

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING WORKSESSION MINUTES
MARCH 24, 2008**

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 Thursday, March 20, 2008; notice was posted on the bulletin board in the main hallway of the Municipal Building on March 11, 2008 and has been available to the public; notice of this meeting is on file in the office of the Borough Clerk.

Formal action may be taken at Worksession Meetings.

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 pray for our troops overseas who are fighting for our freedom and safety.

4. Roll Call

Council President Driscoll, Councilwoman Galate Goodman, Councilwoman Mulligan, Councilwoman Cerasoli, Councilman Doran, Mayor Ondish. JoAnne Sendler, Borough Administrator, Mitchell Jacobs and Jacquelin Gioioso, Borough Attorneys, were also present. Councilman Sorge was not present.

5. Presentations

1. Administer Oath of Office to Joseph Farina, Mount Arlington Police Officer.
The Mayor administered the Oath of Office to Police Officer Joseph Farina.

Motion to Amend the Agenda to Go to “Open to Public”: Council President Driscoll.

Second: Councilman Doran.

All in Favor – Aye; None Opposed.

Motion Approved.

7. Open to Public

Dick Husni, 30 Mountainview Avenue:

- Mr. Husni stated that the trees planted in the Fall died in Spring. Councilwoman Galate Goodman will follow up on this with DPW Supervisor Paul Nelson.
- Mr. Husni asked why the Council does not have to answer any questions from the public. The Mayor stated that the questions, which some are accusations, need technical answers that only our professionals can answer; he has invited the public to speak with the professionals.

Sharon McDonald, 5 Chestnut Street:

- Ms. McDonald asked about the municipal beach, stating that it is unclean, full of debris and the water is disgusting; the residents would use the beach more use if the water was cleaned. The Mayor said this is the last season before the lake goes down in the Fall at which time we will be doing major work at the dock. DPW and lifeguards are responsible for keeping the beach clean. Councilwoman Galate Goodman will speak with DPW Supervisor Paul Nelson and then contact Ms. McDonald. Ms. McDonald stated that she had community members willing clean up the beach before Memorial Day. Attorney Mitchell Jacobs stated there are liability issues involved in a volunteer clean-up but if the Borough forms a Beautification Committee, a group of volunteers can clean up the beach.

Scott Levitt, 137 Crestview Lane:

- On behalf of the Board of Trustees of Seasons Glen, Mr. Levitt presented the Boards annual donation to the Police Department and Fire Department; Chief Peterson, FOP President Joseph Wargo and Fire Chief Marc Feinberg were present to accept the donations.

Motion to Move the Executive Session to the End of the Meeting: Councilwoman Mulligan.

Second: Council President Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

8. Discussion Topics

Added Discussion:

- Jack Marchione, Tax Assessor, stated that with regard to the New Seasons tax appeal, filed in 2007, the assessment was possibly supportable in 2007 but unlikely to be supported in 2008. The Borough had offered settlement, which they accepted, to withdraw the 2007 appeal which would not be a refund by Mount Arlington but in exchange would reduce the assessment from approximately \$7.9 million to \$6.9 million; there was no refund in the 2007 year but their assessment was reduced in 2008.

1. Budget.

- Joe Kovalcik, CFO, and Carolyn Rinaldi were present. Mr. Kovalcik publicly thanked Ms. Rinaldi for all of her assistance. Mr. Kovalcik stated this year the Borough is facing a loss of state aid, pension costs will rise almost \$130,000 over last year, and debt service of \$470,000, totaling over \$600,000, and there are huge items inside this budget, such as the police line, insurance and utility costs. The Borough has options: a budget referendum where the public votes on this year's exceedingly high costs. If we lose the referendum, we lose everything and the State will not look at a waiver. A waiver is a temporary fix which will allow a meeting with the DLGS, Local Finance Board, with the Mayor, Administrator, CFO and some members of Council; DLGS will ask questions as to why we need to do a waiver. If we choose the waiver, it is one time, not a fix, and we are bound to resolve our problems by next year (possibly a two year window). Mr. Kovalcik stated that taxes are going up this year; we had low increases for the past three years, but we should have a 3 year plan. If the Borough is looking for a permanent fix, a referendum is way to go; if we can paint a one to two year picture and make changes to get back in line, the waiver would be the way. The State will be offering early retirement offers which eliminate the retirees' position but will allow one position out of every ten to be put back in.; if the retiree holds a statutory position, they might have to share with another town. If the Borough chooses a referendum it is on one issue, not the entire budget; it is non binding to us but the state will hold us responsible to that referendum. If it is approved, it becomes part of our budget forever; if defeated, we have to deduct that much money from the budget, but not necessarily that item. A referendum is permanently added to your tax base whereas a waiver gives us a two year phase in. The Borough will have to pass a resolution as to the referendum or waiver by mid-April.

2. Discussion on possible transfer of funds from Fire Department Prevention Day to Department Dinner.

- Councilwoman Mulligan stated that regarding the \$1,500 shortage, she spoke with the Fire Chief and President of Fire Department who asked if they could transfer \$1,500 from Fire Prevention Day to cover the cost of the shortage, only for this year; they felt it would not be the same not having everyone there but it may be a hardship on some employees to bring their spouse. If the cost of the new truck is over \$350,000, it would be in the Fire Department's budget and Chief Feinberg was agreeable to that. Chief Feinberg stated all additional equipment and tools have been added into the specifications for the fire truck. The cost for the dinner is \$75 per person, to be held at the Arlington, and they have to guarantee 100 people.

Motion to Have Mayor and Council and Borough Employees Cover Their Own Cost for the Fire Department Dinner: Councilman Doran.

Second: Council President Driscoll.

Roll Call: Council President Driscoll – No, Galate Goodman – Yes, Mulligan – Yes, Cerasoli – Yes, Doran – Yes.

Motion Approved.

3. Petty Cash.

- The Administrator spoke with the Borough Attorneys and CFO Joseph Kovalcik about Mr. Kovalcik approving all purchases; the price of doing a purchase order is about \$50 for the whole process. Kovalcik will be the administrator of petty cash and will approve all monies prior to the purchase, as has been the policy.

4. Website Additions.

- The Mayor stated one way to reduce OPRA requests, which are time consuming and costly to the Borough, is to place all resolutions, ordinances, the budget, bill lists, etc. on the website so residents have access; the documents will not contain signatures. The Borough Code can be placed on the site for a cost of \$3,500 and the company codifies and updates approximately every three months. Council President Driscoll will work with Tina Mayer regarding a larger site. The Clerk suggested placing indexes on the site for all resolutions and ordinances through 2007; the actual documents could be placed on beginning January 2008. The Borough Attorney suggested we look into the costs and necessary equipment. The Mayor stated that there is also a link that can be placed on the website to translate into other languages; the cost is \$160 but it would be a valuable option.

5. Sample Resolution Opposing the Governor's Budget Proposal.

- Council approved placing this resolution on the April 14, 2008 Agenda.

6. Sample Resolution Opposing State's Reduction in State Aid to Municipalities.

- Councilman Doran made some grammatical changes on the sample; Council approved placing this resolution on the April 14, 2008 Agenda.

7. Resolution Adopting Official Policy for Use of Borough Provided Cell Phones. **See Attachment.** (#2008-42, Tabled at March 10, 2008 Council Meeting.)

- Chief Peterson stated that his Department needs text messaging and picture phones; this will be further discussed at the April 14, 2008 meeting. Councilwoman Mulligan also submitted notes to the Clerk which will be included in the Communications packet.

8. Discussion on Dial-A-Ride Ordinance #03-08.

- The Administrator spoke with Rich Allocca who stated that the driver can help people to their doors; it is a continuance of his job duties.

9. Clerk's Follow-Up Memorandum dated March 20, 2008.

- The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items.

Added Resolution:

2008-58 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing the Receipt of Bids for the Purchase of a Fire Truck and Authorizing Amending the Agenda to Add Resolution 2008-58.

Motion to Approve: Councilwoman Mulligan.

Second: Councilman Doran.

Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.

Motion Approved.

9. Ordinances - Introduction

06-08 An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing the Connection of Two Dwelling Units at Howard Boulevard and Larson Road to the Borough's Sanitary Sewer System.

The Mayor read Ordinance 06-08 by Title.

Motion: Council President Driscoll stated that Ordinance 06-08 be introduced by Title and passed on First Reading and that a meeting be held on April 28, 2008 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.

Councilman Doran asked if there is a dwelling on a subdivided property, will they be eligible for sewers or have to install a septic. The State has superceded our local regulations because of the gallonage; the property would be deed restricted.

Second: Councilwoman Cerasoli.

Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
Motion Approved.

07-08 An Ordinance of the Mayor and Borough Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Authorizing a Certain Lease with John Silvestri for Rescue Squad Purposes.

The Mayor read Ordinance 07-08 by Title.

Motion: Councilman Doran stated that Ordinance 07-08 be introduced by Title and passed on First Reading and that a meeting be held on April 28, 2008 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: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
Motion Approved.

6. Executive Session

2008-57 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.

Motion to Go Into Executive Session: Councilwoman Mulligan.

Second: Council President Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

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

10. Adjourn

Motion to Adjourn: Councilwoman Cerasoli.
Second: Councilwoman Mulligan.
All in Favor – Aye; None Opposed.
Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of May 12, 2008.