



MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
MARCH 12, 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

Roll Call	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
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-73-18, 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, Litigation, Mountain Lakes Club v. Mountain Lakes, Tax Appeal

Motion: Happer

Second: Horst

Vote: All ayes

Motion to come back to regular session: Happer

Second: Horst

Vote: All ayes

Mr. Oostdyk explained to the public present what the Council discussed in executive session.

COMMUNITY ANNOUNCEMENTS

Mayor Barnett mentioned the back to back storms and how it effected the community. She thanked the Manager, Police Department and DPW for their efforts for the preparation and cleanup of the storm. She thanked the Library, Board of Ed and YMCA for setting up warming stations. She stated that the Governor's office reached out to see if the Borough needed any assistance. About 95% of the Borough was without power. There is currently only one property in Mountain Lakes that does not have full power. Mayor Barnett mentioned daily phone calls with JCP&L. Mr. Barrett stated that the employees rose to the occasion to battle the storm. He suggested an ordinance change for property setbacks in regard to installing whole house generators. There was a discussion regarding trees in the area of power lines. Ms. Korman mentioned two organizations that the Council should consider meeting with regarding electric utility information. Mr. Oostdyk was asked to look into ordinances from other municipalities regarding setbacks and generators.

Mayor Barnett stated that the 55 Plus club will be meeting on Friday where Chief Bennett will be talking about Nixel. March 25th will be the Easter Egg Hunt. The Library will continue their film series. Ms. Horst stated that Arbor Day will be celebrated on April 27th in Mountain Lakes. She stated that on May 12th the Garden Club will have their annual plant sale at Island Beach.

SPECIAL PRESENTATIONS

Budget Presentations

Mr. Stern showed a Power Point presentation regarding the Operating, Capital and Utility budgets.



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PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

Mr. Fred Kanter, 81 Hanover Road, asked if the Council read the minutes regarding the Cove project that stated that the engineer would ignore the ADA requirements. He stated that \$25,000 was taken out of the Cove project to use on roads. He asked if the \$22,000 in this year's budget for Cove Park would be enough to remedy all problems. He mentioned testing trees to see if they are sound. He asked that if this has not been done for municipal trees, why not? He mentioned underground utility lines. He stated that this topic was discussed before and that the project was too expensive to complete. He mentioned the sign ordinance and that the Council did not listen to their attorney regarding what needs to be put in the ordinance.

Mr. Steve Castellucci, Fire Chief, thanked Mr. Stern for his work on the budget. He stated that the 2018 fire dept. budget was decreased by 5.5%. He stated that the capital requests were about 18% less in 2018 over 2017. He mentioned the recent storms. He stated that he appreciated the Council's and Mr. Stern's support. He thanked the Police, DPW, CERT, the County Communications Center, Kiwanis Ambulance and the linemen. He also thanked the residents.

Mr. Kevin Dolan, 6 Crescent, stated that he liked the idea of more communication. He asked about the town providing a chipper for tree debris from the storm. He asked to see information coming out of the Economic Development Committee. He asked if there was some type of improvement project planned for Crescent and Grove Roads. He mentioned the DPW plowing snow into his shrubs.

Mayor Barnett asked Mr. Dolan to meet with Mr. Stern to get his questions answered.

ATTORNEY'S REPORT

Mr. Oostdyk made mention regarding the court opinion that came out this week regarding affordable housing. The number of required affordable housing units was about 57% less than what the Fair Share Housing group wanted. Mr. Oostdyk stated that the Borough will be looking at other communities regarding sign ordinances. Introduction of the sign ordinance will be put on hold.

MANAGER'S REPORT

Mr. Stern stated that there was a chipper that went out though town to clear some tree debris. He stated that he is looking into a program in which residents put storm related brush out to the curb and the town will rent a chipper. He mentioned the beach project. He is waiting for information from the architect. He stated that the building committee met yesterday. A site visit will be scheduled to look at candidate architect projects. He provided the preliminary cost estimates of the two storms.

ORDINANCES

**Final Hearing of Ordinance 3-18, COLA
 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
 ESTABLISH A CAP BANK**

Mayor Barnett opened the meeting to the public for the final hearing of the ordinance.

There was no one who wished to comment.

Introduced: 2/26/2018

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"/>



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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"/>

Adopted: 3/12/2018

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

***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**

- R74-18, Authorization to pay bills
- R75-18, Transfer
- R76-18, Tax Lien redemption
- R77-18, Tax refund

***APPROVAL OF MINUTES**

Regular minutes of 2/26/2018 (Barrett not eligible)
Executive minutes of 2/26/2018 (All eligible)

***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**

None

***Approval of the Consent Agenda**

Mr. Barrett abstained on voting on the regular minutes of 2/26/18

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 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"/>



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<i>Shepherd</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Barrett</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<i>Barnett</i>	<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 the Economic Development Committee met. He stated that a commercial property in town sold. Mr. Holmberg stated that Communications will meet on Wednesday.

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, stated that our democracy is under attack. He stated that elections are coming up and there should be no restriction put on political signs. He stated that signs are free speech. He stated that many residents don't know anything about the sign ordinance. He asked the Council to be free and open with signs.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Mr. Hysen's request to look at the developers agreement related to the buffer for the commercial property where the Sunrise Assisted Living is proposed	Mr. Stern	Next meeting
Set back issue regarding generators	Mr. Oostdyk	TBD
Reimbursement for storm related items	Mr. Stern	Next meeting

ADJOURNMENT at 9:53 P.M.

Motion made by Councilmember Barrett, second by Councilmember Happer to adjourn the meeting at 9:53 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Valerie A Egan Borough Clerk