nelson