

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MARCH 23, 2009**

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 Wednesday, December 31, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on December 31, 2008 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 overseas.

4. Roll Call

Councilman Driscoll, Councilman Sorge, Councilwoman Galate Goodman, Councilman Doran, Mayor Ondish. JoAnne Sendler, Borough Administrator, and Matthew Giacobbe, Borough Attorney, were also present. Councilman Sadow and Council President Cerasoli were absent.

5. Presentations/Mayor’s Appointments

1. Junior Girl Scout Troop #919 “Pride in Mount Arlington” Presentation.
The members of Girl Scout Troop #919 gave a brief presentation of what they loved about Mount Arlington and sang Mount Arlington Rocks.
2. Board of Education Budget Presentation.
Jane Jameson, Superintendent of Schools, Stuart Mason, Principal, and Mrs. Cummings, Coordinator of Special Services, were present to give an overview of the 2009-2010 proposed school budget. Ms. Jameson stated that the proposed budget shows an increase of approximately \$29.00 annually for the average homeowner and indicated that the school is taking \$100,000 out of surplus to fund this budget, leaving approximately \$166,000 in surplus. The Mayor commended the school for the impressive budget and indicated that this was good news for the residents. Ms. Jameson answered some questions from the public regarding the budget and also spoke, along with Councilwoman Galate Goodman, about working with the Borough on green initiatives projects.

6. Old Business

1. Recreation Volleyball Program.
The Borough Administrator distributed a flyer from Recreation, which announced a new volleyball program for children ages 7 – 14 to be held on summer evenings at the Municipal Beach. Council approved the new program and flyer to be distributed.

2. Mount Arlington Green Initiatives Committee.

Councilwoman Galate Goodman stated we need 100 points for the state green initiatives certification but since we are working so closely as a community, we have almost all the required points. The Committee has been pushing the use of lake friendly fertilizer and presented a flyer prepared by Frank Hughes for Council approval to be placed in the schools and businesses; the flyer should be edited and then distributed. Walmart and Home Depot have offered to contribute funding for flyers, banners or signs. Councilwoman Galate Goodman also announced Earth Hour, a worldwide event, to be held March 28, encouraging people to shut off non-essential electricity between 8:30 p.m. and 9:30 p.m. Councilwoman Galate Goodman stated that the green team would like to hold fundraisers and questioned how the funds should be handled. The Borough Administrator suggested Councilwoman Galate Goodman discuss her vision of the committee and donations, etc. with the Finance Committee; the Finance Committee will make a recommendation to the Council and, if need be, the Borough can set up a Trust Fund/Dedication by Rider.

7. **New Business**

None.

8. **Utility Receipt Report** for the Month of February, 2009.

The Clerk read the Utility Receipt Report for February, 2009 into the record.
Grand Total: \$242,271.20.

Tax Collector's Report for the Month of February, 2009.

The Clerk read the Tax Collectors Report for February, 2009 into the record.
Total Receipts: \$2,698,480.75.

9. **Finance Reports** for the Months of January and February, 2009.

The Clerk read the Finance Report for January, 2009 into the record.
Ending Balance: \$5,177,146.18.

The Clerk read the Finance Report for February, 2009 into the record.
Ending Balance: \$6,857,509.02.

10. **Open to Public**

Joanne Wiseberg, 87 Ridgeview Lane:

- Ms. Wiseberg stated that when the residents of Ridgeview take walks, they carry plastic bags and gloves to help pick up litter along Howard Boulevard and around Memorial Park. Ms. Wiseberg suggested putting this idea out to the public, "take a walk, carry a bag". Ms. Wiseberg stated she would like to see a greater recycling effort from local stores who do not have recycling requirements. Councilwoman Galate Goodman stated that the more funding we can get, the more pushing we can do. The Mayor suggested possibly scheduling a Mount Arlington Clean-Up Day, Adopt a Road, etc.

11. **Approval of Minutes**

February 23, 2009 Regular Meeting

Motion to Approve the Minutes: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Ayes: Driscoll, Sorge, Galate Goodman.

Nay: None.

Abstain: Doran.

Motion Approved.

March 9, 2009 Regular Meeting

Motion to Approve the Minutes: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman.

Nay: None.

Abstain: Doran.

Motion Approved.

Motion to Move the Executive Session to the End of the Meeting:

Councilman Sorge.

Second: Councilman Doran.

All in Favor – Aye; None Opposed.

Motion Approved.

13. Ordinances – Introduction

08-09 An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, To Exceed the Municipal Budget Appropriation Limits and to Establish a CAP Bank (N.J.S.A. 40A:4-45.14), Calendar Year 2009.

The Mayor read Ordinance 08-09 by Title.

Motion: Councilman Driscoll stated that Ordinance 08-09 be introduced by Title and passed on First Reading and that a meeting be held on April 27, 2009 at 6:00 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:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

*Added Resolution:

2009-68 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Making Application to the Local Finance Board for a Reduced Pension Contribution Pursuant to N.J.S.A. 43:15A-24(c) and N.J.S.A. 43:16A-15(9).

Bud Jones, Borough Auditor, was present and explained that this resolution enables the Borough to complete an application for the deferral of pension with the Division of Local Government Services; the process is to have everything to the State by March 26, 2009 for a hopeful April 8th Hearing on the pension deferral. The Borough Administrator questioned if we are denied the deferral, what happens to the extraordinary aid, which we won't get if we don't defer. The Mayor stated this application seems useless because the issue is really whether we are eligible for extraordinary aid or a budget cap waiver; this is just one more response we will have to wait for in order to proceed.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

Listed Resolution:

2009-59 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Introducing the 2009 Municipal Budget.

Motion to Approve: Councilman Sorge.

Second: Councilman Doran.

The Mayor stated that we are waiting for State numbers, waivers, etc. Bud Jones recommended that we approve the application for extraordinary aid at the next Council Meeting.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

The Mayor read the Resolution into the record, as required by law. Mr. Jones suggested holding the Public Hearing, even though we are still waiting, just to keep the public informed; again, we do not have the final numbers from the State and probably won't until August.

Motion Approved.

09-09 An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending Chapter 127 Entitled Peace and Good Order, of the Code of the Borough of Mount Arlington.

The Mayor read Ordinance 09-09 by Title.

Motion: Councilman Driscoll stated that Ordinance 09-09 be introduced by Title and passed on First Reading and that a meeting be held on April 27, 2009 at 6:00 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.

The Borough Attorney explained this is to update our ordinances to accommodate new laws that were passed regarding driving while intoxicated. The Borough Attorney stated that this ordinance ensures the penalties of driving while intoxicated are more severe and consistent within the state.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

10-09 An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Providing for the Municipal Consent of the Borough for United Water New Jersey Inc. to Provide Water Service to Block 61, Lots 42.01, 42.02 and 42.03; Block 72, Lots 1.01 and 1.02; Block 72.01, Lot 3; Block 82, Lots 1.01, 1.02, 1.03 and 1.04; Block 82.01, Lot 1; Block 83, Lots 9, 15.01 and 15.02; Block 83.01, Lot 1; Block 84, Lot 3; and Block 72, Lots 2 and 3, in the Borough of Mount Arlington and for the Laying of Pipes and the Installation of Other Utility Facilities as May Be Necessary.

The Mayor read Ordinance 10-09 by Title.

Motion: Councilman Driscoll stated that Ordinance 10-09 be introduced by Title and passed on First Reading and that a meeting be held on April 27, 2009 at 6:00 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 Doran.

The Borough Attorney noted that the ordinance is clearly marked that there may be a revision to include an easement, which cost would be borne by the developer; this is just a technicality that we are giving them permission to open the roadway should there be a need to replace or repair a pipe, etc.

Nat Yohalem, Attorney for United Water, Millville, Massachusetts, requested to speak: Mr. Yohalem was concerned about the Lot and Block numbers as it seems 2 Blocks were added; Mr. Yohalem actually had an original uncorrected version prior to finalization.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

14. Ordinances – Second Reading

05-09 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 135, Entitled Sewers and Chapter 175, Entitled Water, of the Code of the Borough of Mount Arlington.

***Non-substantive changes were made which legal counsel deemed non-substantial.**

The Mayor opened the Hearing to the Public on Ordinance #05-09 and read the Ordinance by title.

Councilman Sorge stated, I move for adoption and final passage of Ordinance #05-09.

Second: Councilman Doran.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

The Mayor declared that Ordinance #05-09 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

06-09 An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Concerning Regulation of Charitable Clothing Bins.

The Mayor opened the Hearing to the Public on Ordinance #06-09 and read the Ordinance by title.

Paula Danchuk, 50 Elizabeth Way: Ms. Danchuk asked if the Borough was planning to get clothing bins that enable the money to come back to the Borough, such as to the green team? Councilwoman Galate Goodman had researched this option but if someone sponsors the bin, nothing would come back to the Borough unless the Borough itself sponsored the bin.

Councilman Doran stated, I move for adoption and final passage of Ordinance #06-09.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

The Mayor declared that Ordinance #06-09 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

15. Resolutions

- 2009-60** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing Patrol Officer Joseph Farina as a Permanent Member of the Mount Arlington Police Department.

Motion to Approve: Councilman Sorge.

Second: Councilman Doran.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

- 2009-61** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Establishing Hours of Operation for Municipal Offices.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman.

Nay: Doran.

Motion Approved.

- 2009-62** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Temporary Budget.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

- 2009-63** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Designating the Borough Clerk as the Appropriate Municipal Agency for Purposes of Administering the Borough's Donation Clothing Bin Ordinance.

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

- 2009-64** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, In Support of Assembly Bill A-3570 Proposing the Abolition of the Council of Affordable Housing (COAH)

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Councilman Doran noted a typographical error which the Clerk will correct.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

- 2009-65** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Supporting Extinguishing All Non-Essential Lighting in All Borough Government Buildings, Public Schools and Public Landmarks for the Hour Between 8:30 P.M. and 9:30 P.M. on March 28, 2009, to Conserve Energy as Part of the Borough-Wide Climate Change Event of Earth Hour.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

The Earth Hour will be announced on the Borough website, the electronic sign and the school's are distributing flyers to the students.

- 2009-66** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Opposing Assembly Bill #A3772 and S2577.

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

***Added Resolution:**

- 2009-67** 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 Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Galate Goodman, Doran.

Nay: None.

Motion Approved.

16. Motions

None.

17. Mayor's Report

The Mayor read his report into the record.

18. Borough Administrator's Report

Topics to be discussed in Executive Session.

12. Executive Session

2009-58 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: Negotiations of the Police Contract, Sale of Municipal Property, Shared Services – Construction Department. There will be action taken after the Executive Session.

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

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

The Mayor discussed some items in the Communications Packets:

March 20, 2009:

- #5: Invitation to Virginia Rooney's Birthday Celebration.
- #22: DOT Letter regarding a meeting regarding Municipal Aid, Bikeway, Centers of Place, Transit Village and Safe Streets to Transit Programs. Councilwoman Galate Goodman will try to attend the meeting in the Mayor's absence.
- #26: NJLM letter regarding Pension Deferral; the Governor has signed this Bill.
- #35: Invitation to NCO Induction Ceremony for Picatinny Arsenal; this is the first time the NCO Induction will be open to the public.

The Mayor also requested Paul Nelson obtain a letter from Morris County Emergency Management because we are the only municipality in the County completely up to date on all emergency management documentation, thanks to Paul Nelson, Chief Peterson and Daren Phil.

The Mayor publicly and officially appointed Veronica Silkes to the Citizens Budget Review Committee. The Clerk stated that all members of this committee will receive copies of the introduced budget in the mail.

19. Adjourn

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

Linda DeSantis, RMC
 Borough Clerk

Minutes Approved at Council Meeting on April 27, 2009.

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 2009

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>ACCOUNT NO.</u>
\$ 36,179.34	SOLID WASTE RECEIPTS	190-0353-097
\$ 139,497.67	SEWER RECEIPTS	190-0356-097
\$ 66,594.19	WATER RECEIPTS	190-0354-097
\$ 242,271.20	GRAND TOTAL	
\$ 0.00	(TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS	
	WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL)	
\$ 20.00	RETURN CHECK FEE (SEWER)	

Completed By 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 2009

Dated March 12, 2009

Completed By Patricia E. Simari, CTC

Collections:

Current Taxes (8-01-17-001-001)	\$ 2,652,688.48
<u>2008</u> Taxes (8-01-17-001-002)	\$ 36,874.96
_____ Taxes (Collected at Tax Sale)	
Future Taxes (8-01-17-001-004)	
Municipal Redemption (8-01-17-004-001)	
Interest & Costs (8-01-08-112-000)	\$ 3,157.28
Interest & Costs (Collected at Tax Sale)	
Return Ck. Fee (8-01-16-500-021)	
Tax Searches (8-01-08-105-010)	
Duplicate Bills (8-01-16-500-021)	\$ 51.00
3 rd Party Red./Subs (8-01-17-004-002)	\$ 5,094.91
3 rd Party Red. Int./Fees (8-01-17-004-003)	\$ 575.87
Misc. Copies (8-01-16-500-021)	\$ 23.25
Tax Sale Costs (8-01-17-001-005)	
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums	
6% Delinquent Penalty (8-01-16-500-021)	
Tax Paid Certification	\$ 15.00
Total Receipts	\$ 2,698,480.75

Boro of Mt. Arlington
Finance Office

Finance Report

January 2009

Beginning Balance	5,370,475.35
Receipts 01-09	1,616,280.92
Disbursements 01-09	1,809,610.09
Ending Balance	5,177,146.18

Finance Report

February 2009

Beginning Balance	5,177,146.18
Receipts 02-09	3,663,325.17
Disbursements 02-09	1,982.962.33
Ending Balance	6,857,509.02

Mayor report for 3/23/09

Since our 3/9/09 meeting:

3/10/09- Attended a Sustainable Jersey informational meeting in Hopatcong.

3/10/09- Presented in Morristown to the CDRS committee for our grant.

3/13/09- Attended a meeting of the Executive Board of the Mayors Committee for a Green Future in New Brunswick.

3/16/09- Attended a meeting at the State Police Regional Operations Center in W. Trenton to discuss emergency management procedures.

3/16/09- Chaired regular meeting of the Lake Hopatcong Commission

3/18/09- Attended the Market Street Missions 120 year anniversary lunch in Morristown. May God Bless the mission for all of their good work and I wish them well into the future.

3/18/09- Attended the Annual Morris County Economic Development Summit in Denville.

3/23/09- Daren and I attended the Morris County Planning and Development meeting at the Morris County Library to discuss Waste Water Management Planning. I would like to take a moment to commend Daren for his good work in keeping Mount Arlington on top of the list for towns participating. Thanks for Darens advice, and myself and the Councils decision many years ago, to get all of our information in digital format. Because of this

we are ahead of the other Morris County towns in getting our wastewater management plans to the County. These plans are accurate and precise.