



**MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
FEBRUARY 26, 2018  
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 8, 2018 and posted in the municipal building.

Mayor Barnett 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>
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Holmberg	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barrett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Horst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

**FLAG**

Mayor Barnett led the salute to the flag.

**EXECUTIVE CLOSED SESSION**

R-65-18, 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, Attorney Client Privilege, Kings Mountain Lakes and Contract, Sewer services contact with Parsippany**

Motion: Holmberg  
Second: Happer  
Vote: All ayes

Motion to come back to regular session: Happer  
Second: Shepherd  
Vote: All ayes

Mr. Oostdyk explained to the public the topics that were discussed in executive session.

**COMMUNITY ANNOUNCEMENTS**

Mayor Barnett stated that the Girls Swim team won the Stated Championships this weekend. She stated that she, Mr. Stern and Ms. Egan attended the Morris County League dinner. She stated that the County will be holding budget meetings open to the public. She stated that the borough will be hosting the Morris County Freeholder meeting on Wednesday July 17<sup>th</sup>. She stated that the Kings Mountain project that has been sold to Pulte Homes has all of their construction permits and will begin construction soon. She stated that in the wake of the school shooting, she has been in contact with the Board of Education. The district has been working with the County Prosecutors office and the Police Department to review security measures. Mayor Barnett reminded everyone that the Borough is a Stigma free community. Ms. Korman stated that the next Garden Club meeting will be speaking about plants to benefit the waterway.

**SPECIAL PRESENTATIONS**

**Sunrise Senior Living Facility**

Ross Chomlet, from Vision Realty Partners came before the Council to discuss the Sunrise Senior Living facility proposed on their property in Mountain Lakes. Jerry Liang from Sunrise spoke about the senior housing project. There are 27 Sunrise properties in New Jersey. Sunrise facilities provide assisted living and memory care. He showed renderings of what the building might look like. The site is approximately 5 acres. He showed an aerial site plan of the project. He stated that the use will not generate much traffic. The project will satisfy some



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affordable housing requirements for the Borough. Christine Capone, Planner spoke to the fact that this project will need a zone change.

**(Mr. Barrett left at 8:50)**

**PUBLIC COMMENT**

Mayor Barnett opened the meeting to the public

Mr. Fred Kanter, 81 Hanover Road, made comment regarding being arrested at two previous meetings. He stated that this was because he asks questions. He commented that his questions are not answered. He commented on the sign ordinance. He stated that a time frame for temporary signs is not explained in the ordinance. He commented that there is only one sign allowed for each property. He asked the council not to pass the sign ordinance. He made mention about signage not being allowed on vehicles. He stated that this law would fall under the motor vehicle code and is not enforceable by the municipality.

Jim Hyson, 2 Littlewood Court, he stated that he is a resident of Pine Edge. He stated that he is representing the Pine Edge property owners. He commented regarding the buffer that should be between Sunrise and the Pine Edge housing development. He asked the council to look at the original agreements for commercial development on the property and report back to the residents.

Mark Policastro, attorney for Sunrise stated that he will answer any questions regarding the project.

Sandy Batty, 15 Lockley Court, thanked the council for being transparent and asking Sunrise to make a presentation. She stated that she would like to see the council take the lead on the ordinance to allow zoning for the development. She asked if the property owner ever came in for a site plan amendment for the lighted walkway. She made comment regarding the student committee member ordinance. She stated that the ordinance is not consistent in the wording and both the words students and youths is used throughout the ordinance. She commented on the sign ordinance.

Jules Stanisi, 4 Littlewood Court, stated that he agreed what with Mr. Hyson stated. He stated that something will be developed on the property that Sunrise is looking at developing. He thought Sunrise did a good presentation.

George Jackson, 20 Sherwood Drive, stated that he has concerns with the sign ordinance. He wanted to know how commercial signs will be address in residential zones. He stated that a lot of what the Planning Board does is overkill. He stated that he is not in favor of a huge bureaucratic process for sign approval. He made mention that he thought that the Borough's affordable housing plan is a bad one. He stated that there was spot zoning done that needs to be reversed. He stated that he would assume that Pulte Homes will be continuing with the approvals that were given to the previous developer. He stated that students committee members should not be voting members.

Linda Hyson, 2 Littlewood Court, stated that she thought that the Sunrise presentation was good. She commented on the existing buffer and that the buffer contains trees that lose their leaves. She would hope that evergreens would be planted. She wondered about the height of the buildings. She hoped that they would not be three stories.

**ATTORNEY'S REPORT**

No report

**MANAGER'S REPORT**

**2018 Budget progress**

Mr. Stern gave an overview of the 2018 municipal budget. The average home would see a \$108 increase for the year.

Mr. Stern mentioned the beach project. He stated that some specs are being fine-tuned. He stated that a plan should be available in about four to six weeks. He mentioned the Borough Hall project. The committee is still in the process of narrowing down the Architect candidates. He stated he looked into the tax impact for historic



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designation of properties. The Assessor stated that there is no tax impact. There was a discussion regarding road paving. He stated that he has a list of roads that the gas company will be paving.

**ORDINANCES**

**Introduction of Ordinance 1-18, Signs**

ORDINANCE AMENDING CHAPTER 245 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND REGULATING SIGNS WITHIN THE BOROUGH

**After some discussion, this ordinance was tabled**

**Introduction of Ordinance 2-18, Appointment of student members to committees**

ORDINANCE AMENDING CHAPTER 9 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND PROVIDING FOR THE APPOINTMENT OF STUDENT MEMBERS TO BOROUGH COMMITTEES AND COMMISSIONS

**After some discussion, this ordinance was tabled**

**Introduction of Ordinance 3-18, COLA**

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

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

**\*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**

- R66-18, Authorization to pay bills
- R67-18, Authorization to execute a Community Stewardship Incentive Program Grant
- R68-18, Assignment of Kings Mountain Lakes Developer's Agreement to Pulte Homes
- R69-18, QPA Appointment
- R70-18, USDA Goose management contract
- R71-18, LOSAP Approval

**\*APPROVAL OF MINUTES**

Regular minutes of February 12, 2018, (all eligible)

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

- Construction Department
- Department of Public Works
- Fire Department
- Health Department



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- Police Department
- Recreation Department
- Code Enforcement/Property maintenance report

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

*Nick Coppola to the Planning Board as the Environmental Commission Representative with a term running concurrent with his Environmental Commission term through 12/31/19*

*Nancy duTetre to the Planning Board as a Class IV member with a term running through 12/31/21*

*John Horan to the Planning Board as Alternate #1 with a term running through 12/31/19*

**\*Approval of the Consent Agenda**

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

**COUNCIL REPORTS**

Ms. Korman stated that she and Ms. Horst attended the Morris County Community Development meeting. Her group is reviewing the Services applications. Mr. Shepherd stated that the Finance Committee is still looking at the budget. Mayor Barnett stated that she attended the kick-off meeting for the Memorial Day Committee. She stated that she attended a meeting of former Mountain Lakes mayors.

**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 Barnett opened the meeting to the public.

Mr. Fred Kanter, 81 Hanover Road, commented on the gun violence in the country. He asked the council to draft a resolution to ban all assault weapons. He stated that security in the schools will not stop anyone outside the school with a gun. He offered to help draft the resolution.

Sandy Batty, 15 Lockley Court, made a comment regarding the student member of Shade Tree. She suggested that the student committee members should be in their junior year in High School so that they have more time to serve.

Mr. George Jackson, 20 Sherwood Drive, commented regarding the capital projects for the Borough. He stated that council needs to prioritize the projects. He made comment regarding the gas company ripping up the street. He stated that in the past the gas company would complete a full paving instead of patching the road. He commented regarding the sign ordinance that the Borough should not pay attention to the federal law and instead do what council thinks is right for the town. He made mention that the council should move up agenda items if there are professionals present waiting to hear a certain agenda item.

**ADJOURNMENT at 10:56 P.M.**

Motion made by Councilmember, Happer second by Councilmember Holmberg to adjourn the meeting at 10:56 p.m., with all members in favor signifying by "Aye".



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Respectfully Submitted

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Valerie A Egan Borough Clerk