



**AGENDA FOR THE COUNCIL MEETING OF THE BOROUGH OF MOUNTAIN LAKES
HELD AT THE BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES, NJ 07046
MAY 13, 2019
PUBLIC SESSION – BEGINS AT 8:00 PM**

1) CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT – Mayor

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.

2) ROLL CALL ATTENDANCE - Clerk

3) FLAG SALUTE – Mayor

4) COMMUNITY ANNOUNCEMENTS

5) SPECIAL PRESENTATIONS

6) REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

7) 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.

8) BOROUGH COUNCIL DISCUSSION ITEMS

- 1) First Quarter 2019 Current Budget Report
- 2) First Quarter 2019 Water Budget Report and First Quarter 2019 Sewer Budget Report
- 3) Trust Balances
- 4) Capital Account Balances

9) ATTORNEY'S REPORT

10) MANAGER'S REPORT

Update on Shared Services Agreement with the BOE
Report from Chief Bennett – Wildwood Traffic Concerns

11) ORDINANCES

Introduction

- 1) **ORDINANCE 3-19**, An Ordinance Amending Chapter 245, Zoning of the Revised General Ordinances of the Borough of Mountain Lakes and Establishing Article VI, Affordable Housing
- 2) **ORDINANCE 4-19**, Amending Chapter 246, Zoning of the Code of the Borough of Mountain Lakes
- 3) **ORDINANCE 5-19**, Affirmative Fair Housing Marketing Plan
- 4) **ORDINANCE 6-19**, An Ordinance Amending Chapter 245, Zoning of the Code of the Borough of Mountain Lakes and Establishing an Accessory Apartment Ordinance
- 5) **ORDINANCE 7-19**, An Ordinance Amending the Revised General Ordinances of the Borough of Mountain Lakes and Establishing Affordable Housing Development Fees
- 6) **ORDINANCE 8-19**, Borough of Mountain Lakes, Morris County, Spending Plan for the Third Round Planning Period

7) *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.

8) *.RESOLUTIONS

BOROUGH OF MOUNTAIN LAKES

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- 1) R100-19 Resolution Authorizing the Payment of Bills
- 2) R101-19 Resolution Authorizing the Award of Contract for North Pocono Road Improvement Project
- 3) R102-19 Resolution Appointing Alternate JIF Representative

9) *APPROVAL OF MINUTES

April 22, 2019 (Executive) **Menard and Horst not Eligible**

April 22, 2019 (Regular) **Horst not Eligible**

10) *BOARD, COMMITTEE AND COMMISSION APPOINTMENTS

- 1) Kelly Walsh to the Health Commission as a Member to fill a vacancy with a term expiring 12/31/2020
 - 2) Stephen Leviss to the Heath Commission as Alternate 2 with a term expiring 12/31/2020
 - 3) Meghan Leininger to the Planning Board as Alternate 2 with a term expiring 12/31/2020
 - 4) Arlene Mirsky to the Planning Board as a Member Class IV with a term expiring 12/31/2019
 - 5) Kelly Holliday to the Planning Board as Alternate 1 with a term expiring 12/31/2019
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11) COUNCIL REPORTS

12) 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.

13) NEXT STEPS AND PRIORITIES

14) ADJOURNMENT

BOROUGH OF MOUNTAIN LAKES
INTEROFFICE MEMORANDUM

TO: Mitchell Stern, Borough Manager

SUBJECT: First Quarter 2019 Current Budget Report

DATE: April 22, 2019

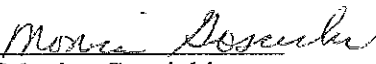
Attached is the first quarter budget report for the current fund budget:

Revenues:

- The capital surplus – general capital and the grant revenues will be realized when the budget is adopted.
- Liquor Licenses are collected in June and July.
- Other Licenses include food handlers and raffles; the 2019 budget amount has been realized.
- Fees and Permits are made up of items such as; planning board fees, zoning board fees, smoke detectors, soil erosion, and tree removal permits, these receipts can vary from month to month. As of 3/31/19 we've collected 40% of the total budget.
- The total budgeted amount (\$18,619.00) for the Cable Franchise fees is received in January.
- The Board of Education field lease and the majority of the Solid Waste fees are paid to us by the Board of Education. Since these amounts are not budgeted by the Board of Education until their next year's budget we will invoice them for half the year in July and half the year in October.
- The State revenue is received between July and November.
- The delinquent tax balance at 12/31/18 was \$214,002.59. In the first quarter of 2019 we collected \$114,545.57, which is 54% of the balance. Delinquent notices were sent out on February 25, 2019 and due March 11, 2019.

Disbursements:

- The total paid or charged as of 3/31/19 against the 2019 budget was \$2,318,373.90 which equals 25% of the total introduced budget amount of \$9,570,967.86.
- The percentages shown on the report are the percentages of the temporary budget.
- As of 3/31/19 the vehicle maintenance sub account for DPW vehicles had paid or charged \$13,089.87 of a \$20,000 total budget amount. There were 2 DPW trucks that needed major repairs in the first quarter. Dump truck # ML12 needed a brake job and a rear leaf spring replaced, total cost \$5,360.71. Dump truck # ML10 needed a rear brake job at a cost of \$1,893.00.


Monica Goscicki
Chief Financial Officer

Borough of Mountain Lakes Budget Comparison
Current Fund - Revenue Budgets

Account Number	Description	Activity to 3/31/2019				Activity to 3/31/2018				
		Budget	Activity	Balance	% Received	Total Realized In 2018	Budget	Activity	Balance	% Received
01-190-07-200-000	AMOUNT TO BE RAISED BY TAXATION	\$2,924,771.93	\$0.00	\$2,924,771.93		\$7,655,258.87	\$2,987,571.29	\$0.00	\$2,987,571.29	
01-192-08-101-000	ANTICIPATED SURPLUS	\$0.00	\$0.00	\$0.00		\$1,564,338.00	\$0.00	\$0.00	\$0.00	
01-192-08-101-004	CAPITAL SURPLUS - GENERAL CAPITAL	\$0.00	\$0.00	\$0.00		\$5,000.00	\$0.00	\$0.00	\$0.00	
01-192-08-103-000	LICENSES - LIQUOR	\$0.00	\$0.00	\$0.00		\$12,688.00	\$0.00	\$0.00	\$0.00	
01-192-08-104-000	OTHER LICENSES	\$0.00	\$1,195.00	\$-1,195.00		\$1,880.00	\$0.00	\$1,365.00	\$-1,365.00	
01-192-08-105-000	FEES & PERMITS	\$0.00	\$8,550.08	\$-8,550.08		\$39,483.80	\$0.00	\$5,484.48	\$-5,484.48	
01-192-08-106-010	CLERK'S FEES & PERMITS	\$0.00	\$0.00	\$1,755.00		\$3,359.00	\$0.00	\$435.00	\$-435.00	
01-192-08-110-000	MUNICIPAL COURT FINES & COSTS	\$0.00	\$6,991.80	\$-6,991.80		\$42,417.33	\$0.00	\$11,430.92	\$-11,430.92	
01-192-08-112-000	INTEREST & COSTS-TAX COLLECTION	\$0.00	\$7,411.81	\$-7,411.81		\$42,850.87	\$0.00	\$4,907.62	\$-4,907.62	
01-192-08-113-000	INTEREST ON INVESTMENTS	\$0.00	\$6,366.17	\$-6,366.17		\$58,928.74	\$0.00	\$9,836.45	\$-9,836.45	
01-192-08-115-000	CABLE FRANCHISE FEES	\$0.00	\$18,619.00	\$-18,619.00		\$20,477.76	\$0.00	\$20,477.76	\$-20,477.76	
01-192-08-118-000	RECREATION FEES & INCOME	\$0.00	\$7,080.00	\$-7,080.00		\$63,189.00	\$0.00	\$6,105.00	\$-6,105.00	
01-192-08-119-000	RENT FROM RAILROAD STATIONS	\$0.00	\$9,270.00	\$-9,270.00		\$93,000.00	\$0.00	\$9,000.00	\$-9,000.00	
01-192-08-120-000	T-MOBILE CELL TOWER LEASE	\$0.00	\$16,881.81	\$-16,881.81		\$65,795.80	\$0.00	\$21,643.36	\$-21,643.36	
01-192-08-121-000	SPRINT/EXTEL LEASE-1/2 DUE T-MOBILE	\$0.00	\$5,330.43	\$-5,330.43		\$21,011.22	\$0.00	\$5,175.18	\$-5,175.18	
01-192-08-122-000	BOARD OF EDUCATION-FIELD LEASE	\$0.00	\$0.00	\$0.00		\$45,000.00	\$0.00	\$0.00	\$0.00	
01-192-08-123-000	VERIZON GROUND LEASE	\$0.00	\$7,956.72	\$-7,956.72		\$31,181.63	\$0.00	\$7,724.97	\$-7,724.97	
01-192-08-126-000	SOLID WASTE FEES	\$0.00	\$0.00	\$0.00		\$57,301.00	\$0.00	\$1,020.00	\$-1,020.00	
01-192-08-126-000	TRASH BAG RECEIPTS	\$0.00	\$44,787.50	\$-44,787.50		\$186,450.75	\$0.00	\$51,600.00	\$-51,600.00	
01-192-08-160-000	UNIFORM CONSTRUCTION CODE FEES	\$0.00	\$31,117.00	\$-31,117.00		\$141,261.00	\$0.00	\$15,970.00	\$-15,970.00	
01-192-09-000-000	STATE AID REVENUE (NON-GRANT)	\$0.00	\$0.00	\$0.00		\$49,128.27	\$0.00	\$0.00	\$0.00	
01-192-10-000-000	FEDERAL & STATE GRANT REVENUE	\$0.00	\$0.00	\$0.00		\$205,388.69	\$0.00	\$73,606.41	\$-73,606.41	
01-192-15-499-000	RECEIPTS & STATE GRANT TAX	\$0.00	\$114,545.57	\$-114,545.57		\$0.00	\$0.00	\$6,018,604.28	\$-6,018,604.28	
01-192-18-001-000	CURRENT YEAR TAXES RECEIVED	\$0.00	\$7,793,404.81	\$-7,793,404.81		\$0.00	\$0.00	\$34,915.65	\$-34,915.65	
01-192-20-200-000	UNANTICIPATED REVENUES (MIRVA)	\$2,924,771.93	\$8,074,652.71	\$-5,149,880.78		\$10,877,382.79	\$2,987,571.29	\$6,299,302.08	\$-3,311,790.79	
TOTALS										

Borough of Mountain Lakes Budget Comparison
Current Fund - Expenditure Budgets

Account Number	Description	Activity to 3/31/2019						Activity to 3/31/2018						
		Budget	Activity	Encumbered	Balance	% Expended	% Expended & Encum.	Total Expended In 2018/2019	Budget	Activity	Encumbered	Balance	% Expended	% Expended & Encum.
L-201-26-305-001	SOLID WASTE - SALARY & WAGES	\$2,450.00	\$2,071.44	\$0.00	\$378.56	84.55%	84.55%	\$7,101.98	\$2,600.00	\$2,011.08	\$0.00	\$588.92	77.35%	77.35%
L-201-26-305-020	SOLID WASTE - OTHER EXPENSES	\$95,000.00	\$96,171.84	\$10,991.25	\$47,837.41	38.08%	49.64%	\$600,252.67	\$169,613.25	\$0.00	\$54,162.67	\$109,450.58	0.00%	33.10%
L-201-26-306-020	RECYCLING TAX	\$0.00	\$0.00	\$0.00	\$0.00			\$9,909.84	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-26-310-020	BLDG & GROUNDS - MAINJC BLDG	\$7,000.00	\$1,873.73	\$9,047.22	\$2,579.05	19.82%	63.16%	\$15,244.43	\$5,000.00	\$2,162.30	\$1,209.61	\$1,694.09	43.25%	67.32%
L-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	\$42,000.00	\$2,585.49	\$17,723.75	\$22,011.06	6.11%	47.59%	\$55,565.05	\$92,000.00	\$6,335.48	\$5,494.36	\$20,170.16	13.80%	36.97%
L-201-27-330-001	BOARD OF HEALTH - SALARY/WAGE	\$1,900.00	\$1,459.31	\$0.00	\$441.69	76.75%	76.75%	\$4,999.96	\$2,000.00	\$1,498.35	\$0.00	\$941.65	72.92%	72.92%
L-201-27-330-020	BOARD OF HEALTH - OTHER EXP	\$0.00	\$0.00	\$0.00	\$5,419.50		91.71%	\$25,424.00	\$1,000.00	\$0.00	\$0.00	\$1,000.00	0.00%	0.00%
L-201-27-330-030	ENVIRONMENTAL COMM - OTHER EXP	\$1,700.00	\$0.00	\$0.00	\$1,700.00	0.00%	0.00%	\$8,367.01	\$2,200.00	\$1,200.00	\$0.00	\$1,000.00	54.55%	54.55%
L-201-27-337-020	WOODLAND COMMITTEE - OTHER EXPENSE	\$500.00	\$0.00	\$297.00	\$263.00	0.00%	47.40%	\$592.85	\$500.00	\$0.00	\$0.00	\$900.00	0.00%	0.00%
L-201-27-340-030	DOG REGULATION - OTHER EXPENSE	\$0.00	\$0.00	\$0.00	\$0.00			\$650.05	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-27-360-020	CONTRIB TO SENIOR CITIZENS	\$200.00	\$0.00	\$0.00	\$200.00	0.00%	0.00%	\$92.93	\$200.00	\$0.00	\$0.00	\$200.00	0.00%	0.00%
L-201-28-370-001	RECREATION DEPT - SALARY/WAGE	\$10,000.00	\$9,190.00	\$0.00	\$1,810.00	81.90%	81.90%	\$79,972.72	\$16,000.00	\$8,069.81	\$0.00	\$7,930.19	50.44%	50.44%
L-201-28-370-020	PARKS & PLAYGROUNDS OTHER EXP	\$5,000.00	\$0.00	\$1,601.74	\$3,398.26	0.00%	32.03%	\$29,326.64	\$11,000.00	\$1,843.92	\$1,097.04	\$8,099.04	16.67%	26.37%
L-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	\$5,000.00	\$1,945.56	\$1,086.04	\$2,018.40	38.91%	58.63%	\$147,717.63	\$16,000.00	\$1,050.45	\$1,611.80	\$13,387.75	6.57%	16.64%
L-201-29-390-020	AID TO PUBLIC LIBRARY	\$108,500.00	\$85,749.98	\$45,853.32	\$1,089.30	60.60%	101.00%	\$262,999.55	\$180,000.00	\$96,000.00	\$0.00	\$44,000.00	66.15%	66.15%
L-201-30-415-010	ACCUMULATED LEAVE COMPENSATION - S&W	\$0.00	\$0.00	\$0.00	\$0.00			\$1,706.94	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-30-420-020	CELEBRATION OF PUBLIC EVENTS - O/E	\$500.00	\$0.00	\$0.00	\$500.00	0.00%	0.00%	\$1,706.94	\$500.00	\$0.00	\$0.00	\$500.00	0.00%	0.00%
L-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	\$10,818.02	\$5,687.72	\$0.00	\$5,130.30	52.58%	52.58%	\$44,787.44	\$13,114.08	\$8,968.46	\$99.22	\$4,046.40	68.39%	69.14%
L-201-31-436-020	ELECTRICITY - STREET LIGHTING	\$6,000.00	\$2,806.55	\$2,981.90	\$711.55	38.44%	88.14%	\$44,742.71	\$8,700.00	\$656.53	\$3,162.72	\$4,880.75	7.53%	43.90%
L-201-31-440-020	NATURAL GAS	\$11,000.00	\$7,083.00	\$2,109.65	\$1,807.35	64.39%	83.57%	\$24,746.96	\$10,500.00	\$4,492.79	\$4,444.12	\$1,569.09	42.79%	50.40%
L-201-31-447-020	TELECOMMUNICATIONS	\$8,000.00	\$5,629.31	\$0.00	\$2,371.69	70.35%	70.35%	\$24,979.25	\$7,000.00	\$5,899.78	\$0.00	\$1,190.22	83.00%	83.00%
L-201-31-447-020	PETROLEUM PRODUCTS	\$90,000.00	\$7,218.73	\$13,809.32	\$8,577.95	100.00%	100.00%	\$31,254.30	\$40,000.00	\$7,350.72	\$12,809.28	\$19,890.00	18.38%	50.40%
L-201-36-471-020	PERS - CONTRIBUTION (O.A.S.I.)	\$150,410.52	\$150,410.52	\$0.00	\$0.00			\$1,07,647.59	\$106,168.46	\$106,168.46	\$0.00	\$0.00	100.00%	100.00%
L-201-36-472-020	PERS - CONTRIBUTION	\$34,500.00	\$34,500.00	\$0.00	\$3,275.70	88.48%	88.48%	\$115,229.93	\$42,000.00	\$31,499.92	\$0.00	\$10,500.08	75.00%	75.00%
L-201-36-475-000	SOCIAL SECURITY (O.A.S.I.)	\$416,617.00	\$416,617.00	\$0.00	\$0.00	100.00%	100.00%	\$973,314.32	\$972,968.00	\$972,968.00	\$0.00	\$0.00	100.00%	100.00%
L-201-36-476-020	LENGTH OF SYS AWARDS (LOSP)	\$0.00	\$0.00	\$0.00	\$0.00			\$20,700.00	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-36-477-020	DCRP - EMPLOYER	\$1,500.00	\$1,297.69	\$0.00	\$342.31	83.85%	83.85%	\$5,827.18	\$3,000.00	\$844.28	\$0.00	\$2,155.72	28.14%	28.14%
L-201-44-700-000	GRANT EXPENDITURES	\$0.00	\$0.00	\$0.00	\$0.00			\$48,198.27	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-44-801-020	CAPITAL IMPROVEMENT FUND	\$0.00	\$0.00	\$0.00	\$0.00			\$38,865.00	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-45-920-020	PAYMENT OF BOND PRINCIPAL	\$200,000.00	\$200,000.00	\$0.00	\$0.00			\$1,015,000.00	\$1,095,000.00	\$1,195,000.00	\$0.00	\$0.00	100.00%	100.00%
L-201-45-925-020	PAYMENT OF BOND PRINCIPAL	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-45-930-020	INTEREST ON BONDS	\$100,962.50	\$100,962.50	\$0.00	\$0.00			\$267,098.34	\$108,762.50	\$108,762.50	\$0.00	\$0.00	100.00%	100.00%
L-201-45-935-020	INTEREST ON NOTES	\$0.00	\$0.00	\$0.00	\$0.00			\$88,510.00	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-46-880-020	DEFERRED CHARGES	\$0.00	\$0.00	\$0.00	\$0.00			\$1,412,159.35	\$0.00	\$0.00	\$0.00	\$0.00		
L-201-50-899-020	RESERVE FOR UNCOLLECTED TAXES	\$0.00	\$0.00	\$0.00	\$0.00			\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		
TOTALS		\$2,924,771.93	\$2,087,871.47	\$220,602.43	\$606,598.03	71.73%	79.27%	\$9,188,252.89	\$3,997,571.29	\$2,087,804.58	\$166,195.08	\$769,571.63	68.89%	74.44%

BOROUGH OF MOUNTAIN LAKES
INTEROFFICE MEMORANDUM

TO: Mitchell Stern, Borough Manager

SUBJECT: First Quarter 2019 Water Budget Report
First Quarter 2019 Sewer Budget Report


DATE: April 22, 2019

Attached are the first quarter budget reports for the water operating and sewer operating budgets:
Water Operating:

- The total introduced Water Operating budget is \$864,788.00, our receipts for the first quarter were \$125,160.54. The first quarter payment was due on 2/22 and delinquent notices were mailed out on 3/8 with a due date of 3/22.
- The expenditures paid or charged at 3/31/19 are approximately 25% of the total budget.
- The percentage expended is the percentage of the temporary budget.

Sewer Operating:

- The total introduced Sewer Operating budget is \$900,178.00, our receipts for the first quarter were \$207,324.97. The first quarter payment was due on 2/22 and delinquent notices were mailed out on 3/8 with a due date of 3/22.
- The expenditures paid or charged at 3/31/19 are approximately 28% of the total budget.
- The percentage expended is the percentage of the temporary budget.


Monica Goscicki
Chief Financial Officer

Borough of Mountain Lakes
Water and Sewer - Billing and Revenue
First Quarter 2019

	January	February	March
Water:			
Beginning Balance	\$12,734.11	\$94,817.52	\$19,023.72
Adjustments (+/-)			
Billed - Including Adjustments	\$115,100.90	\$3,425.42	\$1,609.14
Receipts - Including Adjustments	-\$33,017.49	-\$79,219.22	-\$12,527.78
Ending Balance	\$94,817.52	\$19,023.72	\$8,105.08
Sewer:			
Beginning Balance	\$28,049.59	\$175,795.47	\$44,174.50
Adjustments (+/-)			
Billed - Including Adjustments	\$206,255.71	\$1,011.22	\$1,151.32
Receipts - Including Adjustments	-\$58,509.83	-\$132,632.19	-\$15,959.33
Ending Balance	\$175,795.47	\$44,174.50	\$29,366.49

Borough of Mountain Lakes
Water Operating - Revenue Budgets

Account Number	Description	Activity to 3/31/2019				%	Total Realized In 2018	Temporary Budget	Activity to 3/31/2018			
		Temporary Budget	Activity	Balance	Received				Activity	Balance	Received	
05-192-08-501-000	ANTICIPATED SURPLUS	\$0.00	\$0.00	\$0.00		\$93,324.00	\$0.00	\$0.00				
05-192-17-000-000	WATER OPERATING REVENUES	\$286,116.22	\$124,764.49	\$161,351.73	43.61%	\$742,765.26	\$277,209.10	\$110,247.54	\$166,961.56	39.77%		
05-192-17-100-000	MRNA - INTEREST EARNED	\$0.00	\$396.05	-\$396.05		\$1,269.09	\$0.00	\$298.67	-\$298.67			
TOTALS		\$286,116.22	\$125,160.54	\$160,955.68	43.74%	\$837,358.35	\$277,209.10	\$110,546.21	\$166,662.89	39.88%		
Water Operating - Expenditure Budgets												
Account Number	Description	Activity to 3/31/2018				%	Total Expended In 2018/2019	Activity to 3/31/2017				
		Budget	Activity	Encumbered	Balance			Budget	Activity	Encumbered	Balance	Expended
05-201-55-510-001	Water Operating - Salary & Wages	\$142,000.00	\$115,278.04	\$0.00	\$26,721.96	81.18%	\$400,743.23	\$100,000.00	\$107,288.63	\$0.00	-\$7,288.63	107.29%
05-201-55-520-520	Water Operating - Other Expenses	\$112,690.10	\$30,065.17	\$36,991.20	\$45,693.73	59.51%	\$263,185.27	\$89,574.11	\$38,542.04	\$31,853.72	\$19,178.35	78.59%
05-201-55-527-000	Water - Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00		\$14,405.54	\$0.00	\$0.00	\$0.00	\$0.00	
05-201-55-531-000	Water - Social Security	\$11,000.00	\$8,437.06	\$0.00	\$2,562.94	76.70%	\$29,640.04	\$9,000.00	\$8,419.97	\$0.00	\$580.03	93.56%
05-201-55-532-000	Water - P.E.R.S.	\$20,426.12	\$20,426.12	\$0.00	\$0.00	100.00%	\$14,417.00	\$13,897.00	\$0.00	\$0.00	\$13,397.00	0.00%
05-201-55-534-000	Water - Emergency	\$0.00	\$0.00	\$0.00	\$0.00		\$17,281.00					
TOTALS		\$286,116.22	\$174,206.39	\$36,991.20	\$74,918.63	73.82%	\$739,672.08	\$211,971.11	\$154,250.64	\$31,853.72	\$25,866.75	72.77%

Borough of Mountain Lakes												
Sewer Operating - Revenue Budgets												
Activity to 3/31/2019						Activity to 3/31/2018						
Account Number	Description	Temporary Budget	Activity	Encumbered	Balance	% Received	Total Realized In 2018	Temporary Budget	Activity	Encumbered	Balance	% Received
07-192-08-501-000	ANTICIPATED SURPLUS						\$34,507.00					
07-192-17-000-000	SEWER OPERATING REVENUES:	\$340,729.29	\$203,552.21	\$137,177.08	\$29,450.45	59.74%	\$851,934.62	\$293,120.96	\$240,706.42	\$52,414.54	\$52,414.54	82.12%
07-192-17-001-000	SEWER - MISCELLANEOUS FEES	\$0.00	\$3,772.76	-\$9,772.76	\$0.00		\$27,667.14	\$0.00	\$6,908.25	-\$6,908.25	-\$6,908.25	
07-192-17-003-000	SEWER - CURRENT DEFICIT FUNDING						\$65,623.00					
TOTALS		\$340,729.29	\$207,324.97	\$133,404.32	\$29,450.45	60.85%	\$979,731.76	\$293,120.96	\$247,614.67	\$45,506.29	\$45,506.29	84.48%
Sewer Operating - Expenditure Budgets												
Activity to 3/31/2019						Activity to 3/31/2018						
Account Number	Description	Temporary Budget	Activity	Encumbered	Balance	% Expended	Total Expended In 2018/2019	Temporary Budget	Activity	Encumbered	Balance	% Expended
07-201-55-510-001	Sewer Operating - Salary & Wages	\$98,000.00	\$68,549.55	\$0.00	\$29,450.45	69.95%	\$220,360.96	\$95,000.00	\$62,120.83	\$0.00	\$32,879.17	65.39%
07-201-55-520-520	Sewer Operating - Other Expenses	\$220,673.93	\$113,653.89	\$41,879.43	\$65,140.61	70.48%	\$566,115.90	\$180,335.68	\$82,140.70	\$57,61	\$97,637.37	45.86%
07-201-55-527-000	Sewer Operating - Capital Outlay	\$0.00	\$0.00	\$0.00	\$0.00		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
07-201-55-531-000	Sewer Operating - Social Security	\$5,200.00	\$5,024.70	\$0.00	\$175.30	96.63%	\$15,771.23	\$5,200.00	\$4,637.73	\$0.00	\$562.27	89.19%
07-201-55-532-000	Sewer Operating - P.E.R.S.	\$16,855.36	\$14,855.36	\$0.00	\$2,000.00	88.13%	\$10,485.19	\$12,585.28	\$10,485.00	\$0.00	\$2,100.28	83.31%
07-201-55-533-001	Sewer Operating - Deferred Charges	\$340,729.29	\$202,083.50	\$41,879.43	\$96,766.36	71.60%	\$925,241.28	\$293,120.96	\$159,384.26	\$57,51	\$133,179.09	54.57%

Water and Sewer Billing by Quarter 2012-2019
In Gallons

	1Q		2Q		3Q		4Q		Total		Total Water Res & Comm
	Water	Sewer	Water	Sewer	Water	Sewer	Water	Sewer	Water	Sewer	
2012 Residential Yard Commercial	24,927,303.04	24,423,827.04	27,326,683.88	26,720,475.04	34,394,308.80	31,264,929.52	26,317,988.16	23,624,846.60	112,966,281.88	219,000,360.08	112,966,281.88
	-	-	10,237,779.08	-	21,028,485.36	-	1,523,466.04	-	32,789,730.48	32,789,730.48	20,776,518.88
	3,476,109.80	3,753,274.80	4,400,476.88	3,670,254.32	8,447,819.32	5,080,474.52	4,452,112.88	3,723,491.20	20,776,518.88	36,984,013.72	20,776,518.88
	28,403,412.84	28,177,101.84	41,964,937.84	30,390,729.36	63,670,613.48	36,325,404.04	32,289,567.08	27,348,337.80	166,532,531.24	122,241,573.04	133,742,800.76
2013 Residential Yard Commercial	23,935,314.12	23,685,518.92	28,201,059.32	26,465,792.04	27,733,454.56	27,001,854.76	25,645,581.48	25,090,318.64	105,535,409.48	102,244,424.36	207,779,833.84
	62,969,668	-	11,531,301.00	-	15,082,515.64	-	144,500.24	-	26,771,713.44	-	26,771,713.44
	2,562,869.68	3,094,068.68	3,206,666.00	5,090,365.08	22,626,539.00	20,117,161.12	3,673,481.96	3,967,981.96	32,472,446.64	32,269,577.84	64,742,024.48
	26,561,180.36	26,780,588.60	42,938,925.32	31,556,097.12	65,415,500.20	47,119,015.88	29,463,963.68	29,058,300.60	164,779,569.56	134,524,002.20	299,299,571.76
2014 Residential Yard Commercial	25,980,397.32	24,885,773.72	23,574,126.28	23,060,619.60	29,409,547.12	28,250,088.52	24,491,365.04	24,121,539.60	108,455,455.76	100,318,021.44	203,773,477.20
	86,827.84	-	10,554,092.84	-	18,123,628.72	-	156,067.68	-	28,929,617.08	-	28,929,617.08
	3,456,499.96	3,617,243.96	1,949,776.00	3,445,730.20	4,214,670.00	4,138,476.88	2,319,416.00	3,874,224.80	11,940,158.96	11,353,775.84	27,075,931.80
	29,523,719.12	28,503,117.68	36,077,995.12	26,506,349.80	51,756,645.84	32,448,565.40	26,966,868.72	27,995,764.40	144,325,228.80	115,463,797.28	299,792,026.08
2015 Residential Yard Commercial	26,103,722.04	25,212,817.04	27,215,618.72	26,066,486.28	31,360,052.64	29,622,529.00	29,374,097.04	28,844,291.68	114,052,490.44	109,746,074.00	223,798,564.44
	15,596.04	-	13,772,653.24	-	20,890,566.40	-	266,534.84	-	34,946,550.52	-	34,946,550.52
	3,700,402.04	3,862,247.04	4,061,678.84	2,626,488.12	6,871,637.44	4,717,580.00	3,467,850.28	3,615,369.68	18,071,568.60	14,821,584.84	32,893,153.44
	29,813,720.12	29,074,964.08	45,049,950.80	28,692,974.40	59,121,256.48	34,340,109.00	33,078,482.16	32,459,661.36	167,069,409.56	124,567,658.84	291,637,058.40
2016 Residential Yard Commercial	17,993,622.04	18,346,543.28	29,706,092.56	28,687,308.08	32,663,837.32	31,481,829.24	23,951,436.80	24,309,167.04	104,314,988.72	102,824,847.64	207,139,836.36
	29,381.44	-	19,739,595.16	-	22,902,957.24	-	572,504.24	-	43,244,438.08	-	43,244,438.08
	2,156,989.00	2,263,151.00	4,798,475.44	4,109,352.36	6,218,734.84	4,271,284.80	2,759,778.44	2,946,819.44	15,973,977.72	13,590,617.60	29,564,595.32
	20,219,992.48	20,609,694.28	54,244,463.16	32,796,660.44	61,785,529.40	35,753,124.04	27,283,719.48	27,255,986.48	163,339,404.52	116,415,465.24	279,948,869.76
2017 Residential Yard Commercial	22,890,865.00	22,888,793.84	25,549,138.96	24,771,044.08	25,109,834.20	24,246,142.36	21,901,129.88	22,299,119.52	95,390,988.04	94,199,099.80	189,590,007.84
	153,968.52	-	13,685,956.68	-	16,939,274.68	-	178,372.04	-	30,529,571.92	-	30,529,571.92
	3,133,238.04	3,369,538.04	3,609,992.88	3,263,013.28	3,604,578.64	3,183,025.80	3,130,120.96	3,315,706.04	13,862,930.52	13,126,283.16	26,692,113.68
	26,126,071.56	26,257,771.88	43,015,088.52	28,034,057.36	45,053,687.52	27,429,168.16	25,209,622.88	25,608,825.56	139,404,470.48	107,324,322.96	246,728,793.44
2018 Residential Yard Commercial	22,446,514.44	23,300,720.20	21,776,923.76	21,640,726.32	27,507,292.16	26,872,337.56	20,798,653.72	21,224,128.40	92,329,384.08	93,037,912.48	185,367,296.56
	33,709.00	-	12,321,982.44	-	17,189,510.32	-	19,100.00	-	29,579,301.76	-	29,579,301.76
	3,226,183.48	3,147,297.00	5,651,948.24	3,187,636.00	5,888,141.04	4,933,749.80	3,088,505.36	3,229,948.36	17,831,778.12	14,499,271.16	32,331,049.28
	26,448,657.20	26,448,657.20	39,750,854.44	24,828,362.32	50,390,943.52	31,806,087.36	23,866,259.08	24,454,076.76	139,734,483.96	107,537,189.64	247,271,647.60
2019 Residential Yard Commercial	20,562,108.84	20,860,361.96	-	-	-	-	20,562,108.84	20,860,361.96	41,822,470.80	41,822,470.80	83,644,941.60
	3,184,787.68	3,271,117.96	-	-	-	-	3,184,787.68	3,271,117.96	6,455,905.64	6,455,905.64	12,911,813.28
	24,146,896.52	24,131,479.92	-	-	-	-	24,146,896.52	24,131,479.92	48,278,376.44	48,278,376.44	94,530,757.20

Note:

1st Quarter use is January-March current year

2nd Quarter use is April-June current year

3rd Quarter use is July-September current year

4th Quarter use is October-December current year

BOROUGH OF MOUNTAIN LAKES
INTEROFFICE MEMORANDUM

TO: Mitchell Stern, Borough Manager

SUBJECT: Trust Balances

DATE: April 22, 2019

Below are the balances in the Reserve for Tax Appeals and the Various Trust Accounts:

The Storm Recovery Trust Account balance as of 1/1/19 was \$131,401.18. On 2/8/2019 the Borough received \$30,021.91 from FEMA for the storm dated 3/6/18-3/7/18 for emergency protective means. The balance in the trust account is now \$161,423.09. The Borough is still due \$57,366.95 from FEMA for the same storm for debris removal. The balance in the 2018 reserve budget for storm emergency is \$40,475.57. Before year end the finance committee will evaluate whether or not to move these funds into the trust account.

The Accumulated Absences Trust balance is \$40,000.00. The amount shown in the User Friendly Budget at 12/31/2018 was \$76,367.37, \$10,000 is budgeted in the 2019 current fund budget which will increase the trust fund balance to \$50,000.

The Liability Insurance Trust balance is \$50,000, which is at the targeted amount.

The Reserve for Tax Appeals on the Current Fund trial balance was \$442,858.17 as of 1/1/19, this amount is earmarked for the future payments on the Fairfield Industries tax appeal. There is \$100,000.00 budgeted in the 2019 current fund budget which will be added to the balance. During the first quarter of 2019, \$74,126.00 has been paid out of the reserve for settled tax appeals. The remaining available balance will be \$25,874.00.


Monica Goscicki
Chief Financial Officer

Borough of Mountain Lakes
2019 Reserve Accounts

	Balance 12/31/2018	1st Qtr 2019		2nd Qtr 2019		3rd Qtr 2019		4th Qtr 2019		Balance
		Increases	Decreases	Increases	Decreases	Increases	Decreases	Increases	Decreases	
Reserve for Tax Appeals	\$442,858.17 **		\$74,126.00							\$368,732.17
Reserve for Storm Recovery	\$131,401.18	\$30,021.91								\$161,423.09
Reserve for Accum. Absences	\$40,000.00									\$40,000.00
Reserve for Liability Insurance	\$50,000.00									\$50,000.00
Capital Improvement Fund	\$73,944.91									\$73,944.91
Premium on Bonds	\$96,339.90 *									\$96,339.90

* Premium on Bonds is part of the General Capital Fund Balance. The balance as of 12/31/2018 is the premium from the 2017 bond sale.

** Reserve for Tax Appeals balance at 12/31/18 is for the settled tax appeal for Fairfield Industries.

Borough of Mountain Lakes			
Fund	Capital and Trust Accounts		Cash Balance
Number			3/31/2019
4	General Capital		\$ 1,771,596.40
	Subaccounts - Part of the cash balance		
	Capital Improvement Fund Balance	73,944.91	
	Premium on Bonds - Part of Fund Balance	96,339.90	
6	Water Capital		\$ 13,891.63
8	Sewer Capital		\$ 39,639.24
12	Payroll Agency		\$ 61,116.42
13	Animal Control		\$ 6,457.54
14	Unemployment		\$ 14,752.95
17	Developer's Escrow		\$ 81,988.03
18	Other Trust		\$ 362,197.94
	Subaccounts:		
	Reserve for Municipal Alliance	9,174.76	
	Reserve for Parking Offenses Adj. Act	206.69	
	Fire Marshall Trust	4,167.55	
	Tax Sale Premiums	71,200.00	
	Police - Special Funds	500.00	
	Spruce Edge Parks/Walkways	24,404.44	
	Video Systems for Police Cars	777.00	
	Reserve for Accumulated Absences	40,000.00	
	Reserve for Storm Recovery	161,423.09	
	Reserve for Liability Insurance	50,000.00	
19	Police Outside Services		\$ 108,239.42
20	COAH		\$ 30,853.51
23	Police Forfeiture of Assets		\$ 9,874.01
26	Flexible Spending		\$ 3,597.39
32	Shade Tree		\$ 4,431.96
33	Recreation		\$ 279,512.48
	Subaccounts:		
	Historic Preservation Comm.	27,439.69	
	Mountain Lakes Centennial Comm.	15,997.97	
	Various Recreation Programs	236,074.82	
49	Net Payroll		14.93

Capital Ordinances General Capital

Activity to 3/31/2019

*ACTIVITY = Budget - (Balance + Encumbered) (You can include the break out by journal from the report options)

Account Number	Description	Budget	Activity	Encumbered	Balance
04-215-55-975-000	BOND ORDINANCE #06-11: VAR CAP IMPROVE	-	4,392.00	-	(4,392.00)
04-215-55-975-001	ADMINISTRATION EQUIPMENT: FUNDED	750.00	750.00	-	-
04-215-55-975-002	ADMINISTRATION EQUIPMENT: UNFUNDED	14,250.00	14,250.00	-	-
04-215-55-975-003	FIRE DEPT EQUIPMENT: FUNDED	1,250.00	1,250.00	-	-
04-215-55-975-004	FIRE DEPT EQUIPMENT: UNFUNDED	23,750.00	23,750.00	-	-
04-215-55-975-005	POLICE DEPT EQUIPMENT: FUNDED	1,750.00	1,750.00	-	-
04-215-55-975-006	POLICE DEPT EQUIPMENT: UNFUNDED	33,250.00	33,250.00	-	-
04-215-55-975-007	DPW EQUIPMENT: FUNDED	675.00	675.00	-	-
04-215-55-975-008	DPW EQUIPMENT: UNFUNDED	12,825.00	12,825.00	-	-
04-215-55-975-009	INFRASTRUCTURE REPAIR/MAINT: FUNDED	216,500.00	215,420.00	-	1,080.00
04-215-55-975-010	INFRASTRUCTURE REPAIR/MAINT: UNFUNDED	313,500.00	313,500.00	-	-
04-215-55-975-011	BLDGS & GROUNDS REPAIR/MAINT: FUNDED	87,999.59	84,687.59	-	3,312.00
04-215-55-975-012	BLDGS & GROUNDS REPAIR/MAINT: UNFUNDED	82,000.00	82,000.00	-	-
04-215-55-975-013	WATER/SEWER UTIL EQUIPMENT: FUNDED	2,450.00	2,450.00	-	-
04-215-55-975-014	WATER/SEWER UTIL EQUIPMENT: UNFUNDED	46,550.00	46,550.00	-	-
04-215-55-975-015	LAKES MANAGEMENT: FUNDED	1,750.00	1,750.00	-	-
04-215-55-975-016	LAKES MANAGEMENT: UNFUNDED	33,250.00	33,250.00	-	-
2012 Bond Ordinance 17-12		872,499.59	872,499.59	-	-
04-215-55-976-000	2012 Bond Ordinance 17-12	-	-	-	-
04-215-55-976-010	Facility Improvements	202,000.00	92,504.06	2,078.16	107,417.78
04-215-55-976-011	Borough Computer	15,000.00	15,000.00	-	-
04-215-55-976-012	Road Resurfacing	285,000.00	285,000.00	-	-
04-215-55-976-013	Reconstruction of Curbs & Sidewalks	110,000.00	110,000.00	-	-
04-215-55-976-014	Stormwater Drainage System	65,000.00	65,000.00	-	-
04-215-55-976-015	Water Supply - Well #4, hydrants, shed	141,000.00	141,000.00	-	-
04-215-55-976-016	Equipment Purchases	93,425.00	93,425.00	-	-
2012 Bond Ordinance 17-12		911,425.00	801,929.06	2,078.16	107,417.78

Capital Ordinances General Capital Activity to 3/31/2019

* ACTIVITY = Budget - (Balance + Encumbered) (You can include the break out by journal from the report options)

Account Number	Description	Budget	Activity	Encumbered	Balance
04-215-55-978-000	2014 CAPITAL PROGRAM				
04-215-55-978-001	ACQUISITION OF VARIOUS EQUIPMENT	80,100.00	80,100.00	-	-
04-215-55-978-002	IMPROVEMENT OF MUNICIPAL FACILITIES	251,000.00	251,000.00	-	-
04-215-55-978-003	ACQUISITION OF COMPUTER EQUIPMENT	4,000.00	4,000.00	-	-
04-215-55-978-004	VARIOUS ROAD IMPROVEMENTS	406,300.00	406,300.00	-	-
04-215-55-978-005	CONST & RECONST OF CURBS & SIDEWALKS	100,000.00	100,000.00	-	-
04-215-55-978-006	IMPROVEMENT OF STORM WATER DRAINAGE SYS	65,000.00	64,339.82	-	660.18
04-215-55-978-007	IMPROV OF WATER SUPPLY & DISTRIBUTION	30,000.00	29,907.80	-	92.20
		936,400.00	935,647.62		752.38
04-215-55-982-000	2016 CAPITAL ORDINANCE 06-16				
04-215-55-982-001	Police - Recording System	3,500.00	3,500.00	-	-
04-215-55-982-002	Police - Pole Cameras	18,500.00	18,500.00	-	-
04-215-55-982-003	Fire - General Equipment	25,000.00	25,000.00	-	-
04-215-55-982-004	Public Works - Street Signs	18,000.00	18,000.00	-	-
04-215-55-982-005	CERT/Police - Radios	5,000.00	5,000.00	-	-
04-215-55-982-006	Public Works - Road Paving	270,000.00	227,813.85	-	42,186.15
04-215-55-982-007	Public Works - Road Paving State Aid	160,000.00	160,000.00	-	-
04-215-55-982-008	Public Works - Curbs & Sidewalks	50,000.00	50,000.00	-	-
04-215-55-982-009	Public Works - Storm Drain System	38,000.00	20,021.94	-	17,978.06
04-215-55-982-010	Water Utility - Insertion Valve	23,000.00	23,000.00	-	-
04-215-55-982-011	Water Utility - Hydrant Replacement	12,000.00	7,880.00	4,120.00	-
04-215-55-982-012	Public Works - Jet Vac	16,000.00	16,000.00	-	-
04-215-55-982-013	Bldgs & Grds - Borough Hall Roof	35,000.00	35,000.00	-	-
04-215-55-982-014	Bldgs & Grds - Railroad Station Steps	55,000.00	23,550.75	-	31,449.25
04-215-55-982-015	Bldgs & Grds - Esplanade Steps	12,000.00	12,000.00	-	-
04-215-55-982-016	Recreation - Midvale Boat Dock	15,000.00	15,000.00	-	-
04-215-55-982-017	Public Works - Blvd Traf. Light Generato	6,000.00	6,000.00	-	-
04-215-55-982-018	Recreation - Midvale Park Improvements	26,000.00	25,154.02	845.98	-
04-215-55-982-019	Manager - Annual Computer Upgrades	17,100.00	6,220.95	-	10,879.05
04-215-55-982-020	Manager - Server Upgrade - ECM	45,000.00	24,200.45	6,500.00	14,299.55
04-215-55-982-021	Police - Scheduling Software	3,300.00	3,300.00	-	-
04-215-55-982-022	Recreation - Island Beach Improv.	641,350.00	215.06	465.62	640,669.32
04-215-55-982-023	Recreation - Birchwood Lake Improv.	716,250.00	44,923.38	66,064.41	605,262.21

Capital Ordinances General Capital Activity to 3/31/2019

* ACTIVITY = Budget - (Balance + Encumbered) (You can include the break out by journal from the report options)

Account Number	Description	Budget	Activity	Encumbered	Balance
04-215-55-982-024	Sec.20 - Architect & Eng. Beach Projects	165,400.00	159,964.30	734.85	4,700.85
04-215-55-982-025	Public Works - HD Pick-up	52,000.00	46,464.64	-	5,535.36
		2,428,400.00	976,709.34	78,730.86	1,372,959.80
2017 CAPITAL ORDINANCE 05-17					
04-215-55-983-000	Police - Dash Cam System	57,300.00	48,161.27	-	9,138.73
04-215-55-983-002	Fire - Personal Protective Gear (6 sets)	7,488.00	7,488.00	-	-
04-215-55-983-003	Fire - Pagers (2)	900.00	900.00	-	-
04-215-55-983-004	Fire - Positive Pressure Fan	4,900.00	-	-	4,900.00
04-215-55-983-005	Public Works-Street Sign Replacement	18,000.00	16,283.94	74.00	1,642.06
04-215-55-983-006	Public Works - Pollard Rd. Paving	50,000.00	32,728.00	13,853.25	3,418.75
04-215-55-983-007	Public Works - Road Milling @Gas Co Proj	25,000.00	-	-	25,000.00
04-215-55-983-008	Public Works - Pollard Rd. Water Main	375,000.00	375,000.00	-	-
04-215-55-983-009	Bldg & Grds-Eng & Design Sunset Lake Dam	99,000.00	20,871.78	-	78,128.22
04-215-55-983-010	Public Works - Aeration System-Birchwood	20,000.00	20,000.00	-	-
04-215-55-983-011	Public Works-Pick up Truck Replacement-2	43,000.00	43,000.00	-	-
04-215-55-983-012	Fire - Jaws of Life & Telescopic Ram	11,712.00	11,712.00	-	-
		712,300.00	576,144.99	13,927.25	122,227.76
2018 CAPITAL ORDINANCE 4-18					
04-215-55-984-000	Police Weapon Replacement	10,000.00	-	-	-
04-215-55-984-001	Fire Personal Protective Gear	9,600.00	9,600.00	5,670.00	4,330.00
04-215-55-984-002	Fire Pager Replacement	900.00	900.00	-	-
04-215-55-984-003	Fire Other Equipment	4,900.00	4,451.73	-	448.27
04-215-55-984-004	Public Works Repair Concrete Pad - Recyc	40,000.00	-	28,800.00	11,200.00
04-215-55-984-005	Public Works Drainage Projects	19,400.00	5,123.83	743.85	13,532.32
04-215-55-984-006	Pub Wks Rd Repav Pocono, Cres. & Gro	575,000.00	165,793.04	-	409,206.96
04-215-55-984-007	Public Works Curbs and Sidewalks	141,000.00	-	141,000.00	-
04-215-55-984-008	Water System Fire Hydrant Replace.	25,000.00	10,501.22	13,323.00	1,175.78
04-215-55-984-009	Water System Entry Door - Well #3	3,500.00	3,328.00	-	172.00
04-215-55-984-010	Water System Chlorine Injection Well #2	5,000.00	4,475.00	525.00	-
04-215-55-984-011	Water System Mag Meters Well #2,3,4	20,000.00	19,710.00	-	290.00

Capital Ordinances General Capital

Activity to 3/31/2019

* ACTIVITY = Budget - (Balance + Encumbered) (You can include the break out by Journal from the report options)

Account Number	Description	Budget	Activity	Encumbered	Balance
04-215-55-984-013	Manager Borough Hall Architect	50,000.00	9,670.00	3,630.00	36,700.00
04-215-55-984-014	Public Works Engine Replac. 2006 Pick up	3,000.00	3,000.00	-	-
04-215-55-984-015	Public Works Replace 1997 Utility Truck	49,000.00	-	45,734.50	3,265.50
04-215-55-984-016	Public Works Replace 1997 Toro Tractor	43,000.00	43,925.00	-	(925.00)
04-215-55-984-017	Public Works Replace 2006 Code/Bldg Veh	35,000.00	35,000.00	-	-
04-215-55-984-018	Police On Board Computers	30,000.00	25,725.40	3,750.14	524.46
04-215-55-984-019	Manager Lighting Detection System	20,000.00	-	-	20,000.00
04-215-55-984-020	Public Works Repair Fence - Recycling	17,900.00	-	-	17,900.00
04-215-55-984-021	Park Maintenance Cove Park Improvements	16,500.00	-	-	16,500.00
04-215-55-984-022	Park Maintenance Playground Safety Imp.	9,500.00	-	-	9,500.00
04-215-55-984-023	Finance Section 20 Costs	50,000.00	11,538.55	1,414.98	37,046.47
		1,178,200.00	352,741.77	244,591.47	580,866.76

TOTALS

7,039,224.59	4,515,672.37	339,327.74	2,184,224.48
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BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Mitchell Stern
Borough Manager
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Mountain Lakes, NJ 07046
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TO: Honorable Mayor and Borough Council
SUBJ: Manager's Report
CC: Marcy Gianattasio, Borough Clerk
Robert Oostdyk, Borough Attorney

The following represents the Manager's report for the Borough Council meeting of May 13, 2019.

DPW Director Position Update – An advertisement resulted in 64 resumes being received. After reviewing the resumes, six candidates were chosen for interviews. An interview committee comprised of Schools Superintendent Dr. Mucci, Dan Borgo (Bd. of Ed's recently retired Business Administrator), Mark Prusina, Monica Goscicki (Borough CFO) and I conducted the interviews. After interviewing the six candidates, two finalists were scheduled for a second interview and one additional candidate was chosen for a first interview. Prior to the second interview, one of the candidates withdrew their interest in the position. Upon conclusion of the second round of interviews, the interview committee was in agreement on a preferred candidate. Dr. Mucci and I will now begin to work through the details of an offer to the preferred candidate. I will keep you updated as to the acceptance of our offer.

Lake Hydro Raking – The Borough's Lakes Management vendor, Solitude Lakes Management, has advised that the NJ Department of Environmental Protection has changed its interpretation of rules governing hydro raking. Under the new interpretation, hydro raking is now classified as a form of dredging. The change in interpretation will drastically increase the cost to hydro rake due to required permitting and engineering costs.

Councilmember Happer, Borough Council's liaison to the Lakes Management committee, has been in touch with Assemblyman Bucco about this issue and will report on his conversations.

Please reach out with questions or concerns.

Mitchell

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

ORDINANCE # 3-19

AMENDING

**AN ORDINANCE AMENDING CHAPTER 245, ZONING OF THE REVISED
GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND
ESTABLISHING ARTICLE VI, AFFORDABLE HOUSING**

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Mountain Lakes, Morris County, State of New Jersey, as follows:

Section 1: Chapter 245, Article III, "Affordable Housing Overlay," Article VI, "Affordable Housing Regulations," Article VII, "Municipal Housing Liaison," of the Code is hereby repealed.

Section 2: Chapter 245, Article VI is hereby added to the Code to read as follows:

Article VI

Affordable Housing

§245-21. Purpose

- A. This Ordinance sets forth regulations regarding the low- and moderate-income housing units in the Borough consistent with the provisions known as the "Substantive Rules of the New Jersey Council on Affordable Housing," N.J.A.C. 5:93 et seq., the Uniform Housing Affordability Controls ("UHAC"), N.J.A.C. 5:80-26.1 et seq., and the Borough's constitutional obligation to provide a fair share of affordable housing for low- and moderate-income households. In addition, this section applies requirements for very low income housing established in P.L. 2008, c.46 (the "Roberts Bill").
- B. This Ordinance is intended to assure that low- and moderate-income units ("affordable units") are created with controls on affordability over time and that low- and moderate-income households shall occupy these units. This Ordinance shall apply except where inconsistent with applicable law.
- C. The Mountain Lakes Planning Board has adopted a Housing Element and Fair Share Plan pursuant to the Municipal Land Use Law at N.J.S.A. 40:55D-1, et seq. The Fair Share Plan has been endorsed by the governing body. The Fair Share Plan describes the ways the

Borough of Mountain Lakes shall address its fair share for low- and moderate-income housing as determined by the Superior Court and documented in the Housing Element.

- D. This Ordinance implements and incorporates the Fair Share Plan and addresses the requirements of N.J.A.C. 5:93, as may be amended and supplemented.
- E. The Borough shall file monitoring reports with the Superior Court and place the reports on its municipal website.

§245-22. Monitoring and Reporting Requirements

The Borough of Mountain Lakes shall comply with the following monitoring and reporting requirements regarding the status of its implementation of its Court-approved Housing Element and Fair Share Plan and N.J.A.C. 5:93.

- A. Beginning on January 29, 2020, and on every anniversary of that date through January 29, 2025, the Borough agrees to provide annual reporting of the status of all affordable housing activity within the municipality through posting on the municipal website with a copy of such posting provided to Fair Share Housing Center (FSHC), using forms previously developed for this purpose by the Council on Affordable Housing or any other forms endorsed by the FSHC.
- B. By July 1, 2020, as required pursuant to N.J.S.A. 52:27D-313, the Borough will post on its municipal website, with a copy provided to FSHC, a status report as to its implementation of the Plan and an analysis of whether any unbuilt sites or unfulfilled mechanisms continue to present a realistic opportunity and whether any mechanisms to meet unmet need should be revised or supplemented. Such posting shall invite any interested party to submit comments to the municipality, with a copy to Fair Share Housing Center, regarding whether any sites no longer present a realistic opportunity and should be replaced and whether any mechanisms to meet unmet need should be revised or supplemented. Any interested party may by motion request a hearing before the court regarding these issues.
- C. By January 29, 2022, and every third year thereafter, as required by N.J.S.A. 52:27D-329.1, the Borough will post on its municipal website, with a copy provided FSHC, a status report as to its satisfaction of its very low-income requirements, including the family very low income requirements referenced herein. Such posting shall invite any interested party to submit comments to the municipality and FSHC on the issue of whether the municipality has complied with its very low-income housing obligation under the terms of this settlement.

§245-23. Definitions

The following terms when used in this Ordinance shall have the meanings given in this Section:

“Accessory apartment” means a residential dwelling unit with a kitchen, sanitary facilities, sleeping quarters and a private entrance, which is created within an existing home or existing accessory structure on the same site, or is a dwelling above or connected to an existing building which has historically served as a rental apartment.

“Act” means the Fair Housing Act of 1985, P.L. 1985, c. 222 (N.J.S.A. 52:27D-301 et seq.)

“Adaptable” means constructed in compliance with the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.

“Administrative agent” means the entity responsible for the administration of affordable units in accordance with this ordinance, N.J.A.C. 5:93 and N.J.A.C. 5:80-26.1 et seq.

“Affirmative marketing” means a regional marketing strategy designed to attract buyers and/or renters of affordable units pursuant to N.J.A.C. 5:80-26.15.

“Affordability average” means the average percentage of median income at which restricted units in an affordable housing development are affordable to low- and moderate-income households.

“Affordable” means, a sales price or rent within the means of a low- or moderate-income household as defined in N.J.A.C. 5:93-7.4; in the case of an ownership unit, that the sales price for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.6, as may be amended and supplemented, and, in the case of a rental unit, that the rent for the unit conforms to the standards set forth in N.J.A.C. 5:80-26.12, as may be amended and supplemented.

“Affordable development” means a housing development all or a portion of which consists of restricted units.

“Affordable housing development” means a development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a 100 percent affordable development.

“Affordable housing program(s)” means any mechanism in a municipal Fair Share Plan prepared or implemented to address a municipality’s fair share obligation.

“Affordable unit” means a housing unit proposed or created pursuant to the Act, approved for crediting by the Court and/or funded through an affordable housing trust fund.

“Agency” means the New Jersey Housing and Mortgage Finance Agency established by P.L. 1983, c. 530 (N.J.S.A. 55:14K-1, et seq.).

“Age-restricted unit” means a housing unit designed to meet the needs of, and exclusively for, the residents of an age-restricted segment of the population such that: 1) all the residents of the development where the unit is situated are 62 years or older; or 2) at least 80 percent of the units are occupied by one person that is 55 years or older; or 3) the development has been designated by the Secretary of the U.S. Department of Housing and Urban Development as “housing for older persons” as defined in Section 807(b)(2) of the Fair Housing Act, 42 U.S.C. § 3607.

“Alternative living arrangement” a structure in which households live in distinct bedrooms, yet share kitchen and plumbing facilities, central heat and common areas. Alternate living arrangements includes, but are not limited to: transitional facilities for the homeless, Class A, B, C, D, and E boarding homes, as regulated by the New Jersey Department of Community Affairs; residential health care facilities as regulated by the New Jersey Department of Health; group homes for the developmentally disabled and mentally ill as licensed and/or regulated by the New Jersey Department of Human Services; and congregate living arrangements.

“Assisted living residence” means a facility licensed by the New Jersey Department of Health and Senior Services to provide apartment-style housing and congregate dining and to assure that assisted living services are available when needed for four or more adult persons unrelated to the proprietor and that offers units containing, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

“Certified household” means a household that has been certified by an Administrative Agent as a low-income household or moderate-income household.

“COAH” means the Council on Affordable Housing, which is in, but not of, the Department of Community Affairs of the State of New Jersey, that was established under the New Jersey Fair Housing Act (N.J.S.A. 52:27D-301 et seq.).

“DCA” means the State of New Jersey Department of Community Affairs.

“Deficient housing unit” means a housing unit with health and safety code violations that require the repair or replacement of a major system. A major system includes weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement and/or load bearing structural systems.

“Developer” means any person, partnership, association, company or corporation that is the legal or beneficial owner or owners of a lot or any land proposed to be included in a proposed development including the holder of an option to contract or purchase, or other person having an enforceable proprietary interest in such land.

“Development” means the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any use or change in the use of any building or other structure, or of any mining, excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission may be required pursuant to N.J.S.A. 40:55D-1 et seq.

“Inclusionary development” means a development containing both affordable units and market rate units. This term includes, but is not necessarily limited to: new construction, the conversion of a non-residential structure to residential and the creation of new affordable units through the reconstruction of a vacant residential structure.

“Low-income household” means a household with a total gross annual household income equal to 50 percent or less of the regional median household income by household size.

“Low-income unit” means a restricted unit that is affordable to a low-income household.

“Major system” means the primary structural, mechanical, plumbing, electrical, fire protection, or occupant service components of a building which include but are not limited to, weatherization, roofing, plumbing (including wells), heating, electricity, sanitary plumbing (including septic systems), lead paint abatement or load bearing structural systems.

“Market-rate units” means housing not restricted to low- and moderate-income households that may sell or rent at any price.

“Median income” means the median income by household size for the applicable county, as adopted annually by COAH or approved by the New Jersey Superior Court.

“Moderate-income household” means a household with a total gross annual household income in excess of 50 percent but less than 80 percent of the median household income.

“Moderate-income unit” means a restricted unit that is affordable to a moderate-income household.

“Non-exempt sale” means any sale or transfer of ownership other than the transfer of ownership between husband and wife; the transfer of ownership between former spouses ordered as a result

of a judicial decree of divorce or judicial separation, but not including sales to third parties; the transfer of ownership between family members as a result of inheritance; the transfer of ownership through an executor's deed to a Class A beneficiary and the transfer of ownership by court order.

“Random selection process” means a process by which currently income-eligible households are selected for placement in affordable housing units such that no preference is given to one applicant over another except for purposes of matching household income and size with an appropriately priced and sized affordable unit (e.g., by lottery).

“Regional asset limit” means the maximum housing value in each housing region affordable to a four-person household with an income at 80 percent of the regional median as defined by/approved regional income limits.

“Rehabilitation” means the repair, renovation, alteration or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6.

“Rent” means the gross monthly cost of a rental unit to the tenant, including the rent paid to the landlord, as well as an allowance for tenant-paid utilities computed in accordance with allowances published by DCA for its Section 8 program. In assisted living residences, rent does not include charges for food and services.

“Restricted unit” means a dwelling unit, whether a rental unit or ownership unit, that is subject to the affordability controls of N.J.A.C. 5:80-26.1, as may be amended and supplemented, but does not include a market-rate unit financed under UHORP or MONI.

“Special Master” means an expert appointed by a judge to make sure that judicial orders are followed. A master's function is essentially investigative, compiling evidence or documents to inform some future action by the court.

“UHAC” means the Uniform Housing Affordability Controls set forth in N.J.A.C. 5:80-26.1 et seq.

“Very low-income household” means a household with a total gross annual household income equal to 30 percent or less of the median household income.

“Very low-income unit” means a restricted unit that is affordable to a very low-income household.

“Weatherization” means building insulation (for attic, exterior walls and crawl space), siding to improve energy efficiency, replacement storm windows, replacement storm doors, replacement windows and replacement doors, and is considered a major system for rehabilitation.

§245-24. Borough-wide Mandatory Set-Aside

- A. Any future multi-family residential development providing a minimum of five (5) new housing units or more is required to include an affordable housing set-aside of 20% if the affordable units will be for sale and 15% if the affordable units will be for rent. This requirement shall not apply to residential expansions, additions, renovations, replacement, or any other type of residential development that does not result in a net increase in the number of dwellings of five or more. This requirement does not give any developer the right to any such rezoning, variance or other relief, or establish any obligation on the part of Mountain

Lakes to grant such rezoning, variance or other relief. No subdivision shall be permitted or approved for the purpose of avoiding compliance with this requirement.

- B. This requirement shall not apply to any sites or specific zones otherwise identified in the Borough’s Settlement Agreement with Fair Share Housing Center dated January 29, 2019, or in the Borough’s Housing Element and Fair Share Plan, adopted by the Borough Planning Board and endorsed by the Borough Council, for which density and set-aside standards shall be governed by the specific standards set forth therein.

§245-25. Accessory Apartment Program

Accessory apartments created under this program shall abide by the regulations in this chapter and those outlined in Chapter 245, Article VI, Affordable Accessory Apartments.

§245-26. New Construction

The following general guidelines apply to all newly constructed developments that contain low- and moderate-income housing units, including any currently unanticipated future developments that will provide low- and moderate-income housing units.

- A. Phasing. Final site plan or subdivision approval shall be contingent upon the affordable housing development meeting the following phasing schedule for low- and moderate-income units.

Maximum Percentage of Market-Rate Units Completed	Minimum Percentage of Low- and Moderate-Income Units Completed
25%	0%
25% +1	10%
50%	50%
75%	75%
90%	100%

- B. Design. In inclusionary developments, to the extent possible, low- and moderate-income units shall be integrated with the market units.
- C. Off-site construction. A developer may construct affordable units off-site at the discretion of either the Planning or Zoning Board, whichever is the applicable reviewing entity, in accordance with N.J.A.C. 5:93.
- D. Utilities. Affordable units shall utilize the same type of heating source as market units within the affordable development.
- E. Low/Moderate Split and Bedroom Distribution of Affordable Housing Units:
 - (1) The fair share obligation shall be divided equally between low- and moderate-income units, except that where there is an odd number of affordable housing units, the extra unit shall be a low income unit.
 - (2) In each affordable development, at least 50 percent of the restricted units within each bedroom distribution shall be low-income units.

- (3) Within rental developments, of the total number of affordable rental units, at least 13% shall be affordable to very low-income households.
- (4) Affordable developments that are not age-restricted shall be structured in conjunction with realistic market demands such that:
 - (a) The combined number of efficiency and one-bedroom units shall be no greater than 20 percent of the total low- and moderate-income units;
 - (b) At least 30 percent of all low- and moderate-income units shall be two bedroom units;
 - (c) At least 20 percent of all low- and moderate-income units shall be three bedroom units; and
 - (d) The remaining units may be allocated among two and three bedroom units at the discretion of the developer.
- (5) Affordable developments that are age-restricted shall be structured such that the number of bedrooms shall equal the number of age-restricted low- and moderate-income units within the inclusionary development. The standard may be met by having all one-bedroom units or by having a two-bedroom unit for each efficiency unit.

F. Accessibility Requirements:

- (1) The first floor of all restricted townhouse dwelling units and all restricted units in all other multistory buildings shall be subject to the technical design standards of the Barrier Free Subcode, N.J.A.C. 5:23-7.
- (2) All restricted townhouse dwelling units and all restricted units in other multistory buildings in which a restricted dwelling unit is attached to at least one other dwelling unit shall have the following features:
 - (a) An adaptable toilet and bathing facility on the first floor;
 - (b) An adaptable kitchen on the first floor;
 - (c) An interior accessible route of travel on the first floor;
 - (d) An interior accessible route of travel shall not be required between stories within an individual unit;
 - (e) An adaptable room that can be used as a bedroom, with a door or the casing for the installation of a door, on the first floor; and

G. Maximum Rents and Sales Prices

- (1) In establishing rents and sales prices of affordable housing units, the administrative agent shall follow the procedures set forth in UHAC and by the Superior Court, utilizing the regional income limits established.
- (2) The maximum rent for restricted rental units within each affordable development shall be affordable to households earning no more than 60 percent of median income, and the average rent for restricted low- and moderate-income units shall be affordable to households earning no more than 52 percent of median income.

- (3) The developers and/or municipal sponsors of restricted rental units shall establish at least one rent for each bedroom type for both low-income and moderate-income units. At least 13 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income.
- (4) The maximum sales price of restricted ownership units within each affordable development shall be affordable to households earning no more than 70 percent of median income, and each affordable development must achieve an affordability average of 55 percent for restricted ownership units; in achieving this affordability average, moderate-income ownership units must be available for at least three different prices for each bedroom type, and low-income ownership units must be available for at least two different prices for each bedroom type. At least 13 percent of all low- and moderate-income rental units shall be affordable to households earning no more than 30 percent of median income. These very low-income units shall be part of the low-income requirement.
- (5) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units other than assisted living facilities, the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half person household;
 - (c) A two-bedroom unit shall be affordable to a three-person household;
 - (d) A three-bedroom unit shall be affordable to a four and one-half person household; and
 - (e) A four-bedroom unit shall be affordable to a six-person household.
- (6) In determining the initial sales prices and rents for compliance with the affordability average requirements for restricted units in assisted living facilities, the following standards shall be used:
 - (a) A studio shall be affordable to a one-person household;
 - (b) A one-bedroom unit shall be affordable to a one and one-half person household; and
 - (c) A two-bedroom unit shall be affordable to a two-person household or to two one-person households.
- (7) The initial purchase price for all restricted ownership units shall be calculated so that the monthly carrying cost of the unit, including principal and interest (based on a mortgage loan equal to 95 percent of the purchase price and the Federal Reserve H.15 rate of interest), taxes, homeowner and private mortgage insurance and condominium or homeowner association fees do not exceed 28 percent of the eligible monthly income of the appropriate size household as determined under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the price shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.
- (8) The initial rent for a restricted rental unit shall be calculated so as not to exceed 30 percent of the eligible monthly income of the appropriate household size as determined

under N.J.A.C. 5:80-26.4, as may be amended and supplemented; provided, however, that the rent shall be subject to the affordability average requirement of N.J.A.C. 5:80-26.3, as may be amended and supplemented.

- (9) The price of owner-occupied low- and moderate-income units may increase annually based on the percentage increase in the regional median income limit for each housing region. In no event shall the maximum resale price established by the administrative agent be lower than the last recorded purchase price.
- (10) The rent of low- and moderate-income units may be increased annually based on the percentage increase in the Housing Consumer Price Index for the United States. This increase shall not exceed nine percent in any one year. Rent increases for units constructed pursuant to low- income housing tax credit regulations shall be indexed pursuant to the regulations governing low- income housing tax credits.
- (11) Tenant-paid utilities that are included in the utility allowance shall be so stated in the lease and shall be consistent with the utility allowance approved by DCA for its Section 8 program.
- (12) Condominium and Homeowners Associates Fees. For any affordable housing unit that is part of a condominium association and/or homeowner's association, the Master Deed shall reflect that the association fee assessed for each affordable housing unit shall be established at 100 percent of the market rate fee.

§245-27. Occupancy Standards.

- A. In referring certified households to specific restricted units, to the extent feasible, and without causing an undue delay in occupying the unit, the Administrative Agent shall strive to:
 - (1) Provide an occupant for each bedroom;
 - (2) Provide children of different sex with separate bedrooms; and
 - (3) Prevent more than two persons from occupying a single bedroom.
- B. Additional provisions related to occupancy standards (if any) shall be provided in the municipal Operating Manual.

§245-28. Control Periods for Restricted Ownership Units and Enforcement Mechanisms

- A. Control periods for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.5, as may be amended and supplemented, and each restricted ownership unit shall remain subject to the requirements of this Ordinance until Mountain Lakes elects to release the unit from such requirements however, and prior to such an election, a restricted ownership unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- B. The affordability control period for a restricted ownership unit shall commence on the date the initial certified household takes title to the unit.
- C. Prior to the issuance of the initial certificate of occupancy for a restricted ownership unit and upon each successive sale during the period of restricted ownership, the administrative agent shall determine the restricted price for the unit and shall also determine the non-restricted, fair market value of the unit based on either an appraisal or the unit's equalized assessed value.

- D. At the time of the first sale of the unit, the purchaser shall execute and deliver to the Administrative Agent a recapture note obligating the purchaser (as well as the purchaser's heirs, successors and assigns) to repay, upon the first non-exempt sale after the unit's release from the requirements of this Ordinance, an amount equal to the difference between the unit's non-restricted fair market value and its restricted price, and the recapture note shall be secured by a recapture lien evidenced by a duly recorded mortgage on the unit.
- E. The affordability controls set forth in this Ordinance shall remain in effect despite the entry and enforcement of any judgment of foreclosure with respect to restricted ownership units.
- F. A restricted ownership unit shall be required to obtain a Continuing Certificate of Occupancy or a certified statement from the Construction Official stating that the unit meets all code standards upon the first transfer of title that follows the expiration of the applicable minimum control period provided under N.J.A.C. 5:80-26.5(a), as may be amended and supplemented.

§245-29. Price Restrictions for Restricted Ownership Units, Homeowner Association Fees and Resale Prices

Price restrictions for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, including:

- A. The initial purchase price for a restricted ownership unit shall be approved by the Administrative Agent.
- B. The Administrative Agent shall approve all resale prices, in writing and in advance of the resale, to assure compliance with the foregoing standards.
- C. The method used to determine the condominium association fee amounts and special assessments shall be indistinguishable between the low- and moderate-income unit owners and the market unit owners.
- D. The owners of restricted ownership units may apply to the Administrative Agent to increase the maximum sales price for the unit on the basis of capital improvements. Eligible capital improvements shall be those that render the unit suitable for a larger household or the addition of a bathroom.

§245-30. Buyer Income Eligibility.

- A. Buyer income eligibility for restricted ownership units shall be in accordance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, such that low-income ownership units shall be reserved for households with a gross household income less than or equal to 50 percent of median income and moderate-income ownership units shall be reserved for households with a gross household income less than 80 percent of median income.
- B. The Administrative Agent shall certify a household as eligible for a restricted ownership unit when the household is a low-income household or a moderate-income household, as applicable to the unit, and the estimated monthly housing cost for the particular unit (including principal, interest, taxes, homeowner and private mortgage insurance and condominium or homeowner association fees, as applicable) does not exceed 33 percent of the household's certified monthly income.

§245-31. Limitations on indebtedness secured by ownership unit; subordination.

- A. Prior to incurring any indebtedness to be secured by a restricted ownership unit, the administrative agent shall determine in writing that the proposed indebtedness complies with the provisions of this section.
- B. With the exception of original purchase money mortgages, during a control period neither an owner nor a lender shall at any time cause or permit the total indebtedness secured by a restricted ownership unit to exceed 95 percent of the maximum allowable resale price of that unit, as such price is determined by the administrative agent in accordance with N.J.A.C.5:80-26.6(b).

§245-32. Control Periods for Restricted Rental Units

- A. Control periods for restricted rental units shall be in accordance with N.J.A.C. 5:80-26.11, as may be amended and supplemented, and each restricted rental unit shall remain subject to the requirements of this Ordinance until the [insert name of municipality] elects to release the unit from such requirements pursuant to action taken in compliance with N.J.A.C. 5:80-26.1, as may be amended and supplemented, and prior to such an election, a restricted rental unit must remain subject to the requirements of N.J.A.C. 5:80-26.1, as may be amended and supplemented, for at least 30 years.
- B. Deeds of all real property that include restricted rental units shall contain deed restriction language. The deed restriction shall have priority over all mortgages on the property, and the deed restriction shall be filed by the developer or seller with the records office of the County of Morris. A copy of the filed document shall be provided to the Administrative Agent within 30 days of the receipt of a Certificate of Occupancy.
- C. A restricted rental unit shall remain subject to the affordability controls of this Ordinance, despite the occurrence of any of the following events:

- (1) Sale or other voluntary transfer of the ownership of the unit; or
- (2) The entry and enforcement of any judgment of foreclosure.

§245-33. Price Restrictions for Rental Units; Leases

- A. A written lease shall be required for all restricted rental units, except for units in an assisted living residence, and tenants shall be responsible for security deposits and the full amount of the rent as stated on the lease. A copy of the current lease for each restricted rental unit shall be provided to the Administrative Agent. Assignment and subletting shall not be permitted.
- B. No additional fees or charges shall be added to the approved rent (except, in the case of units in an assisted living residence, to cover the customary charges for food and services) without the express written approval of the Administrative Agent.
- C. Application fees (including the charge for any credit check) shall not exceed five percent of the monthly rent of the applicable restricted unit and shall be payable to the Administrative Agent to be applied to the costs of administering the controls applicable to the unit as set forth in this Ordinance.

§245-34. Tenant Income Eligibility.

- A. Tenant income eligibility shall be in accordance with N.J.A.C. 5:80-26.13, as may be amended and supplemented, and shall be determined as follows:
- (1) Very low-income rental units shall be reserved for households with a gross household income less than or equal to 30 percent of median income.
 - (2) Low-income rental units shall be reserved for households with a gross household income less than or equal to 50 percent of median income.
 - (3) Moderate-income rental units shall be reserved for households with a gross household income less than 80 percent of median income.
- B. The Administrative Agent shall certify a household as eligible for a restricted rental unit when the household is a very low-income, low-income household or a moderate-income household, as applicable to the unit, and the rent proposed for the unit does not exceed 35 percent (40 percent for age-restricted units) of the household's eligible monthly income as determined pursuant to N.J.A.C. 5:80-26.16, as may be amended and supplemented; provided, however, that this limit may be exceeded if one or more of the following circumstances exists:
- (1) The household currently pays more than 35 percent (40 percent for households eligible for age-restricted units) of its gross household income for rent, and the proposed rent will reduce its housing costs;
 - (2) The household has consistently paid more than 35 percent (40 percent for households eligible for age-restricted units) of eligible monthly income for rent in the past and has proven its ability to pay;
 - (3) The household is currently in substandard or overcrowded living conditions;
 - (4) The household documents the existence of assets with which the household proposes to supplement the rent payments; or
 - (5) The household documents proposed third-party assistance from an outside source such as a family member in a form acceptable to the Administrative Agent and the owner of the unit.
- C. The applicant shall file documentation sufficient to establish the existence of the circumstances in (2)(a) through (e) above with the Administrative Agent, who shall counsel the household on budgeting.

§245-35. Municipal Housing Liaison.

- A. The position of Municipal Housing Liaison (MHL) for Mountain Lakes is established by this ordinance. The MHL shall be appointed by duly adopted resolution of the Borough Council and be subject to the approval by the Superior Court.
- B. The MHL must be either a full-time or part-time employee of the Borough of Mountain Lakes.
- C. The Municipal Housing Liaison shall be approved by the Court and shall be duly qualified through a training program sponsored by Affordable Housing Professionals of New Jersey before assuming the duties of Municipal Housing Liaison.

- D. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Mountain Lakes, including the following responsibilities which may not be contracted out to the Administrative Agent:
- (1) Serving as the municipality's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents and interested households;
 - (2) The implementation of the Affirmative Marketing Plan and affordability controls.
 - (3) When applicable, supervising any contracting Administrative Agent.
 - (4) Monitoring the status of all restricted units in the Borough of Mountain Lakes' Fair Share Plan;
 - (5) Compiling, verifying and submitting annual reports as required by the Superior Court;
 - (6) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable; and
 - (7) Attending continuing education opportunities on affordability controls, compliance monitoring and affirmative marketing as offered or approved by the Superior Court.

§245-36. Administrative Agent.

- A. The Borough shall designate by resolution of the Borough Council, subject to the approval of the Superior Court, one or more Administrative Agents to administer newly constructed affordable units in accordance with N.J.A.C. 5:93 and UHAC.
- B. An Operating Manual shall be provided by the Administrative Agent(s) to be adopted by resolution of the governing body and subject to approval of the Superior Court. The Operating Manuals shall be available for public inspection in the Office of the Municipal Clerk and in the office(s) of the Administrative Agent(s).
- C. The Administrative Agent shall perform the duties and responsibilities of an administrative agent as are set forth in UHAC and which are described in full detail in the Operating Manual, including those set forth in N.J.A.C. 5:80-26.14, 16 and 18 thereof, which includes:
- (1) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by the Superior Court;
 - (2) Affirmative Marketing;
 - (3) Household Certification;
 - (4) Affordability Controls;
 - (5) Records retention;
 - (6) Resale and re-rental;
 - (7) Processing requests from unit owners; and
 - (8) Enforcement, though the ultimate responsibility for retaining controls on the units rests with the municipality.
 - (9) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities, hereunder.

§245-37. Affirmative Marketing Requirements

- A. Mountain Lakes shall adopt by resolution an Affirmative Marketing Plan, subject to approval of the Superior Court, compliant with N.J.A.C. 5:80-26.15, as may be amended and supplemented.
- B. The affirmative marketing plan is a regional marketing strategy designed to attract buyers and/or renters of all majority and minority groups, regardless of race, creed, color, national origin, ancestry, marital or familial status, gender, affectional or sexual orientation, disability, age or number of children to housing units which are being marketed by a developer, sponsor or owner of affordable housing. The affirmative marketing plan is also intended to target those potentially eligible persons who are least likely to apply for affordable units in that region. It is a continuing program that directs all marketing activities toward COAH Housing Region 2 and covers the period of deed restriction.
- C. The affirmative marketing plan shall provide a regional preference for all households that live and/or work in COAH Housing Region 2 comprised of Essex, Morris, Union and Warren Counties.
- D. The Administrative Agent designated by Mountain Lakes shall assure the affirmative marketing of all affordable units consistent with the Affirmative Marketing Plan for the municipality.
- E. In implementing the affirmative marketing plan, the Administrative Agent shall provide a list of counseling services to low- and moderate-income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.
- F. The affirmative marketing process for available affordable units shall begin at least four months prior to the expected date of occupancy.
- G. The costs of advertising and affirmative marketing of the affordable units shall be the responsibility of the developer, sponsor or owner, unless otherwise determined or agreed to by Mountain Lakes.
- H. Selection of Occupants of Affordable Housing Units.
 - (1) The administrative agent shall use a random selection process to select occupants of low- and moderate-income housing.
 - (2) A waiting list of all eligible candidates will be maintained in accordance with the provisions of N.J.A.C. 5:80-26 et seq.

§245-38. Enforcement of Affordable Housing Regulations

- A. Upon the occurrence of a breach of any of the regulations governing the affordable unit by an Owner, Developer or Tenant the municipality shall have all remedies provided at law or equity, including but not limited to foreclosure, tenant eviction, municipal fines, a requirement for household recertification, acceleration of all sums due under a mortgage, recoupment of any funds from a sale in the violation of the regulations, injunctive relief to prevent further violation of the regulations, entry on the premises, and specific performance.
- B. After providing written notice of a violation to an Owner, Developer or Tenant of a low- or moderate-income unit and advising the Owner, Developer or Tenant of the penalties for such

violations, the municipality may take the following action against the Owner, Developer or Tenant for any violation that remains uncured for a period of 60 days after service of the written notice:

- (1) The municipality may file a court action pursuant to N.J.S.A. 2A:58-11 alleging a violation, or violations, of the regulations governing the affordable housing unit. If the Owner, Developer or Tenant is found by the court to have violated any provision of the regulations governing affordable housing units the Owner, Developer or Tenant shall be subject to one or more of the following penalties, at the discretion of the court:
 - (a) A fine of not more than \$500 or imprisonment for a period not to exceed 90 days, or both. Each and every day that the violation continues or exists shall be considered a separate and specific violation of these provisions and not as a continuing offense;
 - (b) In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment into the Mountain Lakes Affordable Housing Trust Fund of the gross amount of rent illegally collected;
 - (c) In the case of an Owner who has rented his or her low- or moderate-income unit in violation of the regulations governing affordable housing units, payment of an innocent tenant's reasonable relocation costs, as determined by the court.
- (2) The municipality may file a court action in the Superior Court seeking a judgment, which would result in the termination of the Owner's equity or other interest in the unit, in the nature of a mortgage foreclosure. Any judgment shall be enforceable as if the same were a judgment of default of the First Purchase Money Mortgage and shall constitute a lien against the low- and moderate-income unit.
 - (a) Such judgment shall be enforceable, at the option of the municipality, by means of an execution sale by the Sheriff, at which time the low- and moderate-income unit of the violating Owner shall be sold at a sale price which is not less than the amount necessary to fully satisfy and pay off any First Purchase Money Mortgage and prior liens and the costs of the enforcement proceedings incurred by the municipality, including attorney's fees. The violating Owner shall have the right to possession terminated as well as the title conveyed pursuant to the Sheriff's sale.
 - (b) The proceeds of the Sheriff's sale shall first be applied to satisfy the First Purchase Money Mortgage lien and any prior liens upon the low- and moderate-income unit. The excess, if any, shall be applied to reimburse the municipality for any and all costs and expenses incurred in connection with either the court action resulting in the judgment of violation or the Sheriff's sale. In the event that the proceeds from the Sheriff's sale are insufficient to reimburse the municipality in full as aforesaid, the violating Owner shall be personally responsible for and to the extent of such deficiency, in addition to any and all costs incurred by the municipality in connection with collecting such deficiency. In the event that a surplus remains after satisfying all of the above, such surplus, if any, shall be placed in escrow by the municipality for the Owner and shall be held in such escrow for a maximum period of two years or until such earlier time as the Owner shall make a claim with the municipality for such. Failure of the Owner to claim such balance within the two-year period shall

automatically result in a forfeiture of such balance to the municipality. Any interest accrued or earned on such balance while being held in escrow shall belong to and shall be paid to the municipality, whether such balance shall be paid to the Owner or forfeited to the municipality.

- (c) Foreclosure by the municipality due to violation of the regulations governing affordable housing units shall not extinguish the restrictions of the regulations governing affordable housing units as the same apply to the low- and moderate-income unit. Title shall be conveyed to the purchaser at the Sheriff's sale, subject to the restrictions and provisions of the regulations governing the affordable housing unit. The Owner determined to be in violation of the provisions of this plan and from whom title and possession were taken by means of the Sheriff's sale shall not be entitled to any right of redemption.
- (d) If there are no bidders at the Sheriff's sale, or if insufficient amounts are bid to satisfy the First Purchase Money Mortgage and any prior liens, the municipality may acquire title to the low- and moderate-income unit by satisfying the First Purchase Money Mortgage and any prior liens and crediting the violating owner with an amount equal to the difference between the First Purchase Money Mortgage and any prior liens and costs of the enforcement proceedings, including legal fees and the maximum resale price for which the low- and moderate-income unit could have been sold under the terms of the regulations governing affordable housing units. This excess shall be treated in the same manner as the excess which would have been realized from an actual sale as previously described.
- (e) Failure of the low- and moderate-income unit to be either sold at the Sheriff's sale or acquired by the municipality shall obligate the Owner to accept an offer to purchase from any qualified purchaser which may be referred to the Owner by the municipality, with such offer to purchase being equal to the maximum resale price of the low- and moderate-income unit as permitted by the regulations governing affordable housing units.
- (f) The Owner shall remain fully obligated, responsible and liable for complying with the terms and restrictions of governing affordable housing units until such time as title is conveyed from the Owner.

Section 3: If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4: All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5: This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced:

Adopted:

Marcy Gianattasio, Borough Clerk

Lauren Barnett, Mayor

BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY

ORDINANCE # 4-19

**AMENDING CHAPTER 245, ZONING OF THE CODE OF
THE BOROUGH OF MOUNTAIN LAKES**

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Mountain Lakes, Morris County, State of New Jersey, as follows:

Section 1: Chapter 245, Article II, § 245-4. Zoning Districts is hereby amended to add the following:

OL-1/MF-AHO Office and Light Industrial Zone/Multi-Family Affordable Housing Overlay

OL-2/MF-AHO Office and Light Industrial Zone/Multi-Family Affordable Housing Overlay

Section 2: Chapter 245, Article II, § 245-5. Zoning Map is hereby amended to change the zone classification of the following tax lot from OL-1 to OL-1/MF-AHO: Block 7, Lot 7; and to change the zone classification of the following tax lots from OL-2 to OL-2/MF-AHO: Block 7, Lot 8 and Lot 9, Block 6, Lot 14, Block 116, Lots 5.01 through 5.52 and Block 116, Lot 6.

Section 3: Chapter 245, Article IV. Use Regulations is hereby amended by adding the following:

§ 245-14.1 Office and Light Industrial Zone OL-1/Multi-Family Affordable Housing Overlay

A. Permitted principal, accessory and conditional uses

- (1) As set forth under § 245-12.
- (2) Multi-family inclusionary development consisting of townhouses and/or multi-family dwelling units as permitted principal uses with a required set aside for low- and moderate-income households of 20% if such units are for sale and 15% if such units are for rent. Low- and moderate-income units shall comply with the

provisions of Article VI of this chapter (i.e., Affordable Housing Ordinance) Permitted accessory uses shall include uses which are customarily incidental to the permitted principal use, including, but not limited to, indoor and outdoor recreational facilities and related amenities for the exclusive use of residents and guests.

B. Bulk and Development Standards

- (1) For permitted uses other than multi-family inclusionary development, as set forth in Article V of this chapter for the OL-1 Zone.
- (2) For multi-family inclusionary development, as set forth below.
 - (a) Minimum lot size: 3 acres
 - (b) Minimum lot frontage: 250 feet
 - (c) Maximum density: 14 units per gross acre
 - (d) Maximum building height: 3 stories/40 feet
 - (e) Minimum front yard setback: 75 feet
 - (f) Minimum side yard setback: 50 feet
 - (g) Minimum rear yard setback: 75 feet
 - (h) Maximum building coverage: 25%
 - (i) Maximum improved coverage: 50%
 - (j) There shall be no more than eight (8) townhouse units in any building
 - (k) There shall be no more than sixteen (16) units in any 2-story multi-family building and no more than twenty-four (24) units in any 3-story building.
 - (l) The minimum distance between buildings shall be as follows:
 - i. Windowless wall to windowless wall: 25 feet
 - ii. Window wall to windowless wall: 30 feet
 - iii. Window wall to window wall:
 - Front to front: 75 feet
 - Rear to rear: 50 feet
 - End to end: 35 feet
 - (m) Development shall maintain a minimum fifty (50) landscaped buffer to any residential zone boundary line which shall consist of either existing vegetation or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
 - (n) No parking area shall be located within fifty (50) feet of a front lot line or within twenty-five (25) feet of any other lot line.
 - (o) Parking shall be provided in accordance with New Jersey Residential Site Improvement Standards (RSIS).

§ 245-14.2 Office and Light Industrial OL-2/Multifamily Affordable Housing Overlay

A. Permitted principal, accessory and conditional uses

- (1) As set forth under § 245-12.
- (2) Multi-family inclusionary development consisting of townhouses and/or multi-family dwelling units as permitted principal uses with a required set aside for low- and moderate-income households of 20% if such units are for sale and 15% if such units are for rent. Low- and moderate-income units shall comply with the provisions of Article VI of this chapter (i.e., Affordable Housing Ordinance). Permitted accessory uses shall include uses which are customarily incidental to the permitted principal use, including, but not limited to, indoor and outdoor recreational facilities and related amenities for the exclusive use of residents and guests.

C. Bulk and Development Standards

- (1) For permitted uses other than multi-family inclusionary development, as set forth in Article V of this chapter for the OL-2 Zone.
- (2) For multi-family inclusionary development, as set forth below.
 - (a) Minimum lot size: 3 acres
 - (b) Minimum lot frontage: 250 feet
 - (c) Maximum density: 14 units per gross acre
 - (d) Maximum building height: 3 stories/40 feet
 - (e) Minimum front yard setback: 75 feet
 - (f) Minimum side yard setback: 50 feet
 - (g) Minimum rear yard setback: 75 feet
 - (h) Maximum building coverage: 25%
 - (i) Maximum improved coverage: 50%
 - (j) There shall be no more than eight (8) townhouse units in any building
 - (k) There shall be no more than sixteen (16) units in any 2-story multi-family building and no more than twenty-four (24) units in any 3-story building.
 - (l) The minimum distance between buildings shall be as follows:
 - i. Windowless wall to windowless wall: 25 feet
 - ii. Window wall to windowless wall: 30 feet
 - iii. Window wall to window wall:
 - Front to front: 75 feet
 - Rear to rear: 50 feet

- End to end: 35 feet
- (m) Development shall maintain a minimum fifty (50) landscaped buffer to any residential zone boundary line which shall consist of either existing vegetation or new plantings, or where appropriate, a combination of existing vegetation and new plantings.
- (n) No parking area shall be located within fifty (50) feet of a front lot line or within twenty-five (25) feet of any other lot line.
- (o) Parking shall be provided in accordance with New Jersey Residential Site Improvement Standards (RSIS).

Section 4: If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 5: All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 6: This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced:

Adopted:

Marcy Gianattasio, Borough Clerk

Lauren Barnett, Mayor

ORDINANCE 5-19 - AFFIRMATIVE FAIR HOUSING MARKETING PLAN

For Affordable Housing in (REGION 2)

I. APPLICANT AND PROJECT INFORMATION

(Complete Section I individually for all developments or programs within the municipality.)

1a. Administrative Agent Name, Address, Phone Number		1b. Development or Program Name, Address	
1c. Number of Affordable Units:	1d. Price or Rental Range		1e. State and Federal Funding Sources (if any)
Number of Rental Units:	From		
Number of For-Sale Units:	To		
1f. <input type="checkbox"/> Age Restricted <input type="checkbox"/> Non-Age Restricted	1g. Approximate Starting Dates		
1h. County Essex, Morris, Union, Warren		1i. Census Tract(s):	
1j. Managing/Sales Agent's Name, Address, Phone Number			
1k. Application Fees (if any):			

(Sections II through IV should be consistent for all affordable housing developments and programs within the municipality. Sections that differ must be described in the approved contract between the municipality and the administrative agent and in the approved Operating Manual.)

II. RANDOM SELECTION

2. Describe the random selection process that will be used once applications are received.

1. An initial deadline date, no less than 60 days after the start of the marketing process, will be established. All of the preliminary applications received by the Administrative Agent, on or before the initial deadline date, shall be deemed received on that date.
2. Households that apply for very low-, low- and moderate-income housing will be prescreened by the Administrative Agent for preliminary income eligibility by comparing their total income and household size to the very low-, low- and moderate-income limits adopted by the Court, COAH or its successors and other program restrictions that may apply. All households will be notified as to their preliminary status.
3. A drawing (using a web-based randomizer) will be held under the direction of the Administrative Agent to determine the priority order of the pre-qualified applications received on or before the initial deadline date. All preliminary applications received after the initial deadline will be processed on a "first come, first served" basis after the applicants who were in the random selection.
4. In order to ensure an adequate supply of qualified applicants, the advertising phase will continue until there are at least ten (10) pre-qualified applicants for each very low-, low- and moderate-income unit available, or until all of the affordable units within the development have been rented.
5. Final applications will be mailed by the Administrative Agent to an adequate number of pre-qualified

5. Final applications will be mailed by the Administrative Agent to an adequate number of pre-qualified applicants, in priority order, for each available affordable unit. The final application will require the applicants to supply documents to verify their identity and household composition as well as their income and assets.
6. Completed final applications will be forwarded to the Administrative Agent. The Administrative Agent will make a determination as to their eligibility for an affordable unit.
7. Applicants will receive a letter from the Administrative Agent with respect to the status of their application each time a review is performed.
8. Applicants will be reviewed by the Landlord for compliance with the tenant selection criteria set for the property. The tenant selection criteria shall comply with all fair housing standards and be set forth in a policy statement made available to all applicants by the Landlord. The Landlord will be responsible for the assessment of all criteria beyond the income and household size criteria set forth by the affordable housing criteria.
9. Certified applicants will be given a pre-determined amount of time to sign a lease agreement with the Landlord.

III. MARKETING

3a. Direction of Marketing Activity: (indicate which group(s) in the housing region are least likely to apply for the housing without special outreach efforts because of its location and other factors)

White (non-Hispanic)
 Black (non-Hispanic)
 Hispanic
 American Indian or Alaskan Native
 Asian or Pacific Islander
 Other group:

3b. **HOUSING RESOURCE CENTER** (www.njhousing.gov) A free, online listing of affordable housing **X**

BOROUGH OF MOUNTAIN LAKES (<https://mtnlakes.org/>) **X**

3c. Commercial Media (required) (Check all that applies)

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL NEWSPAPER(S)	CIRCULATION AREA
TARGETS ENTIRE HOUSING REGION 2			
Daily Newspaper			
<input checked="" type="checkbox"/>	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Star-Ledger	
<input type="checkbox"/>		New York Times	
TARGETS PARTIAL HOUSING REGION 2			
Daily Newspaper			
<input checked="" type="checkbox"/>	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Daily Record	Morris
<input type="checkbox"/>		Express Times	Warren
Weekly Newspaper			

<input type="checkbox"/>		Belleville Post	Essex
<input type="checkbox"/>		Belleville Times	Essex
<input type="checkbox"/>		Bloomfield Life	Essex
<input type="checkbox"/>		East Orange Record	Essex
<input type="checkbox"/>		Glen Ridge Paper	Essex
<input type="checkbox"/>		Glen Ridge Voice	Essex
X	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Independent Press	Essex
X	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Worrall Community Newspapers, Inc. 1291 Stuyvesant Avenue PO Box 3639 Union, NJ 07083 P: (908) 686-7700 F: (908) 688-0401	Essex, Union
<input type="checkbox"/>		Irvington Herald	Essex
<input type="checkbox"/>		Item of Millburn and Short Hills	Essex
<input type="checkbox"/>		Montclair Times	Essex
<input type="checkbox"/>		News-Record	Essex
<input type="checkbox"/>		Nutley Journal	Essex
<input type="checkbox"/>		Nutley Sun	Essex
<input type="checkbox"/>		Observer	Essex
<input type="checkbox"/>		Orange Transcript	Essex
<input type="checkbox"/>		Progress	Essex
<input type="checkbox"/>		Vailsburg Leader	Essex
<input type="checkbox"/>		Verona-Cedar Grove Times	Essex
<input type="checkbox"/>		West Essex Tribune	Essex
<input type="checkbox"/>		West Orange Chronicle	Essex
<input type="checkbox"/>		Atom Tabloid & Citizen Gazette	Middlesex, Union
<input type="checkbox"/>		Chatham Courier	Morris
<input type="checkbox"/>		Chatham Independent Press	Morris
X	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Citizen of Morris County	Morris
<input type="checkbox"/>		Florham Park Eagle	Morris

<input type="checkbox"/>		Hanover Eagle	Morris
<input type="checkbox"/>		Madison Eagle	Morris
X	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Morris News Bee	Morris
<input type="checkbox"/>		Mt. Olive Chronicle	Morris
<input type="checkbox"/>		Neighbor News	Morris
<input type="checkbox"/>		Randolph Reporter	Morris
<input type="checkbox"/>		Roxbury Register	Morris
<input type="checkbox"/>		Parsippany Life	Morris
<input type="checkbox"/>		Clark Patriot	Union
<input type="checkbox"/>		Cranford Chronicle	Union
<input type="checkbox"/>		Echo Leader	Union
<input type="checkbox"/>		Elizabeth Reporter	Union
<input type="checkbox"/>		Hillside Leader	Union
<input type="checkbox"/>		Leader of Kenilworth & Roselle Park	Union
<input type="checkbox"/>		Madison Independent Press, The	Union
<input type="checkbox"/>		Millburn and Short Hills Independent Press	Union
<input type="checkbox"/>		News Record	Union
<input type="checkbox"/>		Record-Press	Union
<input type="checkbox"/>		Scotch Plains Times (Fanwood Times)	Union
<input type="checkbox"/>		Spectator Leader	Union
<input type="checkbox"/>		Union Leader	Union
X	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Warren Reporter	Warren

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL TV STATION(S)	CIRCULATION AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2			
<input type="checkbox"/>		2 WCBS-TV Cbs Broadcasting Inc.	
		3 KYW-TV Cbs Broadcasting Inc.	
<input type="checkbox"/>		4 WNBC NBC Telemundo License Co.	

		(General Electric)	
<input type="checkbox"/>		5 WNYW Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		7 WABC-TV American Broadcasting Companies, Inc (Walt Disney)	
<input type="checkbox"/>		9 WWOR-TV Fox Television Stations, Inc. (News Corp.)	
<input type="checkbox"/>		11 WPIX Wpix, Inc. (Tribune)	
<input type="checkbox"/>		13 WNET Educational Broadcasting Corporation	
<input type="checkbox"/>		25 WNYE-TV New York City Dept. Of Info Technology & Telecommunications	
<input type="checkbox"/>		31 WPXN-TV Paxson Communications License Company, Llc	
<input type="checkbox"/>		41 WXTV Wxtv License Partnership, G.p. (Univision Communications Inc.)	
<input type="checkbox"/>		47 WNJU NBC Telemundo License Co. (General Electric)	
<input type="checkbox"/>		50 WNJN New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		52 WNJT New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		54 WTBY-TV Trinity Broadcasting Of New York, Inc.	
<input type="checkbox"/>		58 WNJB New Jersey Public Broadcasting Authority	
<input type="checkbox"/>		62 WRNN-TV Wrnn License Company, Llc	
<input type="checkbox"/>		63 WMBC-TV Mountain Broadcasting Corporation	
<input type="checkbox"/>		68 WFUT-TV Univision New York Llc	Spanish
TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		42 WKOB-LP Nave Communications, Llc	Essex
<input type="checkbox"/>		22 WMBQ-CA Renard Communications Corp.	Essex, Morris, Union
<input type="checkbox"/>		66 WFME-TV Family Stations Of New Jersey, Inc.	Essex, Morris, Union
<input type="checkbox"/>		21 WLIW Educational Broadcasting Corporation	Essex, Union
<input type="checkbox"/>		60 W60AI Ventana Television, Inc	Essex, Union

<input type="checkbox"/>		36 W36AZ New Jersey Public Broadcasting Authority	Morris
<input type="checkbox"/>		6 WPVI-TV American Broadcasting Companies, Inc (Walt Disney)	Morris, Union, Warren
<input type="checkbox"/>		65 WUVP-TV Univision Communications, Inc.	Morris, Union, Warren
<input type="checkbox"/>		23 W23AZ Centenary College	Morris, Warren
<input type="checkbox"/>		28 WBRE-TV Nexstar Broadcasting, Inc.	Morris, Warren
<input type="checkbox"/>		35 WYBE Independence Public Media Of Philadelphia, Inc.	Morris, Warren
<input type="checkbox"/>		39 WLVT-TV Lehigh Valley Public Telecommunications Corp.	Morris, Warren
<input type="checkbox"/>		44 WVIA-TV Ne Pa Ed Tv Association	Morris, Warren
<input type="checkbox"/>		56 WOLF-TV Wolf License Corp	Morris, Warren
<input type="checkbox"/>		60 WBPB-TV Sonshine Family Television Corp	Morris, Warren
<input type="checkbox"/>		69 WFMZ-TV Maranatha Broadcasting Company, Inc.	Morris, Warren
<input type="checkbox"/>		10 WCAU NBC Telemundo License Co. (General Electric)	Warren
<input type="checkbox"/>		16 WNEP-TV New York Times Co.	Warren
<input type="checkbox"/>		17 WPHL-TV Tribune Company	Warren
<input type="checkbox"/>		22 WYOU Nexstar Broadcasting, Inc.	Warren
<input type="checkbox"/>		29 WTXF-TV Fox Television Stations, Inc. (News Corp.)	Warren
<input type="checkbox"/>		38 WSWB Mystic Television of Scranton Llc	Warren
<input type="checkbox"/>		48 WGTW-TV Trinity Broadcasting Network	Warren
<input type="checkbox"/>		49 W49BE New Jersey Public Broadcasting Authority	Warren
<input type="checkbox"/>		55 W55BS New Jersey Public Broadcasting Authority	Warren
<input type="checkbox"/>		57 WPSG Cbs Broadcasting Inc.	Warren
<input type="checkbox"/>		61 WPPX Paxson Communications License Company, Llc	Warren
	DURATION & FREQUENCY OF OUTREACH	NAMES OF CABLE PROVIDER(S)	BROADCAST AREA

TARGETS PARTIAL HOUSING REGION 2			
<input type="checkbox"/>		Cablevision of Newark	Partial Essex
<input type="checkbox"/>		Comcast of NJ (Union System)	Partial Essex, Union
<input type="checkbox"/>		Cablevision of Oakland	Partial Essex, Morris
<input type="checkbox"/>		Cable Vision of Morris	Partial Morris
<input type="checkbox"/>		Comcast of Northwest NJ	Partial Morris, Warren
<input type="checkbox"/>		Patriot Media & Communications	Partial Morris
<input type="checkbox"/>		Service Electric Broadband Cable	Partial Morris, Warren
<input type="checkbox"/>		Cablevision of Elizabeth	Partial Union
<input type="checkbox"/>		Comcast of Plainfield	Partial Union
<input type="checkbox"/>		Cable Vision of Morris	Partial Warren
<input type="checkbox"/>		Service Electric Cable TV of Hunterdon	Partial Warren

	DURATION & FREQUENCY OF OUTREACH	NAMES OF REGIONAL RADIO STATION(S)	BROADCAST AREA AND/OR RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
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TARGETS ENTIRE HOUSING REGION 2

AM

<input type="checkbox"/>		WFAN 660	
<input type="checkbox"/>		WOR 710	
<input type="checkbox"/>		WABC 770	

FM

<input type="checkbox"/>		WFNY-FM 92.3	
<input type="checkbox"/>		WPAT-FM 93.1	Spanish
<input type="checkbox"/>		WNYC-FM 93.9	
<input type="checkbox"/>		WFME 94.7	Christian
<input type="checkbox"/>		WPLJ 95.5	
<input type="checkbox"/>		WQXR-FM 96.3	
<input type="checkbox"/>		WQHT 97.1	
<input type="checkbox"/>		WRKS 98.7	
<input type="checkbox"/>		WAWZ 99.1	Christian
<input type="checkbox"/>		WHTZ 100.3	
<input type="checkbox"/>		WCBS-FM 101.1	

<input checked="" type="checkbox"/>	Once at the start of Affirmative Marketing Process with additional monthly advertising if necessary.	WKXW-FM 101.5	
<input type="checkbox"/>		WQCD 101.9	
<input type="checkbox"/>		WNEW 102.7	
<input type="checkbox"/>		WKTU 103.5	
<input type="checkbox"/>		WAXQ 104.3	
<input type="checkbox"/>		WWPR-FM 105.1	
<input type="checkbox"/>		WLTW 106.7	

TARGETS PARTIAL HOUSING REGION 2

AM

<input type="checkbox"/>		WWRL 1600	Essex
<input type="checkbox"/>		WXMC 1310	Essex, Morris
<input type="checkbox"/>		WWRV 1330	Essex, Morris (Spanish)
<input type="checkbox"/>		WZRC 1480	Essex, Morris (Chinese/Cantonese)
<input type="checkbox"/>		WMCA 570	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WNYC 820	Essex, Morris, Union
<input type="checkbox"/>		WCBS 880	Essex, Morris, Union
<input type="checkbox"/>		WPAT 930	Essex, Morris, Union (Caribbean, Mexican, Mandarin)
<input type="checkbox"/>		WWDJ 970	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WINS 1010	Essex, Morris, Union
<input type="checkbox"/>		WEPN 1050	Essex, Morris, Union
<input type="checkbox"/>		WKMB 1070	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WBBR 1130	Essex, Morris, Union
<input type="checkbox"/>		WLIB 1190	Essex, Morris, Union (Christian)
<input type="checkbox"/>		WMTR 1250	Essex, Morris, Union
<input type="checkbox"/>		WADO 1280	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WNSW 1430	Essex, Morris, Union (Portuguese)
<input type="checkbox"/>		WJDM 1530	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WQEW 1560	Essex, Morris, Union
<input type="checkbox"/>		WWRU 1660	Essex, Morris, Union (Korean)

<input type="checkbox"/>		WCTC 1450	Union
		WCHR 1040	Warren
		WEEX 1230	Warren
		WNNJ 1360	Warren
		WRNJ 1510	Warren
FM			
<input type="checkbox"/>		WMSC 90.3	Essex
<input type="checkbox"/>		WFUV 90.7	Essex
<input type="checkbox"/>		WBG0 88.3	Essex, Morris, Union
<input type="checkbox"/>		WSOU 89.5	Essex, Morris, Union
<input type="checkbox"/>		WKCR-FM 89.9	Essex, Morris, Union
<input type="checkbox"/>		WFMU 91.1	Essex, Morris, Union
<input type="checkbox"/>		WNYE 91.5	Essex, Morris, Union
<input type="checkbox"/>		WSKQ-FM 97.9	Essex, Morris, Union (Spanish)
<input type="checkbox"/>		WBAI 99.5	Essex, Morris, Union
<input type="checkbox"/>		WDHA -FM 105.5	Essex, Morris, Union
<input type="checkbox"/>		WCAA 105.9	Essex, Morris, Union (Latino)
<input type="checkbox"/>		WBLS 107.5	Essex, Morris, Union
<input type="checkbox"/>		WHUD 100.7	Essex, Morris, Warren
<input type="checkbox"/>		WPRB 103.3	Essex, Union, Warren
<input type="checkbox"/>		WMNJ 88.9	Morris
<input type="checkbox"/>		WJSV 90.5	Morris
<input type="checkbox"/>		WNNJ-FM 103.7	Morris, Warren
<input type="checkbox"/>		WMGQ 98.3	Union
<input type="checkbox"/>		WCTO 96.1	Union, Warren
<input type="checkbox"/>		WNTI 91.9	Warren
<input type="checkbox"/>		WSBG 93.5	Warren
<input type="checkbox"/>		WZZO 95.1	Warren
<input type="checkbox"/>		WAEB-FM 104.1	Warren
<input type="checkbox"/>		WHCY 106.3	Warren

3d. Other Publications (such as neighborhood newspapers, religious publications, and organizational newsletters) (Check all that applies)				
		NAME OF PUBLICATIONS	OUTREACH AREA	RACIAL/ETHNIC IDENTIFICATION OF READERS/AUDIENCE
TARGETS ENTIRE HOUSING REGION 2				
Monthly				
<input type="checkbox"/>		Sino Monthly	North Jersey/NYC area	Chinese-American
TARGETS PARTIAL HOUSING REGION 2				
Daily				
<input type="checkbox"/>		24 Horas	Bergen, Essex, Hudson, Middlesex, Passaic, Union Counties	Portuguese-Language
Weekly				
<input type="checkbox"/>		Arab Voice Newspaper	North Jersey/NYC area	Arab-American
<input type="checkbox"/>		Brazilian Voice, The	Newark	Brazilian-American
<input type="checkbox"/>		Catholic Advocate, The	Essex County area	Catholic
<input type="checkbox"/>		La Voz	Hudson, Union, Middlesex Counties	Cuban community
<input type="checkbox"/>		Italian Tribune	North Jersey/NYC area	Italian community
<input type="checkbox"/>		New Jersey Jewish News	Northern and Central New Jersey	Jewish
<input type="checkbox"/>		El Nuevo Coqui	Newark	Puerto Rican community
<input type="checkbox"/>		Banda Oriental Latinoamérica	North Jersey/NYC area	South American community
<input type="checkbox"/>		El Especialito	Union City	Spanish-Language
<input type="checkbox"/>		La Tribuna Hispana	Basking Ridge, Bound Brook, Clifton, East Rutherford, Elizabeth, Fort Lee, Greebrook, Linden, Lydenhurst, Newark, North Plainfield, Orange, Passaic, Paterson, Plainfield, Roselle, Scotch Plains, Union, Union City, West NY	Spanish-Language
<input checked="" type="checkbox"/>	Once at start of Affirmative Marketing Process with additional monthly advertising if necessary.	Reporte Hispano	Regional	Spanish-Language
<input type="checkbox"/>		Ukranian Weekly	New Jersey	Ukranian community
3e. Employer Outreach (names of employers throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing) (Check all that applies)				

DURATION & FREQUENCY OF OUTREACH	NAME OF EMPLOYER/COMPANY	LOCATION
Essex County		
<input type="checkbox"/>	Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>	Verizon Communications	540 Broad St Newark, NJ 07102
<input type="checkbox"/>	Prudential Financial, Inc.	751 Broad St Newark, NJ 07102
<input type="checkbox"/>	Continental Airlines	1 Newark Airport, Newark, NJ
<input type="checkbox"/>	University of Medicine/Dentistry	Office of Marketing & Media Relations 150 Bergen Street Room D347 Newark, NJ 07103
<input type="checkbox"/>	Public Service Enterprise Group	80 Park Plz Newark, NJ 07102
<input type="checkbox"/>	Prudential Insurance	751 Broad Street, Newark, NJ 07102-3777
<input type="checkbox"/>	Horizon Blue Cross & Blue Shield of NJ	3 Raymond Plz W Newark, NJ 07102
<input type="checkbox"/>	Newark Liberty International Airport	Newark Airport, Newark, NJ
<input type="checkbox"/>	Horizon Blue Cross & Blue Shield of NJ	540 Broad St Newark, NJ 07102
Morris County		
X	Atlantic Health System-Morristown Memorial Hospital	100 Madison Avenue Morristown, NJ 07962
<input type="checkbox"/>	AT&T	295 N Maple Ave, Basking Ridge, NJ and 180 Park Ave, Florham Park, NJ
<input type="checkbox"/>	US Army Armament R&D	21 Picatinny Arsenal, Picatinny Arsnl, NJ
<input type="checkbox"/>	Lucent Technologies	67 Whippany Rd, Whippany, NJ and 475 South St, Morristown, NJ and 5 Wood Hollow Rd, Parsippany, NJ and 24 Mountain Ave, Mendham, NJ
<input type="checkbox"/>	Pfizer	Morris Plains/Parsippany
<input type="checkbox"/>	Novartis Pharmaceutical	59 State Route 10, East Hanover, NJ
<input type="checkbox"/>	Kraft foods	200 Deforest Ave, East Hanover, NJ and 7 Campus Dr, Parsippany, NJ
<input type="checkbox"/>	Mennen Sports Arena	161 E Hanover Ave, Morristown, NJ
<input type="checkbox"/>	Honeywell	101 Columbia Rd Morristown, NJ 07960
<input type="checkbox"/>	Pfizer	5 Woodhollow Rd, Parsippany and 175 Tabor Rd, Morris Plains
X	St. Clare's Hospital	130 Powerville Road Boonton Township, NJ 07005 and 25 Pocono Road Denville, NJ 07834 and 400 West Blackwell Street Dover, NJ 07801 and 3219 Route 46 East, Suite 110 Parsippany, NJ

			07054
Union County			
<input type="checkbox"/>		A&M Industrial Supply Co	1414 Campbell St Rahway
<input type="checkbox"/>		A.J. Seabra inc,	574 Ferry St Newark
<input type="checkbox"/>		Bristol-myers Products Research & Dev	1350 Liverty Ave Hillside
<input type="checkbox"/>		Cede Candy Inc	1091 Lousons Road PO Box 271 Union, NJ
<input type="checkbox"/>		Comcast Network	800 Rahway Ave Union, NJ
<input type="checkbox"/>		HoneyWell Inc.	1515 West Blancke Street Bldgs 1501 and 1525 Linden, NJ
<input type="checkbox"/>		IBM Corporation	27 Commerce Drive Cranford, nj
<input type="checkbox"/>		Howard Press	450 West First Ave Roselle,nj
<input type="checkbox"/>		Lucent Technologies	600 Mountain Ave Murray Hill,NJ
<input type="checkbox"/>		Merck & Co. Inc	1 Merck Drive PO Box 2000 (RY60-200E) Rahway, NJ
<input type="checkbox"/>		Rahway Hospital	865 Stone Street Rahway, NJ
<input type="checkbox"/>		Rotuba Extruders, Inc	1401 Park Ave South Linden
<input type="checkbox"/>		Union County College	1033 Springfield Ave Cranford,NJ
Warren County			
<input type="checkbox"/>		Masterfoods USA	800 High Street Hackettstown, NJ
<input type="checkbox"/>		Warren Hospital	185 Roseberry St Phillipsburg, NJ
<input type="checkbox"/>		Roche Vitamins	206 Roche Drive Belvidere, NJ
<input type="checkbox"/>		Hackettstown Hospital	651 Willow Grove St. Hackettstown, NJ
<input type="checkbox"/>		Pechiney	191 Route 31 North Washington, NJ
<input type="checkbox"/>		Lopatcong Care Center	390 Red School Lane Phillipsburg, NJ
<input type="checkbox"/>		Mallinckrodt/Baker, Inc	222 Red School Lane Phillipsburg, NJ

3f. Community Contacts (names of community groups/organizations throughout the housing region that can be contacted to post advertisements and distribute flyers regarding available affordable housing)			
Name of Group/Organization	Outreach Area	Racial/Ethnic Identification of Readers/Audience	Duration & Frequency of Outreach
Fair Share Housing Center	Statewide	Diverse	Once at the start of marketing
The NJ State Conference of the NAACP	Statewide	African-American	Once at the start of marketing
The Latino Action Network	Statewide	Latino	Once at the start of marketing
East Orange NAACP	Region 2	African-American	Once at the start of marketing
Newark NAACP	Region 2	African-American	Once at the start of marketing
Morris County NAACP	Region 2	African-American	Once at the start of marketing
Housing Partnership for Morris County	Region 2	Diverse	Once at the start of marketing
Community Access Unlimited, Inc.	Region 2	Diverse	Once at the start of marketing
Northwest New Jersey Community Action Program, Inc. (NORWESCAP)	Region 2	Diverse	Once at the start of marketing
Homeless Solutions of Morristown	Region 2	Diverse	Once at the start of marketing
Supportive Housing Association	Region 2	Diverse	Once at the start of marketing

IV. APPLICATIONS

Applications for affordable housing for the above units will be available at the following locations:		
4a. County Administration Buildings and/or Libraries for all counties in the housing region (list county building, address, contact person) (Check all that applies)		
	BUILDING	LOCATION
X	Morris County Library	30 East Hanover Avenue, Whippany, NJ 07981
X	Warren County Library Headquarters	199 Hardwick Street, Belvidere, NJ 07823
X	Essex County/Hall of Records	465 Dr. Martin Luther King, Jr. Blvd, Newark, NJ 07102 (973)621-4400
X	Union County/Administration Building	Elizabethtown Plaza, Elizabeth, NJ 07207 (908)527-4100
4b. Municipality in which the units are located (list municipal building and municipal library, address, contact person)		

Mountain Lakes Borough Hall
400 Boulevard
Mountain Lakes, NJ 07046

4c. Sales/Rental Office for units (if applicable)

V. CERTIFICATIONS AND ENDORSEMENTS

I hereby certify that the above information is true and correct to the best of my knowledge. I understand that knowingly falsifying the information contained herein may affect the (select one: Municipality's substantive certification or DCA Balanced Housing Program funding or HMFA UHORP/MONI/CHOICE funding).

Name (Type or Print)

Title/Municipality

Signature

Date

BOROUGH OF MOUNTAIN LAKES

MORRIS COUNTY, NEW JERSEY

ORDINANCE # 6-19

AN ORDINANCE AMENDING CHAPTER 245, ZONING OF THE CODE OF THE BOROUGH OF MOUNTAIN LAKES THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING AN ACCESSORY APARTMENT ORDINANCE

WHEREAS, on March 10, 2015, the New Jersey Supreme Court issued its decision In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1 (2015). In that decision, the New Jersey Supreme Court transferred primary jurisdiction over affordable housing matters from the New Jersey Council on Affordable Housing (“COAH”) to the New Jersey Superior Court and established a transitional process for municipalities, like the Borough of Mountain Lakes (“Borough”), to file declaratory judgement actions seeking to declare their Housing Element and Fair Share Plans (“HEFSPs”) as being constitutionally compliant and seeking similar protections to what they would have received if they had continued to proceed before COAH; and

WHEREAS, on July 25, 2016, the Borough filed a declaratory judgement action with the New Jersey Superior Court seeking to declare its HEFSP as being constitutionally compliant and seeking protection and repose against exclusionary zoning litigation; and

WHEREAS, the Borough negotiated and executed a Settlement Agreement dated January 29, 2019 with the Fair Share Housing Center (“FSHC”), which included agreement on the extent of the Borough’s affordable housing fair share obligation for the period from 1999 to 2025 and the methods the Borough intends to use to satisfy the obligation; and

WHEREAS, Borough zoning rules prohibit the presence of accessory apartments in residential zones, but the Settlement Agreement includes a requirement that the Borough establish five affordable Accessory Apartments

NOW, THEREFORE, the general purpose of this Chapter is to provide an opportunity for the creation of accessory apartments within Residential and “A” Business districts of the Borough, sufficient to meet the terms of the settlement agreement, and to provide the ability for the owner-occupant of a Borough dwelling to apply to provide one such accessory apartment which shall be rented according to the provisions of the Uniform Housing Affordability Control Rules (N.J.A.C. 5:80-36.1, et seq.), and administered by the appropriate Borough officer;

IT IS HEREBY ORDAINED by the Borough Council of the Borough of Mountain Lakes, Morris County, State of New Jersey, as follows:

Section 1: Chapter 245, Article VII, “Municipal Housing Liaison,” of the Code is hereby repealed.

Section 2: Chapter 245, Article VII, “Affordable Accessory Apartments” is hereby added to the Code to read as follows:

Article VII

Affordable Accessory Apartments

§245-39. Applicability and purpose.

- A. **Applicability.** This chapter applies to the establishment of accessory apartments in the Borough, in any Residential District and in the A Business District. Until passage of this ordinance, only single-family housing has been allowed in Residential Districts.
- B. **Purpose.** It is the purpose of this program to help meet a portion of the Borough's fair share housing obligation and provide a realistic opportunity for the development of affordable housing through creation of up to five (5) accessory apartments for occupancy by very low-income, low-income, or moderate-income households/

§245-40. Definitions.

Definitions pertaining to affordable housing not found below are the same as those definitions that appear in the rules and regulations adopted by the Council on Affordable Housing in N.J.A.C. 5:93-1 et seq. as used in this chapter;

“**Applicant**” shall mean the person or persons applying to establish an accessory apartment in accordance with the provisions of this chapter.

“**Contributing Dwelling**” shall mean (1) One of the dwellings covered under Borough Ordinance Chapter 40 Article VI Historic Preservation that (a) was constructed on or before December 31, 1938, (b) is listed as “contributing buildings” within the Mountain Lakes Historic District in the National Register of Historic Places Registration Form for the Mountain Lakes Historic District, and (c) has not been demolished; and (2) such other structures as are designated as “contributing dwellings” by ordinance upon the recommendation of the Mountain Lakes Historic Preservation Committee or successor entities and the Planning Board.

§245-41. Minimum Standards.

- A. An accessory apartment shall be permitted in an existing structure on a property which is in conformity with the regulations of the zoning district in which it is located, including minimum required lot area, lot frontage, lot width, lot depth, maximum floor area ratio (FAR), maximum impervious lot coverage (ILC) and all setback and other bulk requirements. An accessory apartment shall also be permitted in a pre-existing non-conforming property as long as it does not require an additional bulk variance.
- B. Creation of any accessory apartment shall require a building permit prior to construction of additions and/or alterations and issuance of a Certificate of Occupancy prior to signing a lease with a tenant.

- C. An accessory apartment shall be created within the existing footprint of the existing dwelling or the existing footprint of the existing accessory structure (e.g. detached garage). A new entry door, landing, or covered porch, dormers and modifications to the roof-lines that are architecturally consistent with the details, materials, windows, massing and scale of the existing structure shall be permitted. All additions shall comply with the bulk requirements of the Zone.
- D. An accessory apartment may be created within an existing Contributing Dwelling and shall be eligible for bulk incentives as specified in the latest adopted version of the Borough Ordinance 40-47 Establishing a Historic Preservation Committee and Establishing Special Zoning Requirements for Contributing Dwelling. Any accessory apartment provided within a Contributing Dwellings shall utilize the Historic Mountain Lakes Restoration and Renovation Handbook Design standards.
- E. Accessory apartments shall have living/sleeping space, cooking facilities, a kitchen sink, and complete sanitary facilities for the exclusive use of its occupants. The accessory apartment shall have a private entrance. The ceiling height for habitable spaces shall be no less than 7 feet.
- F. The potable water supply and sewage disposal system for the accessory apartment shall be adequate as evidenced by approval of the Borough Water & Sewer Utility.
- G. The creation of an accessory apartment shall not create a non-conforming condition on the site regarding applicable zoning requirements. An accessory apartment that is detached from the principal dwelling shall conform to all of the accessory building requirements of the zone.
- H. There shall be no more than one (1) accessory apartment located on any (1) lot unless the property is in the A Business zone and has more than one pre-existing apartment.
- I. Off-street parking shall be provided for the occupants of the affordable accessory Apartment in conformance with Chapter 245: Zoning; Article IV-Use Regulations; §245-15(L) Supplementary Use Regulations, and shall be depicted on the submitted sketch or site plan.
- J. Any renovation relative to the creation of an accessory apartment shall be architecturally consistent with the appearance of other structures on the same site. Accessory apartments shall be designed to blend and harmonize with the existing exterior architectural design of the original dwelling unit using similar materials, colors and details. The present exterior architectural design of the original dwelling unit shall be maintained to preserve the residential character of the neighborhood. Any accessory apartment provided within a Contributing Dwelling shall utilize the Historic Mountain Lakes Restoration and Renovation Handbook design standards.
- K. Any dwelling unit created or designated as an accessory apartment pursuant to this section shall be and shall remain permanently accessory to the primary use of the

property, and shall in no way confer upon the property owner any future rights to subdivide the existing lot.

- L. In the case of an accessory apartment created without proper permits, which the property owner desires to designate as an accessory apartment under this program, all of the requirements of this Ordinance and all requirements of the U.C.C. shall apply.
- M. Any existing code deficiencies in the portion of the building to be devoted to the accessory apartment unit shall be corrected, and the unit shall be brought up to code standard. The standard for evaluating any rehabilitation activity on an existing dwelling unit shall be N.J.A.C. 5:23-2.4 and 5:23-2.5.
- N. Any accessory apartment created within an existing dwelling or an accessory structure (e.g. if provided above a detached garage) shall be fire-separated vertically and/or horizontally from the existing structure in accordance with the New Jersey Uniform Construction Code Rehabilitation Subcode 5 23-6 6(e)12
- O. The owner shall agree to rent the accessory apartment unit only to a moderate, low or very low-income tenant.
- P. The owner shall agree that prior to the issuance of a Certificate of Occupancy for the initial tenant of the accessory apartment, there shall be a recorded deed or declaration of covenants and restrictions applied to the property running with the land that maintains the affordability of the accessory apartment for the minimum 10-year period. A sample deed restriction and/or loan agreement prepared by the Borough Attorney shall be supplied to the applicant.
- Q. The accessory apartments shall adhere to all current building code requirements of the latest adopted editions of (1) the International Residential Code- New Jersey Edition and (2) the New Jersey Uniform Construction Code.

§245-42. Affordability Controls.

- A. Liens on property. An owner who receives financial assistance under the provisions of the accessory apartments program shall be required to place a lien on his or her property. The following requirement shall apply to such liens:
 - (1) The Borough shall be specified as the lienholder.
 - (2) The lien shall specify that the value of the lien equals the Amount of the monetary benefits received by the applicant under the accessory apartments program.
 - (3) A record of the lien will be kept on the property tax record, in the County Clerk's files, in the Administrative Agent's records, and notification to the tax collector with the deed and with the insurance policy, as required by this program.
 - (4) The owner shall notify the Administrative Agent, in writing, of the intent to sell a property that has benefited from the accessory apartments program, if the accessory

apartment is still under the affordability controls and restrictions required by this program.

- (5) Each time the unit is re-rented, the Administrative Agent will verify that the unit will continue to be occupied by a qualified moderate, low-income or very low-income household and that the rent charged meets the affordability guidelines of the program.
- (6) All properties shall be periodically checked for liens, and any suspected violations of the program shall be reported to the Administrative Agent for further investigation.
- (7) At the termination of the affordability controls, the loan shall be forgiven and the lien shall be discharged by way of a Notice of Lien Discharged filed with the County Clerk.

B. Length of affordability. Owners who utilize the provisions of the accessory apartments program shall accept a deed restriction on the property. The deed restriction shall state that only a moderate, low income, or very low income tenant, as determined by the Administrative Agent, shall occupy the accessory apartment unit. The deed restriction shall be recorded with the County Clerk, and a copy of the recorded deed shall be forwarded to the Administrative Agent. The deed restriction shall go into effect as soon as a certificate of occupancy has been issued and shall apply for a period of at least ten (10) years.

C. Pricing

- (1) Gross rents, including a utility allowance consistent with the utility allowance approved by HUD for use in New Jersey, shall be set so as not to exceed thirty percent (30%) of the gross monthly income for the appropriate household size and income level. Maximum rents for each household size and income level shall be calculated based on the regional weighted average of the current uncapped Section 8 income limits published by HUD.
- (2) Rents of accessory apartments shall be affordable to very low, low, or moderate income households as per the FHA, COAH or its successor agency, and UHAC regulations.
- (3) Annual indexed increases. The rents of the accessory apartment units may be increased annually in accordance with N.J.A.C. 5:93-9.15.

§245-43. Program Compliance.

A. The Borough shall designate an Administrative Agent to administer the accessory apartments program. The Administrator's responsibilities shall include advertising the accessory apartments, income qualifying prospective renters, setting rents and annual rent increases, maintaining a waiting list, distributing subsidies as applicable, securing certificates of occupancy, qualifying properties, handling application forms, filing deed restrictions, monitoring reports, and affirmatively marketing the affordable accessory Apartment program in accordance with the UHAC.

B. The Administrative Agent shall only deny an application for an accessory apartment if the project is not in conformance with the requirements N.J.A.C. 5:93-1 et seq., and/or the provisions of this ordinance. All denials shall be in writing with the reasons clearly stated.

C. Violations, defaults, and remedies. In the event of a threatened breach of any of the regulations governing the affordable unit by an Owner of an accessory apartment, the Administrative Agent shall have all the remedies provided at law or equity, including the right to seek injunctive relief or specific performance, it being recognized by both parties that it will cause irreparable harm to the municipality, in light of the public policies set forth in the Fair Housing Act and the obligation for the provision of very low-, low- and moderate-income housing.

§245-44. Sunset Clause.

The provisions of this article permitting accessory apartments shall become null and void, having no further force or effect, upon the issuance of a Certificate of Occupancy for the fifth accessory apartment within the Borough of Mountain Lakes. The administrative provisions shall remain in full force and effect until the last deed restriction expires.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced:

Marcy Gianattasio, Borough Clerk

Adopted:

Lauren Barnett, Mayor

BOROUGH OF MOUNTAIN LAKES

ORDINANCE NO. 7-19

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING AFFORDABLE HOUSING DEVELOPMENT FEES

BE IT ORDAINED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. The Revised General Ordinances of the Borough of Mountain Lakes shall be amended by the addition of the following new Chapter 65 which shall be entitled "Development Fees" and shall read, in its entirety, as follows:

Chapter 65 Affordable Housing Development Fees.

§ 65-1 Purpose.

- A. In *Holmdel Builder's Association v. Holmdel Borough*, 121 N.J. 550 (1990), the New Jersey Supreme Court determined that mandatory development fees are authorized by the Fair Housing Act of 1985 (the "Act"), N.J.S.A. 52:27d-301 et seq., and the State Constitution, subject to the Council on Affordable Housing's ("COAH's") adoption of rules.
- B. Pursuant to P.L. 2008, c. 46, Section 8 (N.J.S.A. 52:27D-329.2), and the Statewide Nonresidential Development Fee Act (N.J.S.A. 40:55D-8.1 through 40:55D-8.7), COAH was authorized to adopt and promulgate regulations necessary for the establishment, implementation, review, monitoring and enforcement of municipal affordable housing trust funds and corresponding spending plans. Municipalities that are under the jurisdiction of the Council or court of competent jurisdiction and have a approved spending plan may retain fees collected from nonresidential development.
- C. This article establishes standards for the collection, maintenance and expenditure of development fees pursuant Court approval since the Borough has sought and received a Declaratory Judgment approving its affordable housing plan and in accordance P.L. 2008, c. 46, Sections 8 and 32 through 38. Fees collected pursuant to this article shall be used for the sole purpose of providing low- and moderate-income housing. This article shall be interpreted within the framework of COAH's rules on development fees, codified at N.J.A.C. 5:97-8. 21 of 27

§ 65-2 Basic requirements.

- A. This article shall not be effective until approved by the Superior Court.
- B. The Borough of Mountain Lakes shall not spend development fees until the Superior Court has approved a plan for spending such fees in conformance with N.J.A.C. 5:97-8.10 and N.J.A.C. 5:96- 5.3.

§ 65-3 Definitions.

The following terms, as used in this article, shall have the following meanings:

AFFORDABLE HOUSING DEVELOPMENT A development included in the Housing Element and Fair Share Plan, and includes, but is not limited to, an inclusionary development, a municipal construction project or a one hundred-percent-affordable development.

COAH or THE COUNCIL The New Jersey Council on Affordable Housing or a successor to be established under State law which has primary jurisdiction for the administration of housing obligations in accordance with sound regional planning consideration in the state.

DEVELOPER The legal or beneficial owner or owners of a lot or of any land proposed to be included in a proposed development, including the holder of an option or contract to purchase, or other person having an enforceable proprietary interest in such land.

DEVELOPMENT FEE Money paid by a developer for the improvement of property as permitted in N.J.A.C. 5:97- 8.3.

EQUALIZED ASSESSED VALUE The assessed value of a property divided by the current average ratio of assessed to true value for the municipality in which the property is situated, as determined in accordance with Sections 1, 5, and 6 of P.L. 1973, c. 123 (N.J.S.A. 54:1-35a through 54:1-35c).

§ 65-4 Residential development fees.

A. Imposed fees.

- (1) Within all residential zoning district(s), residential developers, except for developers of the types of development specifically exempted below, shall pay a fee of 1 1/2% of the equalized assessed value for residential development, provided no increased density is permitted.
- (2) When an increase in residential density pursuant to N.J.S.A. 40:55D-70d(5) (known as a "d" variance) has been permitted, developers may be required to pay a development fee of 6% of the equalized assessed value for each additional unit that may be realized. However, if the zoning on a site has changed during the two-year period preceding the filing of such a variance application, the base density for the purposes of calculating the bonus development fee shall be the highest density permitted by right during the two-year period preceding the filing of the variance application.

Example. If an approval allows four units to be constructed on a site that was zoned for two units, the fees could equal 1 1/2% of the equalized assessed value on the first two units; and the specified higher percentage up to 6% of the equalized assessed value for the two additional units, provided zoning on the site has not changed during the two-year period preceding the filing of such a variance application.

B. Eligible exactions, ineligible exactions and exemptions for residential development.

- (1) Affordable housing developments, developments where the developer is providing for the construction of affordable units elsewhere in the municipality, and developments where the developer has made a payment in lieu of on-site construction of affordable units shall be exempt from development fees.

- (2) Developments that have received preliminary or final site plan approval prior to the adoption of a municipal development fee ordinance shall be exempt from development fees, unless the developer seeks a substantial change in the approval. Where a site plan approval does not apply, a zoning and/or building permit shall be synonymous with preliminary or final site plan approval for this purpose. The fee percentage shall be vested on the date that the building permit is issued.
- (3) Development fees shall be imposed and collected when an existing structure undergoes a change to a more intense use, is demolished and replaced, or is expanded, if the expansion is not otherwise exempt from the development fee requirement. The development fee shall be calculated on the increase in the equalized assessed value of the improved structure.
- (4) Developers of developments with one or two owner-occupied dwelling units or residential structures demolished and replaced as a result of a natural disaster shall be exempt from paying a development fee.

§ 65-5 Nonresidential development fees.

A. Imposed fees.

- (1) Within all zoning districts, nonresidential developers, except for developers of the types of development specifically exempted, shall pay a fee equal to 2.5% of the equalized assessed value of the land and improvements for all new nonresidential construction on an unimproved lot or lots. 23 of 27
- (2) Nonresidential developers, except for developers of the types of development specifically exempted, shall also pay a fee equal to 2.5% of the increase in equalized assessed value resulting from any additions to existing structures to be used for nonresidential purposes.
- (3) Development fees shall be imposed and collected when an existing structure is demolished and replaced. The development fee of 2.5% shall be calculated on the difference between the equalized assessed value of the preexisting land and improvement and the equalized assessed value of the newly improved structure, i.e., land and improvement, at the time final certificate of occupancy is issued. If the calculation required under this section results in a negative number, the nonresidential development fee shall be zero.

B. Eligible exactions, ineligible exactions and exemptions for nonresidential development.

- (1) The nonresidential portion of a mixed-use inclusionary or market-rate development shall be subject to the two-and-one-half-percent development fee, unless otherwise exempted below.
- (2) The two-and-one-half-percent fee shall not apply to an increase in equalized assessed value resulting from alterations, change in use within existing footprint, reconstruction, renovations and repairs.
- (3) Nonresidential developments shall be exempt from the payment of nonresidential development fees in accordance with the exemptions required pursuant to P.L. 2008, c. 46, as specified in the Form N-RDF, "State of New Jersey Nonresidential Development Certification/Exemption" Form. Any exemption claimed by a developer shall be substantiated by that developer.
- (4) A developer of a nonresidential development exempted from the nonresidential development fee pursuant to P.L. 2008, c. 46, shall be subject to it at such time as the basis for the exemption no

longer applies and shall make the payment of the nonresidential development fee, in that event, within three years after that event or after the issuance of the final certificate of occupancy of the nonresidential development, whichever is later.

- (5) If a property which was exempted from the collection of a nonresidential development fee thereafter ceases to be exempt from property taxation, the owner of the property shall remit the fees required pursuant to this section within 45 days of the termination of the property tax exemption. Unpaid nonresidential development fees under these circumstances may be enforceable 24 of 27 Form N-RDF, "State of New Jersey Nonresidential Development Certification/Exemption," to be completed as per the instructions provided. The developer of a nonresidential development shall complete Form N-RDF as per the instructions provided. The Construction Official shall verify the information submitted by the nonresidential developer as per the instructions provided in the Form N-RDF. The Tax Assessor shall verify exemptions and prepare estimated and final assessments as per the instructions provided in Form N-RDF.

§ 65-6 Procedure for collection of development fees

- A. The Construction Official responsible for the issuance of a building permit shall notify the local Tax Assessor of the issuance of the first building permit for a development which is subject to a development fee.
- B. Within 90 days of receipt of that notice, the Municipal Tax Assessor, based on the plans filed, shall provide an estimate of the equalized assessed value of the development.
- C. The Construction Official responsible for the issuance of a final certificate of occupancy notifies the local Assessor of any and all requests for the scheduling of a final inspection on property which is subject to a development fee.
- D. Within 10 business days of a request for the scheduling of a final inspection, the Municipal Assessor shall confirm or modify the previously estimated equalized assessed value of the improvements of the development; calculate the development fee; and thereafter notify the developer of the amount of the fee.
- E. Should the Borough of Mountain Lakes fail to determine or notify the developer of the amount of the development fee within 10 business days of the request for final inspection, the developer may estimate the amount due and pay that estimated amount consistent with the dispute process set forth in Subsection b of Section 37 of P.L. 2008, c. 46 (N.J.S.A. 40:55D8.6).
- F. Fifty percent of the development fee shall be collected at the time of issuance of the building permit. The remaining portion shall be collected at the issuance of the certificate of occupancy. The developer shall be responsible for paying the difference between the fee calculated at building permit and that determined at issuance of certificate of occupancy.
- G. Appeal of development fees.
- (1) A developer may challenge residential development fees imposed by filing a challenge with the County Board of Taxation. Pending a review and determination by the Board, collected fees shall be placed in an interest-bearing escrow account by the Borough of Mountain Lakes. Appeals from a determination of the Board may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

(2) A developer may challenge nonresidential development fees imposed by filing a challenge with the Director of the Division of Taxation. Pending a review and determination by the Director, which shall be made within 45 days of receipt of the challenge, collected fees shall be placed in an interest-bearing escrow account by the Borough of Mountain Lakes. Appeals from a determination of the Director may be made to the tax court in accordance with the provisions of the State Tax Uniform Procedure Law, N.J.S.A. 54:48-1 et seq., within 90 days after the date of such determination. Interest earned on amounts escrowed shall be credited to the prevailing party.

Section 2. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 3. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Introduced:

Adopted:

Marcy Gianattasio, Borough Clerk

Lauren Barnett, Mayor

Ordinance # 8-19

Borough of Mountain Lakes, Morris County
Spending Plan for the Third Round Planning Period

May 2019

In consultation with:

Phillips Preiss Grygiel Leheny and Hughes LLC
Planning and Real Estate Consultants
33-41 Newark Street, 3rd Floor, Suite D
Hoboken, NJ 07030

INTRODUCTION

The Borough of Mountain Lakes, Morris County has prepared a Housing Element and Fair Share Plan in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and N.J.A.C. 5:93-5.1(c). A development fee ordinance creating a dedicated revenue source for affordable housing was adopted by the municipality in 2019. The ordinance establishes the Borough of Mountain Lakes affordable housing trust fund for which this spending plan is prepared.

1. REVENUES FOR CERTIFICATION PERIOD

As of March 31, 2019, the Borough of Mountain Lakes had collected \$33,509.05 and expended \$2,666.41, resulting in a balance of \$30,842.64. All development fees and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Provident Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

To calculate a projection of revenue anticipated during the period of third round substantive certification (i.e., 2018-2025), the Borough of Mountain Lakes considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

The Borough does not anticipate collecting any actual and committed payments in lieu (PIL) of construction from developers.

(c) Other funding sources:

The Borough reserves the right to seek potential donations and other monies from government sources to implement its Fair Share Plan.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate of 0.40 percent.

PROJECTED REVENUES – HOUSING TRUST FUND – 2019 THROUGH 2025

SOURCE OF FUNDS	2019	2020	2021	2022	2023	2024	2025	Total
(a) Development Fees:								
Projected Development								
3 Units/Year	\$35,937	\$35,937	\$35,937	\$35,937	\$35,937	\$35,937	\$35,937	\$251,559
\$798,570 x 1.5% ¹								
5,000 sf x 2.5% ²	\$22,182.50	\$22,182.50	\$22,182.50	\$22,182.50	\$22,182.50	\$22,182.50	\$22,182.50	\$155,277.50
(b) Payment in Lieu of Construction	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(c) Other Funds (Specify Source(s))	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
(d) Interest (0.4% interest rate compounded annually)	\$355.85	\$338.44	\$320.96	\$303.40	\$285.78	\$268.09	\$250.33	\$2,112.85
Total	\$58,475	\$58,458	\$58,440	\$58,423	\$58,405	\$58,388	\$58,370	\$409,959.35

¹ Mountain Lakes projects the construction of three new homes per year over the compliance period, averaging an equalized assessed value of \$798,570. This average equalized assessed value is based on an average housing price of approximately \$900,000 and an equalization ratio of 88.73 percent.

² Mountain Lakes projects the construction of 5,000 square feet of commercial space per year over the compliance period. The calculation of equalized assessed value is based on an estimated market value of \$20 per square foot, operating income of 30 percent and a capitalization rate of 7 percent.

The Borough of Mountain Lakes projects a total of \$406,836.50 in development fees to be collected between April 1, 2019 and December 31, 2025. This projected amount, when added to the Borough of Mountain Lakes' trust fund balance as of March 31, 2019 (i.e., \$30,842.64) plus interest earned on the incoming revenue of \$2,122.85 results in an anticipated total amount of \$439,801.99 available to fund and administer its affordable housing plan. All interest earned on the account shall be used only for the purposes of affordable housing.

2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the Borough of Mountain Lakes:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Borough of Mountain Lakes' development fee ordinance for both residential and non-residential developments in accordance with the Department's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7).

(b) Distribution of development fee revenues:

The disbursement of monies in the Borough of Mountain Lakes' affordable housing trust fund is coordinated by its Municipal Housing Liaison in conjunction with the Borough's Chief Financial Officer and the Borough Committee. In some instances, funds will be provided to other entities, such as an entity responsible for administering a program, for eventual disbursement.

3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) Rehabilitation and new construction programs and projects (N.J.A.C. 5:93-8.16)

The Borough of Mountain Lakes does not anticipate expending any funds on new construction or rehabilitation.

(b) **Affordability Assistance (N.J.A.C. 5:93-8.16)**

Actual development fees thru March 31, 2019		\$32,659.70
Actual interest already earned	+	\$849.35
Development fees projected 04/01/2019-12/31/2025	+	\$406,836.50
Interest projected 04/01/2019-12/31/2025	+	\$2,122.85
Less housing activity expenditures through 6/2/2008	-	\$0.00
Total	=	\$442,468.40
Calculate 30 percent	x .30 =	\$132,740.52
Less Affordability assistance expenditures through 3/31/2019	-	\$0.00
PROJECTED MINIMUM Affordability Assistance Requirement 4/1/2019-12/31/2025	=	\$132,740.52
PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 4/1/2019-12/31/2025	÷ 3 =	\$44,246.84

Per N.J.A.C. 5:93-8.16, the Borough of Mountain Lakes must dedicate at least 30 percent of all development fees collected and interest earned to provide affordability assistance to low- and moderate-income households. In addition, at least one-third of the affordability assistance shall be used to provide affordability assistance to very-low income households. The Borough will reserve approximately 80 percent of its total trust fund money (i.e., \$353,285.54) to render units more affordable, including \$44,246.84 to render units more affordable to households earning 30 percent or less of median income by region as follows:

- For sale units in the form of emergency repairs, down-payment assistance, homeowner assistance loans for condominium or homeowner association fees, and homeowner assistance loans for mortgage payments up to two months or less in arrears to forestall foreclosure.
- For rent units in the form of security deposit assistance and rental assistance.
- To create an accessory apartment program.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

Actual dev fees and interest thru 3/31/2019		\$33,509.05
Projected dev fees and interest 2019 thru 12/31/2025	+	\$408,959.35
Payments-in-lieu of construction and other deposits thru 7/17/2008	+	\$0
Less RCA expenditures thru 12/31/2019	-	\$0
Total	=	\$442,468.40
Calculate 20 percent	x .20 =	\$88,493.68
Less admin expenditures thru 3/31/2019	-	\$1,976.25
PROJECTED MAXIMUM available for administrative expenses 4/1/2019-12/31/2025	=	\$86,517.43

The Borough of Mountain Lakes projects that \$86,517.43 will be available from the affordable housing trust fund to be used for administrative purposes. However, the Borough of Mountain Lakes proposes to dedicate \$86,513 from the affordable housing trust fund for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

- Provision of professional planning and legal services related to the planning for affordable housing.
- Fair Share Housing Center for assistance in plan formation.
- Administrative support for affirmative marketing.
- Administrative agent or in-house staff (to be determined by Borough Manager).
- Advertising and affirmative marketing of the accessory apartments.
- Professional assistance for development of an education session for property owners interested in establishing an accessory apartment.
- Expenses related to identifying potential accessory apartments.

4. EXPENDITURE SCHEDULE

The Borough of Mountain Lakes intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units.

		PROJECTED EXPENDITURE SCHEDULE 04/01/2019-12/31/2025							
PROJECTS/ PROGRAMS	# of Units	2019	2020	2021	2022	2023	2024	2025	Total
Rehabilitation	1	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
New Construction									
Affordability Assistance	-	\$50,469.22	\$50,469.22	\$50,469.22	\$50,469.22	\$50,469.22	\$50,469.22	\$50,469.22	\$353,285.54
Administration	-	\$12,359.00	\$12,359.00	\$12,359.00	\$12,359.00	\$12,359.00	\$12,359.00	\$12,359.00	\$86,513.00
Total Expenditures		\$62,828.22	\$62,828.22	\$62,828.22	\$62,828.22	\$62,828.22	\$62,828.22	\$62,828.22	\$439,797.54

5. EXCESS OR SHORTFALL OF FUNDS

In the event of any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan, the Borough of Mountain Lakes will appropriate funds from general revenue to provide the necessary funds.

In the event more funds than anticipated are collected and projected funds exceed the amount necessary to implement the Fair Share Plan, the Borough of Mountain Lakes will use these excess funds for affordable housing projects to meet a future affordable housing obligation, provided that the funds are expended within four years of collection as required by New Jersey's Fair Housing Act. If no local option within the Borough is available, excess funds will be used for affordability assistance program with the Morris County Housing Authority.

6. BARRIER FREE ESCROW

Collection and distribution of barrier free funds shall be consistent with the Borough of Mountain Lakes' Affordable Housing Ordinance in accordance with N.J.A.C. 5:93-8.13 and N.J.A.C. 5:93-8.16.

SUMMARY

The Borough of Mountain Lakes intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:93-8.13 through N.J.A.C. 5:93-8.16 and consistent with the housing programs outlined in the Housing Plan Element adopted April 25, 2019. To the extent that programs described herein are not described in the Housing Plan Element, the Borough of Mountain Lakes will submit an amendment to its Fair Share Plan.

The Borough of Mountain Lakes has a balance of \$30,842.64 as of March 31, 2019 and anticipates an additional \$406,836.50 in revenues and \$2,122.85 in interest through 2025, for a total of \$439,801.99. The Borough will dedicate \$353,284.54 to render units more affordable, and \$86,513 to administrative costs. In the event that there is a shortfall of funds, the Borough will adopt an intent to bond. The municipality will dedicate any excess funds or remaining balance toward affordability assistance programs with the Morris County Housing Authority.

SPENDING PLAN SUMMARY	
Balance as of March 31, 2019	\$30,842.64
PROJECTED REVENUE 04/01/2019-/2025	
Development fees	+ \$406,836.50
Payments in lieu of construction or Other Funds	+ \$0
Interest	+ \$2,122.85
TOTAL REVENUE	= \$439,801.99
PROJECTED EXPENDITURES 04/01/2019-12/31/2025	
Funds used for Rehabilitation	- \$0
Affordability Assistance	- \$353,284.54
Administration	- \$86,513.00
TOTAL PROJECTED EXPENDITURES	= \$439,797.54
REMAINING BALANCE	= \$4.45

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 100-19

“RESOLUTION AUTHORIZING THE PAYMENT OF BILLS”

WHEREAS, the Borough Manager has reviewed and approved purchase orders requested by the Department Heads; and

WHEREAS, the Finance Office has certified that funds are available in the proper account; and

WHEREAS, the Borough Treasurer has approved payment, upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that the current bills, dated **May 13, 2019** and on file and available for public inspection in the Office of the Treasurer and approved by him for payment, be paid.

XX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on May 13, 2019.

Marcy Gianattasio, Municipal Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Horst						
Korman						
Lane						
Menard						
Shepherd						
Barnett						

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 05/13/2019 For bills from 04/18/2019 to 05/08/2019

Check#	Vendor	Description	Payment	Check Total
15652	101 - 84 LUMBER COMPANY	PO 20388 BIRCHWOOD BEACH RENOVATION - BLANKE	2,225.00	2,225.00
15653	111 - ABB INC.	PO 19981 WATER DEPARTMENT - LINE/PUMP/MOTOR	816.76	816.76
15654	219 - ACCESS	PO 19812 CUST# 156NFO04790 - DECEMBER 2018	45.00	
		PO 20306 CUST# 156NFO04790 - FEB BILLING 201	105.20	
		PO 20399 CUST# 156NFO04790 - APRIL - JUNE 20	1,313.33	1,463.53
15655	3861 - SYNCB/AMAZON	PO 20229 POLICE: ORDER# 114-7231597-0122627	148.20	
		PO 20253 RECREATION: ORDER# 111-8451946-8929	41.98	
		PO 20374 ADMIN: ORDER# 114-2788395-0031445	198.88	309.06
15656	2888 - AMC PRECISION GLASS, INC.	PO 20403 BIRCHWOOD BEACH PROJECT	3,725.00	3,725.00
15657	153 - AMERICAN HOSE & HYDRAULICS	PO 20368 DPW - EQUIPMENT REPAIR	662.00	662.00
15658	189 - ANCHOR ACE HARDWARE	PO 19946 BIRCHWOOD BEACH PROJECT - BLANKET 2	261.77	
		PO 20127 WATER DEPARTMENT - EQUIPMENT, TOOLS	563.36	825.13
15659	189 - ANCHOR ACE HARDWARE	PO 20432 DPW - TOOLS/MATERIALS/SUPPLIES - BL	316.50	
		PO 20556 GREEN TEAM; COMMUNITY CLEAN UP SUPP	27.16	343.66
15660	102 - ANDERSON & DENZLER ASSOC., INC	PO 20510 MARCH 2019 PROFESSIONAL SERVICES	1,224.75	
		PO 20510 MARCH 2019 PROFESSIONAL SERVICES	2,627.43	
		PO 20510 MARCH 2019 PROFESSIONAL SERVICES	163.30	
		PO 20510 MARCH 2019 PROFESSIONAL SERVICES	571.55	4,587.03
15661	3957 - ATLANTIC COAST FIBERS, LLC	PO 20486 RECYCLING CHARGE - BLANKET 2019	641.40	641.40
15662	220 - ATLANTIC SALT, INC.	PO 20427 DPW - SNOW REMOVAL	16,600.66	16,600.66
15663	269 - BEYER FORD, LLC	PO 19537 NEW VEHICLE PURCHASE - CAPITAL FUND	43,844.50	43,844.50
15664	556 - BOB'S CUSTOM DOCKS, INC.	PO 20418 PARKS & BEACHES - GENERAL MAINTENAN	150.00	150.00
15665	3828 - BOROUGH OF MADISON	PO 20533 MARCH 2019 IT SERVICES	1,499.40	1,499.40
15666	3860 - CARNER BROS.	PO 20247 WATER DEPARTMENT - FIRE HYDRANT REP	9,300.00	9,300.00
15667	445 - CERBO'S PARSIPPANY GREENHOUSES, INC	PO 20400 WOODLANDS COMM: TREE STAKES	29.16	29.16
15668	456 - CHADLER SOLUTIONS, LLC	PO 20527 2019 RISK MANAGEMENT CONSULTANT FEE	4,791.00	4,791.00
15669	2658 - CHEMSEARCH	PO 20042 DPW - VEHICLE MAINTENANCE - BLANKET	370.80	370.80
15670	1481 - CORE & MAIN, LP	PO 19977 WATER DEPARTMENT - EQUIPMENT - BLAN	480.00	
		PO 20246 WATER DEPARTMENT - FIRE HYDRANT RE	8,143.00	
		PO 20407 WATER DEPARTMENT - EQUIPMENT	9,420.00	18,043.00
15671	436 - CY DRAKE LOCKSMITH, INC.	PO 20434 WATER DEPARTMENT - FACILITY MAINTEN	316.00	316.00
15672	653 - GANNETT NEW JERSEY NEWSPAPERS	PO 20067 BOA/PLANNING: ADVERTISING - 2019 B	33.54	33.54
15673	506 - DAN COMO & SONS, INC	PO 20365 DPW - BUILDING MAINTENANCE	900.00	900.00
15674	576 - DAVE'S TIRE, LLC	PO 20551 POLICE DEPARTMENT - VEHICLE REPAIRS	425.60	425.60
15675	645 - DELUXE INTERNATIONAL TRUCKS, INC	PO 20183 DPW - VEHICLE REPAIR	1,755.32	1,755.32
15676	613 - DEZINE LINE CORPORATION	PO 20263 TROUT DERBY - CLEAN COMMUNITIES - q	1,572.50	1,572.50
15677	2971 - DIRECT ENERGY BUSINESS	PO 20490 ACCT#: 614054 - 269690, 91, 92 - MA	1,181.85	1,181.85
15678	652 - DOVER BRAKE AND CLUTCH CO. INC	PO 20260 DPW - VEHICLE MAINTENANCE	497.46	497.46
15679	3367 - NEW JERSEY EZ PASS	PO 19918 POLICE: TOLLS - 2019 BLANKET ACCT#	1.00	1.00
15680	4042 - ELIFEGUARD, INC.	PO 20549 BIRCHWOOD BEACH PROJECT	110.00	110.00
15681	4046 - EMP, INC	PO 20522 BIRCHWOOD BEACH RENOVATION	6,900.00	6,900.00
15682	2517 - FFI FIREFIGHTER ONE, LLC	PO 20271 FIRE DEPT: CYLINDER REPAIR	558.00	558.00
15683	769 - FOREST LUMBER	PO 19937 DPW - EQUIPMENT & TOOLS - BLANKET	160.29	
		PO 20509 BIRCHWOOD BEACH PROJECT - BLANKET 2	4,346.52	
		PO 20569 PARKS & RECREATION - GENERAL MAINTE	1,007.03	5,513.84
15684	814 - GARDEN STATE HIGHWAY PRODUCTS	PO 20317 DPW - RECYCLING CENTER SIGNS	45.95	45.95
15685	924 - HOBBIE HEAT & POWER, INC.	PO 20477 MUNICIPAL BLDG: NO HEAT - ACCT# 000	949.75	949.75
15686	3638 - IDEMIA IDENTITY & SECURITY USA, LLC	PO 20099 POLICE: LIVESCAN MAINTENANCE	440.00	440.00
15687	3817 - IL TORRENTE PIZZA	PO 20538 DPW - MEALS - BLANKET	68.96	68.96
15688	859 - JCP&L	PO 20473 MAST ACCT# 200 000 021 275 / BILL D	3,871.14	
		PO 20472 MASTER ACCT#200 000 574 000/ BILL D	60.53	
		PO 20501 M/A #200 000 020 764: BILL DATE: 4/	57.68	
		PO 20544 ACCT#100 075 505 725 - BILL PRD: 3	3.15	3,992.50
15689	859 - JCP&L	PO 20476 M/A #200 000 054 011/ BILL DATE: 4/	725.50	
		PO 20475 M/A #200 000 053 658 / BILL DATE: 4	1,781.77	2,507.27
15690	859 - JCP&L	PO 20543 ACCT#100 050 702 156 - BILL PRD: 3/	4.66	
		PO 20554 MAST ACCT#200 000 054 011/ BILL DAT	10.00	14.66
15691	4006 - JET VAC EQUIPMENT, LLC	PO 20012 WATER DEPARTMENT - EQUIPMENT - BLAN	77.00	77.00
15692	1062 - JOHNNY ON THE SPOT, LLC	PO 20491 APR 2019 - CUST ID# 014738 - PORT-A	160.00	
		PO 20492 APR/MAY 2019 - CUST ID# 014738 - PO	160.00	
		PO 20493 APR 2019 - CUST ID# 014738 - PORT-A	85.00	
		PO 20503 APR 2019 - CUST ID# 014738 - PORT-A	160.00	
		PO 20502 APR/MAY 2019 - CUST ID# 014738 - PO	160.00	725.00
15693	812 - JOSEPH GARTLAND, INC.	PO 20415 DPW - DEPARTMENT SUPPLIES	335.00	335.00

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 05/13/2019 For bills from 04/18/2019 to 05/08/2019

Check#	Vendor	Description	Payment	Check Total
15694	4033 - JUST THE BEST, INC.	PO 20379 BIRCHWOOD BEACH PROJECT	14,250.00	14,250.00
15695	1090 - KENVIL POWER MOWER	PO 20152 DPW - EQUIPMENT REPAIR - BLANKET 20	131.33	
		PO 20496 DPW - EQUIPMENT REPAIR - 2019	807.45	938.78
15696	1210 - LOEFFEL'S WASTE OIL SVC., LLC	PO 20381 SOLID WASTE - WASTE OIL RECYCLING -	91.00	91.00
15697	1438 - MAIN POOL & CHEMICAL COMPANY	PO 19980 WATER DEPARTMENT - TREATMENT OF WEL	378.00	378.00
15698	2790 - MC PUBLIC SAFETY TRAINING ACADEMY	PO 20480 FIRE DEPT: TRAINING GROUNDS	100.00	100.00
15699	3588 - MCELROY, DEUTSCH, MULVANNEY & CARPEN	PO 20532 MARCH 2019 PROFESSIONAL SERVICES -	911.45	911.45
15700	1408 - MMSGG	PO 19917 POLICE: 2019 MEDICAL SUPPLIES - BLA	37.20	37.20
15701	3926 - MITCHELL STERN	PO 20557 ADMIN: REIMBURSEMENT - MITCHELL STE	108.60	108.60
15702	3826 - MLHS PROJECT GRADUATION	PO 20555 2019 PROJECT GRADUATION	1,500.00	1,500.00
15703	3648 - MONMOUTH TELECOM	PO 20430 2019 TELEPHONE SERVICES / ACCT# 362	1,306.29	1,306.29
15704	1295 - MORRIS CTY MUNICIPAL UTILITIES	PO 20412 SOLID WASTE REMOVAL - FEBRUARY 2019	7,848.54	7,848.54
15705	1316 - MOST DEPENDABLE FOUNTAINS, INC	PO 20419 BIRCHWOOD BEACH PROJECT	4,925.00	
		PO 20499 BIRCHWOOD BEACH PROJECT	260.00	5,185.00
15706	1371 - MTN. LAKES BOARD OF EDUCATION	PO 20515 MAY 2019 MTN LAKES SCHOOL DISTRICT	1,739,372.16	1,739,372.16
15707	3168 - MUNICIPAL CLERK'S ASSOC. OF MORRIS	PO 20520 CLERK: 2019 MEMBERSHIP DUES	100.00	100.00
15708	881 - NCX	PO 19879 BLANKET: 2019 DNS HOSTING / ACCT# G	21.95	21.95
15709	3224 - TREASURER, STATE OF NEW JERSEY	PO 19909 2019 TREE SEEDLING ORDER	237.00	237.00
15710	1553 - NEW JERSEY NATURAL GAS	PO 20469 MAR 12 TO APR 10, 2019 SERVICE	1,518.68	1,518.68
15711	1562 - NJLM	PO 20380 2019 MUNICIPAL DIRECTORY	30.00	30.00
15712	1563 - NJ SHADE TREE FEDERATION	PO 20061 2019 SHADE TREE COMMISSION - MUNICI	145.00	145.00
15713	1559 - NJ STATE ASSOC. OF CHIEFS OF POLICE	PO 20435 POLICE: ALCOHOLIC BEVERAGE CONTROL	105.00	105.00
15714	2595 - NORTH JERSEY MUNICIPAL EMPLOYEE	PO 20468 MAY 2019 DENTAL PREMIUMS - GROUP 16	2,838.00	2,838.00
15715	2676 - NORTH JERSEY COPY	PO 20376 CLERK: BUSINESS CARDS	79.00	79.00
15716	1754 - NORTHEAST COMMUNICATIONS, INC.	PO 20265 FIRE DEPT: LIGHT SWITCH REPAIR	90.00	90.00
15717	3998 - NORTHEAST ROOF MAINTENANCE, INC.	PO 19776 BEACH RENOVATION PROJECT	6,525.00	6,525.00
15718	2727 - ONE CALL CONCEPTS, INC.	PO 20130 2019 JAN - DEC BLANKET / ACCT# 12-B	184.30	184.30
15719	2968 - OPTIMUM	PO 19899 2019 DPW INTERNET SERVICES ACCT# 07	123.05	123.05
15720	2968 - OPTIMUM	PO 19900 2019 DPW: ACCT# 07876-414565-01-0	11.74	11.74
15721	3173 - OPTIMUM	PO 20425 FIRE: ACCT# 07876-603439-01-8 CABLE	71.69	71.69
15722	479 - PARKER PUBLICATIONS	PO 20139 ACCT# 010902 ZBOA/PLANNING BRD - 2	37.13	37.13
15723	3113 - PHILLIPS PREISS GRYGIEL LEHENY HUGH	PO 20466 MARCH 2019 COAH	5,988.75	5,988.75
15724	1787 - R & J CONTROL, INC.	PO 20038 DPW - BUILDING MAINTENANCE - BLANKE	194.00	
		PO 20487 DPW - BUILDING MAINTENANCE - BLANKE	646.14	840.14
15725	1822 - R.S. PHILLIPS STEEL, LLC	PO 20506 DPW - EQUIPMENT REPAIR - BLANKET 20	203.17	203.17
15726	1734 - READYREFRESH BY NESTLE	PO 20330 ACCT# 0016496903 - 2/1319 - 3/12/19	128.22	128.22
15727	3990 - RICH TREE SERVICE, INC.	PO 20328 DPW - EMERGENCY TREE REMOVAL	650.00	
		PO 20539 DPW - TREE REMOVAL	1,925.00	2,575.00
15728	2397 - ROCKAWAY AUTO RESOURCES, LLC	PO 19975 POLICE DEPARTMENT - VEHICLE REPAIR	518.79	
		PO 20517 POLICE DEPARTMENT - VEHICLE REPAIR	502.52	1,021.31
15729	3695 - RT 23 PATTO & MASON CENTER, LLC	PO 20445 BIRCHWOOD BEACH PROJECT	857.91	857.91
15730	3330 - RUTGERS CELG	PO 20536 CONTINUING EDUCATION - CINDY SHAW	235.00	235.00
15731	1944 - SAMUEL STOTHOFF CO., INC.	PO 20245 WATER DEPARTMENT - CHLORINE INJECTI	305.00	
		PO 20245 WATER DEPARTMENT - CHLORINE INJECTI	1,033.00	1,338.00
15732	1948 - SHEAFFER SUPPLY, INC.	PO 19947 DPW & WATER DEPARTMENTS - EQUIPMENT	17.48	
		PO 19947 DPW & WATER DEPARTMENTS - EQUIPMENT	64.02	81.50
15733	1884 - SIRCHIE FINGER PRINT LABS, INC	PO 20295 POLICE: DETECTIVE SUPPLIES -	853.87	853.87
15734	114 - SOLITUDE LAKE MANAGEMENT	PO 20440 2019 LAKE MANAGEMENT - BLANKET - CU	5,805.00	5,805.00
15735	2774 - STABLES BUSINESS ADVANTAGE	PO 20013 ORDER# 7212313250	68.31	
		PO 20353 ORDER# 7216241907	47.19	
		PO 20406 DPW: ORDER#7216603562	101.31	216.81
15736	2774 - STABLES BUSINESS ADVANTAGE	PO 20406 DPW: ORDER#7216603562	124.47	
		PO 20471 ADMIN/DPW: ORDER# 7217249468	230.75	355.22
15737	3765 - STRAMA & BROTHERS CONSTRUCTION, LLC	PO 20276 BIRCHWOOD BEACH PROJECT	2,890.00	
		PO 20436 BIRCHWOOD BEACH PROJECT	1,930.00	4,820.00
15738	4037 - STUDIO E DESIGN, LLC	PO 20396 BIRCHWOOD BEACH PROJECT	15,475.00	
		PO 20482 BIRCHWOOD BEACH PROJECT	18,480.00	33,955.00
15739	1981 - SUBURBAN DISPOSAL, INC	PO 20416 SOLID WASTE/RECYCLING COLLECTION -	35,199.99	35,199.99
15740	1981 - SUBURBAN DISPOSAL, INC	PO 20417 SOLID WASTE/RECYCLING COLLECTION -	35,399.99	35,399.99
15741	3093 - THE RODGERS GROUP, LLC	PO 20545 POLICE DEPT: ONLINE TRAINING	2,704.00	2,704.00
15742	1536 - TREAS, STATE OF NJ - D.O.H.	PO 20542 APRL 2019 DOG LICENSING FEE	1.20	1.20
15743	2081 - TRI-STATE WATER MAIN TAPS, LLC	PO 19311 WATER DEPARTMENT - EMERGENCY WATER	150.00	
		PO 19775 BEACH RENOVATION PROJECT - BIRCHWOOD	250.00	400.00

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 05/13/2019 For bills from 04/18/2019 to 05/08/2019

Check#	Vendor	Description	Payment	Check Total
15744	2536 - UNUM LIFE INSURANCE COMPANY	PO 20424 STD/LTD / LIFE INSURANCE - 2019 BLA	2,766.01	2,766.01
15745	2749 - VERIZON	PO 19997 2019 INTERNET SVC: A/C# 853-478-043	37.34	
		PO 19997 2019 INTERNET SVC: A/C# 853-478-043	52.32	
		PO 19997 2019 INTERNET SVC: A/C# 853-478-043	37.33	126.99
15746	2135 - VERIZON WIRELESS	PO 20470 ACCT# 882388054-00001 / MAR 05 TO A	740.75	740.75
15747	2186 - W.E. TIMMERMAN CO., INC	PO 20431 DPW - EQUIPMENT REPAIR	746.86	746.86
15748	832 - W.W. GRAINGER, INC	PO 20360 DPW - DEPARTMENT SUPPLIES - BLANKET	253.32	253.32
15749	2228 - WATER WORKS SUPPLY CO, INC	PO 19979 WATER DEPARTMENT - EQUIPMENT & TOOL	162.90	162.90
TOTAL				2,061,149.76

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN - OTHER EXPENSE	1,881.40			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXP'S	100.00			
01-201-20-130-020	FINANCE - OTHER EXPENSES	71.34			
01-201-20-140-020	COMPUTER SERVICES	1,070.31			
01-201-20-165-020	ENGINEERING SERVICES	2,627.43			
01-201-21-180-020	PLANNING BOARD - OTHER EXPENSE	1,052.45			
01-201-21-185-020	BD OF ADJUST - OTHER EXPENSES	131.13			
01-201-23-210-020	INSURANCE - LIABILITY	4,791.00			
01-201-23-220-020	GROUP INSURANCE PLANS-EMPLOYEE	5,604.01			
01-201-25-240-020	POLICE DEPT - OTHER EXPENSES	4,804.37			
01-201-25-255-020	FIRE DEPT - OTHER EXPENSES	819.69			
01-201-26-290-020	STREETS & ROADS - OTHER EXP.	24,686.69			
01-201-26-300-020	SHADE TREE COMMISSION - O/E	145.00			
01-201-26-305-020	SOLID WASTE - OTHER EXPENSES	79,180.92			
01-201-26-310-020	BLDG & GROUNDS - MUNIC BLDG	1,077.97			
01-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	3,573.03			
01-201-27-335-020	ENVIRONMENTAL COMM - OTHER EXP	27.16			
01-201-27-337-020	WOODLAND COMMITTEE - OTHER EXPENSE	266.16			
01-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	7,807.34			
01-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	2,582.76			
01-201-31-437-020	NATURAL GAS	2,700.53			
01-201-31-440-020	TELECOMMUNICATIONS	2,047.04			
01-203-20-100-020	(2018) GENERAL ADMIN - OTHER EXPENSE		45.00		
01-203-21-180-020	(2018) PLANNING BOARD - OTHER EXPENSE		7.74		
01-203-21-185-020	(2018) BD OF ADJUST - OTHER EXPENSES		25.80		
01-203-26-290-020	(2018) STREETS & ROADS - OTHER EXP.		807.45		
01-203-28-370-020	(2018) PARKS & PLAYGROUNDS OTHER EXP.		41.98		
01-207-55-000-000	LOCAL SCHOOL TAXES PAYABLE			1,739,372.16	
01-260-05-100	DUE TO CLEARING			0.00	1,887,347.86
TOTALS FOR	Current Fund	147,047.73	927.97	1,739,372.16	1,887,347.86
02-200-40-700-340	Clean Communities Grant			1,572.50	
02-260-05-100	DUE TO CLEARING			0.00	1,572.50
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	1,572.50	1,572.50
04-215-55-982-000	2016 CAPITAL ORDINANCE 06-16			87,857.80	
04-215-55-984-000	2018 CAPITAL ORDINANCE 4-18			57,717.45	
04-260-05-100	DUE TO CLEARING			0.00	145,575.25
TOTALS FOR	General Capital	0.00	0.00	145,575.25	145,575.25

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
05-201-55-520-520	Water Operating - Other Expenses	18,753.03			
05-203-55-520-520	(2018) Water Operating - Other Expenses		150.00		
05-260-05-100	DUE TO CLEARING			0.00	18,903.03
TOTALS FOR	Water Operating	18,753.03	150.00	0.00	18,903.03
07-201-55-520-520	Sewer Operating - Other Expenses	261.17			
07-260-05-100	DUE TO CLEARING			0.00	261.17
TOTALS FOR	Sewer Operating	261.17	0.00	0.00	261.17
13-260-05-100	DUE TO CLEARING			0.00	1.20
13-295-56-000-000	DOG LICENSE FEES-DUE STATE NJ			1.20	
TOTALS FOR	Animal Trust	0.00	0.00	1.20	1.20
18-260-05-100	Due to Clearing			0.00	1,500.00
18-300-60-000-100	RESERVE FOR MUNICIPAL ALLIANCE			1,500.00	
TOTALS FOR	Other Trust	0.00	0.00	1,500.00	1,500.00
20-260-05-100	Due to Clearing			0.00	5,988.75
20-300-60-000-000	RESERVE FOR COAH			5,988.75	
TOTALS FOR	COAH	0.00	0.00	5,988.75	5,988.75

Total to be paid from Fund 01 Current Fund	1,887,347.86
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	1,572.50
Total to be paid from Fund 04 General Capital	145,575.25
Total to be paid from Fund 05 Water Operating	18,903.03
Total to be paid from Fund 07 Sewer Operating	261.17
Total to be paid from Fund 13 Animal Trust	1.20
Total to be paid from Fund 18 Other Trust	1,500.00
Total to be paid from Fund 20 COAH	5,988.75
	2,061,149.76

Checks Previously Disbursed

15651	ANTHONY & SONS BAKERY	PO# 20541	Food for Employee Appreciation Lun	490.00	5/01/2019
15650	STATE OF NJ - PWT DIVISION OF TAXAT	PO# 20504	2019 - 1ST QUARTER - PUBLIC COMMON	241.47	4/24/2019
15649	STATE OF NJ - PWT DIVISION OF TAXAT	PO# 20504	2019 - 1ST QUARTER - PUBLIC COMMON	241.38	4/23/2019
15649	STATE OF NJ - PWT DIVISION OF TAXAT			-241.38	4/24/2019 *VOID*
15648	TCF EQUIPMENT FINANCE	PO# 20347	POLICE CAR LEASE - MAY 2019 / COST	2,247.19	4/23/2019
				3,220.04	
				-241.38	*VOIDED
				2,978.66	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund	2,737.19	1,887,347.86	1,890,085.05
Fund 02 FEDERAL AND STATE GRANTS		1,572.50	1,572.50
Fund 04 General Capital		145,575.25	145,575.25

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
Fund 05 Water Operating	241.47	18,903.03	19,144.50		
Fund 07 Sewer Operating		261.17	261.17		
Fund 13 Animal Trust		1.20	1.20		
Fund 18 Other Trust		1,500.00	1,500.00		
Fund 20 COAH		5,988.75	5,988.75		
BILLS LIST TOTALS	2,978.66	2,061,149.76	2,064,128.42		

**List of Bills - (1710101001002) Escrow - Developers - Checking
Developer's Escrow**

Meeting Date: 05/13/2019 For bills from 04/18/2019 to 05/08/2019

Check#	Vendor	Description	Payment	Check Total
5145	102 - ANDERSON & DENZLER ASSOC., INC	PO 20535 MARCH 2019 PROFESSIONAL SERVICES -	3,086.81	3,086.81
5146	3515 - DOLAN & DEAN CONSULTING ENGINEERS	PO 20531 MARCH 2019 PROFESSIONAL SERVICES	1,038.85	1,038.85
5147	3588 - MCELROY, DEUTSCH, MULVANEY & CARPEN	PO 20534 MARCH 2019 PROFESSIONAL SERVICES -	2,993.65	2,993.65
5148	3759 - PRINCETON HYDRO, LLC	PO 20528 MARCH 2019 PROFESSIONAL SERVICES	30.50	30.50
5149	3941 - TOPOLOGY NJ, LLC	PO 20530 MARCH 2019 PROFESSIONAL SERVICES	1,936.25	1,936.25
TOTAL				9,086.06

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
17-101-01-001-002	Escrow - Developers - Checking			0.00	9,086.06
17-500-00-050-231	Sunrise Senior Living Management			7,023.65	
17-500-00-050-232	Atlantic Health System			376.43	
17-500-00-050-304	New Land Mt. Lakes, LLC.			333.15	
17-500-00-050-306	Jamienne Cahalane			326.60	
17-500-00-050-307	ADAM KIMOWITZ			326.60	
17-500-00-091-310	PULTE GROUP - ENCLAVE SITE INSPEC. FEE			699.63	
TOTALS FOR	Developer's Escrow	0.00	0.00	9,086.06	9,086.06

Total to be paid from Fund 17 Developer's Escrow

9,086.06

9,086.06

**List of Bills - (3310101001001) PROVIDENT BANK
Recreation Trust**

Meeting Date: 05/13/2019 For bills from 04/18/2019 to 05/08/2019

Check#	Vendor	Description	Payment	Check Total
5256	3861 - SYNCB/AMAZON	PO 20252 TRACK ORDER: 111-1799826-0242655	14.99	14.99
5257	4048 - IPLAY AMERICA, LLC	PO 20552 TEEN ADVENTURE TRIP - JULY 11, 2019	250.00	250.00
5258	4016 - ROBERT WAGMILLER	PO 20397 WOODS & LAKE: REIMBURSEMENT	148.50	
		PO 20478 REIMBURSEMENT: WOOD & LAKE RUN	800.88	949.38
5259	3933 - SHARON GUTHRIE	PO 20398 WOODS & LAKE: REIMBURSEMENT - BLANK	450.97	450.97
5260	3358 - SPORTS ENGINE, INC	PO 20521 FEB/MAR 2019 - BACKGROUND CHECKS	400.00	400.00
5261	2774 - STAPLES BUSINESS ADVANTAGE	PO 20420 REC/TRACK: ORDER# 173996316	124.76	124.76
TOTAL				2,190.10

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
33-101-01-001-001	PROVIDENT BANK			0.00	2,190.10
33-600-00-090-000	Recreation Trust Reserves			2,190.10	
TOTALS FOR	Recreation Trust	0.00	0.00	2,190.10	2,190.10

Total to be paid from Fund 33 Recreation Trust 2,190.10
2,190.10

Checks Previously Disbursed

5255	GROUP SALES BOX OFFICE	PO# 20523 TEEN ADVENTURE TRIP JULY 10, 2019	3,232.00	5/02/2019
			<u>3,232.00</u>	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 33 Recreation Trust	3,232.00	2,190.10	5,422.10
BILLS LIST TOTALS	3,232.00	2,190.10	<u>5,422.10</u>

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS
RESOLUTION 101-19**

RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR NORTH POCONO ROAD IMPROVEMENT PROJECT

WHEREAS, the Borough published specifications and solicited bids for the North Pocono Road Improvement project; and

WHEREAS, six (6) bids were received on April 25, 2019; and

WHEREAS, the lowest conforming bid was submitted by Cifelli & Son General Contracting Inc., Nutley, New Jersey in an amount of \$281,487.25; and

WHEREAS, the low bid is within the budgeted amount for this project and has been reviewed and recommended by the Borough Engineer; and

WHEREAS, the Certified Finance Officer has determined that sufficient funds are available as evidenced by the Certification attached hereto; and

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, that Cifelli & Son General Contracting, Inc. of Nutley New Jersey, shall be awarded the Contract for the North Pocono Road Improvement project in an amount of \$281,487.25; and

BE IT FURTHER RESOLVED, that the Borough Clerk is hereby authorized to return the bid bonds submitted by the unsuccessful bidders immediately and the bid bond of the successful bidder upon receipt of a fully executed contract, performance guarantee, and other required documents.

XX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on May 13, 2019.

Marcy Gianattasio, Municipal Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Horst						
Korman						
Lane						
Menard						
Shepherd						
Barnett						

CERTIFICATION OF AVAILABILITY OF FUNDS

I hereby certify that funds in the amount of **\$281,487.25** are available in Account No.

By: Monica Goscicki - CFO

ANDERSON & DENZLER ASSOCIATES, INC.

CONSULTING ENGINEERS
519 RIDGEDALE AVENUE
P.O. BOX 343
EAST HANOVER, N.J. 07936

CARL E. DENZLER, PRES.
WILLIAM D. RYDEN, P.E.
LEON C. HALL, P.E.

TELEPHONE 973 887-2270
FACSIMILE 973 887-7974
mail@anderson-denzler.com

April 26, 2019

Mr. Mitchell Stern, Manager
Borough of Mountain Lakes
400 Boulevard
Mountain Lakes, NJ 07046

Re: North Pocono Road Improvement Project
Contract 2017.24
Borough of Mountain Lakes

Dear Mr. Stern:

I have reviewed the six (6) bids received for the above referenced project. My comments and recommendations are as follows:

1. The bids were:

Cifelli & Son General Contracting Inc. Nutley, NJ	\$281,487.25
D&L Paving Contracting Inc. Nutley, NJ	\$290,862.45
Mike Fitzpatrick Equip. Co. Oak Ridge, NJ	\$321,550.00
Top Line Construction Somerville, NJ	\$326,467.04
DLS Contracting Fairfield, NJ	\$332,064.00
Captain Construction South River, NJ	\$365,636.00

2. A detailed summary of all bids and bid items is shown on the attached spreadsheet.
3. The low bid from Cifelli & Son General Contracting, Inc. in the amount of \$281,487.25 is substantially less than our estimate of \$313,000.
4. Cifelli & Son General Contracting, Inc. has provided sufficient evidence of their qualifications and experience in this field of work.

ANDERSON & DENZLER ASSOCIATES, INC.

CONSULTING ENGINEERS

North Pocono Road Improvement Project
Contract 2017.24
Borough of Mountain Lakes

-2-

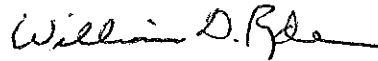
April 26, 2019

Therefore, based on the above, it is my recommendation that the contract be awarded to Cifelli & Son General Contracting, Inc. in accordance with their low bid of \$281,487.25, subject to approval of the bidding documents by the Borough Attorney.

The original bid package for the low bidder is being delivered to Mr. Oostdyk for his review. The other bid packages are being returned to Ms. Gianattasio for her files.

I trust that the above is satisfactory.

Very truly yours,
ANDERSON & DENZLER ASSOC., INC.



William D. Ryden, P.E.
Borough Engineer

WDR:mk/ML2614

Attachment

c: M. Gianattasio, w/encl.
R. Oostdyk, w/encl

New Jersey Department of Transportation
 Division of Local Government Services
 Summary of Bids - State Aid

Project		North Pocono Road Project		ENGINEER'S ESTIMATE		Cifelli & Sons		D&L Paving		Mike Fitzpatrick & Son		Top Line Const.	
Item #	Description	Quantity	Unit	Unit Price	Amount	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip
1	Site preparation and restoration	1	l.s.	\$ 8,000.00	\$ 8,000.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
2	Base repair, HMA 19M64	75	s.v.	\$ 3,750.00	\$ 281,250.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
3	Pavement milling, 2" depth	7,740	s.v.	\$ 3.75	\$ 29,025.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
4	2" HMA 9.5M64 overlay	882	tons	\$ 75.00	\$ 66,150.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
5	Concrete curb replacement	2,671	l.f.	\$ 32.00	\$ 85,472.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
6	Concrete header	60	l.f.	\$ 32.00	\$ 1,920.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
7	Concrete sidewalk	7,575	s.f.	\$ 8.00	\$ 60,600.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
8	Asphalt sidewalk	290	s.f.	\$ 10.00	\$ 2,900.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
9	Detectable warning surface	4	ea.	\$ 250.00	\$ 1,000.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
10	Install catch basin headpiece plates	16	ea.	\$ 300.00	\$ 4,800.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
11	Replace manhole frame & cover	4	ea.	\$ 2,200.00	\$ 8,800.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
12	4" wide double yellow line	2,320	l.f.	\$ 1.20	\$ 2,784.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
13	Construction signs, up to 5 SF	24	ea.	\$ 100.00	\$ 2,400.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
14	Construction signs, over 5 SF	12	ea.	\$ 200.00	\$ 2,400.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
15	Breakaway barricades	5	ea.	\$ 250.00	\$ 1,250.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
16	New thermoplastic crosswalks	2	ea.	\$ 500.00	\$ 1,000.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
17	Traffic markings, thermoplastic	30	s.f.	\$ 10.00	\$ 300.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
18	Pedestrian crossing sign	2	ea.	\$ 300.00	\$ 600.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
19	Pavement reflectors at fire hydrants	5	ea.	\$ 250.00	\$ 1,250.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
20	Allowance for asphalt price adjustment	1	l.s.	\$ 4,000.00	\$ 4,000.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
21	Allowance for fuel price adjustment	1	l.s.	\$ 3,000.00	\$ 3,000.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876
22	Uniformed traffic officers	240	hr.	\$ 90.00	\$ 21,600.00	Nutley	NJ 07110	Nutley	NJ 07110	Oak Ridge	NJ 07438	Somerville	NJ 08876

I hereby certify that this be a true copy of the bids received for North Pocono Road Project

in the Borough of Mountain Lakes, County of Morris, on April 25, 2019

William D. Ryden
 William D. Ryden, PE

New Jersey Department of Transportation
 Division of Local Government Services
 Summary of Bids - State Aid

Project		North Pocono Road Project				ENGINEER'S ESTIMATE				DLS Contracting				Captain Construction				Contractor Name			
Item #	Description	Quantity	Unit	Unit Price	Amount	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip	City	State/Zip		
1	Site preparation and restoration	1	l.s.	\$ 8,000.00	\$ 8,000.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
2	Base repair, HMA 19M64	75	s.y.	\$ 50.00	\$ 3,750.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
3	Pavement milling, 2" depth	7,740	s.y.	\$ 3.75	\$ 29,025.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
4	2" HMA 9.5M64 overlay	882	tons	\$ 75.00	\$ 66,150.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
5	Concrete curb replacement	2,671	l.f.	\$ 32.00	\$ 85,472.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
6	Concrete header	60	l.f.	\$ 32.00	\$ 1,920.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
7	Concrete sidewalk	7,575	s.f.	\$ 8.00	\$ 60,600.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
8	Asphalt sidewalk	290	s.f.	\$ 10.00	\$ 2,900.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
9	Detectable warning surface	4	ea.	\$ 250.00	\$ 1,000.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
10	Install catch basin headpiece plates	16	ea.	\$ 300.00	\$ 4,800.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
11	Replace manhole frame & cover	4	ea.	\$ 2,200.00	\$ 8,800.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
12	4" wide double yellow line	2,320	l.f.	\$ 1.20	\$ 2,784.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
13	Construction signs, up to 5 SF	24	ea.	\$ 100.00	\$ 2,400.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
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20	Allowance for asphalt price adjustment	1	l.s.	\$ 4,000.00	\$ 4,000.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
21	Allowance for fuel price adjustment	1	l.s.	\$ 3,000.00	\$ 3,000.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
22	Uniformed traffic officers	240	hr.	\$ 90.00	\$ 21,600.00	Fairfield	NJ 07004	Fairfield	NJ 07004	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882	South River	NJ 08882		
					\$ 313,001.00																
					\$ 332,064.00																
					\$ 368,066.00																
					*\$368,066 is the corrected total																
					\$365,636 was the bidder's total.																

I hereby certify that this be a true copy of the bids received
 for North Pocono Road Project in the Borough of Mountain Lakes, County of Morris, on April 25, 2019
 William D. Ryden
 William D. Ryden, PE

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 102-19

“RESOLUTION APPOINTING ALTERNATE JIF REPRESENTATIVE”

WHEREAS, the Borough of Mountain Lakes is a member of the Morris County Joint Insurance Fund; and

WHEREAS, there is a requirement of the Morris County Insurance Fund that all participating municipalities to designate an Insurance Fund Commissioner as its representative.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that **Marcy Gianattasio** be appointed as Alternate Representative, to attend meetings when the need arises.

XX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on May 13, 2019.

Marcy Gianattasio, Municipal Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Horst						
Korman						
Lane						
Menard						
Shepherd						
Barnett						



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
APRIL 22, 2019 7:00 PM
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 7:00 p.m. in the municipal building.

ROLL CALL ATTENDANCE

Roll Call	Present	Absent		Present	Absent
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Menard	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Horst	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lane	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

FLAG

Mayor Barnett led the salute to the flag.

EXECUTIVE CLOSED SESSION

R-98-19, 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: Council Member Happer
Second: Council Member Korman
Vote: All in Favor

Council Member Lane joined the meeting at 7:27 pm

A motion was made by Council Member Happer and seconded by Deputy Mayor Shepherd to go back into the Public Meeting. All in Favor.

Council Member Menard joined the meeting at 8:00 pm

COMMUNITY ANNOUNCEMENTS

Mayor Barnett announced that Arbor Day will be celebrated on Friday, April 26th 1:30pm at the Turf Field. Trash Day is Saturday, April 27th at Pocono Road and details are on the Mountain Lakes website. The Mountain Lakes Fire Department is hosting Shredding Day on Saturday, April 27th 8-11am and also on April 27th Blood Drive 8-1pm. Suggested donations for these events can be found on the Mountain Lakes website. Also on Saturday, April 27th is the 42nd Annual Woods and Lakes Run which is a fun event and details are on the Mountain Lakes website. April 27th and 28th is our Community Clean Up Weekend, You can go on The Mountain Lakes website and sign up either individually, as a group or a team and pick a spot in the community to help clean up.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

SPECIAL PRESENTATIONS

- 1) **ACS Relay for Life** – The American Cancer Society’s Morris County Relay for Life this year is being held at Parsippany Hills High School on May 18, 2019 from 4pm to 11pm. The event is being run by a 16 year old girl whose mother is a cancer survivor. There are 20 high schoolers on the committee for the event. They will be honoring 3 children who are in remission, 3 year old Emma, 12 year old Shawn and 16 year old Hanna. They are hoping this year’s event is bigger than last year’s event. They recently changed the name of the event to "Relay



MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
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for Life of Morris County" and part of the proceeds from the event will go to children with cancer. Anyone who is a cancer survivor or caregiver will be honored.

2) **Developer Presentation – 372 Route 46 – Block 2, Lot 2 (Zeris Inn Property)**

Developers John Abene, Dave Gunia and Jim Smith from Highview Commercial gave a presentation to the Council about potential future plans for 372 Route 46 and Fox Hill Road. The property is over four acres and they are proposing to put a Wawa convenience store / gas station and a Home Suites 2 by Hilton Hotel. The hotel would have 112 rooms and 112 parking spots. The hotel would be a three story height. The Developers agreed there would need to be a water analysis done as well as a traffic study before any serious plans are made for the property. The developers feel that this project would bring about a 25 million dollar ratable to the community.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

George Jackson, 100 Sherwood Road asked the Developers why they are proposing a hotel and a gas station instead of a restaurant. Mr. Abene said Wawa Stores are usually very successful and after doing preliminary studies and investigations he feels the hotel would be in demand.

Mathew Abraham, 85 Old Boonton Rd, Denville told the Council that he spoke to Council Member Horst as well as the Environmental Commission about problems with growing medical marijuana and he has studies to back up his facts. He commented that the State of New Jersey Agricultural Committee states that growing medical marijuana does not have protection under The Right to Farm Act. He is worried about how the "skunk" smell will impact the community. He is also concerned about the wells in his neighborhood and his property values. He asked the Council if they would propose regulating the medical marijuana industry. He will email all of the facts he has about growing medical marijuana to the Council.

A resident from Randolph NJ spoke about the positive impact of medical marijuana. He is a medical cannabis user himself. He says people can buy all the fast food and alcohol they want. He commented that cannabis triggers our body's healing systems and that is why this one medicine can trigger so many different ailments. He feels the cannabis laws are wrong and people need to understand that cannabis is medicine. He also feels that cannabis can be a benefit for people with cancer, seizures and autism and it not a drug like heroin, cocaine, alcohol or cigarettes.

Robert Berman of Boonton Township feels that a Wawa would bring too much traffic to the area and there is enough traffic on Route 46. He also feels the greenhouses that are needed to grow the medical marijuana will cause a lot of traffic. He is concerned about the smell next to his house especially when he is ready to sell his house. He has no problem with it being grown just not in his backyard.

Lefty Graham of East Hanover fights for the sick and dying in New Jersey. He was upset that he had no access to the meeting room because he was in a wheel chair. He would like recreational marijuana banned but not medical marijuana. He feels that if medical marijuana is banned it will hurt children. He says if you had a sick child you would be growing medical marijuana yourself. He feels that we need to take care of people who really need it, the sick, the dying and veterans.

Jason from Boonton Township says he lives next door to the farm that will be growing the medical marijuana and he is not for or against medical marijuana. He knows some people need it for pain and seizures. He is concerned about the local impact of it. He feels the government should be looking for farmland in New Jersey where it can be grown in wide open spaces. He says Boonton Township is a small community and having a marijuana plant in a small area can have detrimental effects on wells and children. He told the Council that having a marijuana plant next to his home is like having a tobacco farm next door and that would not be appealing to potential buyers.

Bill McKee 215 Powerville Rd, Boonton Township, says he is against the medical marijuana and he feels his Town Council did not take consideration like the Mountain Lakes Council did for the developers. He feels his town council did



MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
APRIL 22, 2019 7:00 PM
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not get public opinion and kept things a secret. He is hoping that Mountain Lakes can lead Boonton in a better direction. He also feels medical marijuana is not the only drug that can be used.

BOROUGH COUNCIL DISCUSSION ITEMS

Affordable Housing Plan Implementation Ordinances:

- 1) Affordable Housing Ordinance, Including Mandatory Set-Aside Plan
- 2) Affirmative Marketing Plan
- 3) Spending Plan
- 4) Overlay Zoning
- 5) Accessory Apartments Plan and Zoning
- 6) Development Fee Ordinance

The Court Judgement obtained by the Borough approving of the Fair Share Plan of the Borough of Mountain Lakes requires the Borough to implement the terms of the agreement with the Fair Share Housing by the adoption of several Ordinances consistent with the agreement and the Judgement. The Council, Attorney Robert Oostdyk and the Borough Planner Paul Phillips discussed in great detail the six draft ordinances which, if adopted, should satisfy the requirements to implement the terms of the Judgement. The Council, Attorney Oostdyk and Paul Phillips reviewed each draft ordinance separately. The Council asked a lot of questions and asked if certain parts of certain ordinances could be changed for the better of Mountain Lakes. Mr. Oostdyk indicated that there is some flexibility with detail. Mr. Oostdyk agreed to look at changes that were asked to be made by the Council during the discussion, and where practical the changes can be integrated into the next version of the Ordinances. Some of the members of the Affordable Housing Advisory Committee were also in attendance at the meeting and made suggestions and comments on the draft ordinances.

MANAGER'S REPORT

Manager Mitchell Stern reported to the Council that the Midvale Road reconstruction project has begun and should be complete in approximately three weeks. He also reported to the Council the 2019 Manager's goals. In 2019 he hopes to implement a budget process that includes budget workshop sessions separate from Borough Council meetings. He hopes to move the beach renovation project, the Sunset Lake dam project and the Borough Hall renovation project to the next significant milestones. Mr. Stern would like to provide onboarding guidance and assistance to our new Borough Clerk as well as work in partnership with the Board of Education to complete the hiring process for a new DPW Director and provide onboarding assistance to the new Director. He also hopes to update the Personnel Policy Manual to Joint Insurance Fund standards.

***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**

R-99-19 Resolution Authorizing the Payment of Bills

***APPROVAL OF MINUTES**

April 8, 2019 (Executive) All Eligible

April 8, 2019 (Regular) All Eligible

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

- Construction Department
- Department of Public Works
- Finance
- Fire Department



MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
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- Health Department
- Police Department
- Recreation Department
- Property maintenance report

***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"/>
Horst	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Korman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lane	<input checked="" 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 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"/>

COUNCIL REPORTS

Council Member Korman reported that the Shade Tree Commission would like to come back before the Council to discuss the draft Tree Removal Ordinance at one of the meetings in June. She also asked Manager Stern about the Sage System for applying for Grants.

Council Member Happer reported that the Financial Advisory Committee talked about Water and Sewer rates. They think possibly doing an increase yearly instead of all at once would be a good idea but it is too early in the year to decide. The Financial Advisory Committee received a copy of the Capital Budget and they will discuss the long term Capital Plan. They also talked about the cash position on financing in the 2018 and 2019 Capital Ordinances. They are going to do an analysis of when is the best time to borrow money. The committee is going to set up an annual meeting with the Auditors in June.

Mayor Barnett reported that the Memorial Day Parade Committee met and there is going to be a new Co-Grand Marshall for the parade this year. Also, the Pipes and Drums have not been secured yet because they say they do not have enough people who want to do it. Also, Mayor Barnett spoke to Dr. Mucci about the Board of Education and they had to have a Special Meeting the same evening as the Council Meeting because this was the only time they had a quorum.

Council Member Lane reported that the Board of Education recognized students who achieved in the arts, athletics and scholarships over the winter months. The school is going to begin certain elements of the renovations and information about that can be found online. Also, the State will be moving forward with the investigation of the ethics violation against the school.

Council Member Lane reported that the Environmental Committee met and some people showed up to voice their concerns about the marijuana in Boonton Township. Mountain Lakes High School is doing a collection of plastic cups for a display about wasteful use and one time use of plastics, and those displays will be around town soon. The eco tables were set up at the trout stocking and fishing derby and they were successful in generating interest. Also, Marnie Vyff will be stepping down as the Chair of the Green Team which will be a huge void. The committee is continuing to work on ordinances for anything environmental as well as working on the environmental resource inventory. Solitude Lake reports confirmed that blue green algae are within safe limits. Mountain Lakes High School Principal Sanchez has a video of non-conforming recycling by Roselli.

Deputy Mayor Shepherd reported that the Economic Development Advisory Committee is looking for a recommendation from the Planning and Zoning Boards to allow for additional height. Also, instead of a two story limit they were talking about allow for three stories. They would also like to allow for additional uses. There is a long list of things that are not allowed in the ordinance and looking at other towns, they would like to allow more uses like more restaurants, hotels and possibly a drive through.

Council Member Menard reported that the Recreation Committee discussed letting Boonton High School kids get seasonal beach passes for the Mountain Lakes beach. They also discussed how very few trout were being caught at the



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
APRIL 22, 2019 7:00 PM
HELD AT BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES, NJ 07046**

Trout Derby and maybe allow bass to be stocked and calling it a Fishing Derby.

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.

There was no one in the public.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Affordable Housing Ordinances		
Mr. Stern update his Manager's Goals		
Mr. Stern will answer questions on some bills.		
Mr. Stern will update his distribution list.		

ADJOURNMENT at 11:15 P.M.

Motion made by Council Member Menard, second by Deputy Mayor Shepherd to adjourn the meeting at 11:15 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Marcy Gianattasio Borough Clerk