

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING WORKSESSION MINUTES
APRIL 28, 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 remember our soldiers who are overseas and their families waiting for them; let’s pray for their speedy return.

4. Roll Call

Council President Driscoll, Councilwoman Galate Goodman, Councilwoman Mulligan, Councilwoman Cerasoli, Councilman Doran, Mayor Ondish. JoAnne Sandler, Borough Administrator, and Matthew Giacobbe, Borough Attorney, were also present. Councilman Sorge was out ill.

5. Open to Public

Debbie Hill, 352 Howard Boulevard:

- Ms. Hill referenced the recent news article regarding coffee for the municipal employees. Ms. Hill disagrees that the Mayor is quoted as saying he would pay for coffee out of his pocket when in actuality, the Borough is paying by purchase order. The Mayor explained that at that time, he was unsure of the Council’s decision and did not even know if they had heard about this issue. However, Council unanimously agreed that the Borough will pay, not the Mayor individually.

John Windish, 650 Succasunna Road:

- Mr. Windish stated he has the utmost respect for Council and they do a good job. The OPRA requests and other little items that are costing this Council an extraordinary amount of money is a disservice to the community and needs to be corrected. OPRA is not intended for a \$2.00 cup of coffee nor \$1.97 in petty cash; it is intended to honor the public’s right for access to information. Mr. Windish stated that this Council does not deserve this treatment; the Mayor stated that the residents don’t deserve to paying the amount of money these OPRA’s are costing the Borough.

Brian Kincaid, 16 Maple Lane:

- Mr. Kincaid expressed his thanks to Sharon McDonald, Council President Driscoll, Councilwoman Galate Goodman, Councilwoman Cerasoli, Margarett Wilson and all those who volunteered their time to clean up the Mount Arlington Beach. Ms. McDonald organized the weekend clean-up and she, along with her family, played an active, key role in this

volunteer effort. Mr. Kincaid also mentioned the run-off from the stream by Memorial Park to the Lake and how important it is to be cognizant of what we use on our lawns, etc. Councilwoman Cerasoli expressed thanks to the Fire Department; they participated in the clean-up by going into the water and doing the actual water clean-up and the DPW also took away a dump truck of debris from the lake.

Margarette Wilson, 536 Curtis Road:

- Ms. Wilson thanked Ms. McDonald for asking her to be a part of this project. Ms. Wilson has been a resident for nine years but prior, lived Rockaway Township where she participated in beautification projects for three years; this brought back memories and she stated that a person may live here but must be a part of the community as well.

6. Discussion Topics

1. Board of Education Budget.

Council President Driscoll stated that he, Councilwoman Galate Goodman and the Borough Attorney has an informal meeting today with Jane Jameson, Ralph Radisch, Tom Cryan, the Board President, and Board Attorney Vito Gagliarte. The discussion included big ticket items such as the status of the boiler, surplus (reserve), capital projects and the old telephone building. They would be discussing the budget with their full Board tomorrow evening before they come back to Council. Council President Driscoll suggested the Mayor appoint a formal committee to meet with the School Board. The Borough Attorney stated that whatever the cut is, if the Council recommends a cut, they strike a tax levy and adopt a resolution as to why that amount was cut; the School Board is not obligated to that particular item cut, just that amount of money; the tax levy must be struck by resolution no later than May 19.

Councilwoman Mulligan proposed that, since the next Council Meeting, May 12th, is in the morning for the school children to attend, she suggested Council hold another evening meeting regarding the Board of Education budget. The Borough Attorney would not be available May 12th in the evening.

At the suggestion of the Borough Attorney, the Mayor appointed a Council Committee to meet with the Board of Education:

Council President Driscoll
Councilwoman Galate Goodman
Councilwoman Mulligan

Motion to Hold a Council Meeting on the Evening of May 12, 2008 to Vote on the School Budget Recommendations: Councilman Doran.

Second: Councilwoman Mulligan.

The Council will hold their scheduled meeting on the morning of May 12th at 10:00 a.m.

All in Favor – Aye; None Opposed.

Motion Approved.

The Clerk was directed to advertise the Special Meeting Notice.

Councilwoman Galate Goodman stated when meeting with the Board of Education, both parties spoke about the restrictions in both budgets; she felt it is beneficial to work together to come up with a plan.

Councilman Doran asked about the fund balance already encumbered allowing only the \$250,000. Council President Driscoll spoke to the Board and said they already have \$529,000 and said they are not allowed to carry more than \$250,000; the rest of that was frontloaded back into the budget to reduce the tax levy. The Borough Attorney stated that under S1701, it was a 3% surplus cap but was reduced to 2% so the extra percent gets carried into next years budget as a way of reducing the tax levy. So, the \$529,000 minus the \$250,000 is their surplus; the rest of it was offset for tax dollars for this coming budget.

2. Sample Proclamation – April is Child Abuse Prevention Month.
Council agreed to place this Proclamation on the May 12, 2008 10:00 a.m. Agenda.
3. Sample Proclamation – June is Myasthenia Gravis Awareness Month.
Council agreed to place this Proclamation on the May 12, 2008 10:00 a.m. Agenda.
4. Discussion on Earth Day/Eliminating Styrofoam Cups.
Councilwoman Mulligan stated that the municipality should begin to make every effort to go green. The Administrator stated that we do not use styrofoam in the building, we use paper hot cups. Councilman Doran stated he would like to see this as a community wide issue. The Mayor serves on the NJLM Mayors Committee for a Green Future; they recently were introduced to a large company/contributor looking to give grants for municipalities willing to go green. There is a push for this throughout the State. The Committee puts together tool kits to assist Mayor's in going green and works with Rutgers. The Mayor stated that as we saw with the beach clean-up, if we ask people they will come out for the cause. The Mayor will report further and thanked Councilwoman Mulligan for this suggestion. The Mayor and Administrator have looked into natural cleaning solutions for the Borough through the Rutgers co-op and the Mayor has been working with Terry Smith to obtain information to change the street lights in town, using more efficient sodium vapor lighting. The Clerk was directed to inform all employees of using mugs.
5. Discussion with Al Thompson regarding Property Maintenance and Sign Ordinances.
Al Thompson discussed property maintenance issues:
 - The Council discussed mattress signs all over the Borough; Mr. Thompson went to the Marriott but could not obtain the mattress company name nor contact information. Mr. Thompson stated the signs go up the night before the sale but emphasized that elected officials and the Police Department, etc. have the right to pull them out; Councilman Doran suggested that the signs be brought to DPW. Mr. Thompson stated that grand opening signs, by permit, can be up for thirty days. If a permitted sign is affecting the line of sight, the Police Department can be notified to take it down. Councilwoman Cerasoli stated that we now have a Beautification Committee but there are some areas in town that are unsightly, some with building debris laying around for more than a year. Mr. Thompson stated that with construction permits, if you get an inspection every six months, the construction can go on indefinitely, which is part of the State UCC. Mr. Thompson will look into this regulation further. Mr. Thompson has addressed some unfinished construction properties but will start the process again, issue a warning, violation and then summons, which takes about 3-4 weeks to complete. Council also discussed 411 Howard Boulevard. The Borough Attorney suggested he review the Borough's Property Maintenance Code to possibly strengthen it. The Borough Attorney stated that with regard to the inside of a building, it should be referred to the Health Department; Councilwoman Cerasoli suggested to possibly refer it to the Fire Marshall. The Borough Attorney requested a list of problem areas, enforcement, and other issues from Mr. Thompson. Councilman Doran also mentioned the ongoing problem of litter. Mr. Thompson stated that the Borough can adopt an ordinance regarding litter on private property. Councilman Doran also mentioned the vacant lot in the center of town, known as the Fox and Kelly property; is there something we could do regarding the usage of a vacant lot. Mr. Thompson stated that if a lot has over 4 parking spaces, it needs Land Use Board approval. Mr. Thompson stated that he can site the owner and they can then put up a fence or sign "private property". If there are under 4 parking spaces, the Land Use Board cannot restrict it. The Mayor asked Mr. Thompson how he addresses the various issues in the Borough, priorities, etc. Mr. Thompson stated that Saturday's he tours the town along with doing Certificates of Habitability inspections; on Wednesday afternoons, he checks on warnings and violations he has issued and Monday evenings he meets with the public. Mr. Thompson feels the system has been working well but always welcomes input from Council. Councilwoman Mulligan asked about two properties on Mountainview; Mr. Thompson was in court with them last week and will be going back to court; Mr. Thompson will inspect again prior to court. Councilwoman Cerasoli asked if the Borough could clean up a property and put a lien on the property and Mr. Thompson said the Borough has the right to do that but suggests working with our attorney. Mr.

Thompson cited other problem areas on Southard, Howard, and Orben Drive. Councilman Doran mentioned the residents letters regarding the color of the fire hydrants on Howard Boulevard and asked if it they are the responsibility of our DPW or county. Mr. Thompson said we could paint them any color because they are our responsibility, not the county's. With regard to the mattress signs, Councilman Doran suggested someone go, accompanied with a police officer, to the hotel the day of the sale to find out who is placing signs; the hotel should be able to provide the vendor's information since they are renting the room.

6. Update on Lifeguards.
The Borough Administrator stated that presently we have one person to be hired at the next meeting and we do have a prospect for someone offering certification classes at the beach; further discussion will be in Executive Session.
7. Update on Budget.
The Borough Administrator stated that Bud Jones and Joe Kovalcik are planning to attend the May 27, 2008 Council Meeting to introduce the budget; if not, it will be at the June 9, 2008 Council Meeting. Council will have a full explanation of the budget in public.
8. Clerk's Follow-Up Memorandum dated April 23, 2008.
The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items.

The Clerk stated that the Elks had submitted an instant raffle application late Friday afternoon. The State fee is \$750 per year and the Borough fee can be that amount or less. The Clerk received a letter from the Elks today requesting the Borough waive the local fee, which the Council did in February 2003, as all their proceeds are donated to charity. Councilman Doran stated that the Elks were very cooperative in allowing the Seniors to hold their meetings at their facility twice a month, for a fee of only \$100 per month; they were very gracious. The Mayor stated that the Elks have always been good stewards of the community.

Motion to Waive the Local Instant Raffle Fee: Councilman Doran.
Second: Councilwoman Galate Goodman.
Roll Call: Council President Driscoll, Galate Goodman, Mulligan –
Abstain (member), Cerasoli, Doran.
Motion Approved.

Councilwoman Mulligan asked to speak about the Fire Department radios. The Mayor spoke with Mr. Shezner who is in charge of the Comm. Center and stated that there as to purchasing these radios by this year; the Comm. Center will let us know when we have to purchase these radios. They want to have portables for all officers and all trucks but it is not something we have to do right away; we will be looking into grant money as well. The Borough is in no danger as far as communications are concerned.

7. Resolutions

- 2008-75** 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 Howard Boulevard and Altenbrand Avenue Roadway Improvements.

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

- 2008-76** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing the Receipt of Bids. (Howard Boulevard and Altenbrand Avenue Roadway Improvements)
 Motion to Approve: Council President Driscoll.
 Second: Councilwoman Cerasoli.
 Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
 Motion Approved.
- 2008-77** 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 Fire Department Renovations/Alterations & the Mount Arlington Senior Center Renovations/Addition/Alterations.

 Motion to Approve: Councilman Doran.
 Second: Councilwoman Cerasoli.
 Councilman Doran stated that this was a joint bid with excessively high proposals; now will bid just the Fire Department Renovations/Alterations.
 Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
 Motion Approved.
- 2008-78** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing the Receipt of Bids. (Renovations to 409 Howard Boulevard - Fire Department Renovations)

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

8. Ordinances – Second Reading

- 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 opened the Hearing to the Public on Ordinance #06-08 and read the Ordinance by title.
 Council President Driscoll stated, I move for adoption and final passage of Ordinance #06-08.
 Second: Councilman Doran.
 Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
 The Mayor declared that Ordinance #06-08 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.
- 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 opened the Hearing to the Public on Ordinance #07-08 and read the Ordinance by title.
 Council President Driscoll stated, I move for adoption and final passage of Ordinance #07-08.
 Second: Councilman Doran.
 Roll Call: Council President Driscoll, Galate Goodman, Mulligan, Cerasoli, Doran.
 The Mayor declared that Ordinance #07-08 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

9. Executive Session

2008-79 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.

Topics for Discussion in Executive Session:

- Personnel Matters: Red Cross Certifications, Lisa Abline possible hire for beach, Borough employee cell phone policy.
- Borough cell phone policy is also seeking Attorney/Client Privilege Advice.

Motion to Go Into Executive Session After a Five-Minute Break: Council President Driscoll.

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

Motion to Return to Open Session: Council President Driscoll.

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

Motion to Consider Lisa Abline to Manage the Beach and Lifeguards for a Maximum of \$1,500.00: Councilman Doran.

Second: Councilwoman Cerasoli.
Roll Call: Council President Driscoll, Galate Goodman, Mulligan - No, Cerasoli, Doran.

10. Adjourn

Motion to Adjourn: Councilwoman Mulligan.

Second: Council President Driscoll.
All in Favor – Aye; None Opposed.
Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of May 12, 2008.