



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
AUGUST 22, 2016
HELD AT BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES, NJ 07046**

CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting and the agenda thereof had been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 8, 2016 and posted in the municipal building.

Mayor Holmberg called the meeting to order at 7:04 p.m. in the municipal building.

ROLL CALL ATTENDANCE

(Mr. Borin arrived at 7:06pm, Mr. Albergo arrived at 7:24)

Roll Call	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
Albergo	<input checked="" type="checkbox"/>	<input type="checkbox"/>	McWilliams	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Barrett	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Borin	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Holmberg	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lester	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

FLAG

Mayor Holmberg led the salute to the flag.

EXECUTIVE CLOSED SESSION

R123-16, Resolution providing for a meeting not open to the public in accordance with the provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

Matters of Contract, Dam project

Motion to enter into an executive session: Mr. Lester

Second: Mr. Happer

Vote: All ayes.

Motion to come back to regular session: McWilliams

Second: Albergo

Vote: All ayes.

COMMUNITY ANNOUNCEMENTS

Mayor Holmberg recognized the recreation department for providing fun times in the Borough with the Jazz Concert on 8/2 and the Incredibles movie on 8/18.

Mayor Holmberg also pointed out there has been good community dialogue regarding the dam, and the Board of Education.

Councilman McWilliams advised the shredding and blood drive event and blood drive is in October. Councilman McWilliams also advised the Fire Department's Centennial dinner dance (black tie optional) is October 22nd and the public is welcome to attend.

PUBLIC COMMENT

Mayor Holmberg opened the meeting to the public

George Stafford, 16 Kitchell Avenue Wharton, NJ, representing Jersey Highlands Coalition came before the Council to ask that they consider adopting a resolution regarding clean water supply and the NJ water master plan. Mr. Stafford handed Ms. Fox the resolution to give to the Council and requested Ms. Fox's email address to send the document in Word format. Mr. Sheola gave Mr. Stafford Ms. Fox's email address for follow up.

Elizabeth Yeh, 33 East Shore Road, made comments regarding the dam project. Her house and dock isn't on the dam. She asked that her dock not be removed. She wants to support the borough and the DEP plan, but hopes the borough doesn't wreck her property and thinks about the residents before acting. She showed diagrams.



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Mayor Holmberg pointed out that the town is mandated to update the Sunset Lake dam. The dam project will be discussed this evening.

Fred Kanter, 81 Hanover Road, came before the Council to discuss the abandoned vehicle ordinance. He stated that the law is wrong based on the 4th amendment and the Lockner decision. He stated that there's a problem with the Mountain Lakes ordinance. He requested that the ordinance be repealed. He asked the council and Mr. Oostdyk for their opinion

Mayor Holmberg addressed Mr. Kanter. He stated that he didn't get Mr. Kanter's email. This matter will be brought back as a discussion item next meeting.

Susan Rogers, 5 East Shore Road, expressed dissatisfaction with the Sunset dam proposed improvement. How far would the berm go out? Doesn't believe sunny day event can't happen. She questioned if the Sunset dam was being singled out. Mayor Holmberg pointed out that the Sunset Lake dam is the last dam left to update. All others have been done.

George Yeh, 33 East shore, discussed the dam project. He mentioned that the dam project would cost all residents an \$80 tax increase. He stated that he supported the project for safety reasons. He had 3 areas of concern; he stated that the Engineer sees black and white. We need to think about the human side and financial side. We are all humans; we need the best solution to meet the DEP requirement. Please consider if this was your property. People come to Mt Lakes for the school and for the beauty.

Addie Colon, Representative of Jersey Central Power and Light, invited the council to a presentation regarding Safety. She stated that if the Council preferred, they could bring a demo to the borough.

Cynthia Korman, 53 Pollard Road, asked about paving projects in town. She stated that Pollard Road was last paved in 2008. Morris Ave near Powerville was also paved. There are currently potholes on these roads. The paving only lasted 6 years. She pointed out that we should get more than 6 years out of a paving job. Mayor Holmberg asked Mr. Sheola to address this matter in his presentation.

Mayor Holmberg closed the meeting to the public.

BOROUGH COUNCIL DISCUSSION ITEMS

Proposed house numbering ordinance amendment

Mayor Holmberg advised this item is tabled until the next meeting.

Pilgrim Pipeline

(Mr. Borin recused himself for this portion of the meeting and left the Council chambers)

Mr. Ken Dolsky, a representative from the Coalition Against the Pilgrim Pipeline, came before the Council to discuss this matter and answer questions posed by Council. He discussed pipeline spills vs. barge spills. He stated that pipelines release much larger amounts of oil because pipelines have so much more oil. 44% of spills are due to outside construction or other sources. Small leaks usually go undetected. Mr. Dolsky stated that the route of the pipeline can be found on his organizations website. There was a discussion regarding the Spill Compensation Control Act. There is no law that requires the pipeline company to have insurance. Pilgrim Pipeline is a small company without a lot of resources for cleanup funds. There was a discussion regarding the resolutions and ordinances concerning pipelines. Mr. Dolsky stated that there is strength in numbers regarding passing a resolution against the pipeline. Mr. Dolsky stated that fifteen towns have gotten together and hired an attorney to form a municipal pipeline group. He stated that for a few thousand dollars a town can join. This group is going to draft an ordinance regarding pipelines. It was the consensus of the Council to have Mr. Oostdyk draft an ordinance for the next meeting for discussion, not introduction.

(Mr. Borin re-joined the Council at this time, 9:31pm)



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Dam discussion

There was a discussion regarding the dam repair project. Mayor Holmberg stated that no one is happy with the dam project and that the Council will keep residents in mind as well as the engineer's concerns. It was stated that this topic was discussed in Executive session this evening. Mr. Sheola stated that the Council is leaning towards Option E for the dam repair which is the preferred best least alternative. We will keep residents informed. The Mayor asked everyone to please get all questions regarding this matter to Mr. Sheola by this Friday. Financing will be discussed at a later date.

Master Water Usage Plan

Councilman Lester discussed his water report that was included in the agenda. Options for producing and conservation of water were discussed. Recommendations for enforcement, conservation and education were discussed. There was a discussion regarding changing the allowed watering schedule and upgrading water meters. There was a discussion regarding drip irrigation, rain barrels, cisterns and drain gardens. Mr. Lester will continue to bring this topic to Council. Councilman Albergo and Mayor Holmberg thanked Councilman Lester for work. Mr. Lester will put his report on the website. It was stated that Mr. Lester and Mr. Sheola will come back with a timeline regarding this topic in September.

ATTORNEY'S REPORT

None

MANAGER'S REPORT

Mr. Sheola reviewed his Manager's report. He commented on the Transportation Trust Fund. The activities of the grant writer and ongoing road maintenance were discussed. He stated that the gas main on Lake Drive will be replaced starting next week. A Beach Renovation Project meeting will take place next week. There was a discussion regarding a grant for electric car charging stations. The communications plan was discussed. There was a discussion regarding recent burglaries in town. Two officers administered Narcan. These officers will be publically recognized at the next meeting. There was a discussion regarding CERT. There was a discussion regarding the Midvale intersection and the current signage. There was a discussion regarding the donation of a painting to the Borough.

ORDINANCES

Final Hearing of Ordinance 7-16, Amending Chapter 245, permitted slope disturbance

ORDINANCE AMENDING CHAPTER 245 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTIAN LAKES PERTAINING TO PERMITTED SLOPE DISTURBANCE IN THE R-AH2 ZONE

Mayor Holmberg opened the meeting to the public

Attorney Robert Oostdyk gave an explanation of the amendment of the ordinance. The amendment is not a major change.

Mayor Holmberg closed the meeting to the public

After some discussion it was decided that this Ordinance would be tabled until the next meeting.

Motion to table: Happer

Second: McWilliams

Vote: All ayes

***CONSENT AGENDA ITEMS**

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.

***RESOLUTIONS**

R124-16, Resolution authorizing the payment of bills

R125-16, Budget amendment, Sustainable Jersey Grant

R126-16, Budget amendment, Clean Communities Grant

R127-16, Dedication by Rider for mobile video recording system

R128-16, Salary adjustment



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R129-16, Purchase of goods or services from the Morris County Cooperative Pricing Council Contract List for road paving
 R130-16, Joining the Cranford Purchasing Co-op
 R131-16, Professional Services contract with Continuing Market Disclosure consultant

***APPROVAL OF MINUTES**

July 25, 2016, (Regular)

1) APPROVAL OF REPORTS FOR FILING *(reports are included only if checked)*

- Construction Department
- Department of Public Works
- Finance
- Fire Department
- Health Department
- Police Department
- Recreation Department
- Code Enforcement/Property maintenance report

***BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

Appointment of Jake DeNooyer to the Zoning Board of Adjustment as Alternate #1 through 12/31/16
 Appointment of Annie Peters to the Zoning Board of Adjustment as alternate #2 through 12/31/17
 Appointment of Rob Infante to the Historic Preservation Committee through 12/31/18
 Appointment of Pinky Samat to the Environmental Commission through 12/31/18

Approval of the Consent Agenda

(Mr. Albergo abstained on Resolution #131-16. Mr. Borin abstained on Purchase Order #16055 and #15976.)

Council member	M	2nd	Yes	No	Abstain	Absent
Albergo	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barrett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lester	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
McWilliams	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Borin	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Holmberg	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COUNCIL REPORTS

Mr. Lester reported that a new member was brought onto the Historic Preservation Committee. Mr. Happer stated that Public Works is preparing for dump day. Mr. Borin asked about looking into getting a cardboard compactor. Mr. Happer stated that the parking lot at Borough Hall is having a curb installed where the old concrete bumpers were. Mr. Lester thanked Danielle Sekula and Ryan Dunn for the day to day water usage chart.

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 and no yielding of time to another person.

Mayor Holmberg opened the meeting to the public.
 There was no one from the public who wished to comment.
 Mayor Holmberg closed the meeting to the public.



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NEXT STEPS AND PRIORITIES

Mayor Holmberg reviewed the following next steps and priorities:

- a) Bring back the abandoned vehicle ordinance for discussion at the September 12th meeting
- b) Pipeline draft Ordinance and resolution for September 12th meeting for discussion
- c) Mr. Sheola will come back with water timeline in September

ADJOURNMENT at 10:06P.M.

Motion made by Councilman Lester, second by Councilman Happer to adjourn the meeting at 10:06 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Cara Fox

Cara Fox, Clerk Pro Tem