

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
NOVEMBER 10, 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.

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 soldiers and their families.

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

5. Presentations/Mayor's Appointments

2008-147 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Awarding Professional Services Contract for Special Bond Counsel.

Motion to Approve: Councilman Doran.

Second: Councilwoman Cerasoli.

Roll Call:

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

Motion Approved.

The Mayor stated that due to our bonding situation, we have retained Special Bond Counsel and introduced Special Bond Counsel John M. Cantalupo. Mr. Cantalupo addressed the \$7.1 million financed through bonds by the end of 2007. Mr. Cantalupo stated that the Borough can cancel some of the projects if the money has not been spent. The Borough can use bond proceeds to pay down debt; if money has been allocated for a project and the project is not done, the money be used to pay down debt and if the project was never started, the Borough can cancel the project and either take the money and put towards another project or use the money to pay down the debt service. The tax code does not allow you to fund current operations. Council approved Mr. Cantalupo speak with our auditor and CFO. Mr. Cantalupo stated that the Borough did the right thing by getting the tax base up this year; we increased the levy and did not use any bond proceeds to pay down the debt. Mr. Cantalupo advised Council to use the bond money for projects in 2009 or to pay off the debt service; unused money must be used within three years to either pay down debt service or move the funds to another project. The Mayor stated this is the first time we have bonded for a project and questioned doing the project itself; we have a plan and have been following that plan, with this one exception. Councilman Doran spoke about Council being filmed at every meeting for many months. He stated that he is aware that it is legal but the presence of a camera is not only unnecessary but socially unacceptable; it has an intimidation effect on residents who no longer wish to attend meetings because they know they will be photographed. Councilman Doran stated he felt this is an uncooperative attempt to do nothing but disrupt the process of our local government.

6. Old Business

1. Municipal Dock.

Daren Phil stated that we opened bids and rejected all bids.

The Mayor interrupted and asked Ms. Silkes and Ms. Danchuk to return the Agenda Item binders to the table in front of the dais. The Clerk stated that the binders include agenda items which are not yet approved by Council; they could be withdrawn during the meeting so they are not official documents as of yet. The Mayor reiterated that the binders can be viewed prior to the start of the meeting.

Mr. Phil continued that the concrete slab with decorative stamping was very costly. We will rebid the project, taking the concrete item out for more cost effective project. Also, we will pull the cost associated with dredging as it is really a separate project. The bidding showed the costs of dredging to be so low we can solicit contractors to dredge staying under the threshold and rebid the dock itself. We can accept the bid at the December Council Meeting but advise the contractor that the work will be done in the spring.

1 Addition of New Agenda Item entitled Green Initiatives. The Mayor wants to appoint a Green Team Committee to deal with moving the community forward into going green, utilizing green initiatives, and looking at solar and wind projects. The Mayor thanked Denise and George Cicero for donating the hydrogen system now installed on our Dial-A-Ride van, at no cost, to use as a test before installing in other Borough vehicles. The Mayor stated there is also grant money available for these types of projects. The Mayor would like to add the Green Initiative as an agenda item so once a month the committee can report back on their progress; Council decided to place this item on the Worksession agendas only so our ordinance does not have to be amended.

2 Communications Packets Scanned. The Clerk stated that Tina Mayer has done research on various scanners and she is working with Council President Driscoll regarding this purchase. Council President Driscoll stated that we are waiting to see the amount of money in the computer line but also the problem is that sometimes people do not read their email; if we went electronic with these items. The Borough Attorney stated that any item, whether it is electronic or not, becomes OPRA-able; even if you are using a private email account and conducting business, it is subject to OPRA. The Borough Attorney suggested Council members have a dedicated e-mail account for Borough business; want to be able to verify only business on that specific e-mail account. The Mayor stated that these communications do not contain anything confidential. Hard copy will be in Clerk's Office. Council agreed that receiving the Communications Packet electronically will save paper and manpower; Borough Council Members will create or utilize their existing e-mail addresses and Council President Driscoll will speak with Ms. Mayer regarding purchasing a scanner.

3 Borough Code on Internet (e-code). The Clerk stated that many municipalities have their code books on the internet; in keeping with the green initiative, this would save time, paper, and as soon as an ordinance is adopted, it will be incorporated into our Code and available on line. The Mayor and Council gave approval to initiate this program and agreed it would be a great resource and instructed the Clerk to order the electronic code package. The Clerk will maintain a hard copy of the Code in Borough Hall and will have an updated copy in the Library.

7. New Business

1. Municipal Energy Audit. The Mayor stated that this is a governmental municipal energy audit that the BPU is offering as a free audit. Tina Mayer is working on the project; we have to submit an RFP to the four firms and they will give us the cost of the audit. Daren Phil will review the responses to see which firm we should use; once we get approval to have the audit done, we get 75% of the cost of the audit back and if we implement anything recommended from the audit (if it equals more than 25% of the audit) we will get the other 25% back. In the scope of the audit, the BPU will give information about alternative energy sources. The Mayor stated there is another new program being introduced that would, for instance, fund the cost of a new boiler for the schools. The Borough Administrator stated that Tina Mayer has two years worth of utility bills to photocopy but will try to contact the utility companies to possibly give her some type of printout.

8. **Utility Receipt Report** for the Months of September and October, 2008. The Clerk read the Utility Receipt Report for the Month of September 2008 into the record. Grand Total: \$46,376.67 The Clerk read the Utility Receipt Report for the Month of October 2008 into the record. Grand Total: \$231,034.78.

Tax Collector's Report for the Months of September and October, 2008.

The Clerk read the Tax Collector's Report for the Month of September 2008 into the record.

Total Receipts: \$157,674.71.

The Clerk read the Tax Collector's Report for the Month of October 2008 into the record.

Total Receipts: \$880,707.02.

Finance Report for the Months of August, September and October, 2008. The Clerk read the Finance Report for the Month of August 2008 into the record. Ending Balance: \$6,145,952.11. The Clerk read the Finance Report for the Month of September 2008 into the record. Ending Balance: \$4,460,623.27. The Clerk read the Finance Report for the Month of October 2008 into the record. Ending Balance: \$4,824,491.11.

9. Open to Public

James Grant, 90 Rogerene Way:

-Mr. Grant had contacted the Zoning and Construction Officials in January of this year regarding the illegal two family house at 86 Rogerene Way being converted to a three family house and has also attended several Council meetings to voice his concerns. Mr. Grant distributed a recently published real estate listing for the third apartment, which has an illegal kitchen and bathroom. Mr. Grant again asked the Mayor to take this under consideration because it should not be Mr. Grant's responsibility to continually report the problems. The Mayor stated the Construction Official and Zoning Officer have been tracking this property. The Clerk was directed to send the real estate listing to Sandy Nyari and Al Thompson and remind them that the homeowner must register the rental property in accordance with the new ordinances and must obtain a CO if a new tenant is moving in.

Veronica Silkes, Succasunna Road:

-Ms. Silkes requested comments from the Council be put into the Minutes.

-Ms. Silkes asked Council President Driscoll if Council be willing to suspend the resolution that allowed the Mayor and Administrator to receive an allowance for cell phone and travel for one year; this would save the Borough approximately \$6,300. Council President Driscoll stated a new resolution to suspend the allowance would have to be done for the 2009 budget and included as a budget item. Ms. Silkes started to question each Council member but Borough Attorney Giacobbe stated she cannot hold a question and answer period, she is allowed to address Council but not question each member; we will take her request under advisement.

Debbie Hill, 352 Howard Boulevard:

-Ms. Hill asked if anyone from Council would be attending the NJLM Conference in Atlantic City; the Mayor will be attending and stated he would be paying for it himself except for the tickets.

-Ms. Hill stated that in the beginning of every meeting, it is stated that the public be courteous to the Mayor and Council and she feels the Mayor and Council should be courteous to the public as well. Ms. Hill stated the public has a legal right to tape Council Meetings and it is not offensive. Councilman Doran said taping was socially unacceptable behavior and he believes it is keeping people from coming to the meetings and participating in their local government. Ms. Hill said now it seems to be an issue but during the primary it was perfectly fine for flashes and cameras going off for a political flyer; now that the election is over, it is offensive that a video tape is being done. Councilwoman Cerasoli stated Council is not political at meetings, nor do they campaign at meetings; Council agreed that this is not the forum.

Charles Squires, 26 Birch Terrace:

-Mr. Squires congratulated voters in Mount Arlington and Councilman Doran and Stephen Sadow and all those who ran in the election.

-Mr. Squires stated he does object to the picture taking at meetings; he does not like it.

-Mr. Squires asked if the \$7.1 million bonds were our total bonds. Councilman Doran stated that it does not cover all bonds, there are others for sewer, water, etc.

Paula Danchuk, 50 Elizabeth Way:

-Ms. Danchuk, as President of Lake Rogerene Association, has had about 30 residents (along with her own opinion) complain that the Harriet Way curve is now worse after the final paving and will send a letter to Daren Phil. The Mayor said has not heard any negative comments at all.

-Ms. Danchuk stated the community basketball hoop by Spruce was knocked over during construction; she spoke with the engineer and the construction officials but it has now disappeared. Construction cannot replace it until they see the broken piece so she is working on this.

-Ms. Danchuk also called Al Thompson regarding the rental on Rogerene Way; the new tenant was able to see both apartments, not the owners apartment. Ms. Danchuk spoke with Al Thompson who said

Weichert never called him back but it has been two weeks that Mr. Thompson did not follow up. The Borough Administrator asked that Ms. Danchuk call her on Wednesday to further discuss this matter and she will reach out to Mr. Thompson.

-Ms. Danchuk asked the status of the rockfall project on Route 80. The Mayor stated the NJDOT is not giving us weekly updates and this project is not in our control.

-Ms. Danchuk asked about the Borough's BJ's membership and noted she completed an OPRA request to see the account membership. The Borough Administrator stated we have to pay for our membership, we do not reimburse the Borough; if an employee would like to be a member, BJ's allows us the courtesy of a reduced membership. No Borough funds are used for this and the check is not written until the money is received by the treasurer, whether cash or personal check.

-Ms. Danchuk stated that the check register has a lot of flex account numbers that are not on the state account list, they are Borough numbers. The Clerk stated Ms. Danchuk had completed an OPRA request for this information which entails research which is not covered under OPRA. Borough Administrator stated Ms. Danchuk can call Terry Smith but no documentation will be distributed.

Frank Hughes, 436 Howard Boulevard:

-Mr. Hughes stated he was happy that the Special Bond Counsel came in because he answered his questions about the Borough bonds.

-Mr. Hughes congratulated Councilman Doran and Stephen Sadow for being elected.

Anne Hughes, 436 Howard Boulevard:

-Ms. Hughes congratulated Councilman Doran and Stephen Sadow and congratulated the Democrats for a very good showing in this election.

-Ms. Hughes stated that she agrees with Council regarding videotaping the meetings and being scrutinized about everything you do but she was at a meeting in the spring where Brian Kincaid was in the audience talking pictures of people at the meeting and the pictures later were printed in a political flyer maybe a month or so after. The Borough Attorney stated that he did approach Mr. Kincaid and ask him to stop taking pictures because it was disruptive, at the direction of the Mayor. The Borough Attorney stated there is the first amendment and we cannot have a prior restraint of free speech but if someone is abusing their rights, we can ask them to restrict it.

-Ms. Hughes asked the vision for Mount Arlington proper. The Mayor stated the streetscape project has been planned for many years and we finally received bids that were acceptable and the work will be starting shortly.

-The Mayor stated Mount Arlington is still has one of the lowest taxed in the State; this town has been rejuvenated over the last 6 years, sewers, water, streetscape, constantly trying to make the town better. The Mayor stated everybody is facing horrible budget crunches and we are fortunate to be in the position we are in because we have already done our capital projects; he has no regrets about what we have done.

Liz D'Abbraccio, 7 Willow Street:

-Ms. D'Abbraccio congratulated Councilman Doran and Stephen Sadow.

-Ms. D'Abbraccio stated she is happy to see the Circle/Parker/Southard project underway.

-Ms. D'Abbraccio stated that she and Jane Jameson attended the BPU Energy Conference.

10. Approval of Minutes

September 21, 2008

Public Hearing on Budget Amendment

Motion to Approve: Councilman Sorge.

Second: Councilwoman Galate Goodman.

Roll Call:

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

Motion Approved.

September 26, 2008

Public Hearing on Budget Amendment &
Final Adoption of Budget

Motion to Approve: Councilman Sorge.

Second: Councilwoman Galate Goodman.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

****Added Item:**

The Borough Administrator stated we need to discuss the services in the Construction Department, particularly the Technical Assistant position; if the hours of the Technical Assistant are cut to fifteen hours per week, what happens to the service for people who can only get there during that period of time. Daren Phil recently stated that his office can take over the service for the fifteen hours weekly for the year and that his office is open to at least 5 at night which would give the community lengthier hours, right in town. Also, Suburban can also take over the Land Use Secretarial position for a little less than the Borough is paying the Land Use Secretary now. Daren Phil will be prepared to assume these positions as of January 1st; there would be at least a \$20,000 savings and services would be expanded. The Mayor stated he dislikes things coming apart like this but we have to save money wherever we can. The Borough Administrator has spoken with the Personnel Committee and stated that Mr. Phil needs time to prepare and we have an employee who we want to treat fairly. Carolyn O'Connor, Technical Assistant, asked Council what her responsibilities will be in the department now, property maintenance, zoning, and/or engineering. The Borough Administrator stated she should be taking care of all she can in fifteen hours per week and with Council approval, that will begin in two weeks. Ms. O'Connor asked what happens when Suburban is no longer the Borough Engineers; the Borough Administrator stated that these positions will stay with Suburban. The Borough Administrator emphasized that Ms. O'Connor is not the issue, it is the deficit. The Borough Attorney explained that we had offered Ms. O'Connor the privacy to hold this discussion in Closed Session but she requested in writing that it be held in Open Session. The Borough Attorney stated that Ms. O'Connor set up a meeting with the Administrator to discuss some of these issues privately. Council did agree that this was direction to take, reducing the hours to fifteen and outsourcing to Suburban Consulting, and authorized the Borough Attorney to take the appropriate legal actions to be done at the next meeting. The Borough Attorney stated that the Closed Session discussion will include direction from Council.

11. Executive Session

2008-148 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, Police, Shared Services, Court, Construction and Personnel.

There will be action taken following the Executive Session.

Motion to Go Into Executive Session: Councilman Sorge.

Second: Council President Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

Motion to Return to Open Session: Councilwoman Cerasoli.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

12. Resolutions

2008-149 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Check Register Dated November 10, 2008.

Motion to Approve: Council President Driscoll

Second: Councilwoman Cerasoli.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman (abstain from #6938),

Cerasoli, Doran (abstain from #6924).
Motion Approved.

- 2008-150** 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 Employee Dental Contract Endorsement for 2009.

Motion to Approve: Councilman Sorge.
Second: Council President Driscoll.
Councilman Doran asked if the addition of the third cleaning, which is unnecessary, can be removed from the policy for an additional savings; the Borough Administrator will verify with the carrier that this was given as an add in at no additional cost to the Borough.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran
(with the provisions he spoke about).

Motion Approved.

- 2008-151** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Awarding Contract for Municipal Dock Improvement Project.

Motion to **Withdraw**: Council President Driscoll
Second: Councilman Sorge.
All in Favor – Aye; None Opposed.

Motion Withdrawn.

- 2008-152** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Awarding Contract for Borough-Wide Landscaping Contract.

Motion to Approve: Councilman Sorge. Second: Councilwoman Galate Goodman
Councilman Doran stated he was disappointed with this contractor with weed control at the Library and Memorial Park; it is the low bid but he wants to insure that Paul Nelson discusses these issues with them. Borough Administrator stated that this is a one year contract and Mr. Nelson will have to keep a strict paper trail on any problems during this contract year. Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran. Motion Approved.

- 2008-153** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Carolyn Rinaldi as Part-Time Clerical Help (Finance).

Motion to Approve: Councilwoman Cerasoli.
Second: Councilman Sorge.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran. Motion Approved.

- 2008-154** 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 an Agreement with Lake Hopatcong Elks for Senior Citizens Meetings.

Motion to Approve: Councilman Doran.
Second: Councilwoman Cerasoli.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran. Motion Approved.

2008-155 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 **Withdraw**: Council President Driscoll.
Second: Councilman Doran.
All in Favor – Aye; None Opposed.

Motion Withdrawn.

2008-156 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Compensation of Lifeguards from \$2,500/Season to \$2,827.50/Season, Complying with the Fair Labor Standards Act.

Motion to Approve: Council President Driscoll.
Second: Councilwoman Galate Goodman.
Roll Call:

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

Motion Approved.

2008-157 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, To Cancel a Third Party Tax Lien Certificate of Sale Assignment #97-3 for Property Known as Block 22, Lot 11.-1.

Motion to Approve: Councilman Sorge.
Second: Councilwoman Galate Goodman.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

***Added Resolutions:**

2008-158 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 Dock Improvement Project.

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

2008-159 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Transfer of Funds.

Motion to Approve: Council President Driscoll.
Second: Councilman Sorge.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

2008-160 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, For Refund of Civic Center Rental Fee.

Motion to Approve: Council President Driscoll.
Second: Councilman Sorge.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

2008-161 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Submission of Highlands Initial Assessment Grant Application.

Motion to Approve: Council President Driscoll.
Second: Councilman Sorge.

The Borough Administrator stated that this does not cost anything to the Borough and will probably conclude that we should not opt in and conform. The Mayor stated it is a grant with no matching funds.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

2008-162 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.

Motion to Approve: Councilman Sorge.
Second: Council President Driscoll.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

The Mayor stated that he attended a Highlands Meeting today, sponsored by the NJLM, to explain the Highlands and COAH; the Mayor has sample resolutions only offered to Highlands municipalities which give up to a year to decide about COAH, do not cost anything and are completely non-binding. The Mayor stressed that we must make sure the Borough is safe from any retribution from these resolutions and stated we will do more research. Council President Driscoll stated that if we don't participate in COAH, we do not get the builder's remedy; the only thing they have is that they will not help us if someone sues but otherwise there is nothing they can do if we chose not to participate. .

13. Ordinances – Introduction

17-08 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending Chapter 135, Sewers, of the Code of the Borough of Mount Arlington.

The Mayor read Ordinance 17-08 by Title.

Motion: Council President Driscoll stated that Ordinance 17-08 be introduced by Title and passed on First Reading and that a meeting be held on December 8, 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: Councilman Doran.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate Goodman, Cerasoli, Doran.
Motion Approved.

18-08 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending Chapter 175, Water, of the Code of the Borough of Mount Arlington.

The Mayor read Ordinance 18-08 by Title. Motion: Councilman Sorge stated that Ordinance 18-08 be introduced by Title and passed on First Reading and that a meeting be held on December 8, 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: Council President Driscoll.
Roll Call:

Ayes: Council President Driscoll, Sorge, Galate
Goodman, Cerasoli, Doran. Motion Approved.

19-08 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Accepting and Establishing Old Howard Boulevard as a Street Within and Under the Authority of the Borough of Mount Arlington.

The Mayor read Ordinance 19-08 by Title.

Motion: Council President Driscoll stated that Ordinance 19-08 be introduced by Title and passed on First Reading and that a meeting be held on December 8, 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.

The Borough Administrator stated that Daren Phil and Paul Nelson were satisfied that the road was good; we do not want to do anything on that road for five years.

Second: Councilman Sorge.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate
Goodman, Cerasoli, Doran. Motion Approved.

20-08 **Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Providing for the Sanitary Sewer Improvements to Parker Road/Circle Drive/Southard Road and Appropriating the Amount of \$520,000 for the Financing Thereof.**

The Mayor read Ordinance 20-08 by Title. Motion: Councilman Sorge stated that Ordinance 20-08 be introduced by Title and passed on First Reading and that a meeting be held on December 8, 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: Council President Driscoll.

Roll Call:

Ayes: Council President Driscoll, Sorge, Galate
Goodman, Cerasoli, Doran. Motion Approved.

21-08 **Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending Chapter 4-14 of the Code of the Borough of Mount Arlington Entitled "Police Department", Establishing a Police Chief Promotion Procedure. (To be provided at Council Meeting)**

The Mayor read Ordinance 21-08 by Title.

Motion: Council President Driscoll stated that Ordinance 21-08 be introduced by Title and passed on First Reading and that a meeting be held on December 8, 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:

Ayes: Council President Driscoll, Sorge, Galate
Goodman, Cerasoli, Doran. Motion Approved.

14. Ordinances – Second Reading

16-08 Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, To Amend, Revise and Supplement Chapter 17, "Land Development Ordinance" of the Code of the Borough of Mount Arlington to Comply with the Borough's Recycling Ordinance.

The Mayor opened the Hearing to the Public on Ordinance #16-08 and read the Ordinance by title.

Councilman Sorge stated, I move for adoption and final passage of Ordinance #16-08.

Second: Council President Driscoll.

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

The Mayor declared that Ordinance #16-08 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

15. Motions

None.

16. Mayor's Report

The Mayor read his report into the record.

17. Borough Administrator's Report

The Borough Administrator stated that today she discussed with the Borough Attorney and Councilman Doran our ordinance and resolution for Recreation; Councilman Doran is in contact with Lisa Abline regarding the non-profit and tax exemption status which the Borough Attorney will work on as well. The Clerk was directed to fax the resolution and ordinance to the Borough Attorney for review. Councilman Doran stated that Council still has to respond to the Recreation's proposal submitted recently; the Borough Administrator will be addressing these issues. Council discussed using the roller rink for possibly an ice skating rink or dog park/pet walk.

18. Adjourn

Motion to Adjourn: Council President Driscoll.

Second: Councilman Doran.

All in Favor – Aye; None Opposed.

Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved With Corrections at Council Meeting of December 22, 2008.

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for August 2008

Beginning Balance	4,920,059.79
Receipts	3,861,472.29
Disbursements	2,635,579.97
Ending Balance	6,145,952.11

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for September 2008

Beginning Balance	6,145,952.11
Receipts	470,082.31
Disbursements	2,155,411.15
Ending Balance	4,460,623.27

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for October 2008

Beginning Balance	4,460,623.27
Receipts	1,692,076.32
Disbursements	1,328,208.48
Ending Balance	4,824,491.11

Mayor report for 11/10/08

Since our last Regular Council meeting on October 13, 2008:

10/16/08- Attended the Morris Tomorrow Summit at the Meadow Wood in Randolph

10/16/08- Attended TPA – Transportation Planning Authority, workshop in Morristown. Focus was on future transportation needs of our area.

10/17/08- Attended the Clean Energy Conference in Jersey City. There is a very big focus being placed on alternative energy and going green. Learned about a number of different areas where we can make changes.

10/20/08- Chaired the Lake Hopatcong Commission meeting. I see a change in the attitude of the surrounding towns in realizing we are going to have to take action to maintain our lake. There will be little to no money coming from the state to support the maintenance of the lake. I have a grave concern for next spring and what is going to happen when the weeds are choking the lake. The field staff will be dismissed 11/28/08 and I don't see, at this time, any money coming in soon enough to get the harvesters on the lake in the spring. I urge everyone to write the state legislators to ask them to find money to fund the LHC operating budget or at least consider giving the LHC the authority to impose some sort of fees to raise funds to keep the LHC operating. We are looking at a

mired of options on how fees could be imposed and will continue to work on the plan.

The good news is that I believe my conversation with Commissioner Jackson, who now will serve as Governors Chief of Staff and I have heard rumored to be leaving NJ to become head of the EPA, agreed that it would be beneficial to keep our Administrator in place. Her salary and benefits would be paid out of the MOA money since her job is not just dealing with maintenance of the lake but also as the Project Manager of the 12 projects going on around the lake dealing with non point pollution. These projects are being funded out of grant money received from the EPA and the DEP. She also maintains the day to day operations of the LHC. If we did let her go, we discussed volunteer commitment to the workings of the LHC, but it really would be very difficult and not the best way to go.

Commissioner Jackson agreed to have her people look into the funding out of the MOA. I have not gotten official word but I am very confident this will come to fruition in the very near future since her deadline was November 28th as her last day, the same as the field staff. I will continue to update everyone as to the status.

10/21/08- Attended a Mayors Committee for a Green Future workshop meeting in Trenton. The Green Future Roadmap will be officially rolled out at the League of Municipalities Convention in Atlantic City later this month.

10/21/08- Officiated a wedding in Wharton

10/22/08- Attended the Urban Mayors Association meeting in Trenton and had the opportunity to speak to BPU President Jean Fox about what is going on with the Community Energy legislation. This is the legislation that will allow the installation of power generating projects, such as the solar panels on the landfill, and possible wind turbines, to generate revenue or offset electric costs for municipalities. They are having ongoing meetings about this and it looks very positive for implementation next year. This would allow us to explore these options and begin to find ways to generate revenue for the Borough.

I also had the opportunity to speak to Commissioner Koluri about the train station and how it is set up with freight trains coming on the side of the main station and passenger rail on the other side. He was surprised to hear about this and was going to look into it. I told him I have John DelColie working on it. John was my contact throughout the construction of the station. I also spoke to Commissioner Koluri about the fact we do not have sidewalks connecting the station with our existing sidewalk infrastructure. I told him of the safety concerns I have about pedestrians traversing the busy Route 80 interchange, walking on the grass and across open fast moving ramps, and how we need to address this with additional sidewalk installation. He was very receptive and said there is grant money available to address these concerns. I told him that our engineer is working on a plan, along with the DOT Regional Manager, and that we should have some understanding of the cost very soon. He told me to reach out to him once we have the costs compiled and he will have his people work on accessing the money to do the

project. I got a follow up call from Commissioner Koluri's chief of staff about both of these issues a week later and we will continue to work together to address these important issues.

10/22/08- Attended the open house at New Seasons. I had the chance to meet the new staff. I suggested that they attend the upcoming OEM meeting, to which they were invited by Paul Nelson, and open up communications with our Fire Department and Saint Clare's to make sure they have a clear understanding of emergency operations and procedures.

10/23/08- Attended the Sussex County Chamber of Commerce Business Expo at Chrystal Springs. It is always a pleasure to see our neighboring counties business people and elected officials.

10/24/08- Attended a Clean Energy Summit in Evesham Township at the invite of Mayor Brown. We sit on the League of Municipalities Executive board together. It was very informative and a great opportunity to network with Mayors from South Jersey to see what programs they are implementing to go green and to save energy.

10/27/08- Briefly attended the OEM meeting at Borough Hall. I had to leave due to my work schedule but had the chance to make sure New Seasons was introduced.

I was back at Borough Hall later in the afternoon to attend a Building Committee meeting.

I then proceeded to Dover to attend a meeting of the Joint Court Committee.

10/28/08- Attended a Legislative Review Committee meeting in Princeton. On my way down it began to snow and after I was there for a little while I got the calls that Mount Arlington was getting snowed in. The decision was made to close the Borough but no one could leave due to the treacherous roads. I made it back to town, after a long and tedious drive, by 3:30pm. Power was out to a good part of town until the early morning hours of 10/29. This was due to many trees being pulled down by the weight of the snow and rain. JCP&L was very busy. Power was not restored to the better part of Bertrand Island, including my house, until later in the afternoon. I want to thank Paul Nelson for working very quickly to get our trucks out sanding and then getting the plows on and clearing the local roadways. This storm caught us all by surprise but I believe Paul responded to it very well. I did get a call from the schools as to how we were reacting to this storm and I was proud to say Paul was on top of it. I believe the schools did close but the children could not leave due to the road conditions.

11/3/08- Held two separate meetings dealing with the Lake Hopatcong Commission funding issue. The Lake Hopatcong Protection Association had come forward with some ideas of how to raise funds. It was a productive meeting and they will be meeting with the full Commission at our next regular meeting on November 17th here at the

Mount Arlington municipal building. The second meeting was with the Mayors from around the lake as well as the two Senators who represent this area. Morris County Freeholder Director Margaret Nordstrom also was in attendance. Sussex County freeholder director Wirths was also invited but had another commitment and could not attend. It was a productive meeting.

11/4/08- Election day 2008 is now history and I would like to congratulate Councilman Doran for his re election. I would also like to congratulate and welcome Councilman elect Sadow to our council team. I look forward to working together with you to continue to make Mount Arlington a great community in so many ways. I also would like to take a moment to congratulate Congressman Frelinghuysen on his victory to retain his Congressional seat.

Congressman Frelinghuysen has always been there for Mount Arlington and is a good friend. Congratulations also to Freeholder Director Nordstrom for her victory as she will continue to serve Morris County and she has also been a strong supporter of Mount Arlington and the work we do. Congratulations to Joan Braumhall, our County Clerk, as well. I also want to thank Linda DeSantis our Clerk for her fine job running the elections along with her assistant Tina Meyer. I also want to thank those who worked the polls. I didn't hear of any significant problems and that is attributed to those who worked very hard to make sure it went smooth. I also want to thank all those who did exercise their voting privilege. It was great to see so many people getting involved. I hope this trend will continue.

11/5/08- Attended a Morris Tomorrow meeting in Morris Township at Atlantic Health headquarters. We are looking to hire a new Exe Director since Kris Marino resigned. We interviewed 3 candidates and the executive committee has the boards thoughts. A new director should be hired soon.

11/6/08- Attended the opening celebration at Nicivaccia's new headquarters on Valley Road in Mount Arlington. It was great to tour their new offices. I am very pleased that they found a new home in Mount Arlington. It is a loss for Randolph but a nice gain for Mount Arlington. Congratulations to Ray and all the partners and thank you for inviting me to be part of your very special event.

11/8/08- Attended the Veterans day celebration.

11/10/08- Attended an informational meeting of the League of Municipalities and New Jersey Highlands Council. I was asked to open the meeting with a few remarks representing the League of Municipalities since I am the Morris County representative on the Executive Board. The meeting went very well and was very informative. I have to say that the Highlands Council has cooperated very well with Mount Arlington. Eileen Swan, the Executive Director, has been very helpful and receptive to our needs. It has always been a pleasure to deal with her. They did approve the sewer installation on Parker, Southard and Circle. They also were supporting in our efforts to get Pub 199 and a couple of private residents approved to tie into the sewer system. That area is an interbasin transfer area and it is a very long and tedious process to get approvals.

There are other ongoing issues that I am sure we will be able to count on continued cooperation.

Finally, I would like to ask residents to consider volunteering to be a part of a couple of committees I would like to establish. There is much work to be done and we need help.

One committee will be to deal with moving the Borough forward on going green. I would like to call this committee the "Green Team" and give them the responsibility of working to find ways to make MA green. This will include the solar and wind projects. We have already moved forward with installation of a hydrogen system that should reduce the fuel consumption of our Dial a Ride van. I would like to thank Denise and George Cisero who have been researching this product for over 2 years. They found the best product on the market and donated one unit to the Borough to use as a test before we might move forward on purchasing more for the rest of our fleet. The cost was nearly a thousand dollars and I want to thank them very much. If it works out, there are grants out there that cover the cost of these units and we may be able to save considerable dollars in the future. This is the kind of initiative I am looking for this team to embark on. The committee would report back directly to the Council with their progress and recommendations.

Another committee I would like to appoint would direct their efforts to help or military families who have the head of the household deployed on active duty. They leave

behind their families and the families are in need of help in a variety of areas. Due to the loss of funds from leaving their regular jobs and wages, normal household tasks are increasingly difficult to afford. I would like this committee to assess the needs of these folks and come up with possible solutions to these problems. I would anticipate this committee having members who are tradesmen and professionals.

The other committee would be the Citizen budget review committee. This committee would review our budget prior to going to public hearing to see if there are areas where there is misunderstanding and need of further review. I already have several names of those who have reached out to me to be a part of this committee so this one should be fairly easy to appoint.

I anticipate other areas where we will need help so if you have some time to donate back to the Community and want to be a part of continuing to make Mount Arlington a great place to live and prosper, please get in touch with me either by email, telephone or regular mail to let me know of your desire to serve.

Thanks.