



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES**  
**MARCH 27, 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**

| <b>Roll Call</b> | <b><u>Present</u></b>               | <b><u>Absent</u></b>     |          | <b><u>Present</u></b>               | <b><u>Absent</u></b>                |
|------------------|-------------------------------------|--------------------------|----------|-------------------------------------|-------------------------------------|
| Barrett          | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Shepherd | <input type="checkbox"/>            | <input checked="" 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-83-17, 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, Architect agreement for the beach renovation project**

Motion: Barrett

Second: Korman

Vote: All ayes

Motion to come back to regular session: Barnett

Second: Horst

Vote: All ayes

**COMMUNITY ANNOUNCEMENTS**

Mayor Holmberg commented on the Fire Chief's dinner. Mayor Holmberg thanked Joe Mullaney for putting the event together. Mayor Holmberg stated that Mountain Lakes hosted a lacrosse game between the University of Ohio and UCLA. He thanked the Chief for coordinating the safety aspects of the event. Trout stocking will be April 8<sup>th</sup> at 4pm. The Easter Egg hunt will be on the 9<sup>th</sup>. The next council meeting will be held on Wednesday the 12<sup>th</sup> of April instead of the 10<sup>th</sup> because of Passover. Mayor Holmberg stated that Mountain Lakes was honored as being The Best Town for Families in Morris County by NJFamily.com.

**Recognition for Sgt. Gil Benitez**

Mayor Holmberg presented a proclamation to Sgt. Benitez in recognition of his receiving the 2016 Outstanding Official Award. Sgt. Benitez thanked others for the help that he receives in doing his job.

Ms. Korman commented that Mary Ellen Samson, resident, passed away. She was a very committed community volunteer.

**SPECIAL PRESENTATIONS**

**Saint Clares Hospital presentation regarding Stigma Free communities**

Rosalina Klingener from Saint Clares Hospital came before the Council to discuss the Stigma Free Initiative. The initiative is a program which aims to end the stigma associated with mental illness and substance abuse disorders. Morris County was the first County in the State to join the Stigma Free Initiative. It was their hope that all 39 municipalities would pass resolutions to be designated as Stigma Free. She stated that Saint Clares would like to partner with Mountain Lakes in this matter. Mayor Holmberg thanked Ms. Klingener for her presentation.

**PUBLIC COMMENT**

Mayor Holmberg opened the meeting to the public



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Mr. Fred Kantor, 81 Hanover Road, made mention that Mountain Lakes is a wonderful town. He commented on the competence of the Municipal Engineer. He stated that the Council minutes are not accurate.

Kevin Dolan, 6 Crescent Drive, asked about the zoning for the King of Kings property. He stated that it is hard to hear what is said at the meetings that are held at the High School. He wanted to know if there is anything that can be done regarding the way the project is progressing through the boards. He asked if there was anything the Council can do.

Steve Arnold, 4 Craven Road, asked if items listed on the Council agenda could be included in the eblast. He asked if there could be a link to ordinances that will be on the agenda.

Joe Plonski, 24 Melrose Road, made comment regarding there being no information as to why a new ordinance is put in place.

**BOROUGH COUNCIL DISCUSSION ITEMS**

**Operating models for committees and commissions, (this item was tabled)**

**Introduction of the 2017 Municipal Budget.**

Mr. Sheola made comments regarding the total amount of the budget and compared it to last year's budget. Mr. Sheola thanked the DPW Superintendent, the Chief of Police and the Recreation Director for their assistance putting together their department budgets.

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

**MANAGER'S REPORT**

Mr. Sheola commented regarding his report. The Lake Drive road project will begin again when all the snow is gone. Ms. Korman asked about Pollard and Morris road resurfacing that only lasted six years. Mr. Prusina stated that he will look into this.

**ORDINANCES**

**Final Hearing of Ordinance 02-17, Historic Preservation Committee amendment**

ORDINANCE AMENDING CHAPTER 40 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES INCLUDING ESTABLISHING A HISTORIC PRESERVATION COMMITTEE AND ESTABLISHING SPECIAL ZONING REQUIREMENTS FOR CONTRIBUTING DWELLINGS

Mayor Holmberg opened the meeting to the public

There was no one from the public who wished to comment.

**Introduced: 2/27/2017**

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



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**Adopted 3/27/2017**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                              |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Barrett        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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"/>            |

**Final Hearing of Ordinance 04-17, Prohibition on Parking in Parks and Recreation Facilities**

ORDINANCE AMENDING CHAPTER 173 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND CLARIFYING THE PROHIBITION ON PARKING IN PARKS AND RECREATION FACILITIES DURING CERTAIN HOURS

Mayor Holmberg read a statement clarifying the purpose of the ordinance.

Mayor Holmberg opened the meeting to the public

Mr. Fred Kanter, 81 Hanover Road, made comment regarding parking on public land in regards to no being able to reserve a parking space on public property. He stated that the ordinance was a solution in search of a problem. He stated that there is no prohibition against parking in front of private property on the roadway, (two wheels on the curb). He stated that there is a prohibition for parking on public property. He wanted to know what the problem was with parking in the right of way on public property. What is danger? He stated that he does not see the reason for this to be done.

M.H. stated that she is worried about strange cars parked on borough land at night. She stated that there could be a criminal element, drug sales; you don't know who is parking. She stated that there a lot of families in the area with husbands that travel. She stated that she wanted the ordinance passed.

John Droggitis, 25 Hanover Road, stated that this ordinance is a solution looking for a problem. He was not sure why this ordinance needs to include the pocket parks. The parks exist all over the borough. There are people who park there and there is no danger. He suggested that not allowing the parking there causes a safety issue. He asked the Council not to pass the ordinance.

Sam Horowitz, 75 Kenilworth Road, asked what the ordinance was clarifying. Mr. Oostdyk explained the ordinance. It is to no allow vehicles parking in pocket parks. He stated that he has a park across from his house. He does not want anyone parking there as there is already considerable erosion.

Thomas Marrota, 111 Melrose, stated that he agrees with the clarification in the ordinance. He stated that the pocket parks had vegetation that has been ruined because of the parking on the property.

Steven Shaw, 4 Pointview Place, stated that he was confused regarding the public right of way and public park. Mr. Oostdyk stated that he ordinance prohibits parking overnight in a pocket park or in the right-of-way of a public park. It does not prohibit parking on the right of way in front of someone's home. Mr. Shaw mentioned 4<sup>th</sup> of July parties where people do park overnight. Ms. Barnett stated that you can always call the police department in case there is an event or party and let them know cars will be parked overnight.

Audrey Lane 31 Melrose, said that she appreciated the council taking the time to draft this ordinance keeping in mind the public space both for the beauty and place for kids to play. She stated that her children play in the pocket parks and they have turned into parking lots.

Mr. Joe Plonski, 25 Melrose Road, stated that he was not sure about the comments from the council. He stated that it is confusing to have the ordinance deal with parks and right of ways. He had passed out pictures and asked if the parking shown in the pictures were legal. He asked if the ordinance was good for Mountain Lakes. He stated that he does not own the first 7 feet of his property. He has a single width driveway. The land in front of his property is sloped and he



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cannot park there. The land across the street is flat and is safe to park on. He suggested that the ordinance is making an unsafe situation. He stated that the citizens do not understand this ordinance.

Jennifer Merrota, 21 Melorse, passed out pictures of a pocket park near her home that is littered. She made comments regarding parking issues. She stated that there is a safety issue with allowing parking in borough parks overnight. You don't know who is parking their cars there. She stated that parking cars in the parks can leak oil into the grounds. She stated that the parks become mud pits from having only one car parking there. She stated that having a parking lot in front of someone's home is an eyesore.

**Introduced: 3/13/2017**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                   |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Barrett        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 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"/> |

**Adopted**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                   |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Barrett        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
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| 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Barnett        | <input type="checkbox"/>            | <input checked="" 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"/> |

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**\*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**

- R64-17, Authorizing a contract with RSC Architects for the beach renovation project
- R72-17, Authorizing a contract with Madison Borough for IT services
- R77-17, Authorizing the Establishment of a Dedication by Rider for a Self-Insurance Program
- R78-17, Authorizing a Dedication of Rider for Storm Recovery Reserve
- R79-17, Authorizing the Transfer of Appropriations, (removed from consent)
- R84-17, Authorizing the payment of bills
- R85-17, Authorizing a change order for the Municipal Building roofing project
- R86-17, Authorizing a release of performance bonds for Legacy of Mountain Lakes, (removed from consent)
- R87-17, Temporary Budget amendment
- R88-17, Establishing a Policy for Reserve for Uncollected Taxes

**\*APPROVAL OF MINUTES**

March 13, 2017, Regular minutes



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**Executive Minutes:**

4/11/16, 5/9/16, 5/23/16, 6/13/16, 6/27/16, 8/22/16, 10/12/16

(there are no executive minutes in this list that are ready for release)

**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

**Approval of the Consent Agenda**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                              |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Barrett        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
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| 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"/>            |

**\*BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

None

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**R79-17, Authorizing the Transfer of Appropriations**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                   |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|
| Barrett        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input 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 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 type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Barnett        | <input type="checkbox"/>            | <input checked="" 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"/> |

**R86-17, Authorizing a release of performance bonds for Legacy of Mountain Lakes**

| Council member | M                                   | 2nd                                 | Yes                                 | No                       | Abstain                  | Absent                              |
|----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| Barrett        | <input type="checkbox"/>            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |
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### **COUNCIL REPORTS**

Ms. Korman stated that the Environmental Commission is asking to be able to hire a consultant for several matters being considered. There was a presentation by a vendor providing the water filtration system for the Enclave. Ms. Horst stated that Traffic and Safety met. She stated that one of the things the committee does is monitor paths to school. There was a concern regarding sidewalks by the train station that children use to walk to school. The sidewalks need repair. There was a discussion regarding the movable speed sign and what data it collects. Mr. Barrett stated that Shared Services is working on a resident survey. They are looking at what options are still available for shared services and what services the residents are interested in. Ms. Barnett asked the Recreation Director, Audrey Lane to comment on the Recreation meeting since Ms. Barnett could not attend. Ms. Lane stated that the upcoming summer activities were discussed. She stated that the Trout derby is in its 45<sup>th</sup> year. They discussed the swim program. Summer hiring is in full force. There was a discussion regarding allowing some of the smaller parks to be rented out to residents for parties or events. Mr. Happer stated that Historic Preservation Committee is looking at digitizing documents. The dynamite shed is being renovated and will be used for storage. The Solid waste committee met. They are discussing the service and the pickup zones. Mr. Sheola stated that the King of Kings project is moving along through the Planning Board. At the next meeting environmental and traffic matters will be discussed regarding the project. Ms. Barnett commented regarding a program that the school students are involved in called destination imagination She stated that there were several teams from Mountain Lakes that took first or second place in the State competition and some teams will be moving on to the global competition.

### **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.

Steven Shaw, 4 Pointview Place, made comment as to the Highlands Committee. He stated that the Highlands has a Land Equity Committee that discusses compensating land owners that have lost use of their land because of the Highlands. There was talk of taxing water to get funding to compensate land owners.

Mr. Joe Plonski, 25 Melrose, stated that the parking matter was interesting. He stated that parking ordinance should not have been mixed with parkland. He stated his displeasure with the parking ordinance.

Jennifer Morrata, 111 Melrose, stated that she did not appreciate Mr. Kantor making comments while she spoke. She asked what could be done about this. The Mayor stated that he would have stopped the comments had he heard them.

### **NEXT STEPS AND PRIORITIES**

Mayor Holmberg reviewed the following next steps and priorities:

| <b>Next step:</b>   | <b>To be completed by:</b> | <b>Completion date:</b> |
|---|----------------------------|-------------------------|
| Work with department heads regarding Stigma free program initiative           | Mr. Sheola                 | TBD                     |
| Operating models for Committees and Commissions discussion on the next agenda | Mr. Sheola, Ms. Egan       | Next meeting            |
| Adoption of budget  | Mr. Sheola, Ms. Egan       | April 24th              |
| Capital ordinance   | Mr. Sheola, Ms. Gosicki    | April 24h               |



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**ADJOURNMENT at 10:20 P.M.**

Motion made by Councilmember Barrett, second by Councilmember Happer to adjourn the meeting at 10:20 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

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Valerie A Egan Borough Clerk