



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

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-78-18, 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: Tax Appeal and Affordable Housing

Motion: Barrett
 Second: Holmberg
 Vote: All ayes

COMMUNITY ANNOUNCEMENTS

Mayor Barnett stated that the issues that come up with the storms such as trees, communications and buried utility lines are being worked through Borough Committees. The annual trout derby will be held April 14th. Ms. Korman stated that the Educational Foundation will be holding their fundraiser on April 14th. Mr. Holmberg stated that April 28th is the Annual Mountain Lakes Woods and Lakes Run.

SPECIAL PRESENTATIONS

Proclamation for Arbor Day
Proclamation for Lakeland Symphony

Mayor Barnett commented on the proclamations.

Capital Budget Presentation

Mr. Prusina, DPW Superintendent presented his department’s capital budget request as well as the water and sewer capital budget requests. The capital budget requested for the water dept. is \$53,500. The total capital request for Cove Park and playgrounds is \$26,000. The capital request for the recycling center is \$97,900. The capital request for road projects is \$230,000. The Borough has received a grant for the paving of North Pocono Road in the amount of \$345,000. New Jersey Natural Gas will be paving several roads in Mountain Lakes. The budget request for sidewalk, curb, street signs and storm water repair is \$160,400. The request for Public Works equipment is \$95,000. The total capital budget for Public Works is \$662,800. Mr. Stern discussed the Public Safety capital request. The capital budget request for Public Safety is \$55,400.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

Mr. Fred Kantor, 81 Hanover Road, asked how a road becomes private. He then explained the process. He stated that the town wants to take tax payers money and plow and pave a private road. He commented on spending \$4,000 for the weeding of Cove Park. He stated that volunteers were supposed



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to do this. He stated that at the last meeting some of his questions were answered and some were not. He asked if anyone reviewed the Cove Committee minutes to see where the Engineer said they were not going to make the park ADA compliant. He stated that the town should not have to spend any money on Cove Park, the town should go to the Engineer and ask for money back for his mistakes and use them on the park.

Mr. Kevin Dolan, 6 Crescent Drive, asked for the minutes for the Economic Development committee. He was told that they were on the website. He stated his concerns regarding the affordable housing number of required units. He mentioned the paving of Crescent. He stated that he does not have a curb along his property. He asked if a curb could be installed. He suggested putting up solar panels for the canopy over the recycling center. He mentioned the electric utility that Madison Borough has and suggested that the Borough create a communications utility to gain funds.

Mr. Jim Hyson, 2 Littlewood Court, thanked Mr. Holmberg for keeping the Woods and Lakes Run alive. He mentioned the Sunrise Assisted Living presentation. He stated that the building in the presentation was three stories. He stated that the property is zoned for only two stories. He asked what type of variance process they would have to go through. He suggested that the zoning for the property remain the same. He mentioned that he is a member of the Pine Edge Board and was here speaking on behalf of the board. He asked if the town has heard anything back from the developer regarding the Sunrise Assisted Living project.

Dan Marin, 27 Robinhood Drive asked about the refund of the quarter one overpayment of taxes. He was told that there is a resolution on the consent agenda.

BOROUGH COUNCIL DISCUSSION ITEMS

Introduction of the 2018 Municipal Budget

After some discussion it was decided that the budget needs further review and would not be introduced this evening.

ATTORNEY'S REPORT

No report

MANAGER'S REPORT

Mr. Stern reviewed his report. He stated that the Nixel program was rolled out and there are over 800 members already. He has a meeting regarding the beach projects this week. The building renovation committee will be making a recommendation for an Architect. He mentioned the reimbursement for storm costs for the recent snow storms. FEMA will not combine the storms, so the Borough may not reach the monetary thresholds for reimbursement.

ORDINANCES

Introduction of Ordinance 2-18, Student Committee Members

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

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 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 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"/>



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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**

- 79-18, Authorization to pay bills
- 80-18, Transfer Operating
- 81-18, Transfer Water
- 82-18, Transfer Sewer
- 83-18, Refund of overpayment of taxes
- 84-18, Authorization for the settlement of a tax appeal B100 L34
- 85-18, Amendment to the temporary budget

***APPROVAL OF MINUTES**

- Regular Minutes of 3/12/2018 (All eligible)
- Executive Minutes of 3/12/2018 (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**

Phyllis Deering to the Shade Tree Committee as a regular member with a term running through 12/31/19
 Blair Bravo to the Shade Tree Committee as Alternate #2 with a term running through 12/31/20

***Approval of the Consent Agenda**

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 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"/>

COUNCIL REPORTS

Mr. Shepherd thanked Mr. Stern for his work on the budget. Ms. Horst stated that her committees were postponed due to snow and will meet this week. Mayor Barnett stated that she and Mr. Stern sat with BOE employees to talk about communications.



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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 he does appreciate all the hard work the Council does. He mentioned Cove Park and how long it has taken to get anything done. He stated that he asks a number of questions. He stated that he had filed an OPRA request with the Clerk regarding the budget for Cove Park and that the request was denied. He stated that the Clerk stated that there were no formal documents regarding the matter. He stated that there doesn't have to be formal documents to answer an OPRA request. He then stated that Mr. Prusina had handed him a spread sheet with estimated budget numbers this evening. He stated that the date of the spreadsheet was the 23rd and it is now the 26th, so the record existed when she answered the request.

Clerk Valerie Egan explained to Council that OPRA requests are for records that are required to be made and maintained. Mr. Kanter's request asked for the estimates for Cove Park that make up the \$22,000 that was put in the 2018 capital budget. She explained that at the time of the request there were no files that could be given to Mr. Kanter. The borough did not seek out formal estimates for the work to be done. Mr. Prusina had put the spread sheet together himself on the 23rd of March and emailed a copy to Ms. Egan at 4pm on the 26th. Ms. Egan had responded to Mr. Kanter the morning of the 26th. Ms. Egan had then forwarded Mr. Prusina's email to Mr. Kanter, printed out a copy of the spreadsheet, brought it to the meeting and it was then given to Mr. Kanter. Ms. Egan stated that her denial of the request was proper, because when the request was received and responded to, no records existed.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Schedule next meeting for budget discussion purposes	Council	Before next meeting
Look into information regarding maintenance of private roads	Mr. Oostdyk and Mr. Stern	Next meeting
Meet with Mr. Dolan regarding Economic Development	Mr. Shepherd	TBD

ADJOURNMENT at 11:07 P.M.

Motion made by Councilmember Barrett, second by Councilmember Happer to adjourn the meeting at 11:07 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Valerie A Egan Borough Clerk