



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
OCTOBER 9, 2017
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 5, 2017 and posted in the municipal building.

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

ROLL CALL ATTENDANCE

Roll Call	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
Barrett	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Horst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Holmberg	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

FLAG

Mayor Holmberg led the salute to the flag.

EXECUTIVE CLOSED SESSION

R-,155-17 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 Negotiations, Lease of Borough property, (Station), request to purchase Borough property

Motion: Happer

Second: Shepherd

Vote: All ayes

Motion to come back to regular session: Barnett

Second: Happer

Vote: All ayes

COMMUNITY ANNOUNCEMENTS

Mayor Holmberg stated that trash day will be held on the 21st and 22nd of October. October 28th will be the blood drive and shredding event. Fire Dept. Ball will be held October 28th at Zeris Inn. Mayor Holmberg stated that the Police Department held two events last week, Coffee with a Cop and a walk to school day. He thanked everyone on Council for their accomplishments and hard work over the last few meetings. Ms. Barnett stated that there will be a 5K run on the 28th starting at Briarcliff School.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

Report from the Planning Board Sign Committee regarding revising the sign ordinance

Mr. Martin Kane, Planning Board Chair, came before the Council to discuss the sign ordinance. The Supreme Court came out with a ruling that all signs must be treated equally despite the content. A draft ordinance completed by the Planning Board sign committee was given to Council. Mr. Kane asked for guidance from the Council regarding the ordinance. It was decided that there should be a public information session regarding the ordinance.

PUBLIC COMMENT

Mayor Holmberg opened the meeting to the public

Mr. Fred Kanter, 81 Hanover Road, stated that the reason for the real estate sign prohibition was because of him. He stated that there is a difference between political speech and commercial speech. He stated that allowing only one sign per property is not enough. He mentioned free speech. He stated that property owners have the right to put what they want on their property. He suggested not getting an ordinance from another municipality. He suggested using a competent attorney to draft the sign ordinance. He stated that he received a call from the Police Department. He was questioned about the way he ended his recent email he sent to the Council. He stated that he came in and spoke with the Chief regarding the matter.



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Marnie Vyff, 10 Vale Drive, wanted to say that she heard from Sustainable Jersey regarding the Borough's Sustainable Jersey certification. The town is 5 points away from Silver level. She stated if anyone has any questions regarding the Reaffirmation resolution that is on the agenda tonight she is here to help answer them.

Kevin Dolan, 6 Crescent Drive, asked about affordable housing. He spoke with Habitat for Humanity regarding personally or privately funding for affordable housing. He asked the Council for a way to facilitate financial mechanisms to help people get affordable housing.

ATTORNEY'S REPORT

Mr. Oostdyk stated that the King of Kings resolutions and agreements should be on the next agenda.

MANAGER'S REPORT

Best Practices

Mr. Sheola reviewed the Best Practices work sheet. There are 25 questions. 92% of the questions were answered in the affirmative. The Borough will receive full funding of State Aid. The work sheet was reviewed by the Finance Committee. Mr. Sheola stated that the tours of Borough Hall have been concluded. More can be scheduled in the future. He stated that he will authorize the Engineer to start work on the bid for Pocono Road. The bid will not go out until 2018. The Personnel Committee discussed the professional contracts. There was a decision not to change professionals for 2018. Ms. Korman stated that she did not think that the Borough Planner had experience with a Highland Planning town.

ORDINANCES

None

***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**

R156-17, Authorization for the payment of bills

R157-17, Award contract for the leasing of police vehicles

R158-17, Reaffirming the Borough's commitment to sustainable land use (this resolution was pulled from the consent agenda and voted on separately)

R159-17, Approval of treatment works approval application for Kings Mountain LLC

***APPROVAL OF MINUTES**

Regular minutes of September 25, 2017, (All eligible) (The minutes were pulled from the Consent Agenda and voted on separately.)

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
- Property maintenance report

***BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

Elizabeth Myatt to the Woodlands Committee

Robert Aiello to the Communications Advisory Committee



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Approval of the Consent Agenda

(Ms Korman abstained from voting on Resolution 159-17)

Council member	M	2nd	Yes	No	Abstain	Absent
Barrett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Happer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horst	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Korman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barnett	<input checked="" 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"/>

Minutes of September 25, 2017

Council member	M	2nd	Yes	No	Abstain	Absent
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"/>
Horst	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Korman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barnett	<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"/>

158-17, Reaffirmation of the Borough's Sustainable Land Use

Council member	M	2nd	Yes	No	Abstain	Absent
Barrett	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Happer	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horst	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barnett	<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. Shepherd stated that lakes Management toured the back section of Birchwood Lake. There is vegetation growing in the lake. Ms. Horst stated that Halloween is coming up and members of Traffic and Safety will be participating in the event. Ms. Korman stated that the Environmental Commission met. They are looking at the water plan. Mr. Happer stated that the Finance Committee met. The manager presented the first draft of the long range capital plan to the committee. The CFO walked the committee through the volunteer spending policy. There was a discussion regarding bond financing. There was a discussion regarding how court fees come back to the Borough. Sewage usage and fees were discussed. Funds due from FEMA were discussed. A draft Moody's rating report for the Borough was discussed. Public Safety met. Mayor Holmberg stated that the Park Rangers were discussed.

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.

Mr. Fred Kanter, 81 Hanover Road, made comment regarding him not wearing shoes. He stated that he did not to be humiliated. Since he heard that there might have been a police officer at the meeting this evening, he wanted to wear the



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least amount of clothing as possible. He made comment regarding white males causing the most violence in our country. He commented on signs and said that commercial speech is not allowed on residential property. He made comment regarding implausible deniability. He made comment regarding having the Borough adopt a resolution against racial profiling.

Jake DeNooyer, made comment regarding volunteers and spending. He stated that during the six weeks of the sailing program he needs some flexibility for making purchases.

Kevin Dolan, 6 Crescent Drive, made comment regarding affordable housing and the number of housing units that the borough may be responsible for. He asked for a more economical way to fund affordable units.

NEXT STEPS AND PRIORITIES

Mayor Holmberg reviewed the following next steps and priorities:

Next Steps	Completed by	Completion date
Resolution data base	Ms. Egan	TBD
Engage trapper for beaver activity	Mr. Sheola	Contact by next meeting

ADJOURNMENT at 10:12 P.M.

Motion made by Councilmember Horst, second by Councilmember Barnett to adjourn the meeting at 10:12 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Valerie A Egan Borough Clerk