

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
MAY 26, 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 Daily Record on Friday, May 22, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on May 20, 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

Mayor Arthur Ondish led the flag salute. Mayor Ondish also asked for a moment of silence for our troops and armed forces serving over seas fighting for our freedom.

4. Roll Call

Driscoll, Sorge, Sadow, Galate Goodman, Council President Cerasoli, Doran, Mayor Ondish. JoAnne Sandler, Borough Administrator, and Mitchell Jacobs, Borough Attorney, were also present.

5. Presentations/Mayor's Appointments

Certificate of Appreciation Presented to Sandor Nyari by Mayor Ondish. Mayor Ondish stated that it was his honor to present a certificate of appreciation to Sandy Nyari who has been with the Borough of Mount Arlington as Construction Official for twenty-one years. Mayor Ondish read the Certificate of Appreciation into the record and a photograph was taken by Councilwoman Nita Galate Goodman. The Mayor, all Council and the Administrator thanked Sandy Nyari for his service to the Borough.

6. Old Business

1. Letter from Land Use Board Attorney Michael Selvaggi, received May 21, 2009, regarding the Sustainable Land Use Pledge (Borough Resolution 2009-103 below).
Mayor Ondish stated that there has been some confusion about the way the Resolution is written, so the Resolution will be tabled until the next meeting at which time the Land Use Board Attorney can be there in to discuss it with Mayor and Council. Mayor Ondish stated that the Council just needs a little more explanation, and that the Sustainable Jersey information can be confusing so it is a good thing to have it explained. Councilwoman Galate Goodman stated that these Sustainable New Jersey Resolutions are templates that can be retro-fitted for the needs of the Municipality. Councilwoman Galate Goodman expected Land Use Board Attorney, Michael Selvaggi to help retrofit the Sustainable Jersey template Resolution to fit the needs of this Municipality and the first draft was not what she hoped to communicate.

Borough Administrator, JoAnne Sendler, asked if there was a timeframe for the Resolution. Councilwoman Galate Goodman stated by June 5, 2009, if passed, she could have applied for a certification, but without it, she can do the next round which will be September.

Councilwoman Galate Goodman stated that she can meet again with Michael Selvaggi and he can give her his opinion, which might be like the letter. She asked if it would be easier, since so many Council members had so many varying opinions, if she could know these concerns and present them to Michael Selvaggi when she meets with him? Mayor Ondish stated that the Council will invite Land Use Board Attorney, Michael Selvaggi back to address questions regarding the Sustainable Jersey Resolution.

A question came up regarding the pledge by Councilman Driscoll. If the "template pledge" is altered by every municipality as they see fit, is it really a pledge? Mayor Ondish explained that it is the same pledge, the overall idea is the same, and that every municipality can alter the pledge to fit the municipality's needs.

2. Mount Arlington Green Initiatives Committee "MAGIC"

Councilwoman Galate Goodman talked about the Anti-Idling Flyer, Energy Day with the School Board. The next MAGIC meeting going to discuss having recycling of phones and computer recycling day. Discussion of a possible rain garden in town is on the agenda. Building the website page. Working toward certification of Sustainable New Jersey.

3. Council Committee Reports.

Councilman Driscoll – BOARD OF HEALTH LIAISON REPORT

Councilman Driscoll mentioned that at the last Council Meeting there was discussion of having Regular or Alternate members at the Board of Health Meetings to help form a quorum for meetings. Councilman Driscoll brought this up at the most recent Board of Health Meeting to the Sanitarian who felt expanding membership to a regular member would not help, but to have an alternate member would be better. Mayor Ondish discussed Councilman Driscoll becoming an Alternate for voting purposes, and that it would be helpful when there was no quorum to allow for the meeting to proceed. Councilman Driscoll explained that in Mount Olive Township, there is a member of Council who is appointed as a Regular Member on the Board of Health and they will give the Borough a copy of their Ordinance so the Borough can see how they are organized.

Councilwoman Galate Goodman – SCHOOLS LIAISON REPORT

Attended the Board of Education Meeting – Mentioned to Council to go on to the school website to support all sport teams.

Council President Cerasoli - DPW, BUILDINGS, GROUNDS & UTILITIES REPORT

Reviewing Department of Public Works Day to Day Operations Reports. The Department is getting ready for the summer, installing irrigation meters at Lakeshore Village and Ridgeview Developments.

Councilman William Doran - FIRE, RESCUE & OEM REPORT

Councilman Doran informed Mayor and Council that the Borough Fire and Rescue Apparatus are housed at the Department of Public Works Facility. The project at Lake Rogerene Firehouse of repairing the ceiling has been completed. The Rogerene Fire Truck has been moved back. Councilman Doran is working on getting the waivers for the

inoculations signed and getting them to the Board of Health Administrator. Councilman Sadow – Stated that the Fire Department members that have resisted getting the inoculations were educated about the facts of the inoculation itself, and the OSHA violation if they refused to get the inoculation, thus resulting in their dismissal.

Councilman Sadow - PARKS & RECREATION REPORT

Commended the Board of Recreation Commission for the very moving Memorial Day function they presented and for an outstanding job they did on the Memorial Day Parade. Councilman Sadow was going through the communications packet and came across a piece of literature about the H1N1 virus in Morris County. He wanted to put it on the Borough website for the residents for informational purposes. Felt it was well read and easy to understand.

7. New Business

None.

8. Finance Report for the Month of April, 2009.

The Assistant Clerk read the Finance Report for April, 2009 into the record.

Ending Balance: \$6,071,156.07.

9. Open to Public

None.

10. Approval of Minutes

April 27, 2009 Regular Meeting Minutes.

Motion to Table: Councilman Sorge.

Second: Councilman Doran.

All in Favor – Aye.

None Opposed.

Motion to Table Approved.

May 11, 2009 Regular Meeting and Budget Forum Minutes

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Corrections to minutes by Mayor Ondish: Last Page, Village Control Project, should say “Portion of” the project. Councilman Doran: Question regarding page 5, the number of employees the Borough has lost due to cuts. Borough Administrator confirmed that it is 17 employees.

Roll Call:

Ayes: Driscoll, Sorge, Galate Goodman, Council President Cerasoli, Doran

Sadow - Abstain

None Opposed.

Motion Approved.

Issue of Minutes by Councilman Sadow discussed at Citizen’s Budget Meetings: Tabling minutes, not providing them in a timely manner to the public. Also, to be placed on to Website so the Borough will not incur OPRA requests. Councilman Sadow posed the question if there was a way to get the council meeting minutes to the public in a timelier manner, perhaps the same week as the meeting? Discussion from Mayor and Council to get minutes transcribed as quickly as possible

from council meeting to public accessibility while keeping in mind staff and workload demands. Councilman Sadow mentioned seeking volunteers to help with the transcription of the minutes to assist the small staff to help produce the material the public.

Councilman Doran stated that minutes need to be approved at the next council meeting, and cannot be approved any sooner. Councilman Doran recognized the consolidation of responsibilities within the departments and did not see how minutes could be distributed the same week.

11. Resolutions

2009-101 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Rescinding Resolution #2009-100.

Motion to Approve: Councilman Doran.

Second: Councilman Driscoll.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran

None Opposed.

Motion Approved.

2009-102 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Exceed 5% of Previous Years Levy.

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran

None Opposed.

Motion Approved.

2009-103 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Endorsing the Sustainable Land Use Pledge.

Motion to Table: Councilman Doran.

Second: Councilman Sorge.

All in Favor – Aye.

None Opposed.

Motion to Table Approved.

2009-104 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing a Lifeguard for the 2009 Summer Season.

Motion to Approve: Councilman Sorge.

Second: Council President Cerasoli.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran

None Opposed.

Motion Approved.

12. Ordinances – Introduction

None.

13. Ordinances – Second Reading

11-09 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 A Shared Services Agreement with the Township of Jefferson to Share Construction Services.

The Mayor opened the Hearing to the Public on Ordinance #11-09 and read the Ordinance by title. The Mayor closed to the public.

Discussion by Councilman Sadow on the overall annual savings to the Borough on the Shared Services with the Township of Jefferson. Borough Administrator stated a savings of approximately \$25,000 with a plus side that the Borough will now have service from 8:00 am through 5:00 pm. Questions by Councilman Doran on who is the Shared Services Construction agreement, Technical Assistant personnel. Borough Administrator defined the answers as Suburban Consulting Engineers: Reyna Crayne.

Councilman Driscoll stated, I move for adoption and final passage of Ordinance #11-09.

Second: Councilwoman Galate.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran.

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #11-09 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

12-09 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 67-5 Entitled Construction Codes, Uniform, and Chapter A210 Entitled Fees in the Code of the Borough of Mount Arlington.

The Mayor opened the Hearing to the Public on Ordinance #12-09 and read the Ordinance by title. The Mayor closed to the public.

Councilman Driscoll stated, I move for adoption and final passage of Ordinance #12-09.

Second: Councilman Sorge.

Question by Councilman Sadow regarding if the fees were high enough?

Borough Administrator stated that the fees are higher than they were and are in conjunction with the agreement that was signed by the Borough and Jefferson.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran.

None Opposed.

Motion Approved.

The Mayor declared that Ordinance #12-09 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

14. Motions

None.

15. Mayor's Report

The Mayor read his report into the record. From Communication's Packet, 5/22/09, #19 Contribution to Honor Students – Mayor Ondish wanted to be sure that the Borough had that in the process of being sent out. Borough Administrator stated that it was already taken care of.

#23 in the same packet, Morris County League of Municipalities Meeting Announcement. Mayor Ondish wanted all Council members to let the Clerk know if they can make the meeting.

16. Borough Administrator's Report

The Borough Administrator will be Discussing Items in Executive Session.

17. Executive Session

2009-105 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: Police Contract, Tax Appeals, Council Procedures

Motion to Approve: Councilman Sorge

Second: Councilman Sadow.

Roll Call:

Ayes: Driscoll, Sorge, Sadow, Galate, Council President Cerasoli, Doran.

None Opposed.

Motion Approved.

Motion to Return to Open Session: Councilman Sorge

Second: Councilman Doran.

All in Favor – Aye.

None Opposed.

Motion Approved.

18. Adjourn

Motion to Adjourn: Councilman Sorge.

Second: Councilman Doran.

All in Favor – Aye.

None Opposed.

Motion Approved.

Tina Mayer
Assistant Borough Clerk

Minutes Approved at the Council Meeting of July 13, 2009.

**CERTIFICATE OF
APPRECIATION
AWARDED TO**

SANDOR NYARI

**CONSTRUCTION
OFFICIAL**

WHEREAS, the Mayor and Borough Council wish to publicly express their appreciation and gratitude to *Sandor Nyari* for his years of service and dedication as Borough of Mount Arlington Construction Official; and

WHEREAS, the Mayor and Borough Council also wish to commend *Sandor Nyari* for his professionalism and thoroughness in maintaining the responsibilities of the Construction Department for the Borough of Mount Arlington.

NOW, THEREFORE. BE IT KNOWN, that the Mayor and Borough Council of the Borough of Mount Arlington wish to honor, thank and recognize the efforts and dedication of *Sandor Nyari* as Construction Official of the Borough of Mount Arlington.

Arthur R. Ondish, Mayor
Borough of Mount Arlington

May 26, 2009



BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for April 2009

Beginning Balance	5,836,253.74
Receipts	1,654,279.09
Disbursements	1,419,376.76
Ending Balance	6,071,156.07

Mayor report for 5/26/09:

Since our meeting of 5/11/09

5/14/09- Attended an Emergency Management Seminar put on by the League of Municipalities at Mercer County Community College. Chief Peterson and DPW Super Paul Nelson participated as well.

5/15/09- I attended the wake for Roxbury Councilman Reilly's daughter. I want to express my deepest sympathy to Councilman Reilly and his family during this dark time in their lives.

5/17/09- Attended Sparta Mountain day representing Sustainable Jersey for the Mayors Committee for a Green Future.

5/18/09- Attended a meeting at the War Memorial in Trenton regarding stimulus funding. It was a real waste of time and basically a pep rally for Senators Menendez and Lautenberg and Governor Corzine. No new information was provided.

5/18/09- Regarding Lake Hopatcong, I took Senator Oroho and Assemblyman Chisano as well as representatives of from the DEP on a tour of Lake Hopatcong to show them the low water level. Immediately following the tour I chaired our regular monthly Lake Hopatcong Commission meeting. As you can imagine, the water level was the big focus. The LHC is doing everything within our power to help the lake but as I have repeated, we need rain to raise the lake level. The DEP reduced the flow out of the lake, once again to 4.2 mgpd from the 5.3 mgpd suggested daily level in order to help raise the lake level. This is very insignificant to the lake level because it is such a large lake. If the dam was closed completely, which will not

happen due to the released waters affect on the downstream habitat, the lake would only rise from 2-3 inches in a month's timeframe. One good rain storm can raise the lake by much more than that.

The next issue, once the lake level is back to normal is going to be the weed growth. The weeds are rapidly growing and are going to be the source of problems this summer. At the LHC meeting, our DEP Commissioner Baier suggested that we get some sort of shared service from the 6 entities around the lake and write a letter to DEP Commissioner Mauriello asking for some funding to harvest this summer. That is in the process of being put together at this time. It certainly won't be a perfect solution but it will help. Details will follow as it develops.

5/19/09- Attended our second Citizens Budget Review Committee meeting here at Boro Hall.

5/20/09- Represented Sustainable Jersey at Farleigh Dickinson University at a green event.

5/20/09- Attended the Mount Arlington Republican Clubs Roundtable meeting at the Arlington. Steve Lonagan, Rick Merckt, and Larry Casha as a surrogate for Chris Christie were present as well as the three Assembly Candidates for our district. They all had the opportunity to speak and it was good to hear their thoughts and ideas for the future of New Jersey. I think it was a great event and we had a good turnout.

5/21/09- Attended the US Green Building Councils Gala and was pleased to be called and recognized with Bill Dressel, the Exe Director of the NJ League of Municipalities and Maplewood Mayor Fred Profeda the Co Chair of the Mayors Committee for a Green Future who created Sustainable Jersey. Sustainable Jersey

was given the award for Innovation in Green Product or Services. It was quite an event with DEP Commissioner Mauriello and other dignitaries.

5/25/09- Our Memorial Day parade was a great success. The weather was great, the parade was great and the ceremony was appropriate and memorable. I want to thank all those who worked hard to make it all happen and to all those who participated. If I try and thank everyone individually I will inevitably leave someone out but I have to thank Carolyn Rinaldi and Kelly Turner for the large rolls they played in organizing the event.

Part of my message at the ceremony was to focus on helping our citizen soldiers. There has been a section added to our Borough website that explains how our residents can help. I would ask anyone that has some time to volunteer to check out the information on our website or contact me. There is much that can be done to help our citizen soldiers and their families during their time of enlistment and while they are deployed. They give so much for us, I would like to see us get together and help them.