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**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MARCH 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 pray for their safe return.

4. Roll Call

Councilman Driscoll, Councilman Sorge, Councilman Sadow, Council President Galate, Councilman Windish, Councilman Doran, Mayor Ondish. Mitchell Jacobs and Thomas Segreto, Borough Attorneys, and JoAnne Sandler, Borough Administrator, were also present.

Motion to Move Agenda Item #16 Mayor's Report to This Point in the Meeting: Councilman Windish.

Second: Councilman Doran.

All in Favor – Aye; None Opposed.

Motion Approved.

16. Mayor's Report

The Mayor read his report into the record.

5. Presentations/Mayor's Appointments

None.

6. Utility Receipt Report for the Month of January, 2010.

The Clerk read the Utility Receipt Report for January, 2010 into the record.

Grand Total: \$185,272.09.

Tax Collector's Report for the Month of January, 2010.

The Clerk read the Tax Collectors Report for January, 2010 into the record.

Total Receipts: \$929,191.05.

7. Finance Report for the Month of January, 2010.

The Clerk read the Finance Report for January, 2010 into the record.

Ending Balance: \$8,835,201.60.

8. Open to Public

The Mayor stated that when certain area sidewalks were installed, the Borough adopted an ordinance specifying that maintenance, shoveling, and upkeep would be the responsibility of the Borough due to the actual location of the sidewalks. In an attempt to keep costs down, the Borough utilized our DPW to perform the upkeep. The Borough Attorney stated at that time that the Borough was at risk maintaining sidewalks on property-owners land. Council then amended the ordinance to the original verbiage that any sidewalk on your property must be maintained by the property-owner and letters were sent to homeowners in these affected areas.

William Kosch, 526 Henmar Drive:

- Mr. Kosch publicly commended the DPW for their snow removal efforts during the storm.

- Mr. Kosch questioned the signs on the school bus stop shelters. The Mayor stated he thought they were grandfathered but if not, they would have to conform to the sign ordinance. Mr. Kosch will speak with Joe Weaver.

Tom D'Amato, 16 Richard Drive West:

- Mr. D'Amato stated that in regard to snow shoveling on Windermere, he agrees that it is a safety concern but there is no access from the back of his property to the sidewalk area.

Veronica Silkes, Succasunna Road:

- Ms. Silkes questioned the recent GovDeals auction. The Borough Administrator stated one purchaser decided not to take the truck and the Borough will re-advertise, selling it for parts.

- Ms. Silkes asked the Mayor if he would defer his \$1,500 cell phone allowance; the Mayor said no.

- Ms. Silkes stated NJ Transit Services might be cut and asked if this would affect the grant for sidewalks. The Mayor replied the Borough did not get the grant but are continuing discussions with DOT.

- Ms. Silkes asked about the possible grant for the old police building. The Borough Administrator stated the County grant vote is next week and the Council and Building Committee will discuss their plans for that building.

- Ms. Silkes questioned the use of the electronic signs in regard to Council meetings. The Mayor indicated the signs are only utilized to announce special, emergency or budget meetings.

Mike Valenti, 33 South Bertrand Road:

- Mr. Valenti was concerned because the town plowed snow into his driveway; one DPW driver helped him get one of his cars out. The Mayor stated with the amount of snow, DPW has to move the snow for emergency vehicles but he will speak with Paul Nelson.

- Mr. Valenti asked when the streetlight would be replaced on Bertrand Island Road; the Mayor has advised JCP&L with the pole number.

Ms. Amber Appleberg and her father, Mr. Herb Appleberg, 8 Richard Drive West:

- Ms. Appleberg spoke on behalf of her father regarding the sidewalk shoveling issue and stated it seemed unfair that they should maintain something that is not their property. Council President Galate stated it was a risk for the Borough to maintain the sidewalks that did not belong to us; this was a legal decision more than anything. The Borough Administrator will research the property lines/boundaries from Richard Drive to Windermere.

Cornelia and Georgette Chandler, 10 Richard Drive West:

- Ms. Chandler stated the sidewalk snow shoveling is a liability for the residents to have to shovel that area of sidewalk, and indicated that residents on the other side of Windermere pile their snow on the sidewalks as well. The Mayor stated we will look into the property lines; town maintains only the municipal sidewalks, municipal buildings, etc. Last year, it cost the Borough over \$2,200 to do those sidewalks after just one storm, but primary reason is liability, the cost factor was secondary.

Daniel Taran, 20 Richard Drive West:

- Mr. Taran stated that when he purchased his house, the end of his property was tagged at least 20 feet away from Windemere Avenue. The Mayor reiterated that we will look into this.

Paula Danchuk, 50 Elizabeth Way:

- Ms. Danchuk stated the week of March 14 – 20, 2010 is National Sunshine Week.

Nancy Absalom, 15 Oak Street:

- Ms. Absalom spoke about the sidewalk shoveling issue and suggested the residents hire someone to help them.

- Ms. Absalom asked about school funding. The Mayor stated he is on a committee of the NJLOM where they are focusing on taking the school funding out of property taxes and looking at another way of funding the schools, possibly through federal or state government, sales tax, income tax, or something to that effect.

- Ms. Absalom asked about rescinding Resolution 2010-25 regarding the Master Plan RFP. The Mayor stated Council will discuss this further; the resolution will not be cancelled, just postponed.

- Ms. Absalom suggested the electronic signs be used to post Council Meetings. The Mayor stated the signs require DPW to do the programming at each sign, one at a time, and all meeting notices are published. The Mayor stated there will be a new sign in front of the municipal building which will be programmed by a computer, costing less time and energy.

Frank Hughes, 436 Howard Boulevard:

- Mr. Hughes voiced concern about the Lake Commission equipment being left out in the rain and snow. The Mayor indicated the building to house the equipment is not big enough and has to be remodeled for the large harvesters.
- Mr. Hughes said he would like to see the yellow County building at Lee's Park taken down, along with the old police station. The Mayor stated the old police building is being discussed by the Buildings and Grounds Committee.

Sheila Studint, 88 Ridgeview Lane:

- Ms. Studint suggested that while the DPW are using the back hoes for snow, they should also remove the high banks of snow on Ridgeview and Howard because drivers cannot see around them.

9. New Business

None.

10. Old Business

1. Council Comments.

- Councilman Driscoll stated he and Council President Galate attended the Boy Scouts Arrow of Light Awards dinner last week.
- Councilman Driscoll did not have the final figures from DPW but stated they are probably no longer under a budget for snow removal. The Mayor stated the Governor might be asking for emergency relief and will watch for any assistance.

- Councilman Sadow, Finance Committee: Councilman Sadow suggested the budget be introduced as soon as possible; new rules are coming from the Governor's Office. Once the budget is introduced, the Finance Committee will meet with the Citizens Advisory Committee.

- Council President Galate: The Council President missed the last school board meeting but mentioned Read Across America and an upcoming PTA Tricky Tray.
- Council President Galate stated that our Sustainable Jersey certification should be completed within six months and at that point, both the schools and the Borough will be open to more grants.

- Councilman Windish, Recreation: Councilman Windish stated they held the first Recreation Meeting and discussed processes, P.O. requests, action item lists, etc. Councilman Windish stated there are 2 regular member positions and 2 alternate member positions open. Councilman Windish spoke about the needed repairs at the volleyball and tennis courts, and the Easter Egg Hunt on March 27th, rain date of March 28th. Recreation will be in contact with the Borough regarding a new youth tennis and volleyball program.

- Councilman Doran, Police: Councilman Doran stated the most recent police monthly activities, including 685 incidents, 7900 miles and 33 charges were filed. Sergeant DiStasio and Sergeant Goode have been involved in the schools, the Cub Scout programs, and training that involves both our educators and law enforcement, learning how to recognize school violence, for example. The police are investigating thefts in the area of the Seasons Glen community and met with the Seniors Group of Seasons to discuss safety measures, etc.
- Councilman Doran read a letter into the record from Chief Peterson regarding the efforts of the DPW during the recent snowstorm.
- Councilman Doran stated that Officer Greg Shallop's baby Jake has been diagnosed with a serious illness and there are efforts town wide to offer assistance, including a beefsteak dinner. Councilman Doran urged anyone willing to issue a check to make payable to the FOP Lodge #78 and it will get to the family. Also, to donate blood, please contact Morristown Memorial Hospital directly as it will be credited directly to baby Jake.

2. Block Parties.

Attorney Segreto stated he is preparing a draft of the Block Party Ordinance. The Borough Administrator asked Attorney Segreto that the draft ordinance be sent to the Clerk to distribute to Council prior to introduction.

11. Approval of Minutes

February 2, 2010 Regular Meeting

The Clerk advised Council of a typographical error on Page Two and distributed the corrected page to Council prior to approval.

Motion to Approve with Corrections: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

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

Nay: None.

Motion Approved.

12. Resolutions

2010-32 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 March 2, 2010.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

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

Nay: None.

Motion Approved.

2010-33 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 (3/2/2010 version)

Motion to Approve: Councilman Sadow.

Second: Councilman Driscoll.

Roll Call:

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

Nay: None.

Motion Approved.

2010-34 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Transfer of Funds.

Motion to Approve: Councilman Sorge.

Second: Councilman Sadow.

Roll Call:

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

Nay: None.

Motion Approved.

2010-35 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Rescinding Resolution 2010-25.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Councilman Sadow requested the resolution 2010-25 be placed on hold rather than rescinded until we have a clearer understanding of the Master Plan update. The Borough Administrator stated Council decided that the March 16, 2010 Council Meeting will be an Open Public Forum regarding the Master Plan, allowing the public to discuss ideas and concerns regarding the Master Plan Update; the Land Use Board and Zoning Committee will also be invited. The Mayor also requested scheduling a Saturday morning Forum, again to give the public an opportunity to speak on this matter. The Mayor stated preparing the RFP is a professional service so we do not have to go out for public bid; we must have an ordinance regarding the Master Plan introduced no later than November, 2010.

Councilman Sorge withdrew his Motion.

Councilman Driscoll withdrew his Motion Second.

Motion to **Withdraw**: Councilman Doran.

Second: Councilman Windish.

Roll Call:

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

Nay: None.

Motion to Withdraw Approved.

Council discussed the second Open Public Forum will be held on March 27, 2010 at 9:00 a.m. – 11:00 a.m. The Borough Attorney stated their firm would prepare the RFP and since there were changes to the statute in 2004 regarding the Master Plan as it pertains to the Highlands Region municipalities, they will be mindful of same while preparing the RFP. The Clerk will distribute copies of the 2005 Re-Evaluation Report to Council and the website prior to the Forum on March 16, 2010.

***Added**

Resolution:

2010-37

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 (3/2/2010 version Additions)

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

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

Nay: None.

Motion Approved.

13. Ordinances – Introduction

None.

14. Ordinances – Second Reading

None.

15. Motions

1. Raffle License Application #RA:10-06 from the Rotary Club of Lake Hopatcong for a Raffle to be held on May 11, 2010 at the Elks Lodge, 201 Howard Boulevard, Mount Arlington.

Motion to Approve: Councilman Doran.

Second: Council President Galate.

Roll Call:

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

Nay: None.

Motion Approved.

17. Borough Administrator's Report

None.

18. Executive Session

2010-36

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 (Approval of Minutes, Property Matter) and Personnel (Protocol).

Action will be taken following Executive Session.

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

Second: Councilman Sadow.

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.

Motion to Approve the Executive Session Minutes of February 2, 2010
With Corrections and to Revise Resolution 2010-36 to Omit "Protocol" as
the issue was not discussed in Executive Session: Councilman Driscoll.
Second: Councilman Sorge.

Roll Call:

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

Nay: None.

Motion Approved.

The Borough Administrator distributed a memorandum to the Mayor and Council regarding Protocol (which has been reviewed by the Borough Attorney) and asked for any objections/opinions.

19. Adjourn

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



Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of April 6, 2010.

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 January 2010

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN JANUARY 2009</u>
<u>\$ 18,156.35</u>	<u>SOLID WASTE RECEIPTS</u>	<u>\$ 17,576.85</u>
<u>\$ 135,390.46</u>	<u>SEWER RECEIPTS</u>	<u>\$ 126,160.17</u>
<u>\$ 31,725.28</u>	<u>WATER RECEIPTS</u>	<u>\$ 33,548.81</u>
<u>\$ 185,272.09</u>	<u>GRAND TOTAL</u>	<u>\$ 177,285.83</u>
<u>\$ 0.00</u>	<u>(TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS</u>	
	<u>WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL)</u>	

Completed By Patricia E. Simari, CTC

cc: Mayor & Council
Carolyn
Monica
c:\trialbalanceutility

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for January 2010

Beginning Balance	9,491,206.29
Receipts	1,426,775.04
Disbursements	2,082,779.73
Ending Balance	8,835,201.60

Mayor report for 3/2/2010:

Since our meeting on Feb 2:

2/5/10- Attended Morris ELC and had a chance to meet and speak with Rich Bagger, Governor Christies Chief of Staff.

2/11/10- Our second meeting of the Lake Hopatcong Water Level Management Committee was postponed due to the weather. It was rescheduled for March 8.

2/16/10- Our Council meeting was cancelled. I did Chair our monthly Lake Hopatcong Commission meeting in Jefferson Twp. We still have not heard from the Christie administration about the future of the LHC. As of now our funds are being used up for minimal operations. Our equipment is sitting at the Franklin storage facility, most of it outside, covered with snow and deteriorating. It is a very bad situation since the equipment should have been begun being maintained months ago. With no funding to hire staff or to buy materials, when the weather breaks and the lake becomes active, it is going to be a mess. I have had reports from ice fisherman that even with the lake frozen and snow covered; the weeds are still growing and are up to the bottom of the ice. When the ice melts and the sun starts shining on the weeds we are going to experience a weed bloom and much of the lake will be unusable. I have spoken to my contact with the Governors office, with a lengthy conversation, twice to make him aware of our needs. I have spoken to Rich Bagger about the same. I reminded the Governor at Legislative day that we need to

speaking about this situation. I know he is very busy but this is going to be a major issue in the next couple of months. I have been told that Senators Orahon and Bucco are working to secure funding but it is going to be too late for this season. It will certainly be a challenge as to how we are going to deal with the lake this season.

2/17/10- Attended the Leagues Legislative Review Committee. JoAnne attended with me and she is now a member of the Committee. There is a lot of value to being a part of this committee, especially now with all of the change that is afoot.

Attended the Morris County League of Municipalities meeting at the Birchwood where I took the gavel as President for the next 2 years. We had a good meeting with Bill Dressel, the New Jersey League of Municipalities Executive Director, giving an update on what is going on in Trenton. Bill was followed by Jefferson Twp Tax Assessor Shawn who gave an interesting overview of a program he has enacted in Jefferson Twp to evaluate property and deal with tax appeals.

I am honored to be the President of the Morris County League and will do my best to have interesting meetings and provide information in a timely manner to all 39 municipalities in Morris County. This is a team effort and I have a great support staff. Dianne Ketchum, Morris County Clerk, as well as Susan Allard Deputy Clerk and Linda DeSantis will lend their support and I thank them all and look forward to a successful term of office.

2/23/10- Attended NJ State Jersey League of Municipalities Steering committee meeting about taking school funding out of property taxes

2/24/10- Attended Mayors legislative day in Trenton. Our regular Land Use Board meeting was cancelled due to lack of agenda items.

2/25/10-2/28/10- Went to Washington DC as a chaperone with Morris Knolls High School JSA group. Met Congressman Frelinghuysen at the Capital, Visited Mt. Vernon and Arlington National Cemetery. I also spent time with the students during their sessions. It was a great trip. We were fortunate to miss the snow storm.

I want to thank our DPW, led by Paul Nelson, for a great job handling the snow storm. Our roads were kept in great shape and passable during the entire storm. I received 0 complaints about the way the storm was handled. That is to be commended. I also want to thank our Police, Fire and Rescue for being ready and responding to calls during the storm.

3/1/10- Attended Sheriff Ed Rochfords St. Patricks day party at Zeris Inn. I had a great time and spent time with many friends.

3/2/10- Spent time today at Decker School reading to 2 kindergarten classes as part of Read Across America Day.

MOUNT ARLINGTON POLICE DEPARTMENT

520 Altenbrand Avenue
Mount Arlington, New Jersey 07856
Telephone: 973-398-2100
Facsimile: 973-398-6816
Emergency: 9-1-1

Administration
Chief Richard Peterson
Lieutenant Keith Licata

Supervisors
Sergeant William Lowry
Sergeant Edward LaBruno

Detective Bureau
Sergeant James DiStasio
Patrolman Reginald Goode

Tuesday, March 02, 2010

Councilman William Doran, Police Department Liaison
Borough of Mount Arlington
419 Howard Boulevard
Mount Arlington, New Jersey 07856

RE: Snow Storm of February 25 / 26, 2010

Councilmen Doran,

I wanted to take this time to recognize the efforts and actions of the Department of Public Works and in particular, Paul Nelson the DPW Supervisor, in dealing with the recent snow storm.

As everyone is aware, the snow storm of February 25th was most likely the biggest storm to hit this area in the last decade. The snow accumulation over a two day period approached the twenty inch mark in some areas. The snow drifts and snow banks exceeded the two foot mark. The snow fall accompanied by strong winds made visibility very difficult at times.

I personally witnessed Paul and his crew over an extended period of time as they addressed this storm. They remained professional, aware, and calm throughout this ordeal despite confronting what seemed to be fruitless efforts. Their endurance and persistence allowed the roadways within the Borough to remain accessible for emergency vehicles at all times.

I recognize and commend Paul Nelson for his leadership and direction he provided throughout the storm and to his crew for their never-ending efforts and considerations.

Thank you and please call if you have any questions.



Richard Peterson
Chief of Police

Cc: JoAnne Sendler, Borough Administrator
John Driscoll, DPW Liaison