

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
JULY 9, 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 for our troops serving overseas.

4. Roll Call

Councilwoman Mulligan, Councilman Sorge, Councilwoman Cerasoli, Council President Driscoll, Councilman Stone, Mayor Ondish, JoAnne Sendler, Borough Administrator, and Erik Hassing, Borough Attorney, were also present. Councilman Doran was on vacation.

5. Presentations/Mayor's Appointments

None.

6. Old Business

1. Clerk's Follow-Up Report Memorandum, dated June 27, 2007.
 - The Clerk discussed the items on the follow-up list, noting further follow-up direction/status of any open items.

7. New Business

1. Resolution regarding Children in the Workplace.
 - To be further discussed at the next Council meeting, listed under Old Business on the Agenda.
2. Land Use Ordinance.
 - Johanna LoPonte, Michael Selvaggi, Esq. and Daren Phil will be present at an upcoming meeting to further discuss the proposed ordinance amendments.

9. Approval of Minutes

June 11, 2007 Regular Meeting

Motion to Approve: Councilwoman Cerasoli.

Second: Councilman Stone.

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

Motion Approved.

10. Open to Public

Warren Stein, 25 Ridgeview Lane – President of Ridgeview Homeowners Association:
- Mr. Stein questioned the role of the Kara performance bond in regard to assistance in completing unfinished items; roads need to be paved, landscaping not completed, site never cleaned up from construction, sign not posted opposite the library, no barrier between Ridgeview Lane and Sunset, plus technical/engineering items. Kara has investors and funding and will begin to complete the unfinished items; there is no escrow money for the Borough engineer to get involved in any punch list items. The Mayor confirmed that nothing on the punch list is detrimental to anyone's health, safety or wellbeing, which issues have been addressed, such as aprons were installed, a safety fence was installed and they had

taken care of the fire hydrant issue. Attorney Erik Hassing discussed bankruptcy law pertaining to a performance bond.

George Finckenor, 51 Ridgeview Lane – Secretary of Ridgeview Homeowners Association:
 - Mr. Finckenor asked if the performance bonds are part of the total assets considered in a bankruptcy. Attorney Hassing said that he is not sure of the schedule of priorities in federal bankruptcy court but all bonds are part of the assets. The Mayor will send a letter to Ridgeview offering to attend one of the association meetings to address these issues with the residents.

Donald Hutchison, 16 Ridgeview Lane - Board Member, Ridgeview Homeowners Association:

- Mr. Hutchison asked about a time line for completion of the open items. The Mayor again stated that the Borough accepts and follows advice of counsel.

Dick Schumm, 55 Ridgeview Lane:

- Mr. Schumm stated that there are many problems and asked if someone comes in to remediate these issues, will the residents get what they were originally promised. The Mayor stated that the builder has to do due diligence from the original site plans.

Sandra Hartman, 370 Howard Boulevard:

- Ms. Hartman reported employee misconduct she observed at the DPW yard on June 23, 2007.

- Ms. Hartman inquired about the municipal beach and lifeguard situation; the Mayor explained that the beach is Green Acres and the implications/restrictions of receiving this funding.

- Ms. Hartman questioned the modest tax increase/new developments as stated in the Newsletter. The Mayor stressed that due to these developments, we have a new library and new police station.

- Ms. Hartman spoke about the lack of property maintenance and the health hazards created by her neighbor; Chief Peterson will again speak to Daren Phil with regard to the sight distance problem on Howard. The County has also been involved; this will again be brought to the attention of Al Thompson.

Andrew Danchuk, 50 Elizabeth Way:

- Mr. Danchuk responded to discussion during an April Council meeting regarding the percentage of Open Space in the Borough. Mr. Danchuk obtained a document from Walter Krich at the County that indicated 22% of the 31% of the Borough's Open Space is underwater in Lake Hopatcong. Mr. Danchuk submitted the map he received from the County, which had previously been distributed to Council by the Administrator.

11. Executive Session – 8:00 p.m.

2007-88 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: Councilman Sorge.

Second: Councilwoman Mulligan.

All in Favor – Aye; None Opposed.

Motion Approved.

Motion to Return to Open Session: Councilwoman Mulligan.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

12. Resolutions

2007-89 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 July 11, 2007.

Motion to Approve: Councilman Sorge.
 Second: Councilwoman Mulligan.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

2007-90 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Confirming Receipt and Review of the Annual Report of Audit for 2006.

Motion to Approve: Council President Driscoll.
 Second: Councilwoman Mulligan.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

2007-91 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Rejecting All Bids for the Municipal Building Exterior Improvements Project.

2007-92 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing The Receipt of Bids. (Municipal Building Exterior Improvements – second bidding)

**2007-91 &
 2007-92**

By Consent: Motion to Approve: Councilwoman Cerasoli.
 Second: Council President Driscoll.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

2007-93 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Execution of a Separation Agreement and General Release.

Motion to Approve: Councilman Sorge.
 Second: Council President Driscoll.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

2007-94 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Sale at Public Auction of Municipal Property No Longer Needed for Public Use.

Motion to Approve: Council President Driscoll.
 Second: Councilwoman Cerasoli.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-95** 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 2007 Summer Season.

Motion to Approve: Council President Driscoll.
 Second: Councilwoman Mulligan.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-96** Bond Resolution Providing for the Sale and Issuance of General Obligation Bonds of the Borough Not to Exceed \$7,145,000 Principal Amount of General Obligation General Improvement Bonds, Series 2007A and Determining the Form and Other Details of Such Bonds Authorized In and By the Borough of Mount Arlington, in the County of Morris, New Jersey.

Motion to Approve: Councilman Sorge.
 Second: Councilwoman Mulligan.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-97** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Submission of NJ Department of Law and Public Safety "Obey the Signs or Pay the Fines" Speed Enforcement Grant Application.

Motion to Approve: Councilwoman Cerasoli.
 Second: Councilwoman Mulligan.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-98** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Refund of Unexpended Escrow. (Conklin)

Motion to Approve: Councilwoman Mulligan.
 Second: Councilman Sorge.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-99** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Determine the Extended Grace Period Date for Third Quarter 2007 Tax Payments.

Motion to Approve: Council President Driscoll.
 Second: Councilman Stone.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll, Stone.
 Motion Approved.

- 2007-100** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Settlement Agreement Concerning Lawsuit.

Motion to Approve: Council President Driscoll.
 Second: Councilman Sorge.
 Roll Call: Mulligan, Sorge, Cerasoli, Council President Driscoll,
 Stone – No.
 Motion Approved.

Added Resolution

2007-101 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Promotion of Detective James DiStasio to Rank of Acting Sergeant.

Motion to Approve: Councilwoman Mulligan.

Second: Councilman Stone.

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

Motion Approved.

13. Ordinances – Introduction

None.

14. Ordinances – Second Reading

None.

15. Motions

None.

16. Mayor's Report

- The Mayor stated that there is a separate entity, Plainfield Investments, that is going to complete the punch list of unfinished items at Pennington and the 3 units at Ridgeview.
- The Mayor discussed items in two Communications packages:
 - June 29, 2007:
 - #1. Clean Energy Conference.
 - #3. NJ Natural Gas.
 - #12. NJDEP – 126 Orben Drive.
 - #13. Abbott-Burke Resolution; to be on August 13, 2007 Agenda.
 - #16. Notice of Violation - 439 Windemere Avenue.
 - #20. Letter from Horizons - Kara Performance Bond
 - #27. Letter regarding Roosevelt Way; Daren Phil to set up committee to speak with Roxbury about an easement.
 - #28. Mayor read letter from Ryan Kourtz into the record.
- July 6, 2007:
 - #5. Mayor read letter from Kimberly Bongiorno-Howard into the record.
 - #10. Raritan Highlands Compact Question and Answer Session with NJDEP.
- The Mayor, Daren Phil and JoAnne Sendler will be meeting with Adam Zellner from the DEP on July 24th.

17. Borough Administrator's Report

None.

18. Adjourn

Motion to Adjourn: Councilman Sorge.

Second: Councilwoman Mulligan.

All in Favor – Aye; None Opposed.

Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved at Council Meeting of August 13, 2007.

Thursday, June 28, 2007



Dear Mayor Ondish, Council Members and Administrator:

My name is Ryan Kourtz and I was the eighth grade President for the Mt. Arlington School. I am writing to thank you all for the generous gift that I received from you at my graduation. I will be putting the money towards a laptop to help me with my school work in High School.

Thank you again,

A handwritten signature in cursive script that reads "Ryan Kourtz".

Ryan Kourtz

Ms. Kimberly A. Bongiorno-Howard
5 Circle Drive
Mount Arlington, NJ 07856
973-663-1419



July 29, 2007

Honorable Arthur Ondish
Borough of Mount Arlington
419 Howard Boulevard
Mount Arlington, NJ 07856

Dear Mayor Ondish,

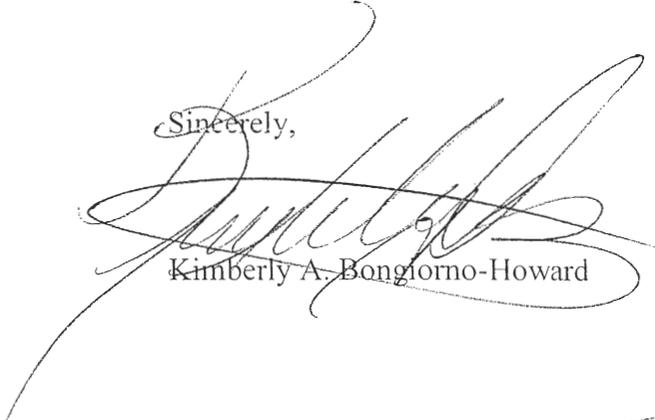
I wanted to take this opportunity to let you know what an excellent job Detective James Di Stasio did in investigating disturbances in the Circle Drive neighborhood and that it was deeply appreciated.

Detective Di Stasio quietly and professionally observed the situation. With kind and courteous demeanor he brought the situation to a peaceful and hopefully permanent conclusion.

Thanks to Detective Di Stasio and all of your officers for being there when needed. I am in their debt for their polite and friendly understanding. They deserve recognition for their skillful work.

Many thanks to the Police Department that serves us all.

Sincerely,



Kimberly A. Bongiorno-Howard

cc: Chief Richard Peterson
Detective James Di Stasio
JoAnne Sendler, Borough Administrator

M + C pkt
J. Sendler
Chief Peterson
7/3/07 **5.**