

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MARCH 12, 2007**

1. Call to Order

- 2. Adequate notice** of this meeting of the Mayor and Borough Council of the Borough of Mount Arlington was given as required by the Open Public Meetings Act as follows: Notice was published in the Roxbury Register and the Daily Record on January 18, 2007; notice was posted on the bulletin board in the main hallway of the Municipal Building on January 8, 2007 and said notice is on file in the office of the Borough Clerk.

3. Flag Salute

The Mayor asked for a moment of silence to pray for our troops overseas and their safe return.

4. Roll Call

Councilwoman Mulligan, Councilman Doran, Councilman Sorge, Councilwoman Cerasoli, Council President Driscoll, Councilman Stone, Mayor Ondish. JoAnne Sandler, Borough Administrator, and Nancy Gage, Borough Attorney, were also present.

5. Presentations/Mayor's Appointments

1. Presentation to Honor Volunteer Firefighter Adam May.
Senator Anthony Bucco, Assemblyman Rick Merkt, Freeholder Doug Cabana and Mayor Ondish presented Adam May with resolutions and proclamations recognizing his act of bravery and heroism in rescuing his family from a house fire in January, 2007.
2. Fire Department Presentation of New Volunteer Members.
Mayor Ondish welcomed the new volunteer members and Fire Chief Tom Perillo presented the certificates to John Keane, Tom Mackin, Mike McColligan, Jim Miller and Beth Weibel.

6. Old Business

1. Shadow Woods Developer's Agreement.

Motion to Move to Executive Session: Councilwoman Mulligan.
Second: Councilman Sorge.
All in Favor – Aye; None Opposed.
Motion Approved.

2. Clerk's Follow-Up Report Memorandum, dated February 28, 2007.
 - Senator Bucco's fundraiser for the May Family; invitation to Seniors to attend free.
 - Follow-up list, noting further follow-up direction/status of any open items.

7. New Business

1. Mount Arlington Borough Code, Chapter 4, Administration of Government.
(Distributed at the Council Meeting.)
 - Possible introduction in April, 2007.
2. Annual Dog License Fee.
 - The state has now raised the maximum license fee to \$21.00; Clerk and Attorney will revisit the Borough ordinance.
3. Right of Entry – Bertrand Island Road.
 - Possible agreement with Roxbury to maintain the entrance to Bertrand Island Road.

8. Utility and Tax Collector's Report for the Month of February, 2007.

The Clerk read the Utility Report for the Month of February, 2007 into the record:

Grand Total: \$217,459.78.

The Clerk read the Tax Collector's Report for the Month of February, 2007 into the record:

Total Receipts: \$1,966,731.78.

9. Finance Report for the Month of February, 2007.

The Clerk read the Finance Report for the Month of February, 2007 into the record:

Total Available: \$179,379.00.

10. Approval of Minutes

February 12, 2007 Regular Meeting

Motion to Approve: Councilman Stone.

Second: Councilwoman Cerasoli.

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

Motion Approved.

February 26, 2007 Regular Meeting

Motion to Approve: Council President Driscoll.

Second: Councilman Doran.

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

Motion Approved.

11. Open to Public

Paula Danchuk, 50 Elizabeth Way:

- Developer's Agreement, Shadow Woods Development.

Brian Stanford, 84 Rogerene Way:

- Developer's Agreement, Shadow Woods Development.
- Orben Drive grant.
- Rogerene Way drainage and roadway improvements.

Robin Anderson, 54 Rogerene Way:

- Water for Rogerene area.
- Mailbox area on Rogerene Way.
- Rogerene Way drainage and roadway improvements.

Andrew Danchuk, 50 Elizabeth Way:

- Pio Costa property/possible open space in Rogerene area.
- County Open Space tax and application process.
- Request for public funding for preservation of open space for the water inflowing to Lake Rogerene.

Mike Anderson. 54 Rogerene Way:

- Possibility of municipal open space tax.
- Wellfleet Development/mine capping.

Motion to Move Executive Session to the End of the Meeting: Council President Driscoll.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

13. Resolutions

2007-40

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 March 12, 2007. (More detailed check register distributed at meeting.)

Motion to Approve: Council President Driscoll.

Second: Councilwoman Mulligan.

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

Motion Approved.

- 2007-41** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing Transfer Resolution.
(Distributed at the Council Meeting.)

Motion to Approve: Councilman Sorge.

Second: Councilman Stone.

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

Motion Approved.

- 2007-42** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Awarding Contract for Edgemere/Windermere Roadway and Utility Improvements.

Motion to Approve: Councilman Doran.

Second: Council President Driscoll.

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

Motion Approved.

- 2007-43** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing Promotion of Detective James DiStasio to Rank of Sergeant.

Motion to Approve: Councilwoman Cerasoli.

Second: Councilman Stone.

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

Motion Approved.

- 2007-44** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing The Execution of a Developer's Agreement with Seasons Associates, L.L.C., and Trailwoods Associates, L.L.C., for Shadow Woods Development.

Motion to Table to After the Executive Session: Councilwoman Mulligan.

Second: Councilman Doran.

All in Favor – Aye; None Opposed.

Motion Approved.

14. Ordinances – Introduction

- 04-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Article VII, Design Standards for Development, Chapter 17, Land Development, of the Code of the Borough of Mount Arlington To Amend Requirements Regarding Signs.

The Mayor read Ordinance 04-07 by Title.

Motion: Councilman Doran stated that Ordinance 04-07 be introduced by Title and passed on First Reading and that a meeting be held on April 9, 2007 at 7:00 p.m. at the Municipal Building, 419 Howard Boulevard, Mount Arlington, NJ, for a Public Hearing, consideration of Second Reading and Passage of said Ordinance, and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of law.

Second: Councilman Stone.

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

Motion Approved.

- 05-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 133, Property Maintenance, of the Code of the Borough of Mount Arlington, to Create a New Article VI, To Be Entitled, "Abandoned Mine Shafts and Excavations".

The Mayor read Ordinance 05-07 by Title.

Motion: Council President Driscoll stated that Ordinance 05-07 be introduced by Title and passed on First Reading and that a meeting be held on April 9, 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: Councilwoman Cerasoli.

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

- 06-07** Bond Ordinance Amending Section 4(d) of Bond Ordinance No. 01-05 Adopted March 1, 2005 By the Borough of Mount Arlington, in the County of Morris, New Jersey.

The Mayor read Ordinance 06-07 by Title.

Motion: Council President Driscoll stated that Ordinance 06-07 be introduced by Title and passed on First Reading and that a meeting be held on April 9, 2007 at 7:00 p.m. at the Municipal Building, 419 Howard Boulevard, Mount Arlington, NJ, for a Public Hearing, consideration of Second Reading and Passage of said Ordinance, and that the Clerk be directed to publish, post and make available said Ordinance in accordance with the requirements of law.

Second: Councilman Stone.

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

- 07-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Execution of an Amendment to Agreement for Potable Water Supply and Service By and Between the Borough of Mount Arlington and the Morris County Utilities Authority.

The Mayor read Ordinance 07-07 by Title.

Motion: Councilman Doran stated that Ordinance 07-07 be introduced by Title and passed on First Reading and that a meeting be held on April 9, 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: Councilwoman Mulligan.

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

15. Ordinances – Second Reading

- 02-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Amending Chapter 67-5 of the Borough Code, Titled Construction Fees.

The Mayor opened the Hearing to the Public on Ordinance #02-07 and read the Ordinance by title.

Councilman Stone stated, I move for adoption and final passage of Ordinance #02-07.

Second: Councilman Sorge.

Roll Call: Mulligan, Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
The Mayor declared that Ordinance #02-07 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 03-07** An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Prohibiting Low Speed Vehicles on Borough Roadways.

The Mayor opened the Hearing to the Public on Ordinance #03-07 and read the Ordinance by title.

Councilwoman Mulligan stated, I move for adoption and final passage of Ordinance #03-07.

Second: Councilwoman Cerasoli.

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

The Mayor declared that Ordinance #03-07 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

16. Motions

1. Raffle License Application:

1. Application for a Raffle License: RA:07-05, Rotary Club of Lake Hopatcong, for a 50/50 Raffle on May 15, 2007 at Lake Hopatcong Elks from 7:00 p.m. to 9:00 p.m.

Motion to Approve: Councilwoman Mulligan.

Second: Councilman Stone

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

Motion Approved.

2. Civic Center Application:

1. Cheryl Hersh, 4 Southard Road, for a birthday party on April 22, 2007 from 8:00 a.m. to 8:00 p.m.

Motion to Approve: Councilwoman Mulligan.

Second: Councilman Stone

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

Motion Approved.

17. Mayor's Report

- The Mayor discussed his activities since the March 12, 2007 Council Meeting:
 - Read Across America
 - Upcoming meeting with Governor Corzine regarding Lake Hopatcong
 - Pub 199
 - Parker/Circle/Southard

18. Borough Administrator's Report

- Lifeguards
- Budget
- Project Status Report
- Dial-A-Ride Committee Meeting
- Recycling Hours
- Council discussed the Communications packets dated March 2, 2007 and March 9, 2007.
 - Low Income Energy Assistance Program
 - Saint Clare's merger with Catholic Health Initiatives
 - Senator Bucco's letter regarding support of the Lake Hopatcong Commission
 - Bernd Hefeletter regarding Post Road (Roxbury Township)
- Virginia Derricks, 125 Ridgeview Lane:
 - Upcoming article in Ridgeview Review on Lake Hopatcong Commission

12. Executive Session

2007-39

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

Motion to Go Into Executive Session After a 5-Minute Break: Councilman Sorge.

Second: Councilman Stone.

All in Favor – Aye; None Opposed.

Motion Approved.

Motion to Return to Open Session: Councilwoman Mulligan.
 Second: Councilman Stone.
 All in Favor – Aye; None Opposed.
 Motion Approved.

- 2007-44** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing The Execution of a Developer's Agreement with Seasons Associates, L.L.C., and Trailwoods Associates, L.L.C., for Shadow Woods Development.

Motion to Approve with Amendments (clarification from Daren Phil that all permits from other government agencies are in place, compliance with all Borough ordinances, and confirmation that they will be clearing only what is necessary for the municipal utility easement, consistent with Land Use Board approvals):
 Councilwoman Cerasoli.
 Second: Councilman Sorge.
 Roll Call: Mulligan – with amendments, Doran – with amendments, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

***Added Resolution**

- 2007-45** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing The Execution of a Developer's Agreement with Valley Road Development, L.L.C.

Motion to Approve with Amendments (as noted for Resolution #2007-44):
 Councilman Sorge.
 Second: Councilman Doran.
 Roll Call: Mulligan – with the amendments, Doran, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- Discussion regarding Roxbury Cares non-profit volunteer organization

19. 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 26, 2007.

PROCLAMATION

IN HONOR OF

BOROUGH OF MOUNT ARLINGTON

VOLUNTEER FIREFIGHTER

ADAM MAY

WHEREAS, the Mayor and Borough Council wish to publicly express their gratitude to Volunteer Firefighter Adam May for his bravery and heroism in safely evacuating his family from their burning home during the early morning hours of January 26, 2007; and

WHEREAS, during these tense seconds, Volunteer Firefighter Adam May was able to awaken and safely escort the members of his family to safety; and

WHEREAS, Volunteer Firefighter Adam May placed his life at risk when flames engulfed his home while assisting family members to vacate the building; and

WHEREAS, if it were not for the training and split second response of Volunteer Firefighter Adam May, his family might not have been saved.

NOW, THEREFORE, BE IT PROCLAIMED, by the Mayor and Borough Council of the Borough of Mount Arlington that they wish to honor and recognize the bravery and heroism of Mount Arlington Volunteer Firefighter Adam May.

Arthur R. Ondish, Mayor

March 12, 2007

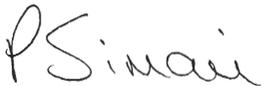
BOROUGH OF MT. ARLINGTON

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 February 2007

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NO.</u>
\$ 35,701.43	SOLID WASTE RECEIPTS	190-0353-097
\$ 119,091.32	SEWER RECEIPTS	190-0356-097
\$ 63,117.64	WATER RECEIPTS	190-0354-097
\$ 217,459.78	GRAND TOTAL	
\$ 284.00	(TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS	
\$ 0.00	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 February 2007

Dated March 2, 2007



Patricia E. Simari, CTC

Collections:

Current Taxes (5-01-17-001-001)	\$ <u>1,951,351.95</u>
<u>2006</u> Taxes (5-01-17-001-002)	\$ <u>14,379.17</u>
Future Taxes (5-01-17-001-004)	
Munic. Red. (5-01-17-004-001)	
Interest & Costs (501-08-112-000)	\$ <u>917.91</u>
Return Ck. Fee (5-01-16-500-021)	
Tax Searches (5-01-08-105-010)	\$ <u>10.00</u>
Duplicate Bills (5-01-16-500-021)	\$ <u>9.00</u>
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>48.75</u>
Tax Sale Costs (5-01-17-001-005)	
Tax Sale Premiums	
6% Delinq. Pen. (5-01-16-500-021)	
Tax Paid Certification	\$ <u>15.00</u>
Total Receipts	\$ <u>1,966,731.78</u>

Boro of Mt. Arlington
Finance Office

Finance Report

February 2007

Current Balance 1-07	401,353.00
Current Receipts 2-07	4,583,463.74
Disbursements 2-07	4,805,437.74
Total Available	179,379.00