



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
 JANUARY 28, 2019
 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 9, 2019 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"/>	Menard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Horst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lane	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

FLAG

Mayor Barnett led the salute to the flag.

EXECUTIVE CLOSED SESSION

R60-19, 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 appeals

Motion: Happer
 Second: Shepherd
 Vote: All ayes

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

Mr. Oostdyk explained to the public what the Council met about in Executive Session

COMMUNITY ANNOUNCEMENTS

Mayor Barnett stated that there was a successful panel discussion regarding affordable housing. On January 30th there will be a cyber-security seminar at the Library. There will be a Cholesterol Seminar on February 1st at the YMCA.

SPECIAL PRESENTATIONS

Radon Awareness Proclamation

Mr. Mike Fitzpatrick, Health Officer, came before the Council to discuss the radon awareness program. He stated that radon is the second cause of lung cancer in the United States. He stated that this area has a high level of iron ore which can cause radon gas. He spoke regarding the proclamation that is on this agenda and the free radon testing canisters. Mr. Happer voiced his concern regarding council proclamations and the process of approving what proclamations are placed on the agenda. Ms. Lane voiced her concern regarding the process as well. Mr. Happer also stated his opinion that once Council starts issuing proclamations, organizations will inundate the municipality with requests for proclamations.



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Vote to approve proclamation

Council member	M	2nd	Yes	No	Abstain	Absent
Happer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Horst	<input checked="" 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Menard	<input type="checkbox"/>	<input checked="" 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"/>
Barnett	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

Jake DeNooyer, 79 Lake Drive, gave his perspective regarding the property taxes in Mountain Lakes in comparison to the ranking of the schools. He stated that Mountain Lakes pays the fifth highest taxes in the State. He mentioned municipal projects that are proposed such as the dam repair and the borough hall renovations. He mentioned sharing services with a neighboring town.

BOROUGH COUNCIL DISCUSSION ITEMS

Discussion regarding a resolution in support of the current level of statewide library delivery services

Jennifer Lynch, Library Director had come before the Council during the first budget meeting and informed them that library funding through the state for delivery services will be terminated. She then sent a model resolution in support of continuing the delivery services and asked that the Council consider adopting the resolution. This resolution was reviewed. There were two minor amendments made to the draft. This resolution will be on the next agenda.

2019 Borough Council Goals

Mr. Shepherd gave an overview of the 2017, 2018 and 2019 Council goals. The following categories were discussed: Fiscal Strength & Operational Effectiveness, Openness & Responsiveness, Services & Infrastructure and Environmental Stewardship & Community Development. It was suggested that pedestrian and traffic safety be added to Service & Infrastructure. Ms. Lane asked for a list of the Borough Manager's goals. Mayor Barnett suggested adding video taping meetings under Openness & Responsiveness. Mr. Stern will look into this. Under Services & Infrastructure it was decided that the dam project be put back on the list. It was suggested that recycling be added as well. It was suggested that the Resident Survey be taken off the list. Under Environmental Stewardship & Community Development, the Master Water Usage Plan was removed. The item regarding the Fair Share Housing Committee working towards settling the Borough's obligation can be removed.

ATTORNEY'S REPORT

Mr. Oostdyk mentioned the resolution on the consent agenda approving the settlement with Fair Share Housing regarding the Borough's affordable housing obligation. Mayor Barnett suggested that the Council be mindful of the issues that come up in the League of Municipalities email updates and discuss them under this section of the agenda.

MANAGER'S REPORT

Mr. Stern reviewed his report which contained dam issues, the Beach project, radon testing and lead testing

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.



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***RESOLUTIONS**

- R35-19, Authorization for an agreement for Planning Services with Phillips, Preiss, Grygiel LLC*
- R39-19, Authorization for an agreement for Insurance Risk Services with Chadler Solutions Inc.*
- R58-19, Authorizing the adjustment of Building Code salaries*
- R61-19, Authorization to pay bills*
- R62-19, Authorization to settle a tax appeal for Block 43 Lot 1*
- R63-19, Authorization to settle a tax appeal for Block 52 Lot 22*
- R64-19, Authorization to settle a tax appeal for Block 78 Lot 38*
- R65-19, Authorization to settle a tax appeal for Block 51 Lot 1*
- R66-19, Authorization to settle a tax appeal for Block 46 Lot 6*
- R67-19, Authorization to settle a tax appeal for Block 39 Lot 12*
- R68-19, Authorization of a settlement with the Fair Share Housing Center to resolve the Borough's fair share housing obligation*
- R69-19, Authorizing a substitution of a performance surety bond for Pulte Homes*
- R70-19, Authorizing AXA-Equitable Life Insurance Company as an additional 457 savings plan administrator for employees*
- R71-19, Authorizing an amendment to the Manager's contract (**Ms. Lane abstained from voting on this item**)*
- R72-19, Authorizing an agreement with BNY Mellon as a Paying and Redemption Agent*
- R73-19, Authorization to settle a tax appeal for Block 78 Lot 25*
- R74-19, Authorizing a refund of a tax overpayment for Block 47 Lot 28.02*
- R75-19, Authorizing a transfer of appropriations for the Current fund budget*

***APPROVAL OF MINUTES**

- January 7, 2019, (all eligible)*
- January 16, 2019 (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*
- Zoning Board of Adjustment Annual Report*

***BOARD AND COMMITTEE AND COMMISSION APPOINTMENTS**

- Arlene Mirsky, Planning Board, Alternate #1 through 12/31/19*
- Kelly Holliday, Planning Board, Alternate #2 through 12/31/20*
- Ethan Grodofsky, Lakes Management through 12/31/19*
- Alpesh Amin, Lakes Management through 12/31/19*
- Tina Gargano, Lakes Management through 12/31/19*
- Wilson Mitchell, Finance Advisory Committee through 12/31/19*



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James Murphy, Finance Advisory Committee through 12/31/19
Peter Smith Environmental Commission Member through 12/31/20
Jackie Bay, Environmental Commission, Alternate #1 through 12/31/20
Andrew Scott, Historic Preservation Committee member through 12/31/19
Mark Hoffman, Historic Preservation Committee Alt. #1 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"/>
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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Lane	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Menard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input checked="" 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

Mayor Barnett commented on the Affordable Housing committee. Mr. Happer stated that budget was discussed at the Finance Committee. A selection was made for new members. The fund balance as reviewed. Mayor Barnett stated that Shade Tree is interested in presenting amendments to the Shade Tree ordinance to Council. Ms. Horst stated that Green Team is looking at Sustainable Jersey projects. Ms. Lane stated that Environmental Commission is welcoming back Jackie Bay to the Commission. Ms. Lane inquired about the request from the Environmental Commission for the Master Water plan. They discussed their 2018 and 2019 goals. They will be reviewing environmental ordinances. They are working on a response for the Sunrise Assisted Living development. Mr. Shepherd stated that Historic Preservation is looking for storage space. They are working on an ordinance for historic preservation for commercial buildings. Mr. Menard stated that Recreation discussed Art at the Esplanade, the Easter Egg hunt, and purchasing procedures. Ms. Horst stated that Woodlands discussed cleaning up pocket parks. Mr. Menard and Ms. Lane stated that Public Works discussed capital purchases and memorial benches.

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. Jake DeNooyer, 79 Lake Drive, made a comment regarding the Radon proclamation. He stated that he thought of radon like flu shots, everyone knows about it. He commented on the process of approving items. Do we talk about the topic first or just act on it. He commented on how the Board of Education voted on an important topic the same night the topic was introduced and the results were that there are a lot of new board members. He was not in favor of discussing and adopting items within the same meeting.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Goals	Ms. Lane & Mr. Shepherd	TBD
Follow up on advertising radon kits	Mr. Stern	Next meeting
Manager goals	Mr. Stern	Next meeting
Information on lead kits	Mr. Stern	TBD
Information on video equipment	Mr. Stern	TBD



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Anderson Denzler contract resolution	Mr. Stern and Ms. Egan	Next meeting
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Ms. Lane stated that she was approached in regards to the Council appointing a liaison to the Board of Education. She stated she was willing to volunteer to serve in that position.

ADJOURNMENT at 10:36 P.M.

Motion made by Councilmember Shepherd, second by Councilmember Lane to adjourn the meeting at 10:36 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Valerie A Egan Borough Clerk