



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
 SEPTEMBER 12, 2018
 HELD AT MOUNTAIN LAKES HIGH SCHOOL, 96 POWERVILLE ROAD
 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 8:00 p.m. in the auditorium of the Mountain Lakes High School.

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 type="checkbox"/>	<input checked="" 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.

COMMUNITY ANNOUNCEMENTS

Mayor Barnett mentioned the beginning of the school year. She stated that the school open houses are beginning. She mentioned the annual Run for a Cause 5 K run to be held September 21st. On Oct 10th the Borough will be hosting the Morris County Freeholders meeting. The annual Firemen's dinner will be held on October 13th. JCP&L will be at the next council meeting to answer questions.

Mayor Barnett updated everyone present about the subcommittee formed regarding the Mountain Lakes Club.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

Joe Scura, 32 Woodland Ave, President of the Board of the Mountain Lakes Club, stated that the Club has had extreme debt problems since 2006. He stated that the cost of the mortgage and taxes alone are \$30,000 a month. They have lost about half of their membership. The Club is in foreclosure. He stated that the bank is shopping the property. He stated that he did not think that the Council would be capable of saving the Club. There is a separate group that has formed that is interested in putting together financing for the property for the Club. He stated that the public can participate in the lending group.

Doug Kennedy, 135 Pollard Road, stated that he has been a resident for 25 years. He stated that while he was looking for a home he visited the Club and decided to purchase a home in Mountain Lakes because of the Club. He stated that the moment that the property went into foreclosure the game changed. Any type of organization can purchase the Club property. He stated that it is important to support the Club. He stated that municipality needs to think about a plan B. He stated that the risk is that the Club can be purchased.

Tom Menard, 50 Bellvale Road, stated that he is running for council and has been speaking to many residents. He stated that residents want the Club to be saved.

Jayne Wolkenstein, 65 Melrose Road, spoke about the beach renovations. She stated that the beach needs a covered area in case of lightning storms. She stated that more boat racks are needed for the sunfish boats. She stated that a storage facility is not needed at Island beach. She gave a printed list of items she thought were needed to the Mayor.

David Lewis, 68 Lookout Road, stated that he has lived in Mountain Lakes since 2002. He runs the bowling league at the Mountain Lakes Club. He stated that he supports the prior comments regarding the Club. He stated that the Club is the highest taxed property in town. He stated that the community needs to act to save the Club.

A Club member stated that the municipality is working with the Club. He stated that the Club is at the point that they need help from the outside. He stated that people can choose to invest in the Club or join the Club if they would like to help.



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Sueanne Sylvester, 33 Hanover Road, stated that she cannot imagine the town without the Mountain Lakes Club. She stated that she was excited that there is a finance group. She stated that the Club could become an amazing community center.

Mike Albanese, 75 Pollard Road, stated that he has been a member of the Club for over 10 years. He stated that he would not have decided to purchase a home in Mountain Lakes without the Club.

SPECIAL PRESENTATIONS

Assisted Living Zone Change by Topology LLC

Mayor Barnett explained that the Borough has submitted a Fair Share Housing plan, (affordable housing), to the courts which includes assisted living as part of the plan. She commented that the borough has been contacted by a corporation that is interested in developing a property in town with an assisted living facility.

Phil Abramson from Topology, the Borough's Special Planner, was present to speak about assisted living. He stated that he gave a power point presentation at the Council meeting on June 25th. He stated that since then he has drafted an ordinance for Mountain Lakes regarding assisted living facilities. He stated that the municipality is going above and beyond in informing the public in matters such as this. He mentioned the fact that the developer wanted a three story building. The current zoning only allows two story buildings. He stated that lowering the building but keeping the same square footage would take up a larger footprint. Each floor is 10,000 square feet. Removing the third floor would increase the footprint by 10,000 square feet. He stated that the building with three stories will be about the same height as the other residences on Sherwood. It was his recommendation to allow the third floor. He spoke about the planting buffer. He stated that he needs more time to work on the buffer issue. There was a discussion regarding lighting. Mr. Abramson read the borough code regarding this issue and stated that the code takes care of any concerns. Tree coverage for the site was discussed. Parking was discussed. There was a question as to if the amount of parking required is per unit or per bed.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

Jules Stanisci, 4 Littlewood Court, asked if the Planner consulted with the Planning or Zoning Board. Mr. Abramson stated no, but did consult documents that came from the Planning and Zoning Boards. Mr. Stanisci asked why the Borough is considering new zoning. He stated that in adopting new ordinances, the Council is by passing the Planning and Zoning Board.

A resident stated that over time the quality of life has been impacted by removing trees. He stated that he is awakened in the middle of the night by garbage trucks. He stated that he hears noise from the construction at the King of Kings property. He stated that assisted living will mean police, ambulances, delivery and garbage trucks.

Steve Campbell, 13 Center Drive, asked where the facility was getting water from.

Marnie Vyff, 10 Vale Drive, stated that it is in the Borough ordinances that the developer needs to send the development plan to the Environmental Commission. She stated that the Environmental Commission tries to have developers take down as little trees in the setback area as possible. She stated that the water issue was not addressed at all. She stated that this development will put the Borough over its water allotment. She stated that if you change the development from three story to two story it will cause the building to over the impervious coverage allowances.

Mayor Barnett stated that, as an action item, she would like to have the process of the water allocation approval process defined.

Sandy Batty, 15 Lockley Court, stated that water allocation is supposed to be given to affordable housing before any other development. She mentioned the third floor. She stated that she does not think they need such steep roof lines. She stated that a building that is 50 foot high would cause problems for firefighting. She asked about a certificate of need regarding the number of beds for this type of facility. She wanted to know if this certificate of need could override the Borough's zoning code. The Planner will look into this. She mentioned the timing of lights for the development. She



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stated that she is concerned that the developer will not give the full 100 foot buffer between this property and adjoining properties. It is a landscaped buffer, so the street in-between should not be included in the 100 feet.

Steve Castalucci, 2 Laurelwood Drive, Fire Chief, thanked the council for doing an unenviable job. He stated that our responsibility is to do the right thing for the community. He encouraged the council to continue our commitment to our principles and maintain priorities. He stated that he has a concern regarding water sufficiency.

Chris Richter, 5 Cove Place, stated that the council has to address the water issue. He stated that it is not appropriate to put the burden of water on the developer. It is the municipality's responsibility to find the water.

BOROUGH COUNCIL DISCUSSION ITEMS

Beach Improvement Project

Mr. Stern commented regarding the beach improvement project. He stated that the borough re-advertised bids for the project. The bids were received in late August and all bids were over budget again, even with amendments to the plans and items being removed from the project. He stated that there are four possibilities for this project. 1. Fully fund the project and award to the lowest bidder. 2. Reject all bids and then rebid the project with the possibility to negotiate the project if bids come in yet again over budget. 3. Renovate the buildings in house. 4. Reject all bids and revisit the project at a later date. It was decided that options 2 and 3 will be run in parallel.

Sewer and Water Rate Increase

Mr. Stern reviewed the proposed water and sewer rate increases. The proposal is a 3% water rate increase and a 15% sewer rate increase. The increase in water rates is due mostly to less income in the utility since home owners did not need to water their lawns that much over the last two years. The sewer rates are due to increases in fees from Parsippany. The municipality is working with Parsippany regarding this issue. It was suggested by Councilman Happer that water and sewer rates be reviewed annually.

ATTORNEY'S REPORT

No report

MANAGER'S REPORT

The Managers Report items were all covered under the discussion items. Mr. Holmberg mentioned that Ms. Audrey Lane has resigned her position as Recreation Director. He thanked Ms. Lane who was present at the meeting. Mr. Stern stated that the process of hiring a new Rec Director has begun

ORDINANCES

None

***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**

*R137-18, Payment of bills
R138-18, Authorization for the amendment to the Topology Contract
R139-18, Authorization for the rejection of all bids for the Midvale/Pocono Roads improvement project
R140-18, Authorization for the rejection of all bids for the Beach improvement project
R141-18, Invasive plant species (pulled from consent)
R142-18, Authorization for the refund of a tax payment
R143-18, Authorization to dispose of surplus property*

***APPROVAL OF MINUTES**

Regular minutes of August 27, 2018, (Korman not eligible)

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

Construction Department



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- Department of Public Works
- Finance
- Fire Department
- Health Department
- Police Department
- Recreation Department
- Property maintenance report

***BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

John Horan to the Planning Board as a Class IV member with a term running through 12/31/21
 Arlene Mirsky to the Planning Board as Alternate #1 with a term running through 12/31/19
 Jeff Berei to the Planning Board as Alternate #2 with a term running through 12/31/18

***Approval of the Consent Agenda**

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 checked="" 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"/>

R141-18, Invasive plant species

There was a discussion regarding taking out language regarding global climate change. It was decided that this language would be removed from the resolution.

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"/>
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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

Mr. Holmberg stated that the Communications Committee met and he will be speaking with the Manager about some matters. Ms. Horst reported regarding Lakes management, that more hydro-raking will be taking place at the lakes. Mr. Happer stated that the Finance Committee discussed the Mountain Lakes Club

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.

Pearl Federico, 250 Boulevard, stated that her husband runs the swim team and stated that there are serious issues at the Birchwood Beach facility. There are ADA issues, the electric needs updating, lane lines are falling apart and lifeguard chairs are broken and unsafe.



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Audrey Lane, Recreation Director and resident, stated that it has been her pleasure to work with the council on the beach project. She stated that it is time to re-evaluate the project.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Follow up with the Special Planner regarding assisted living	Mr. Stern	Next meeting
Revisit the beach project	Mr. Stern	On going

ADJOURNMENT at 11:13 P.M.

Motion made by Councilmember Shepherd, second by Councilmember to adjourn the meeting at 11:13 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Valerie A Egan Borough Clerk