

**BOROUGH OF MOUNT ARLINGTON
COUNCIL MEETING MINUTES
JANUARY 19, 2010**

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 November 25, 2009; notice was posted on the bulletin board in the main hallway of the Municipal Building on November 23, 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

Cub Scout Pack #60 led the flag salute. The Mayor asked for a moment of silence to remember our troops fighting for our freedom and those suffering from the recent earthquake in Haiti.

Cub Scout Pack 60 Presentation to the Mayor and Council.

- Scoutmaster Joe Keltos introduced the Scouts who gave a presentation thanking the Mayor and Council, the Board of Education and the citizens of Mount Arlington for their support over the past year; a Certificate of Appreciation was presented to the Mayor and Council.

4. Roll Call

Councilman Driscoll, Councilman Sorge, Councilman Sadow, Council President Galate, Councilman Doran, Mayor Ondish. JoAnne Sandler, Borough Administrator, and Mitchell Jacobs, Borough Attorney, were also present. Councilman Windish was absent, attending Governor Christie’s Inaugural reception.

5. Presentations/Mayor’s Appointments

1. Board of Chosen Freeholders Resolution Honoring the Municipal Clerks Association of Morris County.

- The Resolution is being passed around to all Morris County municipalities; the Mayor read the Resolution into the record and thanked the Clerk for her participation and diligent work.

2. Letter of Resignation from the Board of Recreation Commission.

- The Mayor read a letter of resignation, with regret, from Stacey Peia resigning from the Board of Recreation Commission.

6. Utility Receipt Report for the Month of December, 2009.

The Clerk read the Utility Receipt Report for December, 2009 into the record.

Grand Total: \$40,904.51.

Tax Collector’s Report for the Month of December, 2009.

The Clerk read the Tax Collectors Report for December, 2009 into the record.

Total Receipts: \$217,849.93.

7. Finance Report for the Month of December, 2009.

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

Ending Balance: \$9,491,206.29.

8. Open to Public

Paula Danchuk, 50 Elizabeth Way:

- Ms. Danchuk discussed the recent Silkes/OPRA lawsuit and questioned how the Borough felt it was successful. Ms. Danchuk had photocopied all the documentation pertinent to the lawsuit, and reiterated the whole process from the initial OPRA request. The Borough Attorney explained the Council was involved in the process and had all the pertinent papers. The Mayor stated that Council Members were aware of the documentation, the OPRA procedures were followed, the Borough went to Court, the Judge made a ruling and the issue is over.

Councilman Sadow stated that unlike the Plaintiff in this action, he was present in the Court for the entire proceeding and while Ms. Danchuk has given the public a view of what the proceedings actually were, Judge Bozonelis let all of his feelings be specifically entered into the Court record; his thinking was out loud. The characterization made by Ms. Danchuk is not completely accurate; Judge Bozonelis did not find that the Borough had to turn over documents. What he found was that the Borough had already turned over more than 99% of the documents in an open dialogue which allowed the Judge to make the decision to not pay the other attorney. The court costs make the residents of the State of New Jersey and the County of Morris the loser in this action because Judge Bozonelis gave 48 minutes of his extremely valuable time in open court and much time in closed session reviewing these documents; during such time he could have been putting away a criminal or two instead of presiding over an action that cost the Borough money and cost our attorneys time when they could perhaps have been doing something else for the Borough. Councilman Sadow stated it is objectionable to this Council that we are spending time, money and energy defending ourselves from the very people that we are trying to serve. The Borough Attorney stated that Ms. Dancuk is speaking about one OPRA request, there are many, many OPRA requests made on this Borough but probably 98% are filled without any problem; almost every one of the OPRA requests given to the Clerk are filled without question on a timely basis.

Debra Hill, 352 Howard Boulevard:

- Ms. Hill questioned the new lighting on Howard Boulevard. The Mayor explained the bollard lighting and that we are waiting for the wiring to be changed; there will be one photocell for the line of lights rather than individual photocells.

- Ms. Hill questioned the new clock on Howard Boulevard not showing the correct time. The Mayor stated we have not paid the cost of \$8,000 yet for the clock; we are waiting for the company to repair the clock and then we will pay them.

Veronica Silkes, 668 Succasunna Road:

- Ms. Silkes asked the Mayor for the website address he mentioned a few meetings ago regarding wind energy. The Mayor stated he will get the information for Ms. Silkes.

- Ms. Silkes questioned the solar panels being installed for the Highlands Council; the Mayor corrected her and stated this proposal would be for the landfill. The Mayor met with the DEP and Eileen Swan of the Highlands Council where Ms. Swan verbally stated she has \$50,000 in grant money that should not be a problem. The prior \$65,000 was changing our ordinance to conform with the Highlands rules; the 50,000 is not a guarantee and it is in the preliminary stages right now. Ms. Silkes referenced the \$195,000 grant from the DOT for the streetscape extension up to the park; the Mayor said we get \$195,000 but we have to determine how much the project will cost.

- Ms. Silkes questioned the new water lines from a grant for Edgemere, Hopatcong and Arlington Avenues; the Mayor stated this project was grant and some capital money and funded in 2007.

- The Mayor asked Ms. Silkes if she would be able to give us some help on the landfill project when we get started, pursuing DEP or something to that nature? The Mayor asked Ms. Silkes if she would be interested; Ms. Silkes stated that she would if she could fit it into her schedule.

Nancy Abselon, Oak Street:

- Ms. Abselon just wanted to comment on the amount of animosity and anger that is so prevalent in the Borough. The Mayor stated that there are 5,000 residents in this Borough and there is a small group that requests information; it is not a bad thing. Ms. Abselon stated that even the OPRA requests should not have gotten as far as to involve a law suit. The Mayor stated that there is an attitude of "trying to getcha" from the local watchdog group; they are not merely requesting information. The Mayor stated that after this group has done all this searching, the only thing that has come up is that the Borough gives their employees coffee. Both the Mayor and Council agreed with Ms. Abselon regarding not being so defensive but we are under the guidelines of OPRA and must follow those guidelines. Under the statutes of OPRA, we are not allowed to just give someone something they request.

9. New Business

None.

10. Old Business

1. Council Committee Reports.

Councilman Driscoll, DPW Liaison:

- Civic Center: Paul Nelson asked Ricky from the school to borrow their machine to do the floors at the Civic Center. Jane Jameson secured the school handyman, Ricky, to do the floors for us, using their machine.
- Paul Nelson will be doing a leak survey this evening at the MUA main at the Cracker Barrel complex.
- Paul Nelson had indicated that the Borough is in better shape this year with their supplies.

Councilman Sadow, Finance Committee:

- The Finance Committee will be having a meeting shortly and will schedule dates for the Citizen's Advisory Committee .
- Councilman Sadow suggested double-sided printing for the Agenda packets; Council agreed to give it a try for the next Agenda.

Council President Galate:

- The Board of Education Meeting is set for January 26th.
- The Green Team organizational meeting is January 28th.

Councilman Doran:

- Representative for the Borough to the Lake Hopatcong Water Level Management Plan Review Committee: Councilman Doran was in Trenton today to meet with the DEP and will be holding a meeting tonight to address resident's concerns. One of the main concerns is that there are over 3100 residences on the lake, many of which have their own walls, etc., which must be maintained: the water draw down has become a state issue as well.
- Councilman Doran thanked the Police Department for their quick and thorough response to the incident at Quik Check over the weekend and briefly described the incident.

11. Approval of Minutes

January 5, 2010

Re-Organization Meeting

Motion to Approve: Councilman Driscoll.

Second: Councilman Doran.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Nay: None.

Motion Approved.

12. Resolutions

- 2010-16** 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 January 18, 2010.
 Motion to Approve: Councilman Sorge.
 Second: Councilman Driscoll.
 Roll Call:
 Aye: Driscoll, Sorge, Sadow, Council President Galate (abstain from check #8403), Doran.
 Nay: None.
 Motion Approved.
- 2010-17** 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: Councilman Sorge.
 Second: Councilman Driscoll.
 Roll Call:
 Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.
 Nay: None.
 Motion Approved.
- 2010-18** 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 Risk Management Consultant's Agreement.
 Motion to Approve: Councilman Driscoll.
 Second: Councilman Sadow.
 Roll Call:
 Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.
 Nay: None.
 Motion Approved.
- 2010-19** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Appointing the Local Emergency Planning Council.
 Motion to Approve: Councilman Driscoll.
 Second: Councilman Sorge.
 The Mayor read the roster of members into the record.
 Roll Call:
 Aye: Driscoll, Sadow, Council President Galate, Doran.
 Abstain: Sorge.
 Nay: None.
 Motion Approved.
- 2010-20** Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Recommending Chief Prosecutor and Prosecutor of the Joint Court of Dover.
 Motion to Approve: Councilman Sorge.
 Second: Councilman Sadow.
 Roll Call:
 Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.
 Nay: None.
 Motion Approved.

2010-21 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Recommending Chief Public Defender and Public Defender of the Joint Court of Dover.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Nay: None.

Motion Approved.

Added Resolutions:

2010-23 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Borough to Enter into an Agreement with the Borough of Wharton for Providing Street Sweeping of Various Roads and Cleaning of Catch Basins within the Borough of Mount Arlington.

Motion to Approve: Councilman Sorge.

Second: Councilman Driscoll.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Nay: None.

Motion Approved.

2010-24 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 January 19, 2010.

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate, Doran.

Nay: None.

Motion Approved.

13. Ordinances – Introduction

None.

14. Ordinances – Second Reading

None.

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 in Councilman Windish' absence, Recreation has a new Project Coordinator, Jacqueline Coy, who wrote Council a letter stating they are officially taking over the Easter Egg Hunt, which will be March 28, 2010.

- The Borough Administrator has items to discuss in Executive Session.

The Mayor stated that he was on Fox News a few weeks ago, as referred by Bill Dressel, President of the NJLM. The news questioned the Mayor about cutting Christmas decorations. They interviewed the Mayor and he spoke about the streetscape project and the new light poles and how we wanted to put decorations on the new poles, but due to our

financial situation, we were not in the position to spend money on decorations. The next day, the Mayor had a meeting with United Water and builders of the two new office buildings and Shadow Woods. After the meeting, the lead attorney for United Water mentioned he saw the Mayor on Fox News; they asked how much the decorations would cost. The next day, the gentleman called the Mayor – 33 light poles would cost about \$28,000. Daren Phil spoke to the vendor and suggested we ask for 18 decorations, which would be about \$12,500. The gentleman again called the Mayor and stated that they would give the Borough the \$12,500 for the decorations; the Borough got free Christmas decorations from United Water. The Mayor will follow-up with a thank you letter and they have been sent a letter regarding our local Chamber of Commerce. Mr. Phil has contacted the vendor to see if the decorations can be stored until November; the company will install the decorations the first time.

18. Executive Session

2010-22 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: Attorney/Client Privilege/ Litigation, Approval of Executive Minutes and Staffing.

There will be action taken after Executive Session.

Motion to Go Into Executive Session: Councilman Driscoll.

Second: Councilman Sorge.

All in Favor – Aye.

None Opposed.

Motion Approved.

Councilman Doran left the meeting after Executive Session.

Motion to Return to Open Session: Councilman Sorge.

Second: Councilman Driscoll.

All in Favor – Aye.

None Opposed.

Motion Approved.

Added Resolutions:

2010-25 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Authorizing the Borough Clerk to Prepare and Advertise and RFP for a Planner for the Master Plan.

Motion to Approve: Councilman Sadow.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate.

Absent: Doran.

Nay: None.

Motion Approved.

2010-26 Resolution of the Mayor and Borough Council of the Borough of Mount Arlington, in the County of Morris, State of New Jersey, Hiring Carolyn Rinaldi as Permanent Part-Time Clerical Help (Finance).

Motion to Approve: Councilman Driscoll.

Second: Councilman Sorge.

Roll Call:

Aye: Driscoll, Sorge, Sadow, Council President Galate.

Absent: Doran.

Nay: None.

Motion Approved.

19. Adjourn

Motion to Adjourn: Councilman Sorge.
Second: Councilman Driscoll.
All in Favor – Aye.
None Opposed.
Motion Approved.

Linda DeSantis, RMC
Borough Clerk

Minutes Approved With Corrections at Council Meeting of February 2, 2010.

BOROUGH OF MT. ARLINGTON

419 HOWARD BOULEVARD
MT. ARLINGTON, NEW JERSEY 07856
TAX & UTILITY OFFICE
(973) 398-6832 EXT. 13 & 14
FAX (973) 398-2309

UTILITY RECEIPT REPORT FOR

MONTH OF December 2009

<u>AMOUNT</u>	<u>DESCRIPTION</u>	<u>COLLECTED IN DECEMBER 2008</u>
\$ 6,690.20	SOLID WASTE RECEIPTS	\$ 8,415.19
\$ 27,122.95	SEWER RECEIPTS	\$ 18,146.83
\$ 7,091.36	WATER RECEIPTS	\$ 40,458.70
\$ 40,904.51	GRAND TOTAL	\$ 67,020.72
\$ 24,712.82	(TRUST ACCT) SEWER CONNECTION FEE INSTALLMENT PLAN RECEIPTS	
	<u>WATER REPAIR RECEIPTS (INCLUDED IN WATER RECEIPT TOTAL)</u>	

Completed By Patricia E. Simari, CTC

cc: Mayor & Council
Carolyn
Monica
c:\trialbalanceutility

BOROUGH OF MT. ARLINGTON

419 HOWARD BOULEVARD
MT. ARLINGTON, NEW JERSEY 07856
TAX & UTILITY OFFICE
(973) 398-6832 EXT. 13 & 14
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To the Mayor & Council of the Borough of Mt. Arlington:
I hereby submit my report of receipts & disbursements for

The Month of December 2009

Dated Jan. 4, 2010

Completed By Patricia E. Simari, CTC

Collections:

Current Taxes (9-01-17-001-001)	\$ 174,029.08
2010 Taxes (9-01-17-001-002)	\$ 37,787.73
___ Taxes (Collected at Tax Sale)	
Future Taxes (9-01-17-001-004)	
Municipal Redemption (9-01-17-004-001)	
Interest & Costs (9-01-08-112-000)	\$ 5,973.37
Interest & Costs (Collected at Tax Sale)	
Return Ck. Fee (9-01-16-500-021)	
Tax Searches (9-01-08-105-010)	
Duplicate Bills (9-01-16-500-021)	
3 rd Party Redemption (9-01-17-004-002)	
Misc. Copies (9-01-16-500-021)	\$ 59.75
Tax Sale Costs (9-01-17-001-005)	
Tax Sale Costs (Collected at Tax Sale)	
Tax Sale Premiums	
6% Delinquent Penalty (9-01-16-500-021)	
Tax Paid Certification	
Total Receipts	\$ 217,849.93
<u>Total Receipts December 2008:</u>	<u>\$ 141,159.12</u>

cc: Carolyn
Monica
c:\trialbalancereceipts

BOROUGH OF MOUNT ARLINGTON
FINANCE OFFICE

Finance Report for December 2009

Beginning Balance	9,523,042.79
Receipts	1,127,016.85
Disbursements	1,158,853.35
Ending Balance	9,491,206.29

Resolution

1912

The Municipal Water Association of Monroe County

Whereas the Board of Supervisors of Monroe County, Florida, has authorized the Municipal Water Association of Monroe County to acquire and operate a water supply system for the city of Monroe, Florida;

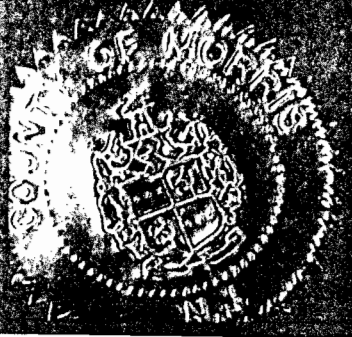
And whereas the Board of Supervisors of Monroe County, Florida, has authorized the Municipal Water Association of Monroe County to acquire and operate a water supply system for the city of Monroe, Florida;

And whereas the Board of Supervisors of Monroe County, Florida, has authorized the Municipal Water Association of Monroe County to acquire and operate a water supply system for the city of Monroe, Florida;

That the Board of Supervisors of Monroe County, Florida, has authorized the Municipal Water Association of Monroe County to acquire and operate a water supply system for the city of Monroe, Florida;

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That the Board of Supervisors of Monroe County, Florida, has authorized the Municipal Water Association of Monroe County to acquire and operate a water supply system for the city of Monroe, Florida;



[Handwritten signature]
Secretary

Mayor report for 1/19/2010:

Since our meeting on December 14:

12/15/09- Attended the Daytop Holiday Concert

12/16/09- Met with the DEP transition team on behalf of the Mayors Committee for a Green Future to discuss Sustainable Jersey and the DEP's partnership.

12/16/09- Officiated a wedding at a private residence in Shore Hills.

12/17/09- Attended a meeting of the Mayors Committee for a Green Future in New Brunswick.

12/19- Left town for trip to Florida to spend time with my parents.

12/30/09- Attended a rededication of the S Salem Street Bridge to Officer Art Ohlsen, a Dover police officer that was killed in the line of duty.

12/30/09- Officiated a wedding at a private residence in Lakeshore Village

1/1/2010- Attended the Parsippany Reorganization meeting where Gov Elect Chris Christie swore in the new Republican Mayor Jamie Barbario.

1/2/10- Attended the Netcong Reorg.

1/4/10- Attended the Wharton Reorg

1/5/10- We had our reorg.

1/6/10- Attended the County Reorg where I was humbled to be asked to swear in Freeholder Chegwidden as Deputy Freeholder Director.

1/11/10- Attended a meeting with St Clare's BLS about our EMS service in Mount Arlington. This meeting was to make sure we keep the lines of communication open and any issues are dealt with before becoming problems. Chief Peterson, Chief Norman, JoAnne and I hosted the meeting.

1/11/10- Chaired the January Lake Hopatcong Commission meeting.

1/12/10- A busy day.

10am- I attended the first Lake Level Management Committee meeting at DEP in Trenton Councilman Doran was also in attendance and stayed for the entire meeting which I left early.

12noon I attended the NJ State Assembly reorg

2:00pm- I attended Governor Corzines last State of the State address.

5:00pm I was back in Morristown for a meeting of the Morris County League of Municipalities Board meeting. We established the meeting dates, locations and rough agendas of the upcoming 2010 meetings.

7:00pm I attended the Mount Arlington Board of Health's reorg meeting here in the chambers.

1/14/10- I attended the Morris County Chamber of Commerce Annual Luncheon. I had the honor of meeting and speaking with Governor Mike Huckabee. A picture of me speaking with Mike was in the Daily Record the next day.

1/15/10- Spent the afternoon at a USGBC, NJ retreat in North Brunswick as a member of the Advisory Board.

1/19/10- I was able to attend the swearing in ceremony of Chris Christie as our new Governor.

In the past week I have also had conversations with NJ DOT and NJ Transit about our sidewalk project from the train station to our existing sidewalk network. An update of the project is this: They have a design with 3 alternate proposals of how to install sidewalks. NJDOT already met with Morris County to get their feedback on which alternative they feel would be appropriate. They have scheduled Feb 2, our next Council meeting, to come before our council to get feedback on the proposal.

We were not selected for the grant that we applied for to fund this project. I was very upset about that and reached out to the DOT Chief of Staff and he was going to look into it. His last day of work was today with the new administration setting up shop I will follow up with his

successor. This is a very important safety issue and we must find funding for this project from another source. I will keep you updated as I get information.

The letter went out to all the Mount Arlington Businesses and I have begun to get response. I will keep everyone updated as this progresses. For those who don't remember, a letter was sent out asking if our businesses would be interested in forming a Business Alliance or a local Chamber of Commerce.