

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
SEPTEMBER 8, 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 the safety of our troops fighting around the world.

4. Roll Call

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

5. Presentations/Mayor's Appointments

- Mayor's appointment of Pastor Roy Roderick to the Local Assistance Board, to fulfill the unexpired term of Reverend Capwell, which expires December 31, 2008.
- Mayor's appointment of Tom Foley to the Lake Hopatcong Commission, to fulfill the unexpired term of Robert Gruber, which expires December 31, 2008.
- Mayor's appointments to the Recreation Committee:
 - Deanna Minchello, to fulfill the unexpired three year term of Anthony Albanese, which expires December 31, 2010.
 - Pat Esposito, to fulfill the unexpired one year term of Deanna Minchello, which expires December 31, 2008.

Council had no objections to these appointments. The Mayor explained the criteria for the Lake Commission is the person is a resident of Mount Arlington and someone who either lives on the lake or is familiar with lake issues. The Commission is comprised of a resident, and alternate, of each community around the lake, a member from the DCA, a member from the DEP, a member and alternate from Morris County and from Sussex County, two at large Governor appointments and the Chair.

6. Old Business

None.

7. New Business

Councilwoman Mulligan requested that the shed ordinance be revisited at the next meeting.

8. Utility Receipt Report for the Month of July, 2008.

Utility Receipt Report for the Month of August, 2008.

The Clerk read the Utility Receipt Report for the Month of July, 2008 into the record:

Grand Total: \$243,254.18.

The Clerk read the Utility Receipt Report for the Month of August, 2008 into the record:

Grand Total: \$204,174.80.

Tax Collector's Report for the Month of July, 2008.

Tax Collector's Report for the Month of August, 2008.

The Clerk read the Tax Collector's Report for the Month of July, 2008 into the record:

Total Receipts: \$724,765.52.

The Clerk read the Tax Collector's Report for the Month of August, 2008 into the record:

Total Receipts: \$3,349,104.06.

9. Finance Report for the Month of July, 2008.

The Clerk read the Finance Report for the Month of July, 2008 into the record:

Ending Balance: \$4,920,059.79.

10. Approval of Minutes

June 30, 2008 Regular Meeting (Absent- Mulligan)

Motion to Approve: Councilman Sorge.

Second: Council President Driscoll.

Roll Call: Council President Driscoll, Sorge, Galate Goodman,
Mulligan – Abstain, Doran.

Motion Approved.

July 14, 2008 Regular Meeting (Absent- Mulligan and Doran)

Motion to Approve: Councilman Sorge.

Second: Councilman Doran.

Roll Call: Council President Driscoll, Sorge, Galate Goodman,
Mulligan – Abstain, Doran - Abstain.

Motion Approved.

Motion to Amend the Agenda to Conduct Open to the Public:
Councilman Sorge.

Second: Council President Driscoll.

All in Favor – Aye; None Opposed.

Motion Approved.

15. Open to Public

Residents that signed the sheet to speak declined their comments at this time.

11. Resolutions

- 2008-126** 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 August 18, 2008.

Motion to Approve: Council President Driscoll.

Second: Councilman Sorge.

Roll Call: Council President Driscoll - Yes, Sorge - Yes, Galate Goodman – Yes, but Abstain from Check #6641, Mulligan – Yes, but wanted it noted that she was not in favor of the manner in which some checks went out (she had spoken with the attorney previously) and said Council should have met to approve the checks. Councilwoman Mulligan also questioned why the August 18th meeting was cancelled; Council President Driscoll said we did not have any business except for the budget but the meeting with the State had been rescheduled.

Councilman Doran - Yes.

Motion Approved.

- 2008-127** 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 September 8, 2008.

Motion to Approve: Council President Driscoll.

Second: Councilman Sorge.

Roll Call: Council President Driscoll – Yes, Sorge – Yes, Galate Goodman – Yes, Mulligan – Yes, but her answer is the same as the prior resolution, Doran – Yes.

Motion Approved.

- 2008-128** 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 Addendum to the 911 Service Agreement Renewal Agreement Between Saint Clare's Hospital, Inc. and the Borough of Mount Arlington.

Motion to Approve: Councilman Sorge.

Second: Councilwoman Mulligan.

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

Motion Approved.

- 2008-129** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Urging the New Jersey Legislature to Support the Municipal Revenue Restoration Act of 2008.

Motion to Approve: Councilman Doran.

Second: Councilman Sorge.

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

Motion Approved.

- 2008-130** 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. (Borough-Wide Landscaping Services)

Motion to Approve: Council President Driscoll.

Second: Councilwoman Mulligan.

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

Motion Approved.

- 2008-131** 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. (Fire Department Building Renovations)

Motion to Approve: Councilman Sorge.

Second: Council President Driscoll.

Roll Call: Council President Driscoll, Sorge, Galate Goodman, Mulligan – Abstain, Doran – Yes, contingent on review of revised plans.

Motion Approved.

- 2008-132** 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 Interlocal Health Service Agreement Between the Borough of Mount Arlington and the Township of Mount Olive.

Motion to Approve: Councilwoman Mulligan.

Second: Councilman Sorge.

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

Motion Approved.

- 2008-133** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Approving the Corrective Action Plan Recommended in the Annual Report of Audit for 2007.

Motion to Approve: Councilman Sorge.

Second: Council President Driscoll.

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

Motion Approved.

- 2008-134** 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 for Alcohol and Drug Testing Services.

Motion to Approve: Councilman Sorge.

Second: Councilman Doran.

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

Motion Approved.

- 2008-135** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing Temporary Suspension of Parking Restrictions on One Side of Seasons Drive (The Outer Loop of Seasons Drive) As Set Forth in New Jersey Traffic Code 39:4-138.

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

- 2008-136** 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 Howard Boulevard and Altenbrand Avenue Roadway Improvement Project.

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

- 2008-137** 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 Lifeworks Employee Assistance Program Agreement, Effective January 1, 2009 through December 31, 2010.

Motion to Approve: Council President Driscoll.
Second: Councilman Sorge.
Roll Call: Council President Driscoll, Sorge, Galate Goodman, Mulligan - No, Doran.
Motion Approved.

12. Ordinances – Second Reading

- 09-08** An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending and Supplementing the Code of the Borough of Mount Arlington By Repealing Article I, Recycling, of Chapter 144, Solid Waste, in its Entirety and Its Replacement with A New Article I, Recycling, of Chapter 144, Solid Waste, in the Borough Code. ****Tabled at June 9, 2008 Council Meeting. To be Withdrawn; Re-introduced as Ordinance #14-08.***

Motion to Withdraw Ordinance 09-08: Council President Driscoll.
Second: Councilman Sorge.
Roll Call: Council President Driscoll, Sorge, Galate Goodman, Mulligan, Doran.
Motion to Withdraw Approved.

- 10-08** An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, Determining Positions Eligible for the Defined Contribution Retirement Program for the Borough of Mount Arlington.

The Mayor opened the Hearing to the Public on Ordinance #10-08 and read the Ordinance by title.
Council President Driscoll stated, I move for adoption and final passage of Ordinance #10-08.
Second: Councilman Sorge.

Roll Call: Council President Driscoll, Sorge, Galate Goodman, Mulligan, Doran.
The Mayor declared that Ordinance #10-08 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

- 12-08** An Ordinance of the Borough of Mount Arlington, County of Morris, State of New Jersey, Creating New Chapter 133A of the Code of the Borough of Mount Arlington, Requiring Owners of Residential Rental Units Within the Borough to Register All Units in Accordance with N.J.S. 46:8-28 and Regulating the Administration and Use of Such Registration Statements.

The Mayor opened the Hearing to the Public on Ordinance #12-08 and read the Ordinance by title.

Veronica Silkes, 668 Succasunna Road:

- Ms. Silkes questioned how this ordinance will be implemented; the ordinance will be mailed with the tax bills and placed on the website as well.

Paula Danchuk, 50 Elizabeth Way:

- Ms. Danchuk asked what types of rental units pertain to this ordinance. The Borough Attorney stated any rental unit; the purpose of this ordinance is that our Police Officers, Fire personnel and Borough Clerk have contact information for property owners to be used for emergency purposes. Ms. Danchuk stated she thought this new ordinance might help the resident on Rogerene Way who has been complaining about the number of rental units at his neighbors house.

Councilman Sorge: I move for adoption and final passage of Ordinance #12-08.

Second: Councilman Doran.

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

The Mayor declared that Ordinance #12-08 is passed on second reading and directed the Clerk to publish the notice of adoption as required by law.

13. Ordinances – Introduction

- 13-08** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending Chapter 204 of the Code of the Borough of Mount Arlington Entitled Sewage Disposal Systems, Individuals and Chapter A210 Entitled Fees.

The Mayor read Ordinance 13-08 by Title.

Motion: Council President Driscoll stated that Ordinance 13-08 be introduced by Title and passed on First Reading and that a meeting be held on October 13, 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 Sorge.

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

Motion Approved.

- 14-08** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, Amending and Supplementing the Code of the Borough of Mount Arlington by Repealing Article I, Recycling, of Chapter 144, Solid Waste, in its Entirety and its Replacement with a New Article I, Recycling, of Chapter 144, Solid Waste, and Amending and Supplementing Article II, Collection, of Chapter 144, Solid Waste.

The Mayor read Ordinance 14-08 by Title.

Motion: Councilman Doran stated that Ordinance 14-08 be introduced by Title and passed on First Reading and that a meeting be held on October 13, 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.

The Borough Attorney stated that this ordinance is in compliance with the new mandates of the DEP and reviewed by Morris County solid waste planning department.

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

- 15-08** Ordinance of the Mayor and Council of the Borough of Mount Arlington, County of Morris, State of New Jersey, to Amend and Supplement the Code of the Borough of Mount Arlington, Chapter XII, Salaries, Personnel and Standards.

The Mayor read Ordinance 15-08 by Title.

Motion: Councilman Sorge stated that Ordinance 13-08 be introduced by Title and passed on First Reading and that a meeting be held on October 13, 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.

The Borough Attorney stated that a municipality grants salaries by ordinance so a range is established for the various positions; this is not granting a salary, just increasing the range.

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

14. Motions

1. Bingo License Amendment Application:

- Application to Amend Bingo License BL-08-04, Our Lady of the Lake Church; amending the schedule of games to be played for the remainder of 2008 at Our Lady of the Lake Parish Hall, 9 Rooney Road, Mount Arlington.

Motion to Approve: Councilman Doran.

Second: Councilwoman Mulligan.

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

Motion Approved.

16. Mayor's Report

The Mayor read his report into the record.

Communications Packets:

- August 21, 2008, #20: Councilwoman Galate Goodman questioned the practice that municipalities now have to charge 2.5% for a CO, as mandated by the State, and the fee is paid to the State. The Borough Attorney stated that this mandate is related to COAH and is presently being challenged.
- September 4, 2008, #14: Councilwoman Galate Goodman referred to a letter from Mr. Schumm at Ridgeview regarding the Ridgeview sign; the Mayor stated this was referred to Daren Phil.
- September 4, 2008, #7: Mayor Ondish read the letter from the Knee Deep Club into the record. (Letter attached to Minutes.)

- August 8, 2008, #26: Councilwoman Galate Goodman acknowledged the letter from a Lake Rogerene resident regarding the fire lane.
- September 4, 2008, #10: The Clerk asked Council to verify their attendance to the Morris County League of Municipalities dinner.
- August 28, 2008, #6: Councilwoman Galate Goodman asked about the NJIIF Meeting Agenda; Rich Allocca attends every meeting on behalf of the Borough.

17. Borough Administrator's Report

All issues to be discussed in the Executive Session.

***The Mayor opened the meeting to the Public once again.**

Paula Danchuk, 50 Elizabeth Way:

- Ms. Danchuk asked if pedestrian traffic is allowed on fire lanes. The Mayor stated that pedestrian traffic is not prohibited on fire lanes, they are public right-of-ways.

Sharon McDonald, 5 Chestnut Street:

- Ms. McDonald asked if the volunteers could do a fall clean-up at the beach when the lake draw-down occurs. The Mayor gave permission to the volunteers and stated that the Lake Commission will also be helping the towns around the lake and suggested Ms. McDonald contact the Commission. The Mayor stated that we also have plans for construction at the municipal dock; Daren Phil has planned to dredge so the volunteers might not be needed. The Mayor will speak to Daren Phil to see if there is a need for the volunteer clean-up and contact Ms. McDonald. Ms. McDonald was not sure whether or not she will need the DPW to assist.

Chris Kelley,

- Mr. Kelley referenced Resolution 2008-136 regarding the contract award for Howard Boulevard and Altenbrand Avenue and asked if the two families affected were advised when this construction would start. The Mayor clarified that Mr. Kelley is speaking about the portion of the project that the County will be handling but the Mayor and Daren Phil will speak with the homeowners prior to any construction.

18. Executive Session

2008-138 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, New Jersey, Authorizing An Executive Session of the Mayor and Borough Council and Excluding the Public from That Portion of the Meeting.

Motion to Go to Executive Session to Discuss Executive Minutes of November 12, 2007 and December 10, 2007, a Personnel Matter, Litigation. and the Police Contract: Council President Driscoll.

Second: Councilman Doran.

The only action to be taken after the Executive Session will be a vote on the Executive Minutes.

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.

Approval of Executive Minutes:

Motion to Approve the Executive Minutes of November 12, 2007: Councilman Sorge.

Second: Council President Driscoll.

Roll Call: Council President Driscoll - Yes, Sorge - Yes, Galate Goodman – Abstain (not on Council in 2007), Mulligan – No (too long ago to remember meeting), Doran – Abstain (not present at meeting). Minutes cannot be approved.

Motion Withdrawn.

Motion to Approve the Executive Minutes of December 10, 2007:
Councilman Sorge.

Second: Councilman Doran.

Roll Call: Council President Driscoll - Yes, Sorge - Yes, Galate
Goodman – Abstain (not on Council in 2007), Mulligan – No (too long
ago to remember meeting), Doran – Yes.

The Borough Attorney will review the Minutes for Redaction prior to
public availability.

Motion Approved.

19. Adjourn

Motion to Adjourn: Council President Driscoll.

Second: Councilman Sorge.

All in Favor – Aye; None Opposed.

Motion Approved.

Linda DeSantis, RMC Borough
Clerk

Minutes Approved at Council Meeting on October 13, 2008.

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for July 2008

| | |
|-------------------|---------------------|
| Beginning Balance | 4,851,127.43 |
| Receipts | 1,389,048.12 |
| Disbursements | 1,320,115.76 |
| Ending Balance | 4,920,059.79 |

Mayor report for 9/8/2008

Since our last Regular Council meeting on July 14, 2008.

7/16/08- JoAnne and I met with Habitat for Humanity to discuss if there were opportunities in Mt Arlington to help Habitat.

7/21/08- Met with the Young at Heart- had limited discussion about the upcoming budget

8/3/08- Attended a first annual Anti Drug concert in Hopatcong Borough at the invitation of Mayor Petillo. We discussed the possibility of Mount Arlington being part of next years event.

8/5/08- JoAnne and I met with representative from GovDeals.com about possible opportunities to change the way we deal with the sale of municipal assets.

8/13/08- Participated in the Mt Arlington Annual Golf Outing

8/15/08- Attended a meeting at Drumthwacket with Governor Corzine and DCA Commissioner Doria in reference to the Highlands Regional Master Plan. I was invited by the League of Municipalities along with the other 88 Mayors that are impacted by the Highlands legislation. There were about 8 Mayors along with environmental folks that were trying to get additional amendments made to the RMP before the Governor signed

it into law. He listened to our comments and thanked us for our feedback.

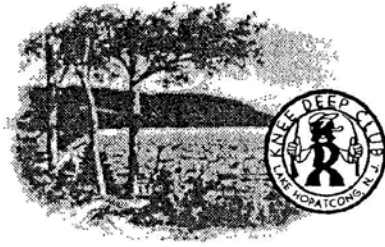
8/16/08- Officiated a wedding at the Arlington

8/18/08- Chaired the Lake Hopatcong Commission meeting held in Roxbury Twp. A brief update on the LHC is that the Business Plan Committee is working on coming up with a business plan and moving forward. The Vessel Count committee is near the completion of the count. I will report back when the final numbers are in. The LHC was successful in soliciting the DEP to hold up on the full drawdown. We were able to delay the full drawdown from Sept 2 to Sept 15 in order to gain a couple more weeks use of the lake. The DEP decided to move forward with beginning the drawdown on Sept 2 but at a 50% reduced rate until Sept 15. This means we will lose approx 5 inches of water between the 2nd and the 15th rather than 10 inches. After the 15th it will be the normal full drawdown speed. All this information is available on the LHC website. Paul Nelson and I had a discussion about dumpsters for the tires that will be removed from the lake by Mount Arlington residents. He will order 2 dumpsters to be available at our DPW site for residents to dispose of these tires. All other debris removed from the lake bed upon drawdown should be able to be put out with normal curbside or disposed of in the appropriate dumpsters at the DPW.

I encourage anyone who is going to put down fall lawn fertilizer to use a non phosphorous brand in order to protect the lake. As usual, please be sure to deposit litter in the

appropriate place as well as pet waste so it doesn't wind up in the lake.

9/8/08- Attended ELC meeting where Rodney Frelinghuysen was the guest speaker.



Knee Deep Club

OF LAKE HOPATCONG, N. J.

FOUNDED 1946

P.O. BOX 404 • LAKE HOPATONG, N. J. 07849
WWW.KNEEDEEPClub.ORG

Borough Clerk's Office
Borough of Mount Arlington
419 Howard Blvd.
Mount Arlington, NJ 07856
Attn.: Linda DeSantis



Dear Linda:

This year at the Knee Deep Club Jr. Derby and Outing for the Handicapped, there were over 40 handicapped children and their families. We gave trophies and Knee Deep Club tee shirts to every child. I can say that everyone had a fun and rewarding day. Therefore I wish to thank you, the Mayor and the Borough Council for allowing us to continue to use the park for this annual event.

If we can ever be of service, please do not hesitate to contact us.

Sincerely,

Chuck Walz
President, Knee Deep Club

Inc PK
G. Sender
8/29/08