

**BOROUGH OF MOUNTAIN LAKES**  
**MOUNTAIN LAKES HIGH SCHOOL, 96 POWERVILLE ROAD, MOUNTAIN LAKES**  
**973-334-3131**  
[www.mtnlakes.org](http://www.mtnlakes.org)

**JULY 27, 2015**  
**7:00 PM EXECUTIVE SESSION**  
**8:00 PM PUBLIC SESSION**

**MINUTES**

**1. CALL TO ORDER; OPENING STATEMENT**

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting as originally scheduled and the agenda thereof had been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 8, 2015 (change in time and location July 23, 2015) and posted in the municipal building.

Mayor McWilliams called the meeting to order at 7:03 p.m. in the High School Auditorium.

**2. ROLL CALL**

Ms. Reilly called the roll. All Council members were present except for Councilman Albergo, who arrived at 7:07 p.m. and Councilman Happer, who arrived at 7:57 p.m. Also present for the Executive Session were Borough Manager Richard Sheola, Borough Clerk Michele Reilly, Borough Planner Paul Phillips and Borough Attorney Robert Oostdyk.

**3. PLEDGE OF ALLEGIANCE**

Mayor McWilliams led the salute to the flag.

**4. EXECUTIVE SESSION**

**Resolution 133-15**

**Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege**

- Affordable Housing Litigation
- Hopkins vs. Chatham Borough et als
- Interlocal Services Agreement – Court
- Potential Litigation, Conlan vs. Mountain Lakes et al

Motion made by Deputy Mayor Holmberg, second by Councilman Lester, to enter into Executive Session with all members in favor signifying by "Aye".

Motion made by Councilman Lester, second by Deputy Mayor Holmberg, to adjourn the Executive Session and return to the public portion of the meeting with all members in favor signifying by "Aye".

**5. COMMUNITY ANNOUNCEMENTS**

Mayor McWilliams reported that the Recreation Department was sponsoring movie night at Island Beach this Thursday at 8:30, featuring Lilo and Stitch.

Mayor McWilliams mentioned that water bills are August 20<sup>th</sup> and tax bills are due August 17<sup>th</sup>.

Mayor McWilliams said the Hub Lakes swim meet would be held at Birchwood this weekend and that the beach would be closed until 3:00 p.m. He also said residents could expect traffic delays.

Mayor McWilliams said that the Mayor's letter is on the website and would be featured in the August issue of Mountain Lakes Living Magazine.

Mayor McWilliams stated that water restrictions were still in effect.

Mayor McWilliams mentioned that the 4<sup>th</sup> of July Fireworks were successful as was the concert held at Island Beach featuring the Denville String Band.

**6. OATH OF OFFICE – POLICE DEPARTMENT**  
**Christopher Somjen, Patrolman**

The Oath of Office was administered to Christopher P. Somjen by Mayor McWilliams. Patrolman Somjen's mother Cheryl Kennedy held the Bible. His badge was pinned on by Chief Bennett.

**7. REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES**

No reports were presented.

**8. DISCUSSION ITEMS**

**-Proposed Zoning Ordinance Amendments, RC-1 Zone (King of Kings Property)**

Mr. Sheola gave a brief update on the proposed zoning amendments for the RC-1 Zone. He said the process is moving forward, albeit slowly, and he expects to be able to introduce an Ordinance at the August meeting. He also stated that work on the affordable housing plan is progressing and he expects it to be ready for Council review by September.

**-Proposed Changes to Parking Regulations**

Councilman Happer explained that parking at Midvale Boat Dock has become somewhat problematic on the weekends. He pointed out that the renovations resulted in a slightly smaller parking lot and that people who are not using the facilities are parking in that area. He said that the Borough does not have laws with respect to parking at Borough facilities and asked if the Council would support an Ordinance to allow for some enforcement. Mr. Oostdyk suggested that prohibiting parking when the facilities are not open solves the problem of people using the parking lots for vehicle storage, and it is easy for the police to enforce and for residents to be aware of the rules. He stated that the Police Department and residents can work together if parking at Borough facilities is needed for special events not related to the use of the facilities. The consensus of the Council was that Mr. Oostdyk should develop an Ordinance for introduction at the next Council meeting.

**-Proposed Hazardous Materials Reimbursement Ordinance**

Mr. Sheola reviewed his memo and the draft Ordinance, which allows the Borough to seek reimbursement of expenses for materials expended in a hazardous materials incident. Councilman Lester said he would like to see the scope of the Ordinance expanded beyond hazardous materials to incorporate any situation deemed appropriate. Mr. Sheola said he would work with Mr. Oostdyk on a revised Ordinance for introduction at the next Council meeting.

**-Proposed Towing Ordinance**

Mr. Sheola explained that State law required the Borough choose tow operators through either a public bid process or through procedures set in an Ordinance. He said that he would prefer the Council pass an Ordinance as it allows for a rotational list of vendors whereas a bid process establishes a contract with one company. Mr. Oostdyk stated that he would like to see this in place for 2016. The consensus of the Council was that an Ordinance should be prepared for introduction at the next Council meeting.

**-Proposed Resolution – Federal “1033 Program”**

Mr. Sheola discussed modifications he had made to the resolution, particularly the clause which stated that all acquisitions required the written approval of the Borough Manager. Councilman Lester said this program was beneficial and allowed the Borough to obtain equipment at no cost. However, he said he felt a list of items the Borough might want to obtain should accompany the resolution. Mr. Sheola said he would revise the resolution.

**9. PUBLIC COMMENT**

**Please state your name and address for the record.** Each speaker is limited to one (1) comment of no more than five (5) minutes with no yielding of time to another person.

Mayor McWilliams opened the public comment portion of the meeting with the consent of the Council. Mayor McWilliams explained the Council's policy of limiting each speaker to five (5) minutes with no yielding of time to another person.

TJ Chang – Lockley Court

Mr. Chang thanked Mr. Sheola for allowing him the opportunity to intern with the Police Department. He told the Council he spent a month with the Department and wanted to address the issue of lack of adequate space. He cited lack of an interview room and a separate lockup facility for juvenile and adult offenders. Mr. Chang mentioned that there were no decontamination showers and the Police take whatever they might be exposed to on the job back home to their families. He also mentioned that the Police Department should have a sally port to ensure the safety of and protect the privacy of prisoners.

Jim Moody – 17 Robinhood Drive

Mr. Moody said the Spruce Edge Townhome Association had unanimously passed a resolution to preserve the peace and tranquility of Spruce Edge and to oppose any development of the King of Kings property. He said if a development is approved the Association request the development have egress from Route 46.

Jack Gentul – 14 Sherwood Drive

Mr. Gentul stated he was imploring the Council to stand up for the quality and character of Mountain Lakes. He said he would like to see the Council prioritize developing an affordable housing plan that the community can support.

Ellen Emr – property owner, 19 Sherwood Drive

Ms. Emr commented that the housing element of the Master Plan should be finished prior to a change in the Ordinance. She mentioned that the King of Kings property is a primary recharge area for the Troy Brook. She offered her opinion that the King of Kings property is of unique importance to the town which is why it has a unique zoning.

George Jackson – 20 Sherwood Drive

Mr. Jackson stated he wanted to reemphasize the point made by Ms. Emr and that no change in the Ordinance should be considered prior to the completion of the housing element. He asked about the Executive Session and if a lawsuit had been filed and his need to understand the nature of the litigation. In addition, Mr. Jackson mentioned Paul's Diner's Zoning Board Application for a large digital sign and his hope that, should the variance be granted, the Council will enact an Ordinance prohibiting the sign.

Stephen Shaw – 4 Point View Place

Mr. Shaw said he was surprised to read about the coat of arms contest and said that in 2006 the Borough had dedicated an official flag and seal after a thorough process. He mentioned that the Borough website says the Council gave the green light to the project on May 11<sup>th</sup> but in reading the minutes only one person from the public suggested the idea and the minutes contained no reflection of a Council discussion. Mr. Shaw stated that the contest description mentions a judging committee but that it was not formed by the governing body, there is not appointment of members reflected in the minutes, and one individual is not even a resident. He mentioned again that the Borough already has an official seal and flag and he requested that the Council publicly stop the contest and said he does not think a coat of arms is needed.

Joyce Leuchten – 21 Crystal Road

Ms. Leuchten asked if all the Council members and the Manager have walked the King of Kings property.

With no one else wishing to be heard, Mayor McWilliams closed the public comment portion of the meeting.

In response to the comments about affordable housing and the rezone of the King of Kings property, Mr. Oostdyk said many of the issues cannot be discussed publicly; however, he stated that Mr. Phillips, the Planner, had participated in the Executive Session and that the Borough is in the process of developing a fair share plan. Mr. Oostdyk said the Borough would have been working on a plan even without the proposed Hornrock Development as the issue of affordable housing is now front and center due to the recent court decision. He pointed out that there is some overlap between the issues surrounding a fair share plan and the rezone of the RC-1 Zone. He mentioned that the Council is considering hiring a consultant in order to help the Borough calculate its fair share numbers and that the Planner needs the numbers in order to finish the plan. Mr. Oostdyk said no conclusion has been reached as to how the King of Kings property may or may not fit into the affordable housing plan. He said Mr. Sheola and Mr. Phillips will continue to work together. He also stated that the Planning Board would ultimately be the body to adopt the fair share plan and that once adopted, the governing body would decide whether or not to file the plan with the courts.

Deputy Mayor Holmberg said he agreed with Mr. Shaw's thoughts about the coat of arms contest and was concerned about the lack of process. He thanked Mr. Shaw for bringing the issue to the Council's attention. Councilman Lester said the contest was not a Council action but was being promoted by a concerned citizen who had presented her idea to Council and had received positive feedback. Councilman Albergo disagreed and said the resident had been directed to come up with a plan and the expectation was that she would then return to the Council to present her plan. Councilman Happer said that if the coat of arms is going to be part of the community it should be supported by the Council and if not it should not be promoted as having the Council's support.

**10. ATTORNEY'S REPORT (verbal)**

Mr. Oostdyk had nothing additional to report.

**11. MANAGER'S REPORT (verbal)**

Mr. Sheola reported that the 2014 audit was clean.

Mr. Sheola mentioned that the State of New Jersey had increased the bid threshold from \$36,000 to \$40,000 for those municipalities who had a Qualified Purchasing Agent (QPA).

Mr. Sheola said he was working with the Historic Preservation Commission to make a determination about the use of the dynamite shed for storage.

Mr. Sheola reported that he expected the Borough to convert to using iWorQ instead of the PubWorks program, citing flexibility and cost as reasons for the conversion. He thanked Councilman Lester for his help in evaluating the contract.

Mr. Sheola mentioned that he had been approached by a vendor who wanted to obtain a new ground lease for the cell tower.

Mr. Sheola said he had started work on the 2016 operating budget.

Mr. Sheola mentioned the two handouts he had placed on the dais. He said the first was for the street sign replacement program, which he expected to take three (3) years. He asked the Council to read it at their leisure and that he would discuss it further at a future meeting.

Mr. Sheola then talked about the second handout, which pertained to the Sunset Lakes Dam repairs. He said the Department of Environmental Protection (DEP) has classified the dam as a Class 1, High Hazard Dam, which means it will not accommodate the maximum capacity of thirty-four (34) inches of rain in a twenty-four (24) hour period. He said he had been consulting with the Dam Engineer, Ferriero Engineering, and they had developed five (5) different options for fixing the dam, all costing in excess of one million dollars. Mr. Sheola stated that the repairs were mandated by the DEP and that he expected this would be a late 2016/early 2017 capital project. Deputy Mayor Holmberg asked about grants and Mr. Sheola said Ferriero had identified one grant and he expected to have a resolution supporting the grant application on the next agenda. Mr. Sheola mentioned there would be a meeting with property owners after Labor Day.

**12. ORDINANCE 08-15**

**ORDINANCE AMENDING VARIOUS CHAPTERS OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND MAKING TECHNICAL CORRECTIONS IN CONNECTION WITH THE WELLHEAD PROTECTION ORDINANCE**

**BE IT ORDAINED** by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

**Section 1.** Chapter 40, "Land Use Administration," Section 40-3, "Definitions," shall be amended by the deletion of the definition of "Prime Aquifer Area."

**Section 2.** Chapter 40, "Land Use Administration," Section 40-3, "Definitions," shall be amended by the inclusion of the following additional definition:

**WELLHEAD PROTECTION AREA (WPA)**

An area described in plain view around a well, from which groundwater flows to the well and groundwater pollution, if it occurs, may pose a significant threat to the quality of water withdrawn from the well.

**Section 3.** Chapter 102, "Environmental Factors; Soil, Water and Trees," Section 102-2, "Purposes," Subsection E shall be amended to read in its entirety as follows:

E. Limit depletion and pollution of the Borough's groundwater resources to protect the health, safety and welfare of the residents of the Borough and surrounding communities.

**Section 4.** Chapter 102, "Environmental Factors; Soil, Water and Trees," Section 102-6, "Requirement; purpose," Subsection C shall be amended to read in its entirety as follows:

C. The Planning Board may require that the applicant provide specialists to testify on important issues. If the proposed development is located in a Wellhead Protection Area, the Planning Board may require assessment by a professional geologist to ensure compliance with all applicable regulations.

**Section 5.** Chapter 102, "Environmental Factors; Soil, Water and Trees," Section 102-7, "Contents of Statement," Subsection C(2) shall be amended so that the term "Prime Aquifer Area" is changed to "Wellhead Protection Area" and Subsection C(2)(f) is amended to read in its entirety as follows:

(f) Wellhead Protection Area. Development activities in this area shall conform to Article VI.

**Section 6.** Chapter 102, "Environmental Factors; Soil, Water and Trees," Section 102-10, "Prime Aquifer Area," shall be deleted and that Section shall be "reserved."

**Section 7.** Chapter 102, "Environmental Factors; Soil, Water and Trees," Section 102-13, "Consideration guidelines," Subsection G shall be amended to read in its entirety as follows:

G. Wellhead Protection Area guidelines.



**13. ORDINANCE 09-15**

**BOND ORDINANCE APPROPRIATING \$65,000 AND AUTHORIZING THE ISSUANCE OF \$61,750 BONDS OR NOTES OF THE BOROUGH, FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY**

**BE IT ORDAINED** by the Borough Council of the Borough of Mountain Lakes, in the County of Morris, State of New Jersey (not less than two-thirds of all the members thereof affirmatively concurring) as follows:

**Section 1.** The several improvements described in Section 3 of this bond Ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Mountain Lakes, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to **\$65,000** including the aggregate sum of **\$3,250** as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

**Section 2.** For the financing of said improvements or purposes and to meet the part of said **\$65,000** appropriations not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of **\$61,750** pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding **\$61,750** are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

**Section 3.** The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

**IMPROVEMENT OR PURPOSE**

(a) Acquisition by purchase and installation as necessary of new and additional equipment, including without limitation personal protective equipment for use by the Mountain Lakes Fire Department, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

<b><u>APPROPRIATION AND ESTIMATED COST</u></b>	<b><u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u></b>
\$5,000	\$4,750

(b) Purchase of a new pick-up truck with plow, appurtenances and related equipment, for use by the Department of Public Works in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

<b><u>APPROPRIATION AND ESTIMATED COST</u></b>	<b><u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u></b>
\$45,000	\$42,750

(c) Purchase of new personal computers, tablets, anti-virus hardware and related peripherals in accordance with specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

<b><u>APPROPRIATION AND ESTIMATED COST</u></b>	<b><u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u></b>
\$15,000	\$14,250

**TOTALS**

<b>\$65,000</b>	<b>\$61,750</b>
-----------------	-----------------

**Section 4.** The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond Ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond Ordinance, is **6.23** years.



**14. \*RESOLUTIONS**

- R131-15 Resolution Authorizing an Amendment to the Shared Services Agreement Between the Borough of Mountain Lakes and the Township of Denville for Municipal Court Services
- R134-15 Resolution Authorizing 2015 Municipal Employees' Salary – Cacciabeve, Fox
- R135-15 Resolution Amending the Appointment of Special Police Officers
- R136-15 Resolution Authorizing the Renewal of Liquor Licenses – Mountain Lakes Club Inc.
- R137-15 Resolution Authorizing the Renewal of Liquor Licenses – Olympiakos Restaurant Enterprises LLC
- R138-15 Resolution Authorizing the Renewal of Liquor Licenses – Zeris Brothers Inc.
- R139-15 Resolution Authorizing the Renewal of Liquor Licenses – Mountain Lakes Wine & Liquor LLC
- R140-15 Resolution Authorizing the Renewal of Liquor Licenses – Frungillo Caterers Inc.
- R141-15 Resolution Authorizing the Issuance of Not Exceeding \$1,640,726 Bond Anticipation Notes of The Borough of Mountain Lakes, in the County of Morris, New Jersey
- R142-15 Resolution Certifying Annual Audit
- R143-15 Resolution Authorizing the Refund of Overpayment of Taxes – Block 110 Lot 11 50 Pollard
- R144-15 Resolution Authorizing the Pavement of Various Roads in the Borough of Mountain Lakes Through the Morris County Cooperative Price Council – District #2
- R145-15 Resolution Approving Participation by the Borough of Mountain Lakes Police Department In the 1033 Military Surplus Program
- R146-15 Resolution Authorizing the Participation in a Municipal Shared Service Defense Agreement and the Retention of Dr. Robert W. Burchell As An Expert in Connection with the Preparation of a Fair Share Housing Plan
- R147-15 Resolution Authorizing the Payment of Bills

**15. \*MINUTES**

- June 22, 2015 (Executive)
- June 22, 2015 (Regular)

**16. \*DEPARTMENT REPORTS**

- Construction Department June 2015
- Department of Public Works June 2015
- Finance Department 2<sup>nd</sup> Quarter, 2015
- Fire Department June 2015
- Health Department June 2015
- Police Department June 2015
- Recreation Department June 2015
- Tax Department June 2015

**17. \*BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

COMMISSION/BOARD	NAME	TERM	POSITION	DATES	NOTE
Shade Tree Commission	Chris Capadonno	5 years	Member	1.01.15-12.31.18	Filling Unexpired Term

Prior to the Consent Agenda vote the Borough Council agreed that Resolution 145-15, Resolution Approving Participation by the Borough of Mountain Lakes Police Department in the 1033 Military Surplus Program, be carried to a future meeting. Deputy Mayor Holmberg requested that Resolution 144-15, Resolution Authorizing the Pavement of Various Roads in the Borough of Mountain Lakes Through the Morris County Cooperative Price Council – District # 2 be considered separately from the Consent Agenda. Councilman Happer requested that Resolution 141-15, Resolution Authorizing the Issuance of Not Exceeding \$1,640,726 Bond Anticipation Notes of the Borough of Mountain Lakes, in the County of Morris, New Jersey be considered separately from the Consent Agenda. Councilman Lester requested that the Police Report be discussed separately from the Consent Agenda.

Council Member	By:	2 <sup>nd</sup> :	Yes	No	Abstain	Absent
Albergo			X			
Barrett			X			
Borin			X**			
Happer		X	X			
Lester			X			
Holmberg	X		X			
McWilliams			X			

**\*Indicates Consent Agenda Item**

Matters listed as Consent Agenda Items are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

Councilman Borin abstained from voting on Purchase Order #13487 and Resolution 146-15.

**Resolution 141-15**

**Resolution Authorizing the Issuance of Not Exceeding \$1,640,726 Bond Anticipation Notes of The Borough of Mountain Lakes, in the County of Morris, New Jersey**

Councilman Happer said that the resolution should include language indicating that the Mayor, the Manager, and the Chief Financial Officer must sign off on the funding. The consensus of the Council was that the resolution should be amended accordingly. Councilman Happer also expressed concerns about the timing of the sale and the notes expiring in August. Mr. Sheola said he did not foresee a problem.

Council Member	By:	2 <sup>nd</sup> :	Yes	No	Abstain	Absent
Albergo			X			
Barrett			X			
Borin			X			
Happer	X		X			
Lester			X			
Holmberg		X	X			
McWilliams			X			

**Resolution 144-15**

**Resolution Authorizing the Pavement of Various Roads in the Borough of Mountain Lakes Through the Morris County Cooperative Price Council – District #2**

Mr. Sheola explained that this project would allow the Borough to pave the streets in the Lake Arrowhead section. He said that New Jersey Natural Gas (NJNG) had paved half of the roadways after they had finished their work on the gas mains. He stated that the Borough Engineer said the other half of the roadways could be paved without disturbing the new pavement while it is somewhat fresh. Councilman Happer expressed concern that there was not enough detail about the paving projects and requested a paving plan/schedule. In addition, he had concerns that the NJNG paving had not been monitored. Deputy Mayor Holmberg stated there were other more heavily travelled roads which needed paving, such as Lake Drive and Cobb Road. Mr. Sheola said Lake Drive was scheduled to be paved in 2016. Mayor McWilliams said the plan had always been to piggyback on what NJNG paved. Councilman Albergo requested that Mr. Sheola contact NJNG to determine whether or not they would be doing any further work in the Borough and reiterated that the Council wanted to see a paving schedule and plan for all the roads in the Borough.

Council Member	By:	2 <sup>nd</sup> :	Yes	No	Abstain	Absent
Albergo		X	X			
Barrett			X			
Borin			X			
Happer				X		
Lester	X			X		
Holmberg				X		
McWilliams			X			

**Police Department Report, June 2015**

Councilman Lester mentioned the last bullet point on the Chief's report and said he was not comfortable with the use of police overtime to cover a crossing guard shift. He said in his opinion the Chief needed to come up with a better plan and he was concerned about the Chief's inability to cover the situation efficiently. Councilman Happer had questions about the sick time. Councilman Lester asked Mr. Sheola to continue to monitor police overtime.

**18. COUNCIL REPORTS**

**Finance Advisory Committee** – Councilman Happer said the Committee met and discussed funding and bonding and notes versus bonds. He said that the Committee's recommendation was to continue with notes due to the low interest rates. He mentioned that the Committee would review the five (5) year plan when it is ready in the fall.

Councilman Happer asked Mr. Sheola to have Mr. Roberts provide a summary and explanations with his quarterly finance report.

**Public Works Advisory Committee** – Councilman Happer reported that the Committee discussed the Sunset dam renovations. He said those members of the Committee who are reviewing the beach facilities project will be giving their recommendations to the rest of the Committee in the next thirty (30) to sixty (60) days. He said he expected the plan to be presented to Council by the end of the year so that the cost of this capital project could be included in next year's budget.

**19. PUBLIC COMMENT**

**Please state your name and address for the record.** Each speaker is limited to one (1) comment of no more than five (5) minutes with no yielding of time to another person.

Mayor McWilliams opened the public comment portion of the meeting with the consent of the Council. Mayor McWilliams explained the Council's policy of limiting each speaker to five (5) minutes with no yielding of time to another person.

Stephen Shaw – 4 Point View Place

Mr. Shaw thanked the Council for their service. He talked about the coat of arms contest and expressed concern about the lack of process and Council involvement. He said that the website article appears to have come from the Council or at least appears to have Council support, particularly as it states this is an official contest. Mr. Shaw said he also objected to the content of the broadcast email sent July 20<sup>th</sup> on the topic of water safety. He said he felt the approach could have been better.

Jim Bailey – 111 Kenilworth Road

Mr. Bailey said as Chair of the Planning Board he would investigate Mr. Jackson's concern about the sign at Paul's Diner. He told the Council that the diner had made application before the Planning Board for a handicap ramp and renovations to the vestibule but the diner had not represented any changes to be made to the sign. Mr. Bailey also spoke about the housing element of the Master Plan and said he, Mr. Shaw, Sandy Batty and Blair Bravo had met with Mr. Phillips and Mr. Sheola. Mr. Bailey stated he felt there was reluctance on Mr. Phillips's part to complete the plan until he had a number but some members of the group felt the Planner should just pick a low number even though it could possibly be challenged.

Mr. Oostdyk told Mr. Bailey that the Council had just passed a resolution to hire an expert to calculate an affordable housing number.

George Jackson – 20 Sherwood Drive

Mr. Jackson said the Borough should be coming up with its own affordable housing number before relying on a third party. He said he still wanted Mr. Oostdyk to respond as to whether or not a suit had been filed. Mr. Jackson stated that in his opinion the Borough should make Willow Road a public road. He mentioned that there was a home on the Sunset Dam which had compromised the dam and he thought there might be a deed restriction.

With no one else wishing to be heard, Mayor McWilliams closed the public comment portion of the meeting.

Mr. Oostdyk said there had been no lawsuit filed. He stated that it is difficult for a local planner to calculate an affordable housing number when the Supreme Court has stated that the municipality must use a regional number. He mentioned that the expert, Dr. Burchell, has statewide experience, solid qualifications, and the resources to calculate a number that the Borough's planner can use.

The Council discussed the coat of arms contest. Deputy Mayor Holmberg made a motion to have the article removed from the Borough's website and Councilman Albergo concurred, adding that Mr. Sheola should have a discussion with the resident and that someone from Council should sit on the selection committee. Councilman Lester said the resident had sent the article to the website and it had been approved by the editor for posting. He said that as soon as another article was posted the coat of arms contest article would no longer be visible. He suggested that the coat of arms be limited to its relationship with the sister cities program and that no seals or flags would be replaced. Councilman Lester also agreed that Mr. Sheola should discuss the contest and the process with the resident.

**20. ADJOURNMENT at 10:34 PM**

Motion made by Deputy Mayor Holmberg, second by Councilman Borin, to adjourn the meeting at 10:34 p.m., with all members in favor signifying by "Aye".

**\*Indicates Consent Agenda Item**

Matters listed as Consent Agenda Items are considered routine and will be enacted by one motion of the Council and one roll call vote. There will be no separate discussion of these items unless a Council member requests an item be removed for consideration.

**ATTEST: JULY 27, 2015**

---

Michele Reilly, RMC, Borough Clerk

G. Douglas McWilliams, Mayor