



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
AUGUST 28, 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 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-, 127-17, 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, litigation, King of Kings lawsuit**

Motion: Happer

Second: Horst

Vote: All ayes

**COMMUNITY ANNOUNCEMENTS**

Mayor Holmberg stated that DOT Commissioner Hammer communicated that the grant program for Municipal Aid and Bikeways is now open. The County of Morris will hold a 9/11 memorial on Sunday September 10<sup>th</sup> at 6pm at the Memorial on Hanover Avenue. The white tail deer reduction program through the County will begin soon in the Torne. St Peters Church was awarded a grant to replace their roof. The DEP sent a flyer regarding bear safety. It was stated that the Police Department does a very good educational presentation regarding bear safety. Mayor Holmberg commented on the protests held in Charlottesville Virginia. He stated that there is no tolerance for this type of hatred in Mountain Lakes. The Mayor signed a Mayor's compact in support of awareness against hate and hate groups. He stated that the Shade Tree will come to the second meeting in September to speak about the Emerald Ash Borer. There will be an update on the municipal building renovation discussions. Deputy Mayor Barnett stated that there will be tours of the municipal buildings for the public. She stated that the second edition of the Borough Bulletin will be going out in the mail. Mr. Shepherd stated that the council had met with the Board of Education earlier in the year. He mentioned the web post that helps citizens determine what the tax impact will be for different school referendum scenarios. There is also a post on the Borough website regarding the tax impact for the beach and dam projects.

**PUBLIC COMMENT**

Mayor Holmberg opened the meeting to the public

Marnie Vyff, 10 Vail Drive and member of the Environmental Commission, came before the Council to talk about the Sustainable Jersey effort. She explained the Sustainable Land Use Pledge. She asked that the Council pass a Sustainable Land Use Pledge resolution. She stated that the Planning Board and Zoning Board are both in favor of the resolution.

Mr. Fred Kanter, 81 Hanover Road, expressed his gratitude to the Mayor for signing the Mayor's pledge. He made mention of racial profiling and asked what has been done in regards to the Borough Police Department. He asked for \$15,000 for his legal fees in regards to fighting summonses he received from Mountain Lakes. He stated that the courts found him innocent. He stated that no one from the past Councils apologized to him. He spoke about the five minute public comment limit and how it keeps the public from speaking. He mentioned that he received records showing three



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months of police stops. He stated that there was no calls regarding parking on Melrose or for suspicious persons or for pollution from cars parked. Mr. Kanter was at his five minute limit. Mayor Holmberg granted him another minute. He stated that the Council cannot determine if cars are causing pollution.

### **BOROUGH COUNCIL DISCUSSION ITEMS**

#### **Second Quarter Budget Update**

Ms. Monica Goscicki, CFO came before the Council to review and discuss the second quarter budget and expenditures. She mentioned that the court fees are up. The tax collection rate is at 99.4%. She stated that the vehicle repair line item has become a concern. It will most likely need to have money transferred into the line item in November. She reviewed water and sewer collections.

#### **Residential Survey Overview**

Deputy Mayor Barnett did a quick overview of the residential survey. The purpose of the survey was to gage the satisfaction of town services. All adult residents were asked to participate. 551 complete surveys were received. The presentation of survey results will be at the September 11<sup>th</sup> meeting.

#### **Goals progress YTD**

Fiscal Strength and Accountability – on track

Openness and Responsiveness – on track

Service and infrastructure – on track

Environmental Stewardship – There was a discussion regarding water usage. There was a discussion regarding the master water usage plan that former Councilman Lester drafted and that this document should be built upon.

### **ATTORNEY'S REPORT**

Mr. Oostdyk stated that in executive session, the council authorized the sign off on the agreement regarding the Concerned Citizens lawsuit against the Borough of Mountain Lakes.

### **MANAGER'S REPORT**

Mr. Sheola stated that the bids for the beach projects will be rejected. A recommendation from the Public Works committee on how to move forward with the project will come to the Council by September 25<sup>th</sup>. The Gas Company road projects are almost complete. They are working on Morris currently the project should take another three weeks. There is some paving that is behind schedule and will most likely not be complete until spring. The equipment for the new server has been delivered. The bid for police vehicle leases must be rejected. The lease contract can now be negotiated. There is a resolution on the agenda to hire a new Construction Official.

### **ORDINANCES**

None

#### **Final Hearing of Ordinance**

None

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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**

*R128-17, Authorization for the payment of bills*

*R130-17, Authorization of the execution of sanitary sewer easements*

*R131-17, Authorizing the refund for overpayment of construction fees*

*R132-17, Authorization of a lien redemption*

*R133-17, Chapter 159 Community Forestry Management Grant*

*R134-17, Award of Contract for Pollard Road Water Main*

*R135-17, Rejecting all bids for the Leasing of Police Vehicles*



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- R136-17, Declaration of no bids for Leasing of Borough Property, The Station
- R137-17, Amending agreement, (extending date), with Borough of Madison for IT Services
- R138-17, Amending agreement, (increasing amount), with Solitude
- R139-17, Rejecting all bids for the Beach Improvement Projects
- R140-17, Authorizing Manager to sign a release with AMP Communications regarding damage done to parking lot
- R141-17, Hiring of Construction Code Official

**\*APPROVAL OF MINUTES**

- Regular minutes of July 24, 2017, (Horst not eligible)
- Executive minutes of July 24, 2017, (Horst not eligible, minutes not ready for release)

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

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

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

None

**Approval of the Consent Agenda**

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**

Ms. Horst stated that the Financial Advisory Committee met. She stated that Ms. Goscicki's report summarized the meeting. Mr. Happer stated that the Department of Public Works meeting is coming up. Mr. Shepherd stated that the Economic Development Advisory Committee will be meeting one the 11<sup>th</sup> of September.

**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. Kanter, 81 Hanover Road, made comment about using the Engineer for water information. He stated that all of the information is written down somewhere and we should not rely on someone's memory. He stated that it is time to think about hiring new professionals for 2018. He made comment regarding racial profiling again. He stated that the Mayor is not answering his questions regarding this matter. He stated that having him speak to the manager about issues keeps the matter out of the public forum. He made a comment about the parking ordinance being put in place due to cars producing pollution. He disagreed with this.



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**NEXT STEPS AND PRIORITIES**

Mayor Holmberg reviewed the following next steps and priorities:

<b>Next Step</b>	<b>Completed by</b>	<b>Completion date</b>
Circulate Sustainable Jersey info to council	Valerie Egan	Next meeting
Master water usage plan circulation and review	Mr. Sheola	Next meeting
Volunteer spending policies	Mr. Sheola	TBD
Put information regarding the County 9/11 ceremony on the eblast	Cara Fox	Next eblast
Gas company road work information to council	Mr. Sheola	Next meeting
DOT Grants for municipal aid, bikeways and safe streets to transit	Mr. Sheola to pass along to Recreation and engineer	Applications due October 6 <sup>th</sup>

**ADJOURNMENT at 9:45 P.M.**

Motion made by Councilmember Happer, second by Councilmember Barnett to adjourn the meeting at 9:45 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

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Valerie A Egan Borough Clerk