

BOROUGH OF MOUNTAIN LAKES
BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES
973-334-3131
www.mtnlakes.org

OCTOBER 27, 2014
7:30 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 and the agenda thereof had been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 8, 2014 and posted in the municipal building.

Mayor Happer called the meeting to order at 7:30 p.m. in the municipal building.

2. ROLL CALL ATTENDANCE

Ms. Reilly called the roll. All Council members were present except for Councilman Albergo, who arrived at 7:34. Also in attendance were Borough Manager Robert Tovo, Borough Attorney Martin Murphy, Borough Clerk Michele Reilly, Department of Public Works Director Mark Prusina and Police Chief Shawn Bennett.

3. PLEDGE OF ALLEGIANCE

Mayor Happer led the salute to the flag.

4. EXECUTIVE SESSION
RESOLUTION R125-14

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

-Tax Appeal Settlement: Connell v. Borough of Mountain Lakes and Williams S. and Jennifer Barrett v. Borough of Mountain Lakes – Block 96, Lot 9

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

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

5. COMMUNITY ANNOUNCEMENTS

Mayor Happer said that the annual UN Weekend had recently taken place and that there were twenty-two (22) students who participated in this well-received event.

Councilman McWilliams reported a successful blood drive and shredding day and offered thanks to the Volunteer Fire Department and everyone who participated. He said 1.82 tons of paper was shredded which raised \$856 to be split between the Fire Department and the Boonton Kiwanis Ambulance Squad.

Mayor Happer said that the Medical Needs Foundation had held its annual Spirit 5K yesterday and that it was a beautiful day. He also noted that his daughter Lauren was the Women's First Place winner.

Mayor Happer reported that October had been a busy month and that another charitable organization, Roots and Wings Foundation, had also recently held an event.

Mayor Happer announced events for the remainder of October. He said the League of Women Voters was sponsoring a candidate's meet and greet night on Tuesday, the Halloween Safe Zone event would be held on Friday, October 31st, and the Mountain Lakes High School Football Team would be playing a home game under the lights on Friday night.

Mayor Happer reminded everyone in attendance to vote on Tuesday, November 4th.

Councilman Albergo announced that the Green Team, led by Marnie Vyff, had been notified that Mountain Lakes had been awarded the silver level award presented by Sustainable Jersey. Councilman Albergo said that fewer than five percent (5%) of municipalities receive the silver level award. He thanked Ms. Vyff and her team for their efforts on behalf of the Borough. Mayor Happer said the entire community should be proud of these accomplishments.

Deputy Mayor Holmberg said that the library would be hosting another speaker on November 2nd as part of their Centennial Lecture Series. The featured speaker is a Mountain Lakes High School graduate and Pulitzer Prize Winning Author and the Deputy Mayor encouraged all to attend.

Councilman Lester mentioned that the Community Church had recently held a Westminster Conservatory Faculty Concert featuring guitar music and that the Church had several additional concerts planned.

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

Marnie Vyff – Vale Drive

Ms. Vyff reported on the silver level certification awarded to the Borough by Sustainable Jersey. She said her team had been able to build upon the foundation laid by Jackie Bay and the 2012 Green Team, which had been awarded the bronze level certification, in order to reach the three hundred fifty (350) points necessary to receive the silver level certification. Ms. Vyff said that there are 565 municipalities in the State of New Jersey, 417 are active in Sustainable Jersey and only twenty-seven (27) received silver certification. Ms. Vyff reported that silver is the highest certification at present as Sustainable Jersey has not yet put forth criteria for a gold award, and the certification lasts until December 31, 2017. Ms. Vyff thanked many individuals including Chief Shawn Bennett, Frank Sanchez and other members of the Mountain Lakes teaching staff, Paul Odenwelder and the Traffic and Safety Committee, Jackie Bay and the Environmental Commission, Janet Horst and the Shade Tree Commission, Bob Tovo and the Borough staff, Doug McWilliams and the Fire Department, Mimi Kaplan, and Joan Best, Mark Prusina, the Department of Public Works (DPW) employees and the DPW subcommittee. Ms. Vyff reminded the Borough Council that the Green Grounds and Maintenance Policy Resolution, listed on tonight's agenda, still needed formal approval although Sustainable Jersey has already granted points for this action. She said that the policy has already been reviewed by Joan Best, Mark Prusina, and Bob Tovo.

Councilwoman Bravo commended Ms. Vyff and her team and the remainder of the Council concurred.

Fred Kanter – Hanover Road

Mr. Kanter offered an apology to Councilman Lester for comments made at a previous meeting regarding making information available for public review. Mr. Kanter told the Council that he felt that Section 140-26 in the proposed limousine Ordinance was improper and that the Borough was not permitted to prohibit advertising on the vehicles. Mr. Kanter said he would like to be advised as to the methods used for choosing Borough professionals.

Mayor Happer asked Mr. Murphy to review Section 140-26 prior to the introduction of the Ordinance.

Andrew Liput – Craven Road

Mr. Liput said he heard there were plans to close the Mountain Lakes Post Office in January of 2015. He asked if the Council was aware of the closing and he encouraged the Council to do what they could to prevent this action.

Mr. Tovo said he had placed a phone call to the postmaster and was waiting for a return call.

Jackie Bay – Morris Avenue

Ms. Bay thanked the Council for their support of the Environmental Commission.

Councilman Lester accepted Mr. Kanter's apology.

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

7. DISCUSSION ITEMS

-Limousine Vehicle and Operator Licensing

Mr. Tovo led the discussion. He said that there is a limousine service which wishes to operate in the Borough and per State regulations the business must apply for a municipal license. He said that the Borough does not currently have an Ordinance regulating limousine licensing. Mr. Tovo explained that a limousine company may do business in a municipality even if there is no local Ordinance; however, he recommended the Council consider an Ordinance as it would allow the administration to set licensing procedures, afford protection to both the Borough, residents, and the applicant, and would also allow for the collection of fees. In response to Council questions Mr. Tovo said that the licensing would be annual and vehicle inspections would take place at the State level.

Councilman Lester asked Mr. Murphy to clarify whether the \$1,500,000 insurance figure referenced in 140-8 (B) was an aggregate amount or per incident. In addition, Councilman Lester questioned why property damage was not specifically referenced. Mr. Murphy said the language in the Ordinance was taken from State statute but that he would research these questions. Mayor Happer thanked the Clerk and the Manager for their research on the licensing issue and with the consent of the Council asked that the Ordinance be placed on the agenda for introduction at the next meeting, pending clarification of Section 140-26 and 140-8 (B). Councilwoman Bravo asked if the Ordinance would apply to those who operate casual limousine services and Mr. Murphy said it would.

8. ORDINANCE NONE

9. *RESOLUTIONS:

- R126-14 Resolution Authorizing the Adoption of a Green Grounds and Maintenance Policy
- R127-14 Resolution Authorizing the Settlement of a Tax Appeal – Connell v. Borough of Mountain Lakes and William S. and Jennifer Barrett v. Borough of Mountain Lakes – Block 96, Lot 9
- R128-14 Resolution Authorizing the Payment of Bills

10. *MINUTES:

October 13, 2014 (Regular)

11. *DEPARTMENT REPORTS:

- Construction Department September 2014
- Department of Public Works September 2014
- Fire Department September 2014
- Health Department September 2014
- Police Department September 2014
- Recreation Department September 2014
- Tax Department September 2014

Prior to the Consent Agenda vote Councilman Lester requested that Ms. Reilly amend the minutes from October 13th and add that Councilman Albergio and Councilman McWilliams were also in attendance at the Town Club event discussed in Community Announcements.

12. *BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS NONE

Council Member	By:	2 nd :	Yes	No	Abstain	Absent
Albergio			X			
Borin			X			
Bravo	X		X			
Lester			X			
McWilliams			X			
Holmberg		X	X			
Happer			X			

13. ATTORNEY REPORT

Mr. Murphy had nothing to report.

14. MANAGER'S REPORT

Mr. Tovo gave a status update on the 55 Plus Committee. He said he had met with the Recreation Director, Audrey Lane, and that the Recreation Department had agreed to oversee the 55 Plus Committee as a recreation sponsored event. Mr. Tovo said that the Committee would begin to partner with the Library in order to enhance its speaker program. Also, Mr. Tovo said that the members of the Committee did not want to change their name, as originally proposed, so the Committee would continue to be called 55 Plus.

Mr. Tovo stated that he had been approached by a company representing Verizon Wireless regarding placing an additional antenna on the existing cell tower. Mr. Tovo said that the Borough would be going out to bid for the right to place another antenna on the tower and lease additional ground space. Mr. Tovo said he is working with Borough Attorney Robert Oostdyk on the bid and this is planned for early 2015. Once the bid is complete a new contract, which will include the rollover of the current lease, will be given to the Borough Council for review and approval.

Mr. Tovo said that the Department of Public Works (DPW) Subcommittee has thoroughly reviewed the three (3) proposals submitted for the proposed upgrades to the beach facilities and that the Subcommittee is recommending RSC Architects from Hackensack. Mr. Tovo said the proposal submitted by this company was thorough, consistent, aesthetically pleasing, and ADA and public safety compliant. He said that he would present a Resolution and a copy of the contract to the Borough Council at the next meeting.

Mr. Tovo reported that the Midvale Playground project is complete and that the Recreation Department is requesting the Mayor's presence at a ribbon cutting and dedication ceremony. The Borough Council offered compliments to Mr. Tovo and to Mr. Prusina on the successful completion of the project.

Mayor Happer asked Mr. Tovo for a status update on the Midvale boat docks. Mr. Tovo said demolition of the existing racks is expected to take place this week followed by site prep. In response to Council questions Mr. Tovo said that the new racks will accommodate a variety of crafts and that there will be more spaces available. In addition, he said a new numbering system will be in place. Mr. Tovo said that completion of the boat dock project will be weather dependent but should be completed by early spring at the latest.

15. COUNCIL REPORTS

Department of Public Works Subcommittee– Councilman Albergo said Mr. Tovo had already covered the Subcommittee report earlier in the meeting.

Environmental Commission– Councilman Albergo reported that the Commission is working on goals for 2015. In addition, he said the current chair, Jackie Bay, will be stepping down as chair and that Khizar Sheikh is likely to take her place. Councilman Albergo said that the Commission will be in need of two (2) alternate members.

Planning Board – Councilman Lester said that the Planning Board had recently passed the Villa project.

Communications Advisory Committee – Councilman Lester said the Committee would be emailing the Committee, Commission and Board chairs with a link to the developmental website and requesting feedback within forty-eight (48) hours. Councilman Lester reported that a training session for chairs and administration would take place during the week of November 3rd with Digital Strategies. He said that the target date to go live with the new website was either November 10th or November 17th, depending on the training date. Councilman Lester requested that the Council allow the Committee to present the new website at the next meeting. Finally, Councilman Lester reported that the Committee was developing a policy manual for the website and that this would be vetted through the Borough Manager before being presented to the Borough Council.

Department of Public Works Subcommittee – Deputy Mayor Holmberg added that the fire lane between Melrose and the YMCA had been cleared and he thanked the DPW for an outstanding job. He said that additional features may be considered in the future. Deputy Mayor Holmberg also inquired about the cleanup taking place at the Little League Fields. Mr. Tovo said the Little League was supplying materials and the Borough was supplying the labor.

Councilwoman Bravo stated that she and the Deputy Mayor would be presenting a discussion item at the next Borough Council meeting regarding the volunteer program.

16. 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 Happer thanked the members of the public who had remained for the entire meeting.

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

Fred Kanter – Hanover Road

Mr. Kanter expressed his opinion that section 140-26 of the proposed Ordinance was unreasonable and that the Borough could not prohibit advertising on the vehicles.

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

Mr. Tovo offered congratulations again to the Green Team.

17. ADJOURNMENT at 9:03 PM

Motion made by Deputy Mayor Holmberg, second by Councilman McWilliams, to adjourn the meeting at 9:03 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: OCTOBER 27, 2014

Michele Reilly, RMC, Borough Clerk

Daniel J. Happer, Mayor