

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

FEBRUARY 9, 2015
7:30 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 and posted in the municipal building.

Mayor McWilliams called the meeting to order at 8:00 p.m. in the municipal building.

2. ROLL CALL

Ms. Reilly called the roll. All Council members were present with the exception of Councilman Borin, who was absent. Also in attendance were Borough Attorney Robert Oostdyk, Interim Borough Manager Robert Hoffmann, former Borough Manager Robert Tovo, Borough Clerk Michele Reilly, Police Chief Shawn Bennett, Fire Chief Matt DeSantis, and Department of Public Works Director Mark Prusina.

3. PLEDGE OF ALLEGIANCE

Mayor McWilliams led the salute to the flag.

4. EXECUTIVE SESSION

The Tax Assessor was unable to be present at the meeting due to a weather related incident and the Executive Session was rescheduled for February 23, 2015.

5. COMMUNITY ANNOUNCEMENTS

Councilman Happer commented on a recent meeting that he, Mayor McWilliams, and former Borough Manager Robert Tovo attended with the local postmaster and the Regional Manager for the post office. He said that the post office representatives assured the Borough Council and administration that they have no intention of moving the retail operations of the post office and that the post office will remain open in the Borough.

Mayor McWilliams introduced Interim Borough Manager Robert Hoffmann. In addition, he recognized the former Mayors in attendance: Mayor Sullivan, Mayor Shaw, Mayor Moody, Mayor Jackson, and Mayor Happer, as well as former Councilmembers Sandy Batty and Ellen Emr.

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 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 and no yielding of time to another person.

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

7. SPECIAL PRESENTATIONS
PROCLAMATION

PR01-15 A Proclamation Honoring Robert Tovo

Mayor McWilliams read the proclamation and the audience gave Mr. Tovo a standing ovation. Deputy Mayor Holmberg complimented Mr. Tovo on his professionalism and dedication and said he had been a friend to the community and a tremendous resource. Councilman Happer said it had been his pleasure to work closely with Mr. Tovo over the past two (2) years in his capacity as the Mayor, and said that Mr. Tovo always considered the needs of the community in his decision making process.

A Proclamation Honoring Robert D. Tovo

Whereas, Robert D. Tovo served as Borough Manager from October 2011 through January of 2015 with honor, integrity and competence; and

Whereas, Bob has a long and dedicated history of service, first to his country as a United States Marine, then to the community as a police officer and Borough Manager; and

Whereas, Bob rose from the ranks of Patrolman to become the Chief of Police of the Borough of Mountain Lakes; and

Whereas, Bob's experience as Chief of Police for the Borough of Mountain Lakes from 1995 through 2011 and service as Acting Borough Manager in 2009 provided him with a unique understanding of the needs of the community; and

Whereas, Bob's knowledge of Mountain Lakes, his service to the Borough on numerous committees, and his tireless efforts to enhance the quality of life in the Borough has greatly benefitted the community; and

Whereas, Bob's leadership during the aftermath of Hurricane Irene and "Snowtober" in 2011, as well as Super Storm Sandy in 2012 were invaluable in assisting residents in need, in limiting the damage to property, in obtaining needed resources to serve the community including securing FEMA reimbursements; and

Whereas, Bob has an indefatigable work ethic, typically working late into the night and on weekends; and

Whereas, Bob epitomizes the definition of the word "proactive" by virtue of his innate ability to create and facilitate mutually beneficial solutions rather than responding after a situation occurs; and

Whereas, Bob's quiet, can-do attitude, his leadership and guidance, his wealth of knowledge about Mountain Lakes and his friendly and caring manner will be missed by all who knew him and worked with him.

Now, Therefore Be It Proclaimed, by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, on behalf of the Borough and all residents of the Borough, do hereby honor and recognize **Robert D. Tovo** for his dedication and commitment to the community and extend their deepest gratitude and appreciation to him for all he has contributed to the Borough of Mountain Lakes during his twenty-nine (29) years of public service and wish him much success and happiness in all his future endeavors.

-Sister Cities Update – William duTertre

Mr. duTertre presented the Council with some additional information regarding his request that the Council pass a resolution creating a sister cities relationship with Chaville, France. He said that once the relationship is established, he will be working with a group called Sister Cities International in order to create opportunities for student exchanges, city tours, sporting competitions and social affairs with the sister city. Mr. duTertre said he has approached members of the community and has garnered enough interest to create a Board of Directors to assist with the management of the program. He stated that membership in the Sister Cities International program would be paid for by dues and fundraising events.

The Borough Council complimented Mr. duTertre on the thoroughness of his presentation. Councilman Lester pointed out that the Borough did not incur any financial obligation by passing the resolution. The consensus of the Council was to request that the Borough Attorney or administration prepare a resolution authorizing a sister cities relationship with Chaville, France, to be presented at the next Borough Council meeting.

-Hornrock Properties – Rezoning RC1 Zone

Peter Wolfson, Esquire, from the firm Porzio, Bromberg & Newman, addressed the Council on behalf of his clients, Maurice and David Hornblase, principals in Hornrock Properties LLC. Mr. Wolfson stated that Hornrock Properties is under contract with King of Kings Lutheran Church to purchase a parcel of land with the hope of creating a forty (40) unit townhome development.

Mr. Wolfson introduced Mr. Peter Steck, the Planning Consultant for Hornrock Properties. Mr. Steck said the parcel of land under contract is currently zoned RC-1, Residential Single Family Clustering. Mr. Steck said the 7.7 acre parcel of land is an isolated piece of property with an unusual configuration, located in the rear of the church property with the only access through Sherwood Drive, and it is currently assessed as farmland. He said that this is the only property in the Borough zoned as RC-1. Mr. Steck mentioned that he had developed a sample Ordinance for the Council's consideration which would allow a townhome option for the zone. Mr. Steck said should the Council choose to consider an Ordinance change, the Ordinance would be referred to the Planning Board for review of its consistency with the Master Plan. Mr. Steck mentioned that the current Master Plan is silent regarding this zone. Mr. Steck also mentioned that the planned townhome development will address an affordable housing obligation.

Mr. Wolfson requested the Council consider the Ordinance change. Mr. Maurice Hornblass addressed the Council and spoke of Hornrock's current development in the Borough, Legacy, and said his company would like to continue its relationship with the Borough. Mr. Hornblass said he has met with Mr. Tovo and the Economic Development Subcommittee and had preliminary discussions regarding the merits of the project.

Mr. Oostdyk stated that this presentation to the Council was also very preliminary and that the Council would take no action this evening. He told the Council and those in attendance that the developer has the option to seek a variance from the Planning Board but traditionally developers would rather have a conforming Ordinance and that is why the Council has been approached regarding this project. Mr. Oostdyk said that if the Borough Council decides to move forward with a change to the Ordinance, the public would have the opportunity to provide input at the introduction and also during the public hearing. He said that the Borough Council would discuss the affordable housing agreement in an executive session discussion, as this is a negotiation and falls under the category of attorney-client privilege.

The Council thanked Mr. Wolfson, Mr. Steck, and Mr. Hornblass for their presentation.

8. DISCUSSION ITEMS NONE

9. ORDINANCE NONE

10. *RESOLUTIONS

- R62-15 Resolution Authorizing the Settlement of a Tax Appeal (Kapell, Bernard & Lydia Ann v. Borough of Mountain Lakes – Block 100, Lot 53.02)
- R63-15 Resolution Authorizing the Settlement of a Tax Appeal (Nadarajah, Daya & Ylone S. Xavier v. Borough of Mountain Lakes – Block 100, Lot 50)
- R64-15 Resolution Authorizing the Settlement of a Tax Appeal (Bolo/Almeida, Peter M./Laila M. v. Borough of Mountain Lakes – Block 78, Lot 57.02)
- R65-15 Resolution Authorizing the Settlement of a Tax Appeal (Kenneth & Jane Jewel v. Borough of Mountain Lakes – Block 101, Lot 56)
- R66-15 Resolution Authorizing the Settlement of a Tax Appeal (Lukas, Michael G. & Lisa A. v. Borough of Mountain Lakes – Block 52, Lot 15)
- R67-15 Resolution Authorizing the Settlement of a Tax Appeal (Natalia Kashnikow v. Borough of Mountain Lakes – Block 78, Lot 25)
- R68-15 Resolution Authorizing the Settlement of a Tax Appeal (Joyce Leuchten v. Borough of Mountain Lakes – Block 31, Lot 15.02)
- R72-15 Resolution Appointing the Emergency Management Coordinator and the Deputy Emergency Management Coordinator
- R73-15 Resolution Authorizing an Update to the Borough's Banking Resolution and Signature Card with Bank of America
- R74-15 Resolution Establishing a Community Emergency Response Team (CERT) for the Borough of Mountain Lakes and Appointing Members
- R75-15 Resolution Authorizing the Refund of Overpayment of Taxes – Block 7, Lot 10, Mountain Lakes 355
- R76-15 Authorizing the Payment of Bills

11. *MINUTES

- January 28, 2015 (Executive)
- January 28, 2015 (Regular)

12. *DEPARTMENT REPORTS NONE

13. *BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS

COMMISSION/BOARD	NAME	TERM	POSITION	DATES	NOTE
Health Commission	Ariadna Holynskyj	3 years	Member	1.01.15-12.31.17	Appointment
	Marla Leen Ravin	3 years	Alternate	1.01.15-12.31.17	Appointment
Historic Preservation Committee	Alex Gotthelf	4 years	Member	1.01.15-12.31.16	Fill Unexpired Term

Prior to the Consent Agenda vote the Council decided to carry Resolution 62-15, Resolution Authorizing the Settlement of a Tax Appeal (Kapell, Bernard & Lydia Ann v. Borough of Mountain Lakes – Block 100, Lot 53.02), Resolution 63-15, Resolution Authorizing the Settlement of a Tax Appeal (Nadarajah, Daya & Ylone S. Xavier v. Borough of Mountain Lakes – Block 100, Lot 50), Resolution 64-15, Resolution Authorizing the Settlement of a Tax Appeal (Bolo/Almeida, Peter M./Laila M. v. Borough of Mountain Lakes – Block 78, Lot 57.02), Resolution 65-15, Resolution Authorizing the Settlement of a Tax Appeal (Kenneth & Jane Jewel v. Borough of Mountain Lakes – Block 101, Lot 56), Resolution 66-15, Resolution Authorizing the Settlement of a Tax Appeal (Lukas, Michael G. & Lisa A. v. Borough of Mountain Lakes – Block 52, Lot 15) Resolution 67-15, Resolution Authorizing the Settlement of a Tax Appeal (Joyce Leuchten v. Borough of Mountain Lakes – Block 31, Lot 15.02) and Resolution 68-15, Resolution Authorizing the Settlement of a Tax Appeal (Joyce Leuchten v. Borough of Mountain Lakes – Block 31, Lot 15.02) until the February 23, 2015 meeting.

Additionally, prior to the Consent Agenda vote Councilman Happer requested that Resolution 73-15, Resolution Authorizing an Update to the Borough’s Banking Resolution and Signature Card with Bank of America be considered separately from the Consent Agenda.

Council Member	By:	2 nd :	Yes	No	Abstain	Absent
Albergo			X			
Barrett			X**			
Borin						X
Happer			X			
Lester	X		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 Barrett abstained from voting on both the executive and regular minutes dated January 28, 2015.

Resolution 73-15

Resolution Authorizing an Update to the Borough’s Banking Resolution and Signature Card with Bank of America

Councilman Happer voiced his objection to this resolution and said he felt including the Finance Assistant on the signature card would cause issues with the segregation of duties. He said that allowing the Finance Assistant to process and also have the ability to sign checks was not a strong control and asked if the Auditor had been consulted. Mr. Tovo stated that this resolution was a temporary measure until the new full-time Borough Manager was appointed.

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

14. ATTORNEY’S REPORT

Mr. Oostdyk had nothing additional to report.

15. MANAGER’S REPORT

Mr. Hoffmann reported that his first week went well and that he appreciated all the help he had received from the staff.

16. COUNCIL REPORTS

Planning Board – Deputy Mayor Holmberg reported that the Park Lakes Tennis Club intends to improve its facility and that the Board is waiting for some additional reports from the Club in reference to its application.

Personnel Subcommittee – Deputy Mayor Holmberg said the Borough Manager Search Committee had received close to forty (40) resumes and was pleased with the wide variety of the talent pool. The Deputy Mayor said that first round interviewees would be notified and he expected between five and seven (5-7) individuals would be interviewed by the end of February.

Communications Advisory Committee – Councilman Lester said the Committee had posted the list of prior Mayor’s on the website and thanked Ms. Reilly and Deputy Mayor Holmberg for their assistance.

Deputy Mayor Holmberg advocated for a donation by either the Police Department or the Borough Council to Project Graduation.

Mayor McWilliams, with the consent of the rest of the Borough Council, announced he would move up the public comment session and delay the discussion of the 2015 Council Goals due to the number of public still in attendance.

17. 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 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 and no yielding of time to another person.

Sandy Batty – 15 Lockley Court

Ms. Batty, a resident of Pine Edge, said this is the first she has heard of the Hornrock Project even though it has apparently been under discussion and she said she felt that the public had been kept in the dark. She said that the RC1 Zone is environmentally sensitive and land locked. She stated that she feels the proposed Ordinance gives loose standards for height, FAR and imperious coverage. She asked the Council to consider the image of the town and not only tax revenue.

James Moody – 17 Robinhood Drive

Mr. Moody read a letter he had sent to the Borough Council members. In his letter, he requested that the public be permitted to attend any Economic Development Subcommittee meeting where the King of Kings property is discussed, either as participants or observers. He asked that the Pine Edge and Spruce Edge Associations be advised of the timing and subjects to be discussed at future meetings so that they can send a representative if they feel the discussion is applicable to their Association.

Jeff Leman – 32 Sherwood

Mr. Leman said he did not feel the Council should act as a result of pressure from the developer and should allow lots of time for public input.

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

Mayor McWilliams stated that the Economic Development Subcommittee is not a committee but a subcommittee and is a study group which advises the Council.

18. COUNCIL REPORTS (continued)

-2015 Council Goals

The Council held a discussion in reference to the 2015 Council goals and developed the following goals for the year:

CATEGORY	GOAL	TARGET DATE/PROGRESS	COUNCIL LEAD	END OF YEAR (2014) REVIEW
Emergency Preparedness	Monitoring expansion of and supporting CERT (Civilian Emergency Response Team)	Ongoing	Public Safety Subcommittee	Team Formed
Personnel	Draft written procedures for selection of Borough professionals	End of 1 st Quarter 2015	Personnel Subcommittee	New Goal
	Facilitate a successful transition for new Manager	2015	Full Council	New Goal

Communications	Supports 2 nd stage of website implementation plan and review website guideline manual	2nd Quarter 2015	Councilman Lester	New Website implemented
Community	Support 2015 Town Clean-up	April 2015	Deputy Mayor Holmberg/Councilman Lester	1 st Town Clean-up Held Spring 2014
	Volunteerism – Recruiting, Retention and Recognition a) draft written policy for awards –pins, bowls, plaques b) summer picnic of thanks	a) 2 nd Quarter 2015 b) 3 rd Quarter 2015	a) Full Council b) Deputy Mayor Holmberg	Discussion item in 2014 – Council decision to formalize recognition program and hold summer event
	Evaluate and develop a Master Water Usage Plan which includes conservation and the development of a separate emergency plan	2015	Full Council	New Goal
Finance	Adopting a fiscally responsible budget	1 st Quarter 2015	Full Council	Ongoing yearly
	Complete long range capital plan and integrate into Borough operations	3 rd Quarter 2015	Public Works Advisory Committee and Finance Advisory Committee	Ongoing yearly
	Evaluate opportunities for increasing tax ratables	Ongoing	Economic Development Subcommittee	Hornrock/Legacy & Villa Hotel Project in 2014
	Evaluate recommendations for the upgrade and maintenance of lake recreational facilities	1 st Quarter 2015	Public Works Advisory Committee	Solicitation for Firms/Professionals in 2014
Operational Efficiencies	Continue implementation of PubWorks	Start of 2 nd Quarter 2015 End of 2 nd Quarter 2015	Public Works Advisory Committee	Implementation in Borough Admin offices planned then public rollout
	Shared Service Opportunities – monitor current relationships and evaluate new opportunities	ongoing	Shared Services Subcommittee	Ongoing yearly

Councilman Alberg requested that the Borough administration investigate opportunities for e-billing and investigate billing for renewable service contracts.

Deputy Mayor Holmberg discussed having Athletic Director James Smith make a presentation to the Council regarding turfing some of the Borough fields.

Councilman Lester asked Mr. Prusina to supply the capital forecast plan.

19. ADJOURNMENT at 10:00PM

Motion made by Deputy Mayor Holmberg, second by Councilman Albergo, to adjourn the meeting at 10:00 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: FEBRUARY 9, 2015

Michele Reilly, RMC, Borough Clerk

G. Douglas McWilliams, Mayor