



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
 JUNE 24, 2019
 HELD AT BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES, NJ 07046**

CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting and the agenda thereof had been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 9, 2019 and posted in the municipal building.

Mayor Barnett called the meeting to order at 7:30 p.m. in the municipal building.

ROLL CALL ATTENDANCE

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

FLAG

Mayor Barnett led the salute to the flag.

COMMUNITY ANNOUNCEMENTS

Mayor Barnett announced that on Tuesday, June 25 at 3:30 pm there will be a grand opening celebration for the newly renovated and expanded Birchwood Lake Beach facility. We want to take a moment to celebrate this milestone as well as thank the employees, volunteers and professionals who worked on this project. Mayor Barnett said we are looking forward to the Fourth of July festivities. There will be the traditional annual relay races at the Mountain Lakes Club at 10:00 am. Also, a paddleboard, canoe and annual lake swim which starts at Island Beach and finishes at the Club and all residents are welcome to that. The fireworks display takes place over Mountain Lake at approximately 9:00 pm. Mayor Barnett also announced that our summer concert series will be kicking off on July 5th at 7:00 pm at Island Beach, the Brother Wisdom Band will be performing.

Council Member Lane announced that the annual Senior to Senior Luncheon was held on June 21st at the Community Church. Mountain Lakes High School seniors were able to have lunch with some of the community senior citizens. This was well attended with over 120 people. It was a fantastic to bring the school community and the senior community together.

Council Member Happer reminded everyone that donations are still being collected for the fireworks display and information can be found on the Mountain Lakes website about this.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

Economic Development Advisory Committee - East-Bound Route 46 Ordinance Update

Deputy Mayor Shepherd and Chris Richter who is chairman of the Economic Development Advisory Committee presented to the Borough Council a draft updated ordinance of Business Zone B. Over the past several months the Economic Development Advisory Committee has been reviewing the permitted uses along the Route 46 East which is in Business Zone B. The EDAC was subsequently asked by the Planning Board to formalize its recommendations for permitted uses in the Business B Zone. The EDAC feels that allowing certain uses in the Route 46 corridor which are currently prohibited could enhance quality of life in Mountain Lakes by bringing businesses to the community that would be considered desirable. Mr. Richter discussed possible upgrades to the ordinance with the Borough Council. He explained that it is the belief of the EDAC that the current general restrictions in the ordinance should be removed. The EDAC proposed forming a Joint Borough Committee to review the current draft ordinance. It was suggested that the committee be comprised of a member from the Historic Preservation Committee, the Economic Development Advisory Committee, the Environmental Commission and several members of the Planning and Zoning Boards as well as several members of the Borough Council. After the Joint Borough Committee reviews the updated draft ordinance the EDAC will



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come back before the Borough Council to further discuss the proposed changes to the ordinance which will be a discussion item on an agenda in September.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

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.

Mimi Kaplan – 89 Lake Drive, she said that as the Chair of the Environmental Commission, she would discourage the Borough Council to place a gas station on Route 46 East. She is not sure if there has been discussion about a gas station. She commends the Economic Development Advisory Committee for wanting to try to bring ratables into Mountain Lakes. Ms. Kaplan says she has paperwork that she can provide to the Borough Council regarding the buried Valley Aquifer. She urges that instead of a gas station a different type of business is put on Route 46 because of contamination to the Aquifer and the Wellhead Protection Tier. She says the buried Valley Aquifer which we pull our water from is under the corridor of Route 46.

Matthew Abraham – 85 Old Boonton Road, Boonton, thanked Council Member Horst for taking his call early in the morning while she was on vacation. He has spoken to the Borough Council another time about the Medical Marijuana Farm at Hamilton Farms, Boonton Township. Mr. Abraham says he went to a Grass Roots Movement that has been formed. He is worried about the five schools within 2 miles of the Hamilton Farms property. His three concerns are environmental, schools and security. He spoke about the resolution that the Town of Boonton passed in opposition of the farm. He is also very concerned about the pesticides and wells in the area because they are not deep wells and we are all connected to those wells. Another concern is air pollution. He says the smell of the marijuana can travel up to five miles and is a very bad skunk like smell. He says we are trying to fight drug abuse in our schools and this will make that problem worse.

Council Member Lane asked if Mr. Abraham has a request for the Borough Council. Mr. Abraham would like the Borough Council to oppose the Medical Marijuana Farm. Also, send a citizen complaint to the County because the property is on a County road.

Bill McKee, 215 Powerville Road, Boonton, he went to the Marijuana Farm facility in Pennsylvania and he says there was a very bad skunk smell as well as a chemical burning smell. He noticed that no one in the town has their windows opened and there were no small animals playing on the ground. He says it was almost like what was a very vibrant town now has its entire population leave. This town's Town Council went to the Pennsylvania State Lieutenant Governor and told them they needed help because it was almost unbearable to live there with the skunk smell. The town has had a twenty percent decrease in property value in a year. He also said that Boonton Township is hiring an engineer and an attorney to look at their wells. He says the wells do not go below the bedrock so that fertilizers and chemicals can seep down into the wells.

Mayor Barnett told the public that Mountain Lakes will continue to have our Borough Manager and Borough Engineer monitor the topic of the Medical Marijuana and the Township of Boonton.

Alexander Fung – 54 Crestview Road, he has lived in Mountain Lakes for 3 years and would like to thank the Borough Council for all the work they do. He met Council Member Horst at the Woodlands Committee meeting. He spoke to the Borough Council about mountain biking in the Tourne. He has heard that there is an investigation as to whether mountain biking is causing erosion at the Tourne in areas of Wilcox Park. He is happy to work with the Woodlands Committee to investigate that further. Mr. Fung would like the Woodlands Committee to understand how beneficial mountain biking is to this community. He says he is sure there are a lot of people who talk about the negative effects of mountain biking but for his family it is an outstanding health benefit. He also says mountain biking is incredibly safe, much safer than biking on the roads. He feels that someone with bad knees who cannot run would benefit greatly from mountain biking. Mr. Fung has seen families biking together and there is nothing like riding through the park especially in early fall and the spring. He asked the Borough Council to consider not taking away mountain biking.



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Council Member Lane asked Mr. Fung if she could get in touch with him because she would like to see the areas that are being spoken about.

BOROUGH COUNCIL DISCUSSION ITEMS

Discussion of the 2018 Annual Audit
 Corrective Action Plan

Chief Financial Officer Monica Goscicki informed the Borough Council that the Borough's Auditor Ray Sarinelli came to the last Finance Advisory Committee meeting. He discussed the Borough's financial situation. Mr. Sarinelli talked about each fund and presented to the Financial Advisory Committee his thoughts. He said that our fund balance was basically regenerated except because of the large tax appeal it took a little bit of time to balance out. Ms. Goscicki said our water and sewer balances were in good shape. Mr. Sarinelli feels that Mountain Lakes is in a good financial state but suggested monitoring the tax appeals.

Chief Financial Officer Monica Goscicki spoke about the two comments in the Corrective Action Plan. The first comment is an adequate segregation of duties be maintained with respect to the recording and treasury funds. This will not change unless additional employees are hired. This is normal in smaller towns. The second comment is the Municipal Court regular bank account deficit and bank charges be reviewed for proper disposition. Denville Court has corrected this problem since a new Court Administrator has started.

Council Member Horst stated that during the Financial Advisory Committee meeting she raised a concern that the Borough's Auditor has not raised a yellow flag about Fairfield Industries because of the amount of time they were re-appealing their taxes was eight to nine years. Council Member Horst feels this is significant enough that it should have been noted in the Auditor's comments. She also knows this has been discussed and our Tax Assessor has been invited back to discuss this issue with the Borough Council.

RESOLUTION

R112-19, Capital Budget Amendment

Chief Financial Officer Monica Goscicki explained that this capital budget amendment needs to be done because the Official Budget was adopted in April we need to amend the Capital Budget before we can introduce bond ordinance 10-19 which is on the agenda tonight for introduction.

Approval of Resolution R112-19

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

ATTORNEY'S REPORT

Borough Attorney Robert Oostdyk reported to the Borough Council that the Borough had their Affordable Housing Declaratory Judgement Compliance Hearing on Friday and it went well. Mr. Oostdyk suggests that the Borough Council



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appoints Borough Manager Mitchell Stern as the Borough's Affordable Housing Compliance person. Mr. Oostdyk feels this makes sense because Mr. Stern can delegate to outside agencies. This appointment can be done by resolution.

Mr. Oostdyk also reported to the Borough Council that he spent some time speaking to Fair Share Housing about the Borough's Accessory Apartment Ordinance. He feels that Fair Share Housing will want to see the Accessory Apartment Manual when it is complete but they are open to how the Borough wants to run the program and they will not get involved with planning. The Borough has until August and there will be a public hearing.

MANAGER'S REPORT

Borough Manager Mitchell Stern was not present at the meeting. In his absence Chief Financial Officer Monica Goscicki is attending the Borough Council meeting as the Acting Borough Manager.

Borough Copy Machines

The lease for the Borough's three copy machines is expiring at the end of June and need to be replaced. The three copy machines are for the Borough Hall, Police Department and the DPW. It is recommended that the lease agreement be authorized by the Borough Council via resolution. This resolution is part of the Consent Agenda at tonight's meeting.

ORDINANCES TO INTRODUCE

- a. **INTRODUCTION OF ORDINANCE 9-19, AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND REPEALING CHAPTER 115, ARTICLE II, "COMMERCIAL FERTILIZER APPLICATION"**

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

- b. **INTRODUCTION OF ORDINANCE 10-19, BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$610,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATIONS.**

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

***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**

- a) R109-19 Resolution Certifying Compliance with Requirements of Audit
- b) R110-19 Resolution Authorizing the Payment of Bills (Except \$11063.82 Check # 15936-Twp of Parsippany – Troy Hills)
- c) R111-19 Resolution Awarding a Lease Agreement for Borough Administration Copier Machines to KS State Bank
- d) R113-19 Resolution Renewing Liquor Licenses for 2019-2020 Licensing Term

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

- Construction Department
- Department of Public Works
- Fire Department
- Health Department
- Police Department
- Recreation Department
- Code Enforcement/Property Maintenance

***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

Fireman – Scott J Saypol

***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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Korman	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lane	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Menard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Shepherd	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barnett	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

COUNCIL REPORTS

Deputy Mayor Shepherd reported that he will be following up with the emails and phone calls in reference to the Historic Preservation Committee's Historic Preservation ordinance.

Mayor Barnett reported that Shade Tree Commission would like to come back before the Borough Council to discuss the Tree Removal Ordinance.

Council Member Happer asked about the trees along Boulevard with X's on them. Mayor Barnett stated that JCP&L completed the tree work on Boulevard and she will ask the Borough Manager to look into the trees with X's on them.

Council Member Horst read, "The tragedy of the commons is a situation in a shared-resource system where individual users acting independently according to their own self-interest behave contrary to the **common** good of all users by depleting or spoiling that resource through their collective action". Council Member Horst explained that Woodlands Advisory Committee needs to collect more data because they think there are more mountain bikers coming into Mountain Lakes to ride in Wilcox Park because it is an easier traverse. She feels that a less experienced mountain biker will get off a trail to avoid obstacles; in doing so they are starting another trail or widening the trail. Council Member Horst would recommend to the Woodlands Advisory Committee to put flagging or roping to stop people from traversing. She says the understory underneath the canopy is eroding and we will not have future trees or bushes in Wilcox Park.

Council Member Lane would like to go to Wilcox Park to see where the erosion is happening.

Mayor Barnett commented that maybe a marker is needed to let people know where they can bike. She says the trails are wider but still have gravel and she has not had a problem with bikers.

Council member Menard reported that it was Mark Prusina's final Public Works Committee meeting and he presented the budget for the Birchwood renovation. They were over budget by less than \$20,000. The budget was initially \$240,000 and it came in at \$257,000 and there is some minor landscaping and other minor things to still do.

Council Member Menard also reported that they approved the honorary and memorial bench plaques. Mark Prusina reported to the Public Works Committee items that were not approved and that the future DPW Director will have to approve are the tension scanner and truck lift as well as the Water Accountability Act. Mark Prusina also reported that Ron Carroll of the Water Department, who is the current water systems expert, will be retiring in a year or two so a person who has a water certification will be needed to replace him.

Council Member Happer asked about the plans for Island Beach. The Borough Council discussed the project and a decision was made that this will be a discussion item at a future or special meeting.

PUBLIC COMMENT

Mayor Barnett opened the meeting to the public

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.

Marty Kane – 4 Pickwick Lane, he is happy to hear that the Borough Council is going to form a subcommittee to discuss the Route 46 Zoning Ordinance. He feels that the Route 46 East zoning needs to be updated since last time it was looked at. He says we have received some very good input from our planner. He encourages the Borough Council to give the subcommittee a few months to come up with a product to present to them.

Steve Castellucci – 2 Laurelwood Drive, he thanked the Borough Council for all the hard work they do. He is concerned that the DPW Director replacement has not been found and the current Director retires June 30th. He is also concerned that with so much talk about the trails and the beaches that the municipal building renovation has been put in the back drop and the shadows. He says there are huge deficiencies in the municipal building and he does not want that forgotten about. He also told the Borough Council that two years ago at a combined Borough Council and Board of Education meeting it was discussed that if any work was going to be done at Birchwood, some attention would be given to the trail that goes along the lake. This was originally designed as a pedestrian path as well as for emergency vehicles to have access all the way around the lake in case of a forest fire. The areas that currently complicate this are on the east side of the lake where the incline is very steep and are a potential hazard. He feels that an emergency vehicle such as an ambulance or a pumper truck would not be able to get through this area. Mr. Castellucci is very concerned about the budget for Birchwood even though it is slightly over budget.

Council Member Horst asked Mr. Castellucci who he would recommend to look at the trail he is concerned about.

Council Member Lane commented that Chief of Police Bennett has put an ATV vehicle in the budget. She also feels the Borough Manager should be contacted about this issue.

Mayor Barnett feels this would be a good topic to talk about at a Public Safety Advisory Committee meeting. Mayor Barnett also said that as far as the borough hall project, the BOE just recently confirmed that they would be staying in the building and we will need an agreement between the Borough and the BOE. Also, Ryan Dunn, the Borough's Operations Director will fully support the Borough until a new DPW Director is in place.

NEXT STEPS AND PRIORITIES

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Update of DPW Director Search	Mitchell Stern	ASAP
Follow up on marked trees	Mitchell Stern	
Discuss Island Beach project	Council	TBD
Sewer Billing		Next meeting
Borough Manager Follow up with	Mitchell Stern	TBD

Boonton Engineer about Medical Marijuana opposition		
Recycling costs, trash bag costs follow up from previous meeting	Mitchell Stern	7/22/2019 Meeting
Mid-Year goals conversation	Council	
Affordable Housing Development Fees Ordinance		
Tax Assessor in reference to Tax Appeals		

ADJOURNMENT at 9:30 P.M.

Motion made by Deputy Mayor Shepherd, second by Council Member Happer to adjourn the meeting at 9:30 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted



Marcy Gianattasio, Borough Clerk

Over the past several months, the Economic Development Advisory Committee (EDAC) has been reviewing permitted uses along the Route 46 Corridor. Major discussions were had as to whether Route 46 east (which is currently in Business Zone B, and Route 46 west (which is currently in office zones OL-1 and OL-2 zone, with a small piece residential) should be converted into one single business zone with uniform permitted uses. The EDAC members did not favor that approach. The belief was that a more detailed examination would need to be conducted of the residential portion of Route 46 west to ensure there are no negative consequences. Another point noted was whether our current setback distances between the Route 46 corridor and residential areas was sufficient if retail uses were allowed in addition to office uses.

The EDAC was subsequently asked by the Planning Board to formalize its recommendations for permitted uses in the Business Zone B, in the form of an updated ordinance. The EDAC reviewed the current zoning map and associated permitted uses with the goal of making recommendations for possible changes to enhance business opportunities (and associated retail uses) without compromising the quality of life in Mountain Lakes. Indeed, allowing certain uses in the Route 46 corridor which are currently prohibited could actually enhance quality of life in Mountain Lakes by bringing to town businesses that would be considered desirable by the community.

The current zones and permitted uses for the Route 46 corridor were developed at a time when it was believed that the general make-up of the east side of Route 46 should be retail/commercial and the west side of Route 46 should be office. The EDAC felt it important to review uses which were restricted at that time on the basis that the general community might view the desirability of these uses differently in 2019.

An expansion of the current existing uses along the Route 46 East Bound corridor was discussed. The Borough Planner was consulted for guidance on how other communities are dealing with similar issues and what guidance he had for maintaining a viable business community along Route 46. It was the belief of EDAC that the current general restrictions should be removed – hotels, gas stations, drive-thru's (current wording is that "drive-ins" are prohibited), and dry cleaning (no longer any reason to restrict). It was noted that environmental topics, traffic safety, and development aesthetics, would be assessed as part of the planning process by properly credentialed professionals.

Allowance of mixed use of retail and residential was discussed. This was considered desirable and flows with the recently approved overlay for affordable housing. It was felt that this might be more appropriate for a later review of the Route 46 West corridor.

While outside the zoning/allowable use discussion, the members present felt it was important to review the current height restriction in our business zone to see if it is realistic and, to determine an appropriate and realistic height limit in the business zone.

It was felt unnecessary to discuss any changes to the Business Zone A (Midvale area) or the OL-2 zone south of Fanny Road at this time.

Next Steps

The next proposed step is the establishment of a joint Borough committee to review the current EDAC draft and to recommend a consensus position similar to what was accomplished for the historic preservation incentives. Following a review and recommendation of the proposed EDAC draft, it is proposed that this *ad hoc* committee proceed to review the entire zoning ordinance for recommended changes. It is suggested the committee be comprised of members of the following:

- Historic Preservation Advisory Committee (1)
- Economic Development Advisory Committee (1)
- Environmental Commission (1)
- Planning Board (3)
- Zoning Board (3)

3 Council

§ 245-11 **Business Zone B.**

In the B Zone, the following uses shall be permitted:

A. Permitted principal uses are the same as in § 245-10A, ("Business Zone A"). In addition the following are Permitted Uses:

- (1) Health and Fitness Facility
- (2) Educational Play Center
- (3) Indoor Commercial Recreation Use
- (4) Instructional Schools and Studios
- (5) Pet Care and Grooming facilities
- (6) Dry Cleaning establishments that do not provide onsite cleaning.

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B. Permitted accessory uses. Same as § 245-10B.

C. Conditional uses.

(1) Sexually oriented establishments in accordance with the following standards:

(a) The establishment shall be located at least 500 feet from the boundary of any residential zone within the Borough of Mountain Lakes and from any existing and/or approved but not yet existing house of worship, day-care center and school.

(b) In order to avoid a concentration of sexually oriented establishments, such establishment shall be located at least 1,000 feet from any other existing and/or approved but not yet existing sexually oriented establishment.

(c) The foregoing distance limitations shall be measured by a straight line drawn from the nearest point of the lot boundary on which the proposed use is to be located to the nearest point of the lot or district boundary, as the case may be, of the other use or district, and those uses, district boundary lines and dimensions shall be indicated on the submitted site plan.

(d) The building housing the sexually oriented establishment shall have a minimum front setback of 75 feet and a minimum side or rear setback of 25 feet. The building and associated parking area shall be surrounded by a perimeter landscape buffer of at least 20 feet in width, consisting of landscape plantings designed and installed to the satisfaction of the Planning Board.

(e) Every sexually oriented establishment shall be located in a single-occupant, freestanding building.

(f) No sexually oriented establishment shall be permitted in a building having a capacity to accommodate 50 or more occupants.

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(g) Off-street parking requirements for a sexually oriented establishment are one space for every 200 square feet of gross floor area or portion thereof, plus one space for each employee, provided that a minimum of 10 parking spaces shall be provided.

(h) All other requirements of the Land Use Ordinance, including but not limited to the business zone requirements, shall be met.

(2) Hotels in accordance with the following standards:

(a) The minimum lot size shall be three acres.

(b) The maximum building height shall be three (3) stories/48 feet.

(c) The minimum lot frontage along Route 46 shall be 300 feet. ~~(d) Ancillary facilities/amenities, including a restaurant/lounge, meeting facilities and ballroom space(s), shall be permitted.~~

(e) The architectural design of the facility shall be required to provide sloped roof lines, dormers, and a mix of exterior natural materials.

(3) Automobile service stations. Automobile service stations shall be subject to the following regulations:

(a) No hammering, welding or painting repair work on cars shall be done, or other work of the type usually conducted by and at automobile body shops in repairing damaged motor vehicles.

(b) A gasoline service station may also provide for the retail sale of retail goods in the form commonly referred to as "convenience food items," provided that the building within which these goods are served does not exceed 5,600 square feet in floor area.

(c) Parking shall be provided at 1 stall/100 square feet of Gross Floor Area for employees and customers.

(d) No outdoor or open display of merchandise or wares shall be permitted except as follows:

(i) Oil for use in servicing motor vehicles, provided that it is kept in cans neatly racked or stacked and provided that no such container shall exceed a capacity of five quarts.

(ii) New tires for sale, provided that they are displayed in a single, floor-level rack containing not more than six new tires and located immediately adjacent to the main building.

(e) All pumps, island and canopies serving to protect customers while fueling shall be located a minimum of 40 feet from any lot or street line. Canopies,

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pumps and islands shall be considered accessory structures and not a second principal structure.

(f) All lifts, greasing racks and other similar equipment shall be within the building. The underground storage of petroleum products shall meet the most stringent federal and state codes, as applicable, to protect the Borough's groundwater resources. Gas, fuel and other oil tanks which have been in disuse for more than one year shall be reinspected and certified prior to reuse.

(g) The minimum frontage requirement shall be 300 feet.

(h) Motor vehicles may be parked upon the lot but only insofar as reasonably incident and accessory to the operation of an automobile service station and only in such manner and location which neither interferes with ingress and egress to the premises nor creates any hazardous condition. No storage of motor vehicles, and no unsightly accumulation of vehicles or parts thereof, shall be permitted.

(i) No banners, pennants, moving or fixed display devices, or other items of an advertising nature shall be erected on the lot or affixed to the exterior of the building or any improvement on the lot, with the exception of signs authorized by § 245-17.

(4) Restaurants with Drive through facilities

(a)

Drive-in or drive-through facilities are permitted subject to a minimum que of six (6) vehicles. The pick-up window shall be located on the side or rear of the building to limit visibility from the primary road frontage.

(b)

No driveway shall open upon a public street within 150 feet of an intersecting public street, measured from the intersection of the tangents of the adjacent curblines.

(c)

One on-site parking space shall be provided for every two seats, plus 10% of the required spaces for employee parking.

(d)

No lot line or portion thereof shall be within 1,500 feet of the lot line or portion thereof of another fast-food restaurant.

D. Prohibited uses. The following uses are expressly prohibited:

(1) Sexually oriented establishments except as provided for in Subsection **C** above.

§ 245-15 Supplementary use regulations.

A. Conformance to regulations. See § **245-2**.

B. Permit required. No building, structure or part thereof shall be erected, raised, moved, extended, enlarged, altered or demolished until a permit has been granted by the Construction Official. A construction permit shall be conditional until a foundation survey is made at the time the foundation is in

place. At such time, the applicant shall submit an accurate foundation survey to the Construction Official for his review for compliance with the zoning regulations. This survey shall be sealed by a licensed surveyor and shall show the external dimensions of the foundation, the distances from its property lines and the elevation of the top of the foundation. Following his approval of the foundation survey, the Construction Official shall validate the permit for the completion of the building. A waiver of the requirement for a survey may be granted where the Construction Official is satisfied that the completed foundation meets the setback requirement.

C. Certificate of occupancy. No land or structure shall be occupied or used in whole or in part for any purpose until a certificate of occupancy shall have been issued by the Construction Official stating that the use and building therein specified, or either of them as the case may be, complies with all the provisions of these chapters. A new certificate of occupancy shall be required for a change of use of land or structure. A "change of use" shall mean a change from one specific use of land or structure as identified in this chapter to another such use. See also § 208-15, Approval.

D. Open lot sale, storage or display. No yard or any other open area of any lot shall be used for the sale, storage or display of merchandise, wares or personal property except as provided in Subsection **E** or **F** of this section or as noted under Subsection **D(1)**, Exceptions, below. The use of tents for any sales event shall not be allowed. Storage shall include the use of tractor-trailers and closed rolloff or shipping containers but shall not include storage sheds, provided that all applicable zoning regulations are met.

(1) Exceptions.

(a) Garage sales, yard sales, house sales, estate sales and estate auctions, provided that all of the following conditions are met:

[1] Only the personal belongings and/or contents of the property owner's house are for sale.

[2] The sale event(s) do(es) not exceed a cumulative total of six days in a calendar year.

(b) Nonprofit organizations which are located in the Borough.

F. Parking of commercial vehicles. The daytime or overnight outdoor parking of any commercially licensed vehicle with a gross vehicle weight in excess of 6,000 pounds shall be prohibited in any residential zone except in the course of normal business with residents of the area.

Deleted: E. Automobile service stations. Automobile service stations shall be subject to the following regulations:¶
(1) No hammering, welding or painting repair work on cars shall be done, or other work of the type usually conducted by and at automobile body shops in repairing damaged motor vehicles.¶
(2) Any merchandise sold or kept for sale on the premises must be reasonably incident and accessory to the operation of an automobile service station.¶
(3) No outdoor or open display of merchandise or wares shall be permitted except as follows:¶
(a) Oil for use in servicing motor vehicles, provided that it is kept in cans neatly racked or stacked and provided that no such container shall exceed a capacity of five quarts.¶
(b) New tires for sale, provided that they are displayed in a single, floor-level rack containing not more than six new tires and located immediately adjacent to the main building.¶
(c) New storage batteries for sale, provided that they are displayed in a customary rack holding no more. ¶¶

G. Hazardous use of buildings or land.

(1) No building or land shall be used and no building or structure shall be erected, constructed, reconstructed, altered or repaired which is arranged, intended or designed for any trade, business or use that is hazardous or potentially hazardous to health or safety or which uses hazardous substances or potentially hazardous substances, or that is noxious or offensive by reason of the emission of odor, vapor, gas, dust, smoke, toxic or corrosive fumes, noise, vibration, heat, glare or flashes of light, radiation or objectionable waste, effluent or pollutants.

(2) No open area on any premises may be used for dumping, accumulating, piling or burying trash, junk or solid or liquid waste of any kind, or for storing, dismantling, demolishing or abandoning vehicles, machinery or parts thereof. Temporary storage of material for recycling shall be permitted in residential zones.

(3) The Planning Board may exempt certain minor uses of hazardous substances upon a finding that the operation of a business using the hazardous substances within the Prime Aquifer Area does not pose a risk to public health and safety and does not pose a risk to the groundwater supply.

H. Completion and restoration of existing buildings.

(1) Nothing herein contained shall require any change in the plans, construction or designated use of a building for which a construction permit has been issued, or for which plans and a construction permit application are on file and pending at the time of the passage of this chapter, provided such plans and intended use conform with the ordinance in effect at the time the application was made, and provided the construction of the building is diligently prosecuted after the permit is granted and completed within one year thereafter.

(2) Nothing herein contained shall prevent the restoration of a building destroyed for any reason, including, but not limited to, fire, explosion, act of God, act of war, voluntary demolition or negligence, to the extent of no more than 50% of its current reproduction value, or prevent a change of its existing use under the limitations provided in § 245-18, but any building destroyed in the manner aforesaid to an extent exceeding 50% of its reproduction value at the time of such destruction may be reconstructed and thereafter used only in such a manner as to conform to all the provisions of these land use ordinances.

(3) No structure in process of completion or demolition and no ruins from fire or other casualty shall be abandoned in a disorderly, unsightly or hazardous state. Such structure shall be considered to have been abandoned when work to remedy the improper condition has not been initiated within 60 days after the occasion of the casualty, or, if initiated, work has been discontinued with the owner's consent for 30 or more consecutive days or for more than 30 days out of 60 days. Each day's abandonment shall be considered as a separate violation of this provision of these land use chapters.

I. Office and Light Industrial Zones.

(1) A planted buffer, measured 100 feet deep from the property boundary, shall be provided within any OL-1 or OL-2 Zone along any lot line abutting a residential area or zone. The plant materials and the planting design shall be in accordance with criteria for such plantings in Chapter **208**, Subdivision of Land and Site Plan Review.

(2) All yards that are not used for necessary drives, walks and permitted accessory uses shall be appropriately landscaped with trees, shrubs, flowers and grass lawns or other suitable ground cover as approved by the Planning Board.

(3) There shall be no vehicular access to any use established in any OL-1 or OL-2 Zone from any street that primarily serves residential neighborhoods and is not an arterial street.

(4) The maximum size of an undivided building or a building section which is offset from other building sections at least 20 feet shall not exceed 80,000 square feet of building coverage.

(5) More than one principal building may be constructed in the OL-1 and OL-2 Zones, subject to all applicable regulations, and with a minimum distance between the adjacent buildings equal to the height of the taller of the two facing walls measured at the point where the buildings are closest, but not less than 20 feet.

J. Performance standards. Before the issuance of any construction permit or certificate of occupancy for any construction, alteration or conversion or use of any building, structure or land, all of the following regulations shall be complied with:

(1) Fire and explosion hazards. All activities shall be carried on only as permitted and regulated by the laws of the United States of America and the State of New Jersey in structures which conform to the standards of the National Board of Fire Underwriters' Laboratories, Inc., or Borough of Mountain Lakes ordinances, whichever are more restrictive. All operations

shall be carried on, and explosive raw materials, fuels, liquids and finished products stored, in accordance with the standards of such Underwriters' Laboratories, Inc. Buildings, if required by ordinance, shall be equipped with automatic sprinklers which conform to the standards of the Underwriters' Laboratories, Inc.

(2) Radiation. Any industrial or other operations or processes involving any form of radioactive materials, radioactivity or microwave and other electric radiations shall be conducted in accordance with the New Jersey Radiation Protection Act and Code, performance standards in the National Health and Safety Act of 1968 and other applicable state and federal regulations as administered by the Bureau of Radiation Protection, New Jersey Department of Environmental Protection and related health agencies.

(3) Smoke, fumes, gases, dust and odors.

(a) There shall be no emission of any smoke, fumes, gas, dust or odors, except in accordance with the standards established in and by the New Jersey Air Pollution Code. These and any other atmospheric pollutants as regulated in the New Jersey Air Pollution Control Code are prohibited.

(b) Odorous matter released from any operation or activity shall not exceed the odor threshold concentration beyond the lot lines, measured either at ground level or habitable elevation in accordance with the Standard Method for Measurement of Odor in Atmosphere (dilution method), 1972 Annual Book of the American Society Testing and Materials, Philadelphia, Pennsylvania.

(4) Vibration. There shall be no vibration other than noise which is discernible to the human sense of hearing beyond the immediate site on which such use is conducted.

(5) Noise.

(a) There shall be no noise created on any property which may result in sound in excess of the standards listed below when measured at any point on the property line of the lot on which the use or source of sound is located, unless a variance is granted by the appropriate approving authority:

[1] Continuous airborne sound which has a sound level in excess of 65 dBA^m from 8:00 a.m. to 8:00 p.m. or 50 dBA from 8:00 p.m. to 8:00 a.m.

[2]

Impulsive sound in air which has an impulsive sound level of 80 dBA.

(b) Measurement of sound level shall be in accordance with the provisions of N.J.A.C. 7:29-1.1 et seq., which is hereby adopted by reference.

(c) Compliance with these requirements is subject to review by a professional chosen by the Planning Board as needed.

(6) Petroleum storage. Any storage of petroleum products shall meet all applicable federal, state and local state codes.

K. Accessory uses.

(1) All accessory uses shall be included in computing maximum improved lot coverage.

(2) No accessory structure or improvement shall be erected or constructed unless and until:

(a) A construction permit for such structure or improvement has been issued.

(b) Either a construction permit or a certificate of occupancy, or both, has been issued for the main use or structure to which it is accessory.

(3) No accessory structure or improvement shall be used or occupied unless and until:

(a) A certificate of occupancy for such structure or improvement has been issued.

(b) The main use or structure to which it is accessory is being used and occupied and a certificate of occupancy for such main use or structure has been issued.

(4) No accessory use, structure or improvement shall be permitted unless it is located upon the same lot as the main use or structure to which it is accessory; provided, however, that access driveways and/or parking facilities to serve uses within the R-AH Zone shall be permitted on any adjacent lot located in the R-A Zone, subject to Planning Board review and approval.

(5) No accessory structure or improvement shall be located within the area of the front, side or rear yard setback requirements, except for a retaining wall as defined, a fence in accordance with Subsection **P**, or parking as provided in Schedule II.

(6) When any accessory structure is attached to the principal building, it shall be considered a part of such building and as such shall comply with all regulations applicable to the principal building.

(7) No fence or other accessory structure shall be located closer to a street line than the principal building on the lot. Any accessory structure located within 10 feet of the principal building shall be considered part of such building.

(8) No private garage or other structure accessory to a dwelling in a residence zone shall be used or occupied for housing of persons or animals and shall be used only for the storage of automobiles, recreational vehicles, trailers, boats, and other household personal property owned by residents of the dwelling unless otherwise prohibited or regulated by ordinance or other applicable law.

L. Off-street parking.

(1) Off-street parking shall be provided in accordance with the accompanying Schedules II and III.^(a) If any applicant can clearly demonstrate to the Planning Board that, because of the nature of his operation or use, the parking requirements of this section are unnecessary or excessive, the Planning Board shall have the power to approve a site plan showing less paved area for parking than is required by this section; provided that a landscaped area of sufficient size to meet the deficiency shall be set aside and reserved for the purpose of meeting future off-street parking requirements in the event that a change of use of the premises shall make such additional off-street parking spaces necessary.

(2) The requirements for uses not listed in Schedule III shall be the same as for the most similar use which is listed. For mixed uses, the requirement shall be the total of the requirements for each use computed separately.

(3) Off-street parking facilities shall be provided on the same lot as the building to which they are accessory unless during site plan review and approval the Planning Board approves a convenient nearby location as an alternate.

(4) The minimum dimensions of an off-street parking space shall be a rectangle 18 feet in length and 10 feet in width, except that the Planning Board may reduce the required width to not less than 8 1/2 feet when the proposed use warrants. The aisle width shall be as follows:

Parking Angle (degrees)	Minimum Aisle Width (feet)
30°	12
45°	13
60°	18
90°	24

(5) Off-street parking spaces for residential lots may include garage areas as well as separate outdoor parking areas and driveways. Such spaces and driveways need not all have separate access but shall be distinctly delineated and maintained for the purpose and shall have a firm surface.

(6) Off-street parking facilities for other than residential use shall be paved, drained, lighted and maintained in accordance with all pertinent Borough ordinances and regulations, and shall be arranged for convenient access and safety of pedestrians and vehicles subject to exceptions in cases of home

occupations if approved by the Planning Board. Such facilities shall not be used for storage or other unrelated purposes.

(7) Off-street parking facilities for other than residential use which are visible from a public street shall be screened from the street by planting or other means approved by the Planning Board.

(8) In approving a site plan, the Planning Board may:

(a) Increase the required minimum off-street parking requirement, based upon reasonable expectations as to the number of automobiles that a particular use may attract; and

(b) Impose a maximum limitation on the number of off-street parking spaces based on the nature and character of the area in which the premises are located.

(9) In no case shall there be kept in the open for more than 30 days any vehicle which cannot be operated on a public highway by reason of legal, mechanical or other restrictions.

M.

Recreational vehicles.

(1) For the purpose of this subsection, the term "recreational vehicle" shall mean a boat; a boat or any other vehicle mounted on a trailer; an automobile trailer not affixed to a foundation; a non-self-propelled or self-propelled house trailer, camper or motorized home so constructed as to permit the occupancy thereof as a dwelling or sleeping place for one or more persons and having no foundations other than wheels, skids, jacks, or other similar device integral with or portable by such recreational vehicle.

(2) No recreational vehicle shall be stored or parked in any zone, or in and on any premises in any zone, except in accordance with, and as may be permitted by, Subsection **M(3)**, **(4)** and **(5)** herein and provided that any such recreational vehicle shall not be used as living quarters while stored or parked.

(3) Any recreational vehicle may be stored or parked as follows:

(a) In a garage or boathouse.

(b) Temporarily in the driveway of any premises for periods not to exceed 48 hours for purposes of loading and unloading and for emergencies.

(c) Temporarily at a motor vehicle service station for the purpose of necessary repairs.

(4) In addition to the provisions of Subsection **M(3)** above, any recreational vehicle which is 20 feet or less in length, excluding the hitch in case of trailers,

and five feet or less in height, excluding the mast in case of boats, may be stored or parked as follows:

(a) Where the side yard of any premises is, or exceeds, 15 feet, then to the rear of the front setback line of the main building on the premises.

(b) Where the side yard of any premises is less than 15 feet, then to the rear of the main building on the premises.

(c) Temporarily in the driveway of a resident owner of any premises by a guest of the resident provided that only one such vehicle is so parked at one time and that all such parking at any one premises shall not exceed 21 days in any one calendar year.

(5) In addition to the provisions of Subsection **M(3)** above, any recreational vehicle which is 20 feet or less in length, excluding the hitch in case of trailers, and nine feet or less in height but more than five feet, excluding the mast, in the case of boats, may be stored or parked as follows:

(a) In such a location on the premises, and to the rear of the front setback line of the main building on the premises, where the vehicle is or can be effectively screened, by natural vegetation if possible consisting of trees, shrubs or other plant life, from view from neighboring areas to the end that the vehicle as stored and parked on the premises shall not be clearly visible either from the street or from adjoining properties; provided that no vehicle shall be so stored or parked unless and until the Planning Board has approved both the proposed location and the actual or proposed screening of the vehicle on the premises. Any person desiring to so store or park a vehicle on premises shall submit a location and screening plan to the Planning Board for its review, consideration and approval. The Planning Board may modify such plan, require additional or substitute screening, and generally take such action as may be necessary to implement the foregoing. Without limitation, the Planning Board may also eliminate, reduce or modify any possible requirement of additional screening in the event that topographical or other natural features render unnecessary the planting of additional natural vegetation to implement the foregoing.

(b) Temporarily in the driveway of a resident owner of any premises by a guest of the resident, provided that only one such vehicle is so parked at one time and that all such parking at any one premises shall not exceed 21 days in any one calendar year.

N. Like buildings.

(1) No construction permit shall be issued for the erection of any building for occupancy as a dwelling if it is like or substantially like any neighboring

building then in existence, or for which a building permit has been issued, in more than three of the following six respects:

(a) Height of the main roof ridge, or, in the case of a building with a flat roof, the highest point of the roof beams, above the elevation of the first floor.

(b) Height of the main roof ridge above the top of the plate; all flat roofs shall be deemed identical in this dimension.

(c) Length of the main roof ridge, or, in the case of a building with a flat roof, length of the main roof.

(d) Width between outside walls at the ends of the building measured under the main roof at right angles to the length thereof.

(e) Relative location of windows in the front elevation or in each of both side elevations with respect to each other and with respect to any door, chimney, porch, or attached garage in the same elevation.

(f) In the front elevation both:

[1] Relative location with respect to each other of garage, if attached, porch, if any, and the remainder of the building; and

[2] Either the height of any portion of the building located outside the limits of the main roof, measured from the elevation of the first floor to the roof ridge, or, in the case of a flat roof, the highest point of the roof beams; or the width of such portion of the building, if it has a gable in the front elevation, otherwise length of the roof ridge or the flat roof in the front elevation.

(2) Buildings shall be deemed to be like each other in any dimension with respect to which the difference between them is not more than two feet.

Buildings between which the only difference in relative location of elements is end to end or side to side reversal of elements shall be deemed to be like each other in relative location of such elements. In relation to the premises with respect to which the permit is sought, a building shall be deemed to be a neighboring building if the lot upon which it or any part of it has been or will be erected is any one of the following lots, as shown on the Tax Map of the Borough:

(a) Any lot on the street, upon which the building to be erected on such premises would front, which is the first or the second lot next along such street in either direction from the premises, without regard to intervening street lines;

(b) Any lot on any part of the street line frontage of which is across the street from such premises or from a lot referred to in Subsection **N(2)(a)** above;

(c) Any lot on any part of the street line frontage of which faces the end of, and is within the width of, such street, if there are fewer than two lots between the premises and the end of the street;

(d) Any lot on another street which adjoins such premises on such other street; or

(e) Any lot on any part of the street line frontage of which is across such other street from the premises or from a lot referred to in Subsection **N(2)(d)** above, provided that, notwithstanding any of the foregoing provisions of this section, no building shall be deemed to be a neighboring building in relation to the premises if its rear elevation faces the street upon which the building to be erected on the premises would front.

O.

Number of principal buildings. Except as provided in OL Zones, only one principal building may be erected on any one lot.

P. Fences.

(1) In Zones A, B, OL-1 and OL-2:

(a) No fence is permitted in a front yard.

(b) In side or rear yards, a fence need not conform to setback requirements.

(2) In residential zones:

(a) No fence is permitted in a front yard.

[1] Exception to no fences in front yard.

[a] Freestanding stone walls, using natural fieldstone and mortar, are permitted to a maximum height of 30 inches from finished grade. Stone piers not exceeding 24 inches by 24 inches by four feet zero inches high are permissible to act as anchors at the end of freestanding stone walls or can stand alone with no wall.

[b] The natural fieldstone walls and piers are to be consistent with the general appearance of stone walls in the Borough of Mountain Lakes, installed on footings to meet minimum depth requirements for a structurally sound, freestanding wall.

(b) In rear or side yards, the only fences permitted are:

[1] A fence of durable material and of workmanlike construction, not more than six feet in height and conforming to setback requirements. Materials subject to sagging, warping or other distortion under normal usage shall not be considered as durable for the purposes of this subsection.

[2] A swimming pool fence of a minimum height of four feet conforming to all state requirements and to all setback requirements.

(3) Fences around areas to be used solely to compost vegetation. These may be of wire construction suitable for the purpose and do not need to conform to setback requirements, but shall not exceed four feet in height, eight feet in

length on any side or 64 square feet in area, nor encompass more than two areas.

(4) Fences to protect gardening areas during growing and harvesting seasons. These may be of wire construction suitable for the purpose, but shall meet the other requirements of Subsection **P(2)(b)[1]** above.

(5) Fences on lakefront property to protect against intrusion by geese and other unwanted waterfowl. Fences shall not exceed 24 inches in height, shall be of green wire, shall be temporary in nature except if part of a hedgerow, shall not be permanently anchored and shall be readily removable.

Q.

Dish antennas.

(1) In residential zones, a dish antenna shall be permitted under the following conditions:

(a) It shall be only on a lot that contains a principal structure.

(b) It shall be designed for use by the residents of the principal structure only, except where the townhouse option has been elected.

(c) In the Residential RC-3 Zone where the townhouse option has been elected, only one dish antenna for common use is permitted per block of common wall houses. All other residential zone regulations apply.

(d) No lot may contain more than one dish antenna.

(e) Only a receiving dish antenna is permitted.

(f) A construction permit is required for any antenna installation. The fee shall be as specified in § 111-3B of this Code.

(g) A ground-mounted dish antenna is permitted as an accessory use, subject to the following regulations:

[1] A dish antenna may be located only in a rear yard and shall meet all setback requirements.

[2] Any such antenna shall be a freestanding structure mounted on and attached to the ground by a concrete pad.

[3] No dish antenna shall have a diameter exceeding six feet nor extend above the ground more than eight feet.

[4] An antenna shall be made only of black or gray mesh.

[5] Every dish antenna shall be screened by evergreen plantings in order to minimize to the greatest extent possible noise and visibility from any adjacent property or street. Screening shall not be required to the southwest. Plantings may be waived if natural terrain and landscaping provide adequate screening. The five-year growth potential of any evergreen plantings to be used shall be

considered when determining acceptable spacing and heights of such plantings.

[6] Power control and signal cables to or from the antenna shall be underground cable complying with applicable code requirements.

(h) A roof-mounted dish antenna is permitted as a conditional use, subject to the provisions of § **245-16A**, and subject to the following specific regulations:

[1] It may not exceed three feet in diameter.

[2] It shall be made of black or gray mesh aluminum, or material of comparable weight.

[3] It may not project above the ridgeline of the roof and shall be mounted only on the rear of the building.

(2) In Business Zones A and B and in OL-1 and OL-2 Zones, a dish antenna, for receiving purposes only, shall be permitted as a conditional use, subject to Planning Board regulation, to ensure aesthetics and safety provisions compatible with the standards of the community.

R. Conservation zone regulations. No permanent building or structure shall be erected in a conservation zone except those structures deemed necessary by the Borough Council for recreational or environmental purposes or for the maintenance of the area.

S. Child-care centers. Child-care centers shall be licensed under the New Jersey Child Care Center Licensing Law, N.J.S.A. 30:5B-1 et seq., and/or any other statutes and regulations as may from time to time apply.

T. Storage of solid waste and recyclable items. Solid waste and recyclable items from all uses other than single-family homes, if stored outdoors, shall be placed in metal or plastic receptacles within a screened refuse area subject to the following minimum standards:

(1) The screened refuse area shall not be located within any front yard.

(2) The area shall be surrounded by a fence or wall suitably landscaped to provide screening of the view of refuse from adjoining properties or public streets. Any such fence shall be exempt from the provisions of any Mountain Lakes ordinance regulating fences, except that no such fence shall exceed 10 feet in height.

(3) Design for screening of the refuse area shall be subject to the approval of the Construction Official.

(4) In any site plan, if outdoor storage is not proposed, the methods proposed for accommodating solid waste and recyclables within the structure shall be

detailed on the plan. The Planning Board may require that a suitable outdoor area be set aside, but not improved, for a future refuse storage area.

U. Wireless telecommunications facilities. Wireless telecommunications facilities are permitted in all zones as a conditional use as regulated by § 245-16 and as provided herein:

(1) Anything herein notwithstanding, a wireless telecommunications facility may exceed the area, height and yard requirements of the district in which it is located, provided that it shall satisfy the requirements of a conditional use as set forth in § 245-16 and the requirements and conditions as follows:

(a) Height.

[1] Where permitted, wireless telecommunications towers and antennas may exceed the maximum building height limitations, provided that the height has minimal visual impact and is no greater than required to achieve service area requirements and potential collocation within the Borough of Mountain Lakes.

[2] Wireless telecommunications equipment facilities shall be subject to the minimum height restrictions of the zoning district in which they are located.

(b) Setback.

[1] Telecommunications towers and antennas shall have a setback equal to the height of the tower or antenna.

[2] Wireless telecommunications equipment facilities shall be subject to the minimum bulk and height requirements of the zoning district in which they are located.

V.

Emergency generators. Generators for use during power outages on an emergency basis are permitted in all zones subject to the following conditions:

(1) Units must be installed in conformity with the property setbacks for the appropriate zone for the principle structure.

(2) The sound output for the unit cannot exceed 70 db at 23 feet from the unit.

(3) An improved lot coverage calculation is required for units installed on a pad over 12 square feet.

(4) Units installed in the front yard shall be surrounded by landscape screening.

(5) The testing, cycling and maintenance of all units will be conducted between the hours of 8:00 a.m. and 8:00 p.m. to be consistent with the Noise Ordinance (§ 160-2) which shall apply to emergency generators.

Convenience store with associated fuel sales: An establishment which includes a combination convenience store and gasoline station functioning as a single use on a lot or property.

Educational play center: A multipurpose children's activity space devoted to learning, recreation and entertainment, which may offer classes and organized events such as birthday parties, and which may include accessory retail sales.

Health and fitness facility: An establishment open to the public on a membership basis which provides facilities for personal training, aerobic exercise, running and jogging, weight training and strength conditioning, game courts, swimming facilities and exercise equipment and which may include accessory sauna/steam rooms, showers, lockers, spa treatments including massage, snack/juice bars and accessory retail sales of related sports apparel and equipment.

Indoor commercial recreation use: An establishment where entertainment or recreation services are provided to the general public, and for which user fees are charged. Uses include, but are not limited to roller and ice skating rinks, indoor climbing gyms, gymnastics centers, bowling alleys, arcades, escape rooms, billiards and virtual experience centers.

Instructional schools and studios: Establishments which provide classes and workshops for dance, yoga, pilates, culinary, creative arts and crafts, music, martial arts, academics and athletics.

Pet care and grooming facility: An establishment that provides temporary boarding, training, grooming and care for dogs, cats or other domestic animals or household pets. This shall not include overnight boarding of pets, the breeding or sale of animals or veterinary services customarily offered at an animal clinic or hospital.

Restaurant, drive-through: An establishment where food or drink is served to customers in vehicles at a drive-through window and where consumption of such food or drink is intended to occur off the premises.

Self-storage facility: A building or group of buildings containing individual and private storage spaces of varying sizes available for lease or rent for varying periods of time and where the occupants have access to the facility only to store and remove their personal property.

Showroom: An establishment offering household furnishings, fixtures or appliances to the general public and where sample products are displayed within a room or rooms on the premises. Such establishments may also offer remodeling, decorating or design services.

BOROUGH OF MOUNTAIN LAKES
CORRECTIVE ACTION PLAN
2018 AUDIT

Finding 2018-1

The Borough does not maintain an adequate segregation of duties with respect to the recording and treasury functions. Segregation of duties refers to separating those functions that place too much control over a transaction or class of transactions that would enable a person to perpetuate errors and prevent detection within a reasonable period of time. The Chief Financial Officer reviews and approves disbursements of funds, general ledger, and payroll and reconciles the bank accounts for the respective funds or accounts. This is due, in part, to the limited number of personnel of the Borough and the decentralized nature of governmental collection procedures. Accordingly, management and the Borough Council should be aware of this situation and realize that the concentration of duties and responsibilities in a limited number of individuals is not desirable from a control point of view.

Recommendation of Auditor

1. An adequate segregation of duties be maintained with respect to the recording and treasury functions.

Explanation and Corrective Action:

Given the size of the Township's workforce in the Finance Department, the segregation of duties recommended is not practical. The finance employees' duties are separated as much as possible with only three employees. The cash receipts and disbursements are done by separate employees and reviewed monthly by the Chief Financial Officer. The Chief Financial Officer then reconciles the accounts. For 2018 the Borough Manager was reviewing the trial balances for each account after they were reconciled monthly.

Implementation Date: June 10, 2019

Finding 2017-2

The municipal court is operated as a shared service by the Township of Denville. During the audit it was noted that the reconciled bank balance at December 31, 2018 was less than the cash collections for the month of December 2018. The deficit appears to be due to bank charges incurred in prior years that were never reimbursed. In addition, there are also bank charges incurred in 2018 on the December 31, 2018 regular account bank reconciliation.

Recommendation of Auditor

2. The Municipal Court regular bank account deficit and bank charges be reviewed for proper disposition.

Explanation and Corrective Action:

The Chief Financial Officer spoke with the new Court Administrator and the deficit in the account will be rectified by June 15, 2019. The Chief Financial Officer will be in contact with the Court Administrator to ensure that moving forward the regular bank account is properly disposed of.

Implementation Date: June 15, 2019

Resolution 109-19

BOROUGH OF MOUNTAIN LAKES

Resolution Certifying Compliance with Requirements of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments" and Recommendations", and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments" and Recommendations", as evidenced by the Group Affidavit Form of the governing body attached hereto, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local government body to the penalty provisions of R.S. 52:27BB-52 – to wit

R.S. 52:27BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Mountain Lakes, in the County of Morris, New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board, to show evidence of said compliance.

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 June 24, 2019.

Marcy Gianattasio
Marcy Gianattasio, Municipal Clerk

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




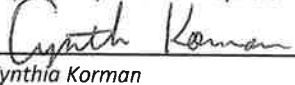
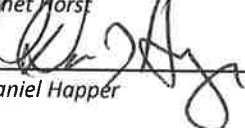


**GROUP AFFIDAVIT FORM
CERTIFICATION OF THE GOVERNING BODY**

STATE OF NEW JERSEY)
) SS.
COUNTY OF MORRIS)

We, members of the governing body of the Borough of Mountain Lakes, County of Morris, of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the Borough of Mountain Lakes in the County of Morris.
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2018.
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

 _____ Mayor Lauren Barnett (L.S.)	 _____ Deputy Mayor David Shepherd (L.S.)
 _____ Janet Horst (L.S.)	 _____ Cynthia Korman (L.S.)
 _____ Daniel Happer (L.S.)	 _____ Audrey Lane (L.S.)
 _____ Thomas Menard (L.S.)	

Sworn to and subscribed before
Me this 24 day of
JUNE, 2019



Notary Public of New Jersey

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

This certificate must be sent to the Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803.

MARCY JAY GIANATTASIO
A Notary Public of New Jersey
My Commission Expires Sept 18, 20

R112-19 CAPITAL BUDGET AMENDMENT

WHEREAS, the local capital budget for the year 2019 was adopted on the 8th day of April 2019; and,

WHEREAS, it is desired to amend said adopted capital budget section,

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Mountain Lakes, County of Morris, that the following amendment(s) to the adopted capital budget section of the 2019 Budget be made:

RECORDED VOTE
(Insert Last Names)

6 AYES (HAPPER, HORST, LANE, MENARD, SHEPHERD, BARNETT)

0 NAYS ()

0 ABSTAIN ()

1 ABSENT (KORMAN)

FROM
CAPITAL BUDGET (CURRENT YEAR ACTION)
2019

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2015 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and other funds	5e Debt Authorized	6 To Be Funded in Future Years
Improvement of Various Roads	10	610,000.00			6,000.00		499,000.00	105,000.00	
Total All Projects		610,000.00			6,000.00		499,000.00	105,000.00	

**3 YEAR CAPITAL PROGRAM 2019-2021
Anticipated Project Schedule
and Funding Requirement**

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts Per Year					
				Budget Year 2019	Budget Year 2020	Budget Year 2021	Budget Year 2022	Budget Year 2023	Budget Year 2024
Improvement of Various Roads	10	0.00	1 year	610,000.00	-610,000.00				
Total All Projects		0.00		610,000.00	-610,000.00				

3 YEAR CAPITAL PROGRAM 2019-2021
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	Current Year 2019	Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES				
							General	Liquidating	Assessment	School	
Improvement of Various Roads	610,000.00			6,000.00		499,000.00	105,000.00				
<hr/>											
<hr/>											
Total All Projects	610,000.00			6,000.00		499,000.00	105,000.00				

TO
CAPITAL BUDGET (CURRENT YEAR ACTION)
2019

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	5a 2019 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants in Aid and other funds	5e Debt Authorized	6 To Be Funded in Future Years
Improvement of Various Roads	10	610,000.00			6,000.00		499,000.00	105,000.00	
<hr/>									
<hr/>									
Total All Projects		610,000.00			6,000.00		499,000.00	105,000.00	

3 YEAR CAPITAL PROGRAM 2019-2021
Anticipated Project Schedule
and Funding Requirement

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts Per Year						
				Budget Year 2019	Budget Year 2020	Budget Year 2021	Budget Year 2022	Budget Year 2023	Budget Year 2024	
Improvement of Various Roads	10	0.00	1 year	610,000.00	-610,000.00					
<hr/>										
<hr/>										
Total All Projects		0.00		610,000.00	-610,000.00					

3 YEAR CAPITAL PROGRAM 2019-2021
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 Project	2 Estimated Total Cost	Current Year 2019	Future Years	4 Capital Improvement Fund	5 Capital Surplus	6 Grants in Aid and Other Funds	BONDS AND NOTES				
							General	Liquidating	Assessment	School	
Improvement of Various Roads	610,000.00			6,000.00		499,000.00	105,000.00				
Total All Projects	610,000.00			6,000.00		499,000.00	105,000.00				

Be It Further Resolved that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution amending the capital budget section adopted by the governing body on the 24th day of June, 2019.

Certified by me

6/24/2019
[DATE]

Nancy Karattas
MUNICIPAL CLERK

TRENTON, NEW JERSEY

APPROVED _____, 2019

DIRECTOR OF LOCAL GOVERNMENT SERVICES



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Mitchell Stern
Borough Manager
mstern@mtnlakes.org

400 Boulevard
Mountain Lakes, NJ 07046
P -973-334-3131 ext .2006
F -973-402-5595

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 June 24, 2019.

Borough Manager Out of Office - I will be out of the office beginning Tuesday June 18th, returning Tuesday June 25th. In my absence, our CFO, Monica Goscicki, will serve as acting Borough Manager. I will be in daily contact with Monica and will be available to Borough Council via cell phone for any issues that may arise.

Since I will not be present for the Borough Council meeting on June 24th, I am submitting a limited Manager's Report.

Borough Copy Machines – As discussed in my Manager's Update dated June 13th, the lease for the Borough's three copy machines (Borough Hall, Police Dept and DPW) is expiring at the end of June and it is time to replace them.

Because this is a lease agreement, it is recommended that Borough Council authorize the lease via resolution. As of the writing of this report, the resolution is being finalized and will be included in your meeting packet. The resolution and lease agreement will also be reviewed by our Borough Attorney.

Borough CFO Attendance At Borough Council Meeting - Our CFO, Monica Goscicki, will attend the Borough Council meeting to discuss and answer questions with respect to the resolutions and ordinance pertaining to the annual audit compliance, the awarding of a lease agreement for copier machines, and the bond ordinance amendment to allow for the Morris Ave road / sidewalk improvement project.

Please reach out with questions or concerns.

Mitchell

BOROUGH OF MOUNTAIN LAKES

ORDINANCE NO. 9-19

AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND REPEALING CHAPTER 115, ARTICLE II, "COMMERCIAL FERTILIZER APPLICATION"

WHEREAS, The State of New Jersey provides for fertilizer application certifications pursuant to N.J.S.A. 58:10A-61 et. seq. and specifically the Statute specifically provides, in N.J.S.A. 58:10A-67, that all municipal regulation is preempted; and

WHEREAS, prior to the adoption of the State certification law the Borough licensed commercial fertilizer application and the Borough Council now desires to repeal the licensing ordinance as a result of the State law preemption to avoid confusion regarding its applicability.

NOW, THEREFORE, 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. Chapter 115, Article II, of the Revised General Ordinances of the Borough of Mountain Lakes entitled "Commercial Fertilizer Application" (Sections 115-6 through 115-9) shall be repealed.

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: June 24, 2019

Adopted: July 22, 2019

Marcy Gianattasio, Borough Clerk

Lauren Barnett, Mayor

ORDINANCE # 10-19

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$610,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The improvement described in Section 3 of this bond ordinance is hereby authorized as a general improvement to be made or acquired by the Borough of Mountain Lakes, New Jersey. For the said improvement or purpose stated in said Section 3, there is hereby appropriated the sum of \$610,000, said sum being inclusive of all appropriations heretofore made therefor and including the sum of \$6,000 as the down payment for said improvement or purpose required by law and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also the sum of \$499,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement or purpose.

Section 2. For the financing of said improvement or purpose and to meet the part of said \$610,000 appropriation not provided for by application hereunder of said down payment and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$105,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable

notes of the Borough in a principal amount not exceeding \$105,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement hereby authorized and purpose for the financing of which said obligations are to be issued is the reconstruction and resurfacing of various roads in and by the Borough, including but not limited to Morris Avenue, so as to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in section 40A:2-22 of said Local Bond Law), including all drainage facilities, landscaping, signage, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$105,000.

(c) The estimated cost of said purpose is \$610,000, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefor being the amount of the said \$6,000 down payment for said purpose and the amount of the said \$499,000 grant from the New Jersey Department of Transportation.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is ten (10) years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$105,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$90,000 for interest on said obligations, costs of issuing said obligations and other items of expense listed in and permitted under section 40A:2-20 of said Local Bond Law may be included as part of the cost of said improvement and is included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the grants referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3 of this bond ordinance by application thereof either to direct payment of the costs of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, acting chief financial officer or treasurer (the "Chief Financial Officer"), provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale at not less than par and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 7. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. The capital budget or temporary capital budget of the Borough is

hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Introduced: 6/24/2019

Adopted: 7/22/2019

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

CLERK'S CERTIFICATE

I, **MARCY GIANATTASIO**, Borough Clerk of the Borough of Mountain Lakes, in the County of Morris, New Jersey (the "Borough"), **HEREBY CERTIFY** as follows that:

1. The attached copy of Ordinance No. 10-19 (the "Ordinance") of the Borough entitled as set forth below and finally adopted on July 22, 2019, has been compared by me with the original thereof officially recorded in the Ordinance Book of the Borough and is a true and correct copy thereof and of the whole of the original Ordinance. The title of the Ordinance is as follows:

BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF VARIOUS ROADS IN AND BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$610,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$105,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH APPROPRIATION.

2. The Ordinance was introduced and passed on first reading at a **regular** meeting of the Borough Council duly called and held on June 24, 2019 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), and was passed on second reading and finally adopted by the recorded affirmative vote of at least two-thirds of all the members of the Borough Council, at a **regular** meeting thereof duly called and held on July 22, 2019 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), following the holding of a public hearing thereon at which all interested persons were given an opportunity to be heard. Notice of such meetings was given in accordance with the provisions of the Open Public Meetings Act.

3. The Ordinance, or a summary thereof, was published after first reading, on June 27, 2019, in the "*Daily Record*", a newspaper published in the county in which the Borough is located and circulating in the Borough, together with a notice of pending ordinance, containing the date of introduction and the time and place of further consideration of the Ordinance (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

4. On June 25, 2019, the Ordinance, or a summary thereof, was posted on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the Borough, together with notice of the availability of copies of the Ordinance at the office of the Borough Clerk, and such copies of the Ordinance were made available to all members of the general public requesting the same.

5. After final passage, the Ordinance, or a summary thereof, was duly published, together with a notice of adoption and statutory estoppel statement, on July 25, 2019 in the "*Daily Record*", a newspaper published in the county in which the Borough is located and circulating in the Borough, and no protest by any person against making the improvement or issuing the indebtedness authorized in the Ordinance, nor any petition requesting that a referendum vote be taken on the action proposed in the Ordinance has been presented to the governing body or to me or filed in my office nor has any such action or proceeding questioning

the validity of the Ordinance been commenced within twenty (20) days after such publication (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

6. The Ordinance when introduced was complete in the form in which it was finally adopted and remained on file in the office of the Borough Clerk for public inspection from the date of introduction to the date of final adoption.

7. The attached copy of a Supplemental Debt Statement has been compared by me with the original Supplemental Debt Statement of the Borough, prepared as of June 24, 2019, and sworn to on June 24, 2019, by Monica Goscicki, who was then the Chief Financial Officer of the Borough, and filed in the office of the Borough Clerk on June 24, 2019, and that the same is a true and complete copy of said original Supplemental Debt Statement.

8. A complete, executed duplicate of the said original Supplemental Debt Statement was duly filed electronically (before final adoption of the Ordinance) in the Office of the Director of the Division of Local Government Services of the State of New Jersey on June 24, 2019. Attached is a copy of the e-mail transmitting the Supplemental Debt Statement or a copy of the automated e-mail acknowledging receipt of the Supplemental Debt Statement.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the corporate seal of the Borough this 22day of July 2019.

(SEAL)

Marcy Gianattasio
Borough Clerk

Resolution 109-19

BOROUGH OF MOUNTAIN LAKES

Resolution Certifying Compliance with Requirements of Audit

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "General Comments" and Recommendations", and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments" and Recommendations", as evidenced by the Group Affidavit Form of the governing body attached hereto, and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local government body to the penalty provisions of R.S. 52:27BB-52 – to wit

R.S. 52:27BB-52 – "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Mountain Lakes, in the County of Morris, New Jersey, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board, to show evidence of said compliance.

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 June 24, 2019.

Marcy Gianattasio, Municipal Clerk

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

**GROUP AFFIDAVIT FORM
CERTIFICATION OF THE GOVERNING BODY**

STATE OF NEW JERSEY)

) SS.

COUNTY OF MORRIS)

We, members of the governing body of the Borough of Mountain Lakes, County of Morris, of full age, being duly sworn according to law, upon our oath depose and say:

1. We are duly elected (or appointed) members of the governing body of the Borough of Mountain Lakes in the County of Morris.
2. In the performance of our duties, and pursuant to N.J.A.C. 5:30-6.5, we have familiarized ourselves with the contents of the Annual Municipal Audit filed with the Clerk pursuant to N.J.S.A. 40A:5-6 for the year 2018.
3. We certify that we have personally reviewed and are familiar with, as a minimum, the sections of the Annual Report of Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

_____(L.S.)
Mayor Lauren Barnett

_____(L.S.)
Deputy Mayor David Shepherd

_____(L.S.)
Janet Horst

_____(L.S.)
Cynthia Korman

_____(L.S.)
Daniel Happer

_____(L.S.)
Audrey Lane

_____(L.S.)
Thomas Menard

Sworn to and subscribed before

Me this _____ day of _____, 20__

Notary Public of New Jersey

The Municipal Clerk shall set forth the reason for the absence of signature of any members of the governing body.

This certificate must be sent to the Division of Local Government Services, PO Box 803, Trenton NJ 08625-0803

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

RESOLUTION 110-19

“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 **June 24, 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 June 24, 2019.


Marcy Gianattasio, Municipal Clerk

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

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 06/24/2019 For bills from 06/06/2019 to 06/19/2019

Check#	Vendor	Description	Payment	Check Total
15873	124 - AC DAUGHTRY, INC.	PO 20083 DPW - CENTRAL STATION MONITORING -	60.00	
		PO 20083 DPW - CENTRAL STATION MONITORING -	64.70	124.70
15874	219 - ACCESS	PO 20558 CUST# 156NFY04790 - MAY 2019	49.00	49.00
15875	196 - ALLIED OIL	PO 20577 UNLEADED FUEL - BLANKET 2019	5,672.21	5,672.21
15876	3861 - SYNCH/AMAZON	PO 20571 ADMIN: ORDER# 114-9871529-3324253	199.95	
		PO 20608 POLICE: ORDER# 114-3146684-8316262	132.59	
		PO 20640 RECREATION ORDER# 114-8802677-23978	354.62	
		PO 20685 RECREATION: REPLACEMENT LIFE SAFETY	119.98	807.14
15877	189 - ANCHOR ACE HARDWARE	PO 19922 POLICE DEPARTMENT/ACCT# 001413 - 20	4.58	
		PO 20127 WATER DEPARTMENT - EQUIPMENT, TOOLS	154.77	159.35
15878	2686 - ATLANTIC TACTICAL OF NJ, INC.	PO 19793 Police Dept. Supplies Quote #'s SQ-	1,296.96	1,296.96
15879	254 - BARCO PRODUCTS COMPANY	PO 20244 BIRCHWOOD LAKE - CLEAN COMMUNITIES	1,773.09	1,773.09
15880	269 - BEYER FORD, LLC	PO 20656 DPW - VEHICLE REPAIR & MAINTENANCE	78.10	78.10
15881	3828 - BOROUGH OF MADISON	PO 20691 APRIL 2019 IT SERVICES	907.80	907.80
15882	542 - CAIN & SONS FIRE EQUIPMENT, INC	PO 20697 BIRCHWOOD BEACH RENOVATION	276.00	276.00
15883	2775 - CAPITOL SUPPLY CONSTRUC PROD, INC	PO 19978 WATER DEPARTMENT - EQUIPMENT & TOOL	1,093.17	1,093.17
15884	455 - CONDORSOS GARDEN CENTER	PO 20612 MEMORIAL DAY CELEBRATION	903.52	903.52
15885	2396 - CANTO WELDING SUPPLY CO.	PO 20508 DPW - EQUIPMENT & TOOLS - BLANKET 2	34.00	34.00
15886	2147 - CCTMO LLC	PO 20671 JUNE 2019 - CELL TOWER REIMBURSEMENT	1,776.80	1,776.80
15887	653 - GANNET NEW JERSEY NEWSPAPERS	PO 20422 BOA/PLANNING: ADVERTISING - ACCT# 3	10.75	10.75
15888	506 - DAN COMO & SONS, INC	PO 20483 DPW - BUILDING MAINTENANCE	580.00	
		PO 20613 DPW - BUILDING MAINTENANCE - BLANKE	1,856.49	2,436.49
15889	576 - DAVE'S TIRE, LLC	PO 20621 WATER DEPARTMENT - VEHICLE REPAIRS	269.68	269.68
15890	3270 - EAGLE POINT GUN	PO 20690 POLICE DEPT: AMMUNITION - BLANKET	2,589.12	2,589.12
15891	4050 - EANNETTA PLUMBING & HEATING	PO 20562 WATER DEPARTMENT - LINE/PUMP/MOTOR	184.65	184.65
15892	1170 - FERGUSON ENTERPRISES #501	PO 20113 WATER DEPARTMENT - EQUIPMENT & TOOL	226.89	226.89
15893	3109 - FERRIERO ENGINEERING, INC	PO 19690 GRUNDENS POND PROPOSAL / PROJECT NO	378.00	
		PO 20714 CLIENT NO: ML100 - MAY 2019 PROFESS	10,439.00	10,817.00
15894	2429 - GARDEN STATE FIREWORKS	PO 20465 2019 FIREWORKS SHOW	8,500.00	8,500.00
15895	815 - GATES FLAG & BANNER CO. INC	PO 20651 MEMORIAL DAY CELEBRATION	230.00	230.00
15896	874 - GRAY SUPPLY CORP.	PO 20654 DPW - EQUIPMENT REPAIR - BLANKET	471.85	
		PO 20657 WATER DEPARTMENT - EQUIPMENT & TOOL	490.75	962.60
15897	3991 - GRM INFORMATION MANAGEMENT SERVICES	PO 20574 2019 ARCHIVE STORAGE - BLANKET	65.41	65.41
15898	900 - HANSON AGGREGATES, INC.	PO 20617 BIRCHWOOD BEACH RENOVATION	5,191.45	5,191.45
15899	911 - HOME DEPOT CREDIT SERVICES	PO 20077 BIRCHWOOD BEACH PROJECT - TOOLS & S	872.61	872.61
15900	3306 - INTERSTATE BATTERY OF NJ DIST #4573	PO 20408 WATER DEPARTMENT - FACILITY MAINTEN	82.55	82.55
15901	859 - JCP&L	PO 20661 ACCT#100 075 505 725 - BILL PRD: 4	3.14	
		PO 20715 M/A #200 000 053 658 / BILL DATE: 6	2,364.55	
		PO 20716 M/A #200 000 054 011/ BILL DATE: 6/	589.32	2,957.01
15902	859 - JCP&L	PO 20717 MAST ACCT# 200 000 021 275 / BILL D	4,973.44	
		PO 20724 MASTER ACCT#200 000 574 000/ BILL D	63.80	
		PO 20723 ACCT#100 076 421 971/BILL PRD: MAY	55.30	
		PO 20734 M/A #200 000 020 764: BILL DATE: 6/	188.61	5,281.15
15903	1040 - JESCO, INC.	PO 20387 DPW - EQUIPMENT REPAIR	3,240.59	3,240.59
15904	1062 - JOHNNY ON THE SPOT, LLC	PO 20679 JUNE 2019 - CUST ID# 014738 - PORT-	160.00	
		PO 20680 JUNE 2019 - CUST ID# 014738 - PORT-	160.00	320.00
15905	4033 - JUST THE BEST, INC.	PO 20659 BIRCHWOOD BEACH RENOVATION	1,600.00	1,600.00
15906	4066 - KEYTECH	PO 20727 MIDVALE & POCONO RD IMPROVEMENT - F	1,400.00	1,400.00
15907	1199 - LAWREN SUPPLY COMPANY OF NJ, INC	PO 20525 POLICE: BODY ARMOR QUOTE	1,760.00	1,760.00
15908	2895 - METRO SUPPLY & SERVICE INC.	PO 20648 BIRCHWOOD BEACH PROJECT	132.00	
		PO 20658 BIRCHWOOD BEACH PROJECT	190.50	322.50
15909	1338 - MGL PRINTING SOLUTIONS, LLC	PO 20709 2019/2020 TAX BILL SUPPLIES	800.00	800.00
15910	3792 - MIKE FITZPATRICK & SON, INC	PO 20583 MIDVALE ROAD IMPROVEMENT PROJECT: R	343,535.40	343,535.40
15911	2356 - MINERVA CLEANERS	PO 20185 FIRE DEPT: Gear Cleaning and Repair	1,222.50	1,222.50
15912	3033 - MORRIS COUNTY TAX COLLECTORS	PO 20616 MORRIS COUNTY TCTA QUARTERLY MEETIN	25.00	
		PO 20642 TAX COLLECTOR: MORRIS COUNTY TCTA Q	25.00	50.00
15913	2360 - MOUNTAIN LAKES AUTO SPA	PO 19923 POLICE DEPARTMENT - 2019 CAR WASHES	112.00	112.00
15914	3099 - MTN LAKES MEDICAL CENTER, LLC	PO 20669 FIRE DEPT: Firefighter Physicals	605.00	605.00
15915	1371 - MTN. LAKES BOARD OF EDUCATION	PO 20725 JULY 2019 MTN LAKES SCHOOL DISTRICT	1,953,949.52	1,953,949.52
15916	1394 - MTN. LAKES PUBLIC LIBRARY	PO 20449 2019 MTN LAKES PUBLIC LIBRARY AID -	22,857.66	22,857.66
15917	1472 - MURPHY, MCKEON P.C.	PO 20447 2019 RETAINER FEES - BLANKET	4,166.66	
		PO 20712 MAY 2019 LEGAL SERVICES	1,500.00	
		PO 20712 MAY 2019 LEGAL SERVICES	1,080.00	6,746.66
15918	1553 - NEW JERSEY NATURAL GAS	PO 20732 MAY 9, 10, 13 TO JUNE 8, 10, 12 &	847.53	847.53

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 06/24/2019 For bills from 06/06/2019 to 06/19/2019

Check#	Vendor	Description	Payment	Check Total
15919	1534 - TREASURER, STATE OF NJ	PO 20703 DPW - FEES & DUES	1,050.00	1,050.00
15920	1559 - NJ STATE ASSOC. OF CHIEFS OF POLICE	PO 20230 POLICE; ANNUAL TRAINING CONFERENCE	375.00	375.00
15921	2595 - NORTH JERSEY MUNICIPAL EMPLOYEE	PO 20728 JULY 2019 DENTAL PREMIUMS - GROUP 1	3,005.00	3,005.00
15922	2727 - ONE CALL CONCEPTS, INC.	PO 20130 2019 JAN - DEC BLANKET / ACCT# 12-B	109.50	109.50
15923	3236 - ONE SOURCE OF NEW JERSEY, LLC	PO 20576 DPW - EQUIPMENT REPAIR - BLANKET 20	821.47	821.47
15924	3659 - OPTIMUM	PO 20426 BORO INTERNET SERVICES ACCT# 07876-	140.55	140.55
15925	2968 - OPTIMUM	PO 19900 2019 DPW: ACCT# 07876-414565-01-0	11.74	11.74
15926	1734 - READYREFRESH BY NESTLE	PO 20663 ACCT# 0016496903 - 4/13/19 TO 5/12/	95.02	95.02
15927	3990 - RICH TREE SERVICE, INC.	PO 20631 TREE DEBRIS REMOVAL	1,925.00	
		PO 20698 TREE REMOVAL - NORTH POCONO ROAD	2,350.00	4,275.00
15928	1948 - SHEAFFER SUPPLY, INC.	PO 19947 DPW & WATER DEPARTMENTS - EQUIPMENT	435.98	
		PO 19947 DPW & WATER DEPARTMENTS - EQUIPMENT	280.52	716.50
15929	1981 - SUBURBAN DISPOSAL, INC	PO 20481 SOLID WASTE/RECYCLING COLLECTION -	35,199.99	35,199.99
15930	3055 - SWIFT ELECTRICAL SUPPLY	PO 20582 BOROUGH HALL MAINTENANCE	369.25	369.25
15931	3903 - TCF EQUIPMENT FINANCE	PO 20423 POLICE CAR LEASE / CUST# 730289 - 2	2,247.19	2,247.19
15932	2037 - TJ'S SPORTWIDE TROPHY & AWARDS, INC	PO 20354 CLERK NAME PLATE	42.94	42.94
15933	3617 - BLOOMFIELD HEALTH DEPARTMENT	PO 20451 2019 PUBLIC HEALTH SERVICES CONTRAC	6,419.50	6,419.50
15934	603 - TOWNSHIP OF DENVILLE	PO 20450 2019 SHARED MUNICIPAL COURT SERVICE	14,213.75	14,213.75
15935	1424 - TOWNSHIP OF MONTVILLE	PO 20442 2NDQ2019 CONTRACT & SERVICE CHARGES	2,768.89	2,768.89
15936	1736 - TWP OF PARSIPPANY - TROY HILLS	PO 19838 2018 SEWER PAYMENT DIFFERENTIAL	11,063.82	
		PO 20452 2019 SEWER MAINTENANCE CHARGES - BL	33,373.00	44,436.82
15937	2536 - UNUM LIFE INSURANCE COMPANY	PO 20424 STD/LTD / LIFE INSURANCE - 2019 BIA	5,859.44	5,859.44
15938	4064 - USA GUTTERMEN, LLC	PO 20702 BIRCHWOOD BEACH RENOVATION	991.50	991.50
15939	2749 - VERIZON	PO 19997 2019 INTERNET SVC: A/C# 853-478-043	52.32	
		PO 19997 2019 INTERNET SVC: A/C# 853-478-043	37.33	
		PO 19997 2019 INTERNET SVC: A/C# 853-478-043	37.33	126.98
15940	2135 - VERIZON WIRELESS	PO 20726 ACCT# 882388054-00001 / MAY 05 to J	757.30	757.30
15941	2149 - VOSS SIGNS, LLC	PO 20674 POLICE; PARKING SIGNS - QUOTE	490.00	490.00
15942	4031 - WAYNE ELECTRICAL SUPPLY CO.	PO 20375 BIRCHWOOD BEACH PROJECT - BLANKET	539.95	
		PO 20594 BIRCHWOOD BEACH PROJECT - BLANKET	1,927.98	2,467.93
15943	2161 - WELDON ASPHALT, INC.	PO 20537 DPW - POTHOLE REPAIRS & MAINTENANCE	1,023.97	1,023.97
TOTAL				2,523,013.79

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN - OTHER EXPENSE	314.36			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXP'S	42.94			
01-201-20-130-020	FINANCE - OTHER EXPENSES	25.00			
01-201-20-140-020	COMPUTER SERVICES	1,112.41			
01-201-20-145-020	FAX COLLECTOR - OTHER EXPENSES	825.00			
01-201-20-155-020	LEGAL SERVICES - OTHER EXPENSE	5,666.66			
01-201-21-185-020	BD OF ADJUST - OTHER EXPENSES	10.75			
01-201-23-220-020	GROUP INSURANCE PLANS-EMPLOYEE	8,864.44			
01-201-25-240-020	POLICE DEPT - OTHER EXPENSES	5,950.48			
01-201-25-251-020	INTERLOCAL SERVICES; DENVILLE COURT - OE	14,213.75			
01-201-25-255-020	FIRE DEPT - OTHER EXPENSES	1,827.50			
01-201-26-290-020	STREETS & ROADS - OTHER EXP.	11,348.59			
01-201-26-305-020	SOLID WASTE - OTHER EXPENSES	35,199.99			
01-201-26-310-020	BLDG & GROUNDS - MUNIC BLDG	464.27			
01-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	78.10			
01-201-27-330-020	BOARD OF HEALTH - OTHER EXP.	6,419.50			
01-201-28-370-020	PARKS & PLAYGROUNDS OTHER EXP.	8,664.92			
01-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	320.00			
01-201-29-390-020	AID TO PUBLIC LIBRARY	22,857.66			
01-201-30-420-020	CELEBRATION OF PUBLIC EVENTS - O/E	1,133.52			
01-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	3,200.92			
01-201-31-437-020	NATURAL GAS	847.53			
01-201-31-440-020	TELECOMMUNICATIONS	757.30			
01-201-31-447-020	PETROLEUM PRODUCTS	5,672.21			
01-203-20-165-020	(2018) ENGINEERING SERVICES		378.00		
01-203-25-240-020	(2018) POLICE DEPT - OTHER EXPENSES		1,296.96		

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-203-28-370-020	(2018) PARKS & PLAYGROUNDS OTHER EXP.		309.68		
01-207-55-000-000	LOCAL SCHOOL TAXES PAYABLE			1,953,949.52	
01-260-05-100	DUE TO CLEARING			0.00	2,093,528.76
01-290-55-000-005	DUE TO T-MOBILE - SPRINT FEES			1,776.80	
TOTALS FOR	Current Fund	135,817.80	1,984.64	1,955,726.32	2,093,528.76
02-200-40-000-020	RESERVE - BULLETPROOF VEST - Fed 2004			92.30	
02-200-40-700-300	Body Armour Grant			1,667.70	
02-200-40-700-340	Clean Communities Grant			1,773.09	
02-260-05-100	DUE TO CLEARING			0.00	3,533.09
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	3,533.09	3,533.09
04-215-55-982-000	2016 CAPITAL ORDINANCE 06-16			11,721.99	
04-215-55-983-000	2017 CAPITAL ORDINANCE 05-17			10,439.00	
04-215-55-984-000	2018 CAPITAL ORDINANCE 4-16			343,535.40	
04-215-55-985-000	2019 CAPITAL ORDINANCE 2-19			3,750.00	
04-260-05-100	DUE TO CLEARING			0.00	369,446.39
TOTALS FOR	General Capital	0.00	0.00	369,446.39	369,446.39
05-201-55-520-520	Water Operating - Other Expenses	8,118.71			
05-260-05-100	DUE TO CLEARING			0.00	8,118.71
TOTALS FOR	Water Operating	8,118.71	0.00	0.00	8,118.71
07-201-55-520-520	Sewer Operating - Other Expenses	33,474.13			
07-203-55-520-520	(2018) Sewer Operating - Other Expenses		11,063.82		
07-260-05-100	DUE TO CLEARING			0.00	44,537.95
TOTALS FOR	Sewer Operating	33,474.13	11,063.82	0.00	44,537.95
13-260-05-100	DUE TO CLEARING			0.00	2,768.89
13-286-56-000-000	RESERVE - ANIMAL LICENSE FUND			2,768.89	
TOTALS FOR	Animal Trust	0.00	0.00	2,768.89	2,768.89
20-260-05-100	Due to Clearing			0.00	1,080.00
20-300-60-000-000	RESERVE FOR AFFORDABLE HOUSING			1,080.00	
TOTALS FOR	AFFORDABLE HOUSING	0.00	0.00	1,080.00	1,080.00

Total to be paid from Fund 01 Current Fund	2,093,528.76
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	3,533.09
Total to be paid from Fund 04 General Capital	369,446.39
Total to be paid from Fund 05 Water Operating	8,118.71
Total to be paid from Fund 07 Sewer Operating	44,537.95
Total to be paid from Fund 13 Animal Trust	2,768.89
Total to be paid from Fund 20 AFFORDABLE HOUSING	1,080.00

2,523,013.79

**List of Bills - (3310101001001) CASH - RECREATION
Recreation Trust**

Meeting Date: 06/24/2019 For bills from 06/06/2019 to 06/19/2019

Check#	Vendor	Description	Payment	Check Total
5272	315 - BOONTON LANES	PO 20695 TEEN CAMP FOR WEEK 1 - BOWLING	182.00	182.00
5273	315 - BOONTON LANES	PO 20707 TEEN CAMP FOR WEEK 2 - BOWLING	448.00	448.00
5274	315 - BOONTON LANES	PO 20708 TEEN CAMP FOR WEEK 3 - BOWLING	252.00	252.00
5275	3619 - CAMELBACK MOUNTAIN RESORT	PO 20590 TEEN CAMP WEEK 3 - JULY 18, 2019	1,200.00	1,200.00
5276	3730 - DORNEY PARK & WILDWATER KINGDOM, LL	PO 20589 TEEN CAMP FOR WEEKS 1, 2 & 3 6/26,	3,306.00	3,306.00
5277	765 - FIRST STUDENT, INC	PO 20719 2019 TEEN CAMP - SURF	2,800.00	2,800.00
5278	765 - FIRST STUDENT, INC	PO 20720 2019 TEEN CAMP-WEEK 3	2,875.00	2,875.00
5279	765 - FIRST STUDENT, INC	PO 20735 2019 TEEN CAMP - WEEK 1	2,745.00	2,745.00
5280	765 - FIRST STUDENT, INC	PO 20736 2019 TEEN CAMP - WEEK 2	5,800.00	5,800.00
5281	3611 - FLORHAM PARK ROLLER SKATING RINK	PO 20598 TEEN CAMP - WEEK 3 - JULY 19, 2019	300.00	300.00
5282	3611 - FLORHAM PARK ROLLER SKATING RINK	PO 20600 TEEN CAMP WEEK 2 - JULY 12, 2019	450.00	450.00
5283	3611 - FLORHAM PARK ROLLER SKATING RINK	PO 20601 TEEN CAMP WEEK 1 - JUNE 24, 2019	262.50	262.50
5284	4048 - iPLAY AMERICA, LLC	PO 20552 TEEN ADVENTURE TRIP - JULY 11, 2019	1,369.40	1,369.40
5285	3609 - JENKINSON'S PAVILION	PO 20587 TEEN CAMP WEEK 2- JULY 9, 2019	325.00	325.00
5286	3609 - JENKINSON'S PAVILION	PO 20588 TEEN CAMP WEEK 1 - JUNE 25, 2019	175.00	175.00
5287	3609 - JENKINSON'S PAVILION	PO 20603 TEEN CAMP WEEK 3 - JULY 16, 2019	200.00	200.00
5288	1062 - JOHNNY ON THE SPOT, LLC	PO 20662 CUST# 014738 - PORTA JOHN RENTALS-	387.00	387.00
5289	3358 - SPORTS ENGINE, INC	PO 20684 MAY 2019 - EMPLOYEE BACKGROUND CHEC	336.00	336.00
5290	3616 - SUMMERTIME SURF, LLC	PO 20733 TEEN ADVENTURE CAMP TRIP JULY 22 -	4,740.00	4,740.00
5291	2037 - TJ'S SPORTWIDE TROPHY & AWARDS, INC	PO 20688 TRACK: 2019 TROPHIES	261.00	
		PO 20694 TRACK: 2019 TROPHIES SALES ORDER 29	110.05	371.05
5292	3829 - UNIVERSITY PRODUCTS, INC	PO 20249 HPC: ARCHIVAL SUPPLIES	15.05	15.05
TOTAL				28,539.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
33-101-01-001-001	CASH - RECREATION			0.00	28,539.00
33-600-00-090-000	Recreation Trust Reserves			28,539.00	
TOTALS FOR	Recreation Trust	0.00	0.00	28,539.00	28,539.00

Total to be paid from Fund 33 Recreation Trust

28,539.00

28,539.00

Inge Schwarz

From: Mitchell Stern
Sent: Wednesday, June 19, 2019 1:24 PM
To: Inge Schwarz
Subject: Re: Bills List

Good Afternoon Inge,

I have reviewed the attached bills list and approve of each item listed.

Please have Marcy include this email with the bills list with the Borough Council meeting info.

Thanks

Mitchell

On Jun 19, 2019, at 10:07 AM, Inge Schwarz <ischwarz@mtnlakes.org> wrote:

<image001.gif>

Hi Mitch,

Attached is the clearing and recreation trust bills list for the 6/24/19 meeting.

Thanks,

Inge Schwarz
Accounts Payable
400 Boulevard
Mountain Lakes, NJ 07046
973-334-3131 x 2010 (P)
973-402-3466 (F)

<Bills List 6-24-19C.pdf>

<Bills List 6-24-19R.pdf>

BOROUGH OF MOUNTAIN LAKES

COUNTY OF MORRIS, NJ

RESOLUTION 111-19

“RESOLUTION AWARDING A LEASE AGREEMENT FOR BOROUGH ADMINISTRATION COPY MACHINES TO KS STATE BANK LEASING COMPANY”

WHEREAS, there exists the need to lease copier machines for the Borough of Mountain Lakes; and

WHEREAS, the Borough has received a proposal to lease copiers from KS State Bank Leasing Company; and

WHEREAS, the Borough Manager has recommended acceptance of the proposal from KS State Bank Leasing Company.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that a lease is hereby awarded to KS State Bank Leasing Company, 1010 Westloop: P.O. Box 69, Manhattan, Kansas, 66505-0069, in an amount not to exceed \$20,573 and that the Borough Manager and Borough Clerk are hereby authorized to enter into the Contract.

BE IT FURTHER RESOLVED that the term of this lease shall be for sixty (60) months, from **on or about July 1, 2019 through June 30, 2024**.

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 June 24, 2019.


Marcy Gianattasio, Municipal Clerk

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

GOVERNMENT OBLIGATION CONTRACT

Obligor

Borough of Mountain Lakes, New Jersey
400 Boulevard
Mountain Lakes, New Jersey 07046

Obligee

KS StateBank
1010 Westloop; P.O. Box 69
Manhattan, Kansas 66505-0069

Dated as of June 20, 2019

This Government Obligation Contract dated as of the date listed above is between Obligee and Obligor listed directly above. Obligee desires to finance the purchase of the Equipment described in Exhibit A to Obligor and Obligor desires to have Obligee finance the purchase of the Equipment subject to the terms and conditions of this Contract which are set forth below.

I. Definitions

Section 1.01 Definitions. The following terms will have the meanings indicated below unless the context clearly requires otherwise:

"Additional Schedule" refers to the proper execution of additional schedules to Exhibit A and Exhibit B, as well as other exhibits or documents that may be required by the Obligee all of which relate to the financing of additional Equipment.

"Budget Year" means the Obligor's fiscal year.

"Commencement Date" is the date when Obligor's obligation to pay Contract Payments begins.

"Contract" means this Government Obligation Contract and all Exhibits attached hereto, all addenda, modifications, schedules, refinancings, guarantees and all documents relied upon by Obligee prior to execution of this Contract.

"Contract Payments" means the payments Obligor is required to make under this Contract as set forth on Exhibit B.

"Contract Term" means the Original Term and all Renewal Terms.

"Exhibit" includes the Exhibits attached hereto, and any "Additional Schedule", whether now existing or subsequently created.

"Equipment" means all of the items of Equipment listed on Exhibit A and any Additional Schedule, whether now existing or subsequently created, and all replacements, restorations, modifications and improvements.

"Government" as used in the title hereof means a State or a political subdivision of the State within the meaning of Section 103(a) of the Internal Revenue Code of 1986, as amended ("Code"), or a constituted authority or district authorized to issue obligations on behalf of the State or political subdivision of the State within the meaning of Treasury Regulation 1.103-1(b), or a qualified volunteer fire company within the meaning of section 150(e)(1) of the Code.

"Obligee" means the entity originally listed above as Obligee or any of its assignees.

"Obligor" means the entity listed above as Obligor and which is financing the Equipment through Obligee under the provisions of this Contract.

"Original Term" means the period from the Commencement Date until the end of the Budget Year of Obligor.

"Renewal Term" means the annual term which begins at the end of the Original Term and which is simultaneous with Obligor's Budget Year and each succeeding Budget Year for the number of Budget Years necessary to comprise the Contract Term.

"State" means the state which Obligor is located.

II. Obligor Warranties

Section 2.01 Obligor represents, warrants and covenants as follows for the benefit of Obligee or its assignees:

- (a) Obligor is an "issuer of tax exempt obligations" because Obligor is the State or a political subdivision of the State within the meaning of Section 103(a) of the Internal Revenue Code of 1986, as amended, (the "Code") or because Obligor is a constituted authority or district authorized to issue obligations on behalf of the State or political subdivision of the State within the meaning of Treasury Regulation 1.103-1(b), or a qualified volunteer fire company within the meaning of section 150(e)(1) of the Code.
- (b) Obligor has complied with any requirement for a referendum and/or competitive bidding.
- (c) Obligor has complied with all statutory laws and regulations that may be applicable to the execution of this Contract; Obligor, and its officer executing this Contract, are authorized under the Constitution and laws of the State to enter into this Contract and have used and followed all proper procedures of its governing body in executing and delivering this Contract. The officer of Obligor executing this Contract has the authority to execute and deliver this Contract. This Contract constitutes a legal, valid, binding and enforceable obligation of the Obligor in accordance with its terms.
- (d) Obligor shall use the Equipment only for essential, traditional government purposes.
- (e) Should the IRS disallow the tax-exempt status of the interest portion of the Contract Payments as a result of the failure of the Obligor to use the Equipment for governmental purposes, or should the Obligor cease to be an issuer of tax exempt obligations, or should the obligation of Obligor created under this Contract cease to be a tax exempt obligation for any reason, then Obligor shall be required to pay additional sums to the Obligee or its assignees so as to bring the after tax yield on this Contract to the same level as the Obligee or its assignees would attain if the transaction continued to be tax-exempt.
- (f) Obligor has never non-appropriated funds under a contract similar to this Contract.
- (g) Obligor will submit to the Secretary of the Treasury an information reporting statement as required by the Code.
- (h) Upon request by Obligee, Obligor will provide Obligee with current financial statements, reports, budgets or other relevant fiscal information.
- (i) Obligor shall retain the Equipment free of any hazardous substances as defined in the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9601 et. seq. as amended and supplemented.
- (j) Obligor hereby warrants the General Fund of the Obligor is the primary source of funds or a backup source of funds from which the Contract Payments will be made.
- (k) Obligor presently intends to continue this Contract for the Original Term and all Renewal Terms as set forth on Exhibit B hereto. The official of Obligor responsible for budget preparation will include in the budget request for each Budget Year the Contract Payments to become due in such Budget Year, and will use all reasonable and lawful means available to secure the appropriation of money for such Budget Year sufficient to pay the Contract Payments coming due therein. Obligor reasonably believes that moneys can and will lawfully be appropriated and made available for this purpose.
- (l) Obligor has selected both the Equipment and the vendor(s) from whom the Equipment is to be purchased upon its own judgment and without reliance on any manufacturer, merchant, vendor or distributor, or agent thereof, of such equipment to the public.
- (m) Obligor owns the Equipment and any additional collateral free and clear of any liens, and Obligor has not and will not, during the Contract Term, create, permit, incur or assume any liens, liens or encumbrances of any kind with respect to the Equipment or any additional collateral except those created by this Contract.

Section 2.02 Escrow Agreement. In the event both Obligee and Obligor mutually agree to utilize an Escrow Account, then immediately following the execution and delivery of this Contract, Obligee and Obligor agree to execute and deliver and to cause Escrow Agent to execute and deliver the Escrow Agreement. This Contract shall take effect only upon execution and delivery of the Escrow Agreement by the parties thereto. Obligee shall deposit or cause to be deposited with the Escrow Agent for credit to the Equipment Acquisition Fund the sum of N/A, which shall be held, invested and disbursed in accordance with the Escrow Agreement.

III. Acquisition of Equipment, Contract Payments and the Purchase Option Price

Section 3.01 Acquisition and Acceptance. Obligor shall be solely responsible for the ordering of the Equipment and for the delivery and installation of the Equipment. Execution of the Certificate of Acceptance or, alternatively, Payment Request and Equipment Acceptance Form, by a duly authorized representative of Obligor, shall constitute acceptance of the Equipment on behalf of the Obligor.

Section 3.02 Contract Payments. Obligor shall pay Contract Payments exclusively to Obligee or its assignees in lawful, legally available money of the United States of America. The Contract Payments shall be sent to the location specified by the Obligee or its assignees. The Contract Payments shall constitute a current expense of the Obligor and shall not constitute an indebtedness of the Obligor. The Contract Payments, payable without notice or demand, are due as set forth on Exhibit B. Obligee shall have the option to charge interest at the highest lawful rate on any Contract Payment received later than the due date for the number of days that the Contract Payment(s) were late, plus any additional accrual on the outstanding balance for the number of days that the Contract Payment(s) were late. Obligee shall also have the option, on monthly payments only, to charge a late fee of up to 10% of the monthly Contract Payment that is past due. Furthermore, Obligor agrees to pay any fees associated with the use of a payment system other than check, wire transfer, or ACH. Once all amounts due Obligee hereunder have been received, Obligee will release any and all of its rights, title and interest in the Equipment.

SECTION 3.03 CONTRACT PAYMENTS UNCONDITIONAL. Except as provided under Section 4.01, THE OBLIGATIONS OF OBLIGOR TO MAKE CONTRACT PAYMENTS AND TO PERFORM AND OBSERVE THE OTHER COVENANTS CONTAINED IN THIS CONTRACT SHALL BE ABSOLUTE AND UNCONDITIONAL IN ALL EVENTS WITHOUT ABATEMENT, DIMINUTION, DEDUCTION, SET-OFF, OR SUBJECT TO DEFENSE OR COUNTERCLAIM.

Section 3.04 Purchase Option Price. Upon thirty (30) days written notice, Obligor shall have the option to pay, in addition to the Contract Payment, the corresponding Purchase Option Price which is listed on the same line on Exhibit B. This option is only available to the Obligor on the Contract Payment date and no partial prepayments are allowed. If Obligor chooses this option and pays the Purchase Option Price to Oblige then Oblige will transfer any and all of its rights, title and interest in the Equipment to Obligor.

Section 3.05 Contract Term. The Contract Term shall be the Original Term and all Renewal Terms until all the Contract Payments are paid as set forth on Exhibit B except as provided under Section 4.01 and Section 9.01 below. If, after the end of the budgeting process which occurs at the end of the Original Term or any Renewal Term, Obligor has not non-appropriated as provided for in this Contract then the Contract Term shall be extended into the next Renewal Term and the Obligor shall be obligated to make all the Contract Payments that come due during such Renewal Term.

Section 3.06 Disclaimer of Warranties. OBLIGEE MAKES NO WARRANTY OR REPRESENTATION, EITHER EXPRESS OR IMPLIED, AS TO THE VALUE, DESIGN, CONDITION, MERCHANTABILITY, FITNESS FOR PARTICULAR PURPOSE OR ANY OTHER WARRANTY WITH RESPECT TO THE EQUIPMENT. OBLIGEE IS NOT A MANUFACTURER, SELLER, VENDOR OR DISTRIBUTOR, OR AGENT THEREOF, OF SUCH EQUIPMENT; NOR IS OBLIGEE A MERCHANT OR IN THE BUSINESS OF DISTRIBUTING SUCH EQUIPMENT TO THE PUBLIC. OBLIGEE SHALL NOT BE LIABLE FOR ANY INCIDENTAL, INDIRECT, SPECIAL OR CONSEQUENTIAL DAMAGE ARISING OUT OF THE INSTALLATION, OPERATION, POSSESSION, STORAGE OR USE OF THE EQUIPMENT BY OBLIGOR.

IV. Non-Appropriation

Section 4.01 Non-Appropriation. If insufficient funds are available in Obligor's budget for the next Budget Year to make the Contract Payments for the next Renewal Term and the funds to make such Contract Payments are otherwise unavailable by any lawful means whatsoever, then Obligor may non-appropriate the funds to pay the Contract Payments for the next Renewal Term. Such non-appropriation shall be evidenced by the passage of an ordinance or resolution by the governing body of Obligor specifically prohibiting Obligor from performing its obligations under this Contract and from using any moneys to pay the Contract Payments due under this Contract for a designated Budget Year and all subsequent Budget Years. If Obligor non-appropriates, then all obligations of the Obligor under this Contract regarding Contract Payments for all remaining Renewal Terms shall be terminated at the end of the then current Original Term or Renewal Term without penalty or liability to the Obligor of any kind provided that if Obligor has not delivered possession of the Equipment to Oblige as provided herein and conveyed to Oblige or released its interest in the Equipment by the end of the last Budget Year for which Contract Payments were paid, the termination shall nevertheless be effective but Obligor shall be responsible for the payment of damages in an amount equal to the amount of the Contract Payments thereafter coming due under Exhibit B which are attributable to the number of days after such Budget Year during which Obligor fails to take such actions and for any other loss suffered by Oblige as a result of Obligor's failure to take such actions as required. Obligor shall immediately notify the Oblige as soon as the decision to non-appropriate is made. If such non-appropriation occurs, then Obligor shall deliver the Equipment to Oblige as provided below in Section 9.04. Obligor shall be liable for all damage to the Equipment other than normal wear and tear. If Obligor fails to deliver the Equipment to Oblige, then Oblige may enter the premises where the Equipment is located and take possession of the Equipment and charge Obligor for costs incurred. If Obligor non-appropriates under this section, then Obligor shall not purchase, lease or rent Equipment performing same or similar functions to those performed by the Equipment for a period of 360 days unless otherwise prohibited by public policy considerations.

V. Insurance, Damage, Insufficiency of Proceeds

Section 5.01 Insurance. Obligor shall maintain both property insurance and liability insurance at its own expense with respect to the Equipment. Obligor shall be solely responsible for selecting the insurer(s) and for making all premium payments and ensuring that all policies are continuously kept in effect during the period when Obligor is required to make Contract Payments. Obligor shall provide Oblige with a certificate of Insurance which lists the Oblige and/or assigns as a loss payee and an additional insured on the policies with respect to the Equipment.

- (a) Obligor shall insure the Equipment against any loss or damage by fire and all other risks covered by the standard extended coverage endorsement then in use in the State and any other risks reasonably required by Oblige in an amount at least equal to the then applicable Purchase Option Price of the Equipment. Alternatively, Obligor may insure the Equipment under a blanket insurance policy or policies.
- (b) The liability insurance shall insure Oblige from liability and property damage in any form and amount satisfactory to Oblige.
- (c) Obligor may self-insure against the casualty risks and liability risks described above. If Obligor chooses this option, Obligor must furnish Oblige with a certificate and/or other documents which evidences such coverage.
- (d) All insurance policies issued or affected by this Section shall be so written or endorsed such that the Oblige and its assignees are named additional insureds and loss payees and that all losses are payable to Obligor and Oblige or its assignees as their interests may appear. Each policy issued or affected by this Section shall contain a provision that the insurance company shall not cancel or materially modify the policy without first giving thirty (30) days advance notice to Oblige or its assignees. Obligor shall furnish to Oblige certificates evidencing such coverage throughout the Contract Term.

Section 5.02 Damage to or Destruction of Equipment. Obligor assumes the risk of loss or damage to the Equipment. If the Equipment or any portion thereof is lost, stolen, damaged, or destroyed by fire or other casualty, Obligor will immediately report all such losses to all possible insurers and take the proper procedures to obtain all insurance proceeds. At the option of Oblige, Obligor shall either (1) apply the Net Proceeds to replace, repair or restore the Equipment or (2) apply the Net Proceeds to the applicable Purchase Option Price. For purposes of this Section and Section 5.03, the term Net Proceeds shall mean the amount of insurance proceeds collected from all applicable insurance policies after deducting all expenses incurred in the collection thereof.

Section 5.03 Insufficiency of Net Proceeds. If there are no Net Proceeds for whatever reason or if the Net Proceeds are insufficient to pay in full the cost of any replacement, repair, restoration, modification or improvement of the Equipment, then Obligor shall, at the option of Oblige, either (1) complete such replacement, repair, restoration, modification or improvement and pay any costs thereof in excess of the amount of the Net Proceeds or (2) apply the Net Proceeds to the Purchase Option Price and pay the deficiency, if any, to the Oblige.

Section 5.04 Obligor Negligence. Obligor assumes all risks and liabilities, whether or not covered by insurance, for loss or damage to the Equipment and for injury to or death of any person or damage to any property whether such injury or death be with respect to agents or employees of Obligor or of third parties, and whether such property damage be to Obligor's property or the property of others (including, without limitation, liabilities for loss or damage related to the release or threatened release of hazardous substances under the Comprehensive Environmental Response, Compensation and Liability Act, the Resource Conservation and Recovery Act or similar or successor law or any State or local equivalent now existing or hereinafter enacted which in any manner arise out of or are incident to any possession, use, operation, condition or storage of any Equipment by Obligor), which is proximately caused by the negligent conduct of Obligor, its officers, employees and agents.

Section 5.05 Reimbursement. Obligor hereby assumes responsibility for and agrees to reimburse Oblige for all liabilities, obligations, losses, damages, penalties, claims, actions, costs and expenses (including reasonable attorneys' fees) of whatsoever kind and nature, imposed on, incurred by or asserted against Oblige that in any way relate to or arise out of a claim, suit or proceeding, based in whole or in part upon the negligent conduct of Obligor, its officers, employees and agents, or arose out of installation, operation, possession, storage or use of any item of the Equipment, to the maximum extent permitted by law.

VI. Title and Security Interest

Section 6.01 Title. Title to the Equipment shall vest in Obligor when Obligor acquires and accepts the Equipment. Title to the Equipment will automatically transfer to the Oblige in the event Obligor non-appropriates under Section 4.01 or in the event Obligor defaults under Section 9.01. In such event, Obligor shall execute and deliver to Oblige such documents as Oblige may request to evidence the passage of legal title to the Equipment to Oblige. Pursuant to NJAC 5:34-3.3, absolute ownership of the Equipment will not occur until the Obligor makes all the scheduled Contract Payments or until the Obligor pays the then applicable Purchase Option Price as set forth herein.

Section 6.02 Security Interest. To secure the payment of all Obligor's obligations under this Contract, as well as all other obligations, debts and liabilities, plus interest thereon, whether now existing or subsequently created, Obligor hereby grants to Oblige a security interest under the Uniform Commercial Code constituting a first lien on the Equipment described more fully on Exhibit A. Furthermore, Obligor agrees that any other collateral securing any other obligation(s) to Oblige, whether offered prior to or subsequent hereto, also secures this obligation. The security interest established by this section includes not only all additions, attachments, repairs and replacements to the Equipment but also all proceeds therefrom. Obligor authorizes Oblige to prepare and record any Financing Statement required under the Uniform Commercial Code to perfect the security interest created hereunder. Obligor agrees that any Equipment listed on Exhibit A is and will remain personal property and will not be considered a fixture even if attached to real property.

VII. Assignment

Section 7.01 Assignment by Oblige. All of Oblige's rights, title and/or interest in and to this Contract may be assigned and reassigned in whole or in part to one or more assignees or sub-assignees by Oblige at any time without the consent of Obligor. No such assignment shall be effective as against Obligor until the assignor shall have filed with Obligor written notice of assignment identifying the assignee. Obligor shall pay all Contract Payments due hereunder relating to such Equipment to or at the direction of Oblige or the assignee named in the notice of assignment. Obligor shall keep a complete and accurate record of all such assignments.

Section 7.02 Assignment by Obligor. None of Obligor's right, title and interest under this Contract and in the Equipment may be assigned by Obligor unless Oblige approves of such assignment in writing before such assignment occurs and only after Obligor first obtains an opinion from nationally recognized counsel stating that such assignment will not jeopardize the tax-exempt status of the obligation.

VIII. Maintenance of Equipment

Section 8.01 Equipment. Obligor shall keep the Equipment in good repair and working order, and as required by manufacturer's and warranty specifications. If Equipment consists of copiers, Obligor is required to enter into a copier maintenance/service agreement. Oblige shall have no obligation to inspect, test, service, maintain, repair or make improvements or additions to the

Equipment under any circumstances. Obligor will be liable for all damage to the Equipment, other than normal wear and tear, caused by Obligor, its employees or its agents. Obligor shall pay for and obtain all permits, licenses and taxes related to the ownership, installation, operation, possession, storage or use of the Equipment. If the Equipment includes any titled vehicle(s), then Obligor is responsible for obtaining such title(s) from the State and also for ensuring that Obligees is listed as First Lienholder on all of the title(s). Obligor shall not use the Equipment to haul, convey or transport hazardous waste as defined in the Resource Conservation and Recovery Act, 42 U.S.C. 6901 et. seq. Obligor agrees that Obligees or its Assignee may execute any additional documents including financing statements, affidavits, notices, and similar instruments, for and on behalf of Obligor which Obligees deems necessary or appropriate to protect Obligees' interest in the Equipment and in this Contract. Obligor shall allow Obligees to examine and inspect the Equipment at all reasonable times.

IX. Default

Section 9.01 Events of Default defined. The following events shall constitute an "Event of Default" under this Contract:

- (a) Failure by Obligor to pay any Contract Payment listed on Exhibit B for fifteen (15) days after such payment is due according to the Payment Date listed on Exhibit B.
- (b) Failure to pay any other payment required to be paid under this Contract at the time specified herein and a continuation of said failure for a period of fifteen (15) days after written notice by Obligees that such payment must be made. If Obligor continues to fail to pay any payment after such period, then Obligees may, but will not be obligated to, make such payments and charge Obligor for all costs incurred plus interest at the highest lawful rate.
- (c) Failure by Obligor to observe and perform any warranty, covenant, condition, promise or duty under this Contract for a period of thirty (30) days after written notice specifying such failure is given to Obligor by Obligees, unless Obligees agrees in writing to an extension of time. Obligees will not unreasonably withhold its consent to an extension of time if corrective action is instituted by Obligor. Subsection (c) does not apply to Contract Payments and other payments discussed above.
- (d) Any statement, material omission, representation or warranty made by Obligor in or pursuant to this Contract which proves to be false, incorrect or misleading on the date when made regardless of Obligor's intent and which materially adversely affects the rights or security of Obligees under this Contract.
- (e) Any provision of this Contract which ceases to be valid for whatever reason and the loss of such provision would materially adversely affect the rights or security of Obligees.
- (f) Except as provided in Section 4.01 above, Obligor admits in writing its inability to pay its obligations.
- (g) Obligor defaults on one or more of its other obligations.
- (h) Obligor becomes insolvent, is unable to pay its debts as they become due, makes an assignment for the benefit of creditors, applies for or consents to the appointment of a receiver, trustee, conservator, custodian, or liquidator of Obligor, or all or substantially all of its assets, or a petition for relief is filed by Obligor under federal bankruptcy, insolvency or similar laws, or is filed against Obligor and is not dismissed within thirty (30) days thereafter.

Section 9.02 Remedies on Default. Whenever any Event of Default exists, Obligees shall have the right to take one or any combination of the following remedial steps:

- (a) With or without terminating this Contract, Obligees may declare all Contract Payments and other amounts payable by Obligor hereunder to the end of the then current Budget Year to be immediately due and payable.
- (b) With or without terminating this Contract, Obligees may require Obligor at Obligor's expense to redeliver any or all of the Equipment and any additional collateral to Obligees as provided below in Section 9.04. Such delivery shall take place within fifteen (15) days after the Event of Default occurs. If Obligor fails to deliver the Equipment and any additional collateral, Obligees may enter the premises where the Equipment and any additional collateral is located and take possession of the Equipment and any additional collateral and charge Obligor for costs incurred. Notwithstanding that Obligees has taken possession of the Equipment and any additional collateral, Obligor shall still be obligated to pay the remaining Contract Payments due up until the end of the then current Original Term or Renewal Term. Obligor will be liable for any damage to the Equipment and any additional collateral caused by Obligor or its employees or agents.
- (c) Obligees may take whatever action at law or in equity that may appear necessary or desirable to enforce its rights. Obligor shall be responsible to Obligees for all costs incurred by Obligees in the enforcement of its rights under this Contract including, but not limited to, reasonable attorney fees.

Section 9.03 No Remedy Exclusive. No remedy herein conferred upon or reserved to Obligees is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Contract now or hereafter existing at law or in equity. No delay or omission to exercise any right or power accruing upon any default shall impair any such right or shall be construed to be a waiver thereof.

Section 9.04 Return of Equipment and Storage.

- (a) **Surrender:** The Obligor shall, at its own expense, surrender the Equipment, any additional collateral and all required documentation to evidence transfer of title from Obligor to the Obligees in the event of a default or a non-appropriation by delivering the Equipment and any additional collateral to the Obligees to a location accessible by common carrier and designated by Obligees. In the case that any of the Equipment and any additional collateral consists of software, Obligor shall destroy all intangible items constituting such software and shall deliver to Obligees all tangible items constituting such software. At Obligees' request, Obligor shall also certify in a form acceptable to Obligees that Obligor has complied with the above software return provisions and that they will immediately cease using the software and that they shall permit Obligees and/or the vendor of the software to inspect Obligor's locations to verify compliance with the terms hereto.
- (b) **Delivery:** The Equipment and any additional collateral shall be delivered to the location designated by the Obligees by a common carrier unless the Obligees agrees in writing that a common carrier is not needed. When the Equipment and any additional collateral is delivered into the custody of a common carrier, the Obligor shall arrange for the shipping of the item and its insurance in transit in accordance with the Obligees' instructions and at the Obligor's sole expense. Obligor at its expense shall completely sever and disconnect the Equipment and any additional collateral or its component parts from the Obligor's property all without liability to the Obligees. Obligor shall pack or crate the Equipment and any additional collateral and all of the component parts of the Equipment and any additional collateral carefully and in accordance with any recommendations of the manufacturer. The Obligor shall deliver to the Obligees the plans, specifications, operation manuals or other warranties and documents furnished by the manufacturer or vendor on the Equipment and any additional collateral and such other documents in the Obligor's possession relating to the maintenance and methods of operation of such Equipment and any additional collateral.
- (c) **Condition:** When the Equipment is surrendered to the Obligees it shall be in the condition and repair required to be maintained under this Contract. It will also meet all legal regulatory conditions necessary for the Obligees to sell or lease it to a third party and be free of all liens. If Obligees reasonably determines that the Equipment or an item of the Equipment, once it is returned, is not in the condition required hereby, Obligees may cause the repair, service, upgrade, modification or overhaul of the Equipment or an item of the Equipment to achieve such condition and upon demand, Obligor shall promptly reimburse Obligees for all amounts reasonably expended in connection with the foregoing.
- (d) **Storage:** Upon written request by the Obligees, the Obligor shall provide free storage for the Equipment and any additional collateral for a period not to exceed 60 days after the expiration of the Contract Term before returning it to the Obligees. The Obligor shall arrange for the insurance described to continue in full force and effect with respect to such item during its storage period and the Obligees shall reimburse the Obligor on demand for the incremental premium cost of providing such insurance.

X. Miscellaneous

Section 10.01 Notices. All notices shall be sufficiently given and shall be deemed given when delivered or mailed by registered mail, postage prepaid, to the parties at their respective places of business as first set forth herein or as the parties shall designate hereafter in writing.

Section 10.02 Binding Effect. Obligor acknowledges this Contract is not binding upon the Obligees or its assignees unless the Conditions to Funding listed on the Documentation Instructions have been met to Obligees's satisfaction, and Obligees has executed the Contract. Thereafter, this Contract shall inure to the benefit of and shall be binding upon Obligees and Obligor and their respective successors and assigns.

Section 10.03 Severability. In the event any provision of this Contract shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof.

Section 10.04 Amendments, Addenda, Changes or Modifications. This Contract may be amended, added to, changed or modified by written agreement duly executed by Obligees and Obligor. Furthermore, Obligees reserves the right to directly charge or amortize into the remaining balance due from Obligor, a reasonable fee, to be determined at that time, as compensation to Obligees for the additional administrative expense resulting from such amendment, addenda, change or modification requested by Obligor.

Section 10.05 Execution in Counterparts. This Contract may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 10.06 Captions. The captions or headings in this Contract do not define, limit or describe the scope or intent of any provisions or sections of this Contract.

Section 10.07 Master Contract. This Contract can be utilized as a Master Contract. This means that the Obligees and the Obligor may agree to the financing of additional Equipment under this Contract at some point in the future by executing one or more Additional Schedules to Exhibit A and Exhibit B, as well as other exhibits or documents that may be required by Obligees. Additional Schedules will be consecutively numbered on each of the exhibits which make up the Additional Schedule and all the terms and conditions of the Contract shall govern each Additional Schedule.

Section 10.08 Entire Writing. This Contract constitutes the entire writing between Obligees and Obligor. No waiver, consent, modification or change of terms of this Contract shall bind either party unless in writing and signed by both parties, and then such waiver, consent, modification or change shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements, representations, conditions, or warranties, express or implied, which are not specified herein regarding this Contract, the Equipment or any additional collateral, financed hereunder. Any terms and conditions of any purchase order or other documents submitted by Obligor in connection with this Contract which are in addition to or inconsistent with the terms and conditions of this Contract will not be binding on Obligees and will not apply to this Contract.

Section 10.09 Designation as Qualified Tax-Exempt Obligation. Pursuant to Section 265(b)(3)(B)(i) of the Internal Revenue Code of 1986 as amended (the "Code"), the Obligor hereby specifically designates the Contract as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Code. In compliance with Section 265(b)(3)(D) of the Code, the Obligor hereby represents that the Obligor will not designate more than \$10,000,000 of obligations issued by the Obligor in the calendar year during which the Contract is executed and delivered as such "qualified tax-exempt obligations". In compliance with the requirements of Section 265(b)(3)(C) of the Code, the Obligor hereby represents that the Obligor (including all subordinate entities of the Obligor

within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipates not to issue in the calendar year during which the Contract is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000.

Section 10.10 Acceptance of Equipment Certification. By signing and attesting directly below, Obligor hereby certifies that the Equipment described directly below in Exhibit A has been delivered and installed in accordance with Obligor's specifications. Obligor further certifies that they have conducted such inspection and/or testing of the Equipment as it deems necessary and hereby acknowledges that it accepts the Equipment for all intended purposes.

Section 10.11 Resolution and Authorization. By signing and attesting directly below, Obligor hereby warrants and certifies that the Governing Body of the Obligor at either a special or regular meeting or through some other approved method of authorization has determined that this Contract is in the best interests of the Obligor and the Governing Body did at such meeting or through some other approval method approve the entering into of the Contract by the Obligor and specifically designated and authorized the individual(s) who have signed directly below to execute this Contract on Obligor's behalf along with any related documents (including any Escrow Agreement) necessary to the consummation of the transaction contemplated by the Contract.

Obligee and Obligor have caused this Contract to be executed in their names by their duly authorized representatives listed below.

Borough of Mountain Lakes, New Jersey

KS StateBank

Signature

Printed Name and Title

Signature

Marsha Jarvis, Senior Vice President

Printed Name and Title

Borough of Mountain Lakes, New Jersey

Attested By Authorized Individual:

Signature

Printed Name and Title

EXHIBIT A

DESCRIPTION OF EQUIPMENT

RE: Government Obligation Contract dated as of June 20, 2019, between KS StateBank (Obligee) and Borough of Mountain Lakes, New Jersey (Obligor)

Below is a detailed description of all the items of Equipment including quantity, model number and serial number where applicable:

One (1) Canon ImageRunner Advance C5550I II, One (1) Canon ImageRunner Advance C3525I III and One (1) Canon ImageRunner Advance C3561F III

Physical Address of Equipment after Delivery : 400 Boulevard, Mountain Lakes, NJ 07046

EXHIBIT B

PAYMENT SCHEDULE

RE: Government Obligation Contract dated as of June 20, 2019, between KS StateBank (Obligee) and Borough of Mountain Lakes, New Jersey (Obligor)

Date of First Payment: At Closing
 Original Balance: \$20,573.00
 Total Number of Payments: Ten (10)
 Number of Payments Per Year: Two (2)

Pmt No.	Due Date	Contract Payment	Applied to Interest	Applied to Principal	*Purchase Option Price
1	At Closing	\$2,308.00	\$0.00	\$2,308.00	\$19,175.52
2	20-Dec-19	\$2,308.00	\$484.50	\$1,823.50	\$17,180.08
3	20-Jun-20	\$2,308.00	\$436.13	\$1,871.87	\$15,152.12
4	20-Dec-20	\$2,308.00	\$386.48	\$1,921.52	\$13,091.10
5	20-Jun-21	\$2,308.00	\$335.51	\$1,972.49	\$10,996.48
6	20-Dec-21	\$2,308.00	\$283.18	\$2,024.82	\$8,867.72
7	20-Jun-22	\$2,308.00	\$229.47	\$2,078.53	\$6,704.26
8	20-Dec-22	\$2,308.00	\$174.34	\$2,133.66	\$4,505.54
9	20-Jun-23	\$2,308.00	\$117.74	\$2,190.26	\$2,270.98
10	20-Dec-23	\$2,308.00	\$59.65	\$2,248.35	\$0.00

Borough of Mountain Lakes, New Jersey

Signature

Printed Name and Title

*Assumes all Contract Payments due to date are paid

Please list the Source of Funds (Fund Item in Budget) for the Contract Payments that come due under Exhibit B of this Contract.

Source of Funds : General Fund

INSURANCE REQUIREMENTS

Pursuant to Article V of the Government Obligation Contract, you have agreed to provide us evidence of insurance covering the Equipment.

A Certificate of Insurance listing the information stated below should be sent to us no later than the date on which the equipment is delivered.

Insured:

Borough of Mountain Lakes, New Jersey
400 Boulevard
Mountain Lakes, New Jersey 07046

Certificate Holder:

KS StateBank
1010 Westloop, P.O. Box 69
Manhattan, Kansas 66505-0069

1. Equipment Description

- ◆ One (1) Canon ImageRunner Advance C5550I II, One (1) Canon ImageRunner Advance C3525I III and One (1) Canon ImageRunner Advance C3561F III
- ◆ Please include all applicable VIN's, serial numbers, etc.

2. Physical Damage

- ◆ All risk coverage to guarantee proceeds of at least \$20,573.00.

3. Loss Payee

- ◆ KS StateBank AOIA (and/or Its Assigns) MUST be listed as loss payee.

Please forward certificate as soon as possible to: Email: kbellinder@ksstate.bank
or
Fax: (785) 587-4016

Please complete the information below and return this form along with the Contract.

Borough of Mountain Lakes, New Jersey

Insurance Company: _____

Agent's Name: _____

Telephone #: _____

Fax #: _____

Address: _____

City, State Zip: _____

Email: _____

PREFERRED

*As an additional payment option for Obligor, we are now providing the option of ACH (Automatic Clearing House). By completing this form, Obligor is authorizing Obligee to withdraw said payment amount on said date.

DEBIT AUTHORIZATION

I hereby authorize KS StateBank Government Finance Department to initiate debit entries, and, if necessary, to reinstate returned entries up to two additional times, to the account indicated below at the financial institution named below and to debit the same to such account for:

Contract Number 3355594	Payment Amount \$2,308.00	Frequency of Payments Semi-Annual
Beginning _____ Month Year	Day of Month 20th	

I acknowledge that the origination of ACH transactions to this account must comply with the provisions of U.S. law.

Financial Institution Name		Branch	
Address	City	State	Zip
Routing Number		Account Number	

Type of Account Checking Savings

This authority is to remain in full force and effect until KS StateBank has received written notification from any authorized signer of the account of its termination in such time and manner as to afford KS StateBank a reasonable opportunity to act on it.

Obligor Name on Contract Borough of Mountain Lakes, New Jersey	
Signature	Printed Name and Title
Tax ID Number 22-6002119	Date

PLEASE ATTACH COPY OF A VOIDED CHECK TO THIS FORM!

USA Patriot Act

USA Patriot Act requires identity verification for all new accounts. This means that we may require information from you to allow us to make a proper identification.

INVOICE

DATE SENT: 06-17-2019

BILL TO:

BOROUGH OF MOUNTAIN LAKES, NEW JERSEY
ATTN: ACCOUNTS PAYABLE
400 BOULEVARD
MOUNTAIN LAKES, NEW JERSEY 07046

REMIT TO:

KS STATEBANK
GOVERNMENT FINANCE DEPARTMENT
PO BOX 69
MANHATTAN, KS 66505-0069
FOR INQUIRIES: (877) 587-4054

ACCOUNT NUMBER	PAYMENT DATE	PAYMENT DUE DATE	TOTAL AMOUNT DUE
3355594	At Closing	At Closing	\$2,308.00

DESCRIPTION	AMOUNT
GOVERNMENT OBLIGATION CONTRACT DATED AS OF JUNE 20, 2019	PAYMENT AMOUNT: \$2,308.00
ONE (1) CANON IMAGERUNNER ADVANCE C5550I II, ONE (1) CANON IMAGERUNNER ADVANCE C3525I III AND ONE (1) CANON IMAGERUNNER ADVANCE C3561F III	
<i>Additional interest will be assessed on any payment received after the due date.</i>	
	\$2,308.00
	TOTAL DUE

8038 REVIEW FORM

The 8038 form attached hereto is an important part of the documentation package and must be properly filled out and submitted to the Department of the Treasury in order for you to receive the lower tax-exempt rate. Unless you instruct us otherwise, we have engaged a Paid Preparer to assist in the filling out of this form. The Paid Preparer has filled out the relevant portions of this form based on the current understanding of what is required by the Department of the Treasury. The responses on this 8038 form are based on the dates and amounts which you have requested (structure of the transaction) and which are on the Payment Schedule.

1. Please review our responses for accuracy. If anything is inaccurate, please contact our office so that we can make proper revisions.
2. If the information provided to you on this form is accurate, please sign where indicated and return with the document package.
3. If there are any changes to the structure of the transaction that occur prior to funding which require a change to the 8038 form, we will make such changes and provide notification to you.
4. We will return to you a copy of the 8038 form that was mailed to the Department of the Treasury.

For additional guidance on this 8038 form, you can refer to the Documentation Instructions located on the following government website: <http://www.irs.gov/app/picklist/list/formsInstructions.html>, or contact your local IRS office.

**Information Return for Small Tax-Exempt
Governmental Bond Issues, Leases, and Installment Sales**

OMB No. 1545-0720

► Under Internal Revenue Code section 149(e)
Caution: If the issue price is \$100,000 or more, use Form 8038-G.

Part I Reporting Authority		Check box if Amended Return ► <input type="checkbox"/>
1 Issuer's name Borough of Mountain Lakes, New Jersey		2 Issuer's employer identification number (EIN) 22 6002119
3 Number and street (or P.O. box if mail is not delivered to street address) 400 Boulevard		Room/suite
4 City, town, or post office, state, and ZIP code Mountain Lakes, New Jersey 07046		5 Report number (For IRS Use Only)
6 Name and title of officer or other employee issuer or designated contact person whom the IRS may call for more information Mr. Mitchell Stern, Manager		7 Telephone number of officer or legal representative (973) 334-3131

Part II Description of Obligations Check one: a single issue <input checked="" type="checkbox"/> or a consolidated return <input type="checkbox"/>		
8a Issue price of obligation(s) (see instructions)	8a	20,998 96
b Issue date (single issue) or calendar date (consolidated). Enter date in mm/dd/yyyy format (for example, 01/01/2009) (see instructions) ► 06/20/2019		
9 Amount of the reported obligation(s) on line 8a that is:		
a For leases for vehicles	9a	
b For leases for office equipment	9b	
c For leases for real property	9c	
d For leases for other (see instructions)	9d	20,998 96
e For bank loans for vehicles	9e	
f For bank loans for office equipment	9f	
g For bank loans for real property	9g	
h For bank loans for other (see instructions)	9h	
i Used to refund prior issue(s)	9i	
j Representing a loan from the proceeds of another tax-exempt obligation (for example, bond bank)	9j	
k Other	9k	
10 If the issuer has designated any issue under section 265(b)(3)(B)(i)(III) (small issuer exception), check this box ► <input checked="" type="checkbox"/>		
11 If the issuer has elected to pay a penalty in lieu of arbitrage rebate, check this box (see instructions) ► <input type="checkbox"/>		
12 Vendor's or bank's name: KS StateBank		
13 Vendor's or bank's employer identification number: 48 0760380		

Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. I further declare that I consent to the IRS's disclosure of the issuer's return information, as necessary to process this return, to the person that I have authorized above.

Signature and Consent		Date	Type or print name and title														
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Print/Type preparer's name H. Evan Howe</td> <td style="width:30%;">Preparer's signature</td> <td style="width:10%;">Date 06/17/2019</td> <td style="width:10%;">Check <input type="checkbox"/> if self-employed</td> <td style="width:10%;">PTIN P01438994</td> </tr> <tr> <td>Firm's Name ► Baystone Financial LLC</td> <td colspan="4">Firm's EIN ► 48-1223987</td> </tr> <tr> <td>Firm's Address ► 12980 Metcalf, Suite 310, Overland Park, KS 66213</td> <td colspan="4">Phone no. (800) 752-3562</td> </tr> </table>			Print/Type preparer's name H. Evan Howe	Preparer's signature	Date 06/17/2019	Check <input type="checkbox"/> if self-employed	PTIN P01438994	Firm's Name ► Baystone Financial LLC	Firm's EIN ► 48-1223987				Firm's Address ► 12980 Metcalf, Suite 310, Overland Park, KS 66213	Phone no. (800) 752-3562		
Print/Type preparer's name H. Evan Howe	Preparer's signature	Date 06/17/2019	Check <input type="checkbox"/> if self-employed	PTIN P01438994													
Firm's Name ► Baystone Financial LLC	Firm's EIN ► 48-1223987																
Firm's Address ► 12980 Metcalf, Suite 310, Overland Park, KS 66213	Phone no. (800) 752-3562																

<p>General Instructions</p> <p><i>Section references are to the Internal Revenue Code unless otherwise noted.</i></p> <p>What's New</p> <p>The IRS has created a page on IRS.gov for information about the Form 8038 series and its instructions, at www.irs.gov/form8038. Information about any future developments affecting the Form 8038 series (such as legislation enacted after we release it) will be posted on that page.</p> <p>Purpose of Form</p> <p>Form 8038-GC is used by the issuers of tax-exempt governmental obligations to provide the IRS with the information required by section 149(e) and to monitor the requirements of sections 141 through 150.</p>	<p>Who Must File</p> <p>Issuers of tax-exempt governmental obligations with issue prices of less than \$100,000 must file Form 8038-GC.</p> <p>Issuers of a tax-exempt governmental obligation with an issue price of \$100,000 or more must file Form 8038-G, Information Return for Tax-Exempt Governmental Obligations.</p> <p>Filing a separate return for a single issue. Issuers have the option to file a separate Form 8038-GC for any tax-exempt governmental obligation with an issue price of less than \$100,000.</p> <p>An issuer of a tax-exempt bond used to finance construction expenditures must file a separate Form 8038-GC for each issue to give notice to the IRS that an election was made to</p>	<p>pay a penalty in lieu of arbitrage rebate (see the line 11 instructions).</p> <p>Filing a consolidated return for multiple issues. For all tax-exempt governmental obligations with issue prices of less than \$100,000 that are not reported on a separate Form 8038-GC, an issuer must file a consolidated information return including all such issues issued within the calendar year.</p> <p>Thus, an issuer may file a separate Form 8038-GC for each of a number of small issues and report the remainder of small issues issued during the calendar year on one consolidated Form 8038-GC. However, if the issue is a construction issue, a separate Form 8038-GC must be filed to give the IRS notice of the election to pay a penalty in lieu of arbitrage rebate.</p>
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BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

CONSTRUCTION OFFICE MONTHLY ACTIVITY REPORT

MAY 2019

ADMINISTRATIVE SUMMARY

The increased number and scope of construction projects discussed last month are being released and permits for that work are being issued. The revenue for the month of May reflects this increased activity. Several more projects were submitted during the month which will be reflected in increased activity levels for the next several months.

Several significant projects are being handled in the Construction Office. Three buildings at 100 Route 46 are in the process of being renovated and will eventually be home to Lightbridge Academy Daycare Center. Another building of six units has been submitted for The Enclave at Mountain Lakes, currently under construction by Pulte Homes. Construction documents have been submitted for additions and renovations to three of the Borough schools. These school projects will see a June construction start. Additionally, several larger single family residential projects have been submitted and more are expected in the coming months.

The first Certificate of Occupancy was issued to Pulte Homes for a unit at The Enclave at Mountain Lakes. Several more units are approaching completion.

Contractors have had to deal with the continued wet weather but have been able to schedule their work around the weekly storms.



Mountain Lakes Borough
 400 BOULEVARD
 MOUNTAIN LAKES, NJ 07046

Construction Permit Activity Report

5/1/2019 -> 5/31/2019

Summary

	Cost:	Count:			
New:	\$2,017,000.00	1	Cubic Footage:	111,448 Cu.ft	Permits Issued: 29
Addition:	\$305,800.00	3	Square Footage:	6,936 Sq.ft	Updates Issued: 4
Alteration:	\$439,959.00	28			
Demolition:	\$3,000.00	1			
Total:	\$2,765,759.00	33			

Permits	Count	Permit Fees	Admin Fees	Total	Inspections	Passed	Failed	Other
Building:	15	\$15,092.00	\$0.00	\$15,092.00	B 49	34 %69.4	9 %18.4	6 %12.2
Plumbing:	11	\$1,885.00	\$0.00	\$1,885.00	P 25	19 %76	4 %16	2 %8
Electrical:	18	\$2,342.00	\$0.00	\$2,342.00	E 48	34 %70.8	10 %20.8	4 %8.3
Fire:	3	\$237.00	\$0.00	\$237.00	F 4	4 %100	0 %0	0 %0
Elevator:	1	\$0.00	\$0.00	\$0.00	V 0	0 %	0 %	0 %
Mechanical:	11	\$825.00	\$0.00	\$825.00	M 15	9 %60	3 %20	3 %20
	59	\$20,381.00	\$0.00	\$20,381.00		141	100	26
								15
DCA Training:	4		413	Other Fees	(Note: Does not include result of none)			
DCA State:	28		1018	\$1,200.00				
DCA Minimum:	1		1					
	33		\$1,432					

Variations	Total	Paid	Certificates	Issued Total	Paid Total
Building	0	0	CA 25	\$0.00	\$0.00
Plumbing	0	0	CCO 0	\$0.00	\$0.00
Electrical	0	0	CO 1	\$200.00	\$250.00
Fire	0	0	CC 0	\$0.00	\$0.00
Mechanical	0	0	TCO 0	\$0.00	\$0.00
Elevator	0	0	TCC 0	\$0.00	\$0.00
Total:	\$0.00	\$0.00	Total: 26	\$200.00	\$250.00

NOTE:
 Information gathered is based on the Issue date for that item, ie permit issue date, certificate issue date.

This will cause discrepancies between the payments section which uses Payment date. Example you took in money for a CO but the CO has not been issued yet.

Permit Subcode Exempted (State) Fees			Permit Subcode Waived (Local) Fees		
	Record Count	Total Exempted		Record Count	Total Waived
Building	0	\$0	Building	0	\$0
Plumbing	0	\$0	Plumbing	0	\$0
Electrical	0	\$0	Electrical	0	\$0
Fire	0	\$0	Fire	0	\$0
Mechanical	0	\$0	Mechanical	0	\$0
Elevator	0	\$0	Elevator	0	\$0
Total:		\$0	Total:		\$0

Record Count	Total Exempted	Violations	Fines	Paid
DCA Fees 0	\$0	Issued 0	\$0.00	\$0.00

Payments (Based on Payment Date)	
Permit (78)	\$23,313.00
NON-UCC (2)	\$50.00
Variation Payments	\$0.00
Penalty (0)	\$0.00
Inspection Payments	\$0.00
Ongoing Invoice	\$0.00
Test Payments	\$0.00
Other Payments	\$0.00
Grand Total	\$23,363.00

BOROUGH OF MOUNTAIN LAKES CONSTRUCTION OFFICE ANNUAL PERMIT FEES

6/2/2019

	2017 COLLECTED	YEAR TO DATE
JANUARY	9,550	9,550
FEBRUARY	16,180	25,730
MARCH	11,015	36,745
APRIL	14,473	51,218
MAY	8,196	59,414
JUNE	16,031	75,445
JULY	18,388	93,833
AUGUST	20,069	113,902
SEPTEMBER	6,698	120,600
OCTOBER	12,736	133,336
NOVEMBER	9,522	142,858
DECEMBER	6,930	149,788
	2018 COLLECTED	YEAR TO DATE
JANUARY	10,958	10,958
FEBRUARY	4,025	14,983
MARCH	3,342	18,325
APRIL	8,802	27,127
MAY	18,270	45,397
JUNE	7,805	53,202
JULY	11,359	64,561
AUGUST	9,355	73,916
SEPTEMBER	9,504	83,420
OCTOBER	23,654	107,074
NOVEMBER	17,709	124,783
DECEMBER	34,113	158,896
	2019 COLLECTED	YEAR TO DATE
JANUARY	12,338	12,338
FEBRUARY	4,042	16,380
MARCH	23,677	40,057
APRIL	8,056	48,113
MAY	23,363	71,476
JUNE		
JULY		
AUGUST		
SEPTEMBER		
OCTOBER		
NOVEMBER		
DECEMBER		

BOROUGH OF MOUNTAIN LAKES
DEPARTMENT OF PUBLIC WORKS
Department Activity
May 2019

IN HOUSE

All regular work details including building maintenance, vehicle repairs and maintenance, trash and recycling collection, trash bag deliveries, street sweeping, lawn maintenance, leaf and brush disposal, daily maintenance of wells, monthly water testing for Coliform and Chlorine, final water reads, utility mark outs, etc. Additionally:

Streets & Roads Department:

- Pothole repairs borough wide
- Asphalt berm repairs and installations
- Assist with curb and sidewalk installation on Morris Avenue and Midvale Avenue
- Two catch basin repairs on Roberts Drive
- Storm drain cleanouts with Jet Vac
- Setup and breakdown for Garden Club's plant sale
- Brook debris cleanout with machine near Pollard Road
- Worked with local tree company to deliver woodchips for residential use
- Contacted Rich Tree Service in reference to dangerous trees in Borough
- Foreman assisted Rich Tree Service in assessing these dangerous trees
- Installation of "Key Safe" at Police Department
- Replace light bulbs in Police Department locker room
- Styrofoam delivery to Foam Pack Industries
- Prepare materials for E-waste pick

Water/Sewer Department:

- Replace water service from water main to curb stop – 124 Lake Drive
- Install two new showers and water fountain at Birchwood Beach
- Turned on water at all beach facilities
- Turned on water for all fountains throughout Borough
- Repaired toilet and urinal in men's bathroom at Island Beach
- Assisted Fitzpatrick Paving with sidewalk and road risers for paving
- Placed water and sewer risers in sidewalk at Birchwood Lake
- Replaced curb box for service line at 54 Crane Road
- Assisted PCS with data upgrade at wells, tanks and sewer stations

Recreation:

- Move sailing boxes to Island Beach
- Memorial Day event preparation
 1. Order and Pick up flowers
 2. Order and setup flags
 3. Grounds maintenance at Memorial Park
 4. Gather and setup risers at Memorial Park
 5. Work with Memorial Day committee in reference to parade order assignments

- **Beach Project:**

1. Insulate, sheetrock and spackle bathrooms
2. Install bead soffit
3. Painting of guard room and snack shack floors
4. Installed FRP (plastic board) on snack room walls (per inspector)
5. Placed and spread three tons of river rock stone around building facility
6. Install concrete pads for lifeguard chairs
7. Build and install lifeguard chairs

Vacation/Sick Time:

- 96 Vacation Hours/56 Sick Hours, 152 Man Hours

Borough of Mountain Lakes

BOARD OF HEALTH

400 BOULEVARD • MOUNTAIN LAKES, NEW JERSEY 07046

Telephone: (973) 334-3131 • Fax: (973) 402-5595



May 2019

Administration/Tests:

- Review all swimming pool and spa results – Craig school, YMCA and Sports Care.
- Reviewed staff reports and collaborate regarding items or issues of concern.
- Retail food establishment updates and spot checks
- Continued with working on lead education program
- Ongoing Supply of lead testing kits and Radon testing Kits.
- Continue support of radon, lead surfaces and water testing

Environmental Inspections

- Birchwood Lake inspection completed – food pavillion public health construction inspections
Final pre operational inspection to be completed upon completion of constuction on or about July 11, 2019
- Island Beach inspection completed
- Sports Care pool inspection of elevated sample levels due to pump failure and associated repairs in process of retesting for compliance.

Nursing

CDC/NJDOH PUBLIC HEALTH ALERTS

Continued surveillance for *Borrelia miyamotoi*, an emerging tickborne disease in New Jersey

Date: May 23, 2019

Public Health Message Type: Alert Advisory Update Information

Intended Audience: All public health partners Healthcare providers Infection preventionists Local health departments Schools/child care centers ACOs
 Animal health professionals Other:

Key Points or Updates:

(1) *Borrelia miyamotoi* is a rare, but emerging tickborne disease that is transmitted by the same tick that transmits Lyme disease. It causes an illness similar to tickborne relapsing fever and is distantly related to the bacteria that cause Lyme disease. To date, there are no comprehensive studies to evaluate treatment regimens, but in published case series, patients were successfully treated with antibiotics and dosages used for Lyme disease.

(2) NJDOH requested voluntary reporting of *B. miyamotoi* infections in 2017. In 2018, NJDOH received 28 reports in residents from 8 counties in NJ. 7/28 reports met the public health surveillance case definition and were in residents from 4 counties: Sussex (3), Warren, Morris (2), and Cape May.

(3) The most commonly reported signs/symptoms were fever/chills (100%), myalgia (86%), fatigue (86%), and joint pains (71%). Other symptoms reported were dizziness, headache, abdominal pain, nausea, photophobia and anorexia. The median age was 54 years with a range of 22-71 years.

Action Items:

(1) To characterize this emerging tickborne disease in NJ, NJDOH requests that healthcare providers and laboratories continue to

report B. miyamotoi infections in NJ residents to the local health department (www.localhealth.nj.gov).

(2) If B. miyamotoi infection is suspected, clinicians can order testing (PCR and serology) for B. miyamotoi at some commercial laboratories (including Quest, Mayo).

(3) Reported fever or chills are symptoms that are required to meet the surveillance case definition.

Clinicians and local health departments are asked to report on presence of fever or chills as part of public health reporting and investigation.

Contact Information:

Mojisola Ojo, NJ Department of Health, Phone: 609-826-5964; Email: Mojisola.Ojo@doh.nj.gov

Kim Cervantes, NJ Department of Health, Phone: 609-826-5964; Email: Kim.Cervantes@doh.nj.gov

References and Resources:

- New Jersey Department of Health Communicable Disease Service: Vector-borne Illness

www.nj.gov/health/cd/topics/vectorborne.shtml

- Centers for Disease Control and Prevention: Tick-Borne Diseases of the United States

www.cdc.gov/ticks/tickbornediseases/borrelia-miyamotoi.html

Borrelia miyamotoi Surveillance in New Jersey, 2017-2018

Monthly Activities

CDRSS is checked, at minimum, twice daily to review for newly listed communicable diseases. This is accomplished by all nursing staff. Upon the listing of a new disease, investigation of disease is initiated by PHN.

NJLINCS checked daily. Health alerts and advisories are reviewed by all Public Health nurses. Health alerts, recalls, and specific health advisories are forwarded to the Health Educator for dissemination of information to the public if action is warranted as per NJLINCS.

Screenings This Month

No screenings this month.

Seasonal Flu Activities

Influenza activity as reported by NJDOH surveillance is **low** for this region for week ending May 18th 2019 2019.

Disease Prevention - Well Child Program – 2 months thru 18 years of age - L. Gearhart, PHRN

No patients this month for the Well Child Program.

Childhood Lead Poisoning Prevention Program – T. Fucci, PHRN

No cases from Mountain Lakes reported to our office during this month. Lead case management monitoring occurs twice daily at a minimum for jurisdiction within the NJDOH Welligent LeadTrax Monitoring system.

TB Control Program – T. Fucci, PHRN

No Mantoux tests were administered this month.

Perinatal Hepatitis B Prevention Program, T. Fucci, PHRN

No PNHBV cases from Mountain Lakes reported to our office during this month.

Communicable Disease

The classifications for the cases listed below are based on the investigation conducted by the PHN, laboratory evaluation and NJDOH case definition. All investigation information is entered into CDRSS; NJDOH reads entries, comments on individual cases or will send PHN email requesting more data. Once NJDOH is satisfied with investigation methods, the case is approved and closed.

Patient Status is based on pt s/s, lab result interpretation and NJDOH Case Definition which is found in the NJDOH Communicable Disease Manual

May 2019

New Cases: 1	Ongoing Cases: 0
1. Hepatitis B- probable & closed.	

Heath Education

- See attached

Respectfully Submitted by:



F. Michael Fitzpatrick, Health Officer

MLPD Monthly Activity Report

Month/Year	Alarms	False Alarm Charges	False Alarm Collected	Total Arrests	Juv. Arrests	CDS (Drug) Arrests	L.O. Violations	DWI	M.V. Stops	M.V. Summonses	M.V. Accidents	Animal Complaints	Medical	Thefts	Assaults	Burglary/Robbery	Murder	Total Call Volume
January-11	35	N/A	N/A	4	0	2	1	1	90	51	17	13	22	3	0	0	0	651
January-12	39	\$ 400.00	\$ -	4	0	1	0	0	86	44	13	4	18	6	0	3	0	557
January-13	26	\$ -	\$ -	3	0	0	0	1	65	37	10	6	21	2	1	0	0	533
January-14	18	\$ -	\$ -	6	1	1	5	2	186	69	13	7	12	2	1	2	0	767
January-15	21	\$ -	\$ 850.00	3	0	3	0	0	135	48	5	5	16	3	0	0	0	614
January-16	14	\$ -	\$ -	7	0	1	0	3	166	51	13	6	8	5	0	2	0	647
January-17	19	\$ -	\$ 50.00	11	0	7	0	2	223	72	6	4	6	4	0	0	0	832
January-18	15	\$ -	\$ -	8	0	2	1	4	164	76	13	7	14	1	0	0	0	858
January-19	23	\$ -	\$ -	5	1	1	0	0	117	51	6	7	14	2	0	0	0	918
February-11	20	N/A	N/A	5	2	0	0	1	138	62	14	8	10	1	0	0	0	572
February-12	27	\$ -	\$ -	7	0	1	0	4	116	44	11	11	18	3	0	0	0	584
February-13	17	\$ -	\$ -	6	0	0	0	3	65	55	6	7	10	0	0	0	0	440
February-14	15	\$ -	\$ -	3	0	0	1	0	217	110	10	11	8	1	1	0	0	729
February-15	23	\$ 50.00	\$ 400.00	7	0	0	9	3	91	61	11	9	12	1	0	0	0	535
February-16	18	\$ 50.00	\$ 1,000.00	10	2	3	0	3	201	36	5	6	9	6	0	1	0	723
February-17	16	\$ 50.00	\$ -	9	0	6	0	2	168	64	10	6	7	1	1	1	0	682
February-18	14	\$ -	\$ -	8	0	1	2	1	174	63	2	3	9	2	0	0	0	734
February-19	18	\$ 50.00	\$ 50.00	4	0	0	2	0	76	26	4	4	15	3	1	0	0	724
March-11	17	N/A	N/A	2	0	0	0	1	127	73	8	18	13	5	0	0	0	669
March-12	28	\$ -	\$ -	2	0	1	2	0	98	42	6	8	17	5	1	1	0	584
March-13	21	\$ -	\$ -	2	0	0	2	2	51	33	10	10	10	1	0	8	0	570
March-14	13	\$ -	\$ -	2	0	0	0	0	264	134	9	14	16	4	1	0	0	844
March-15	14	\$ 100.00	\$ 50.00	11	1	5	4	2	94	55	11	9	7	1	1	3	0	610
March-16	12	\$ -	\$ -	16	0	9	0	1	313	91	11	10	15	4	0	0	0	973
March-17	19	\$ 50.00	\$ 50.00	10	0	3	0	0	174	43	7	6	11	3	0	1	0	801
March-18	15	\$ -	\$ -	6	0	2	0	2	151	75	10	7	17	3	1	1	0	1030
March-19	21	\$ -	\$ -	6	0	1	0	0	132	40	8	12	13	1	1	0	0	797
April-11	27	N/A	N/A	4	0	1	3	0	110	69	9	11	8	5	1	0	0	560
April-12	30	\$ -	\$ -	5	0	0	2	2	103	45	13	11	11	5	0	1	0	588
April-13	19	\$ -	\$ -	6	0	1	0	3	44	28	9	7	13	2	2	3	0	533
April-14	20	\$ 50.00	\$ -	5	1	1	1	1	243	95	9	18	11	2	0	4	0	784
April-15	17	\$ -	\$ 50.00	2	0	0	1	0	76	41	13	18	14	4	0	2	0	621
April-16	22	\$ 50.00	\$ -	19	0	12	0	1	267	41	15	7	8	8	1	0	0	820
April-17	22	\$ 600.00	\$ 650.00	11	0	3	3	1	122	40	5	11	13	8	0	6	0	737
April-18	14	\$ -	\$ -	7	1	4	0	1	122	58	8	8	7	3	0	0	0	748
April-19	21	\$ -	\$ -	6	0	3	1	1	109	38	8	15	12	4	0	0	0	922
May-11	37	N/A	N/A	5	0	1	7	0	111	141	9	11	21	2	0	0	0	676
May-12	34	\$ 50.00	\$ -	2	0	1	3	0	65	99	15	20	19	1	0	0	0	649

MLPD Monthly Activity Report

Month/Year	Alarms	False Alarm Charges	False Alarm Collected	Total Arrests	Juv. Arrests	CDS (Drug) Arrests	L.O. Violations	DWI	M.V. Stops	M.V. Summonses	M.V. Accidents	Animal Complaints	Medical	Thefts	Assaults	Burglary/Robbery	Murder	Total Call Volume
May-13	20	\$ 100.00	\$ -	2	0	0	0	0	43	15	12	11	16	3	0	1	0	541
May-14	23	\$ -	\$ -	7	2	2	0	0	219	88	9	10	7	8	0	4	0	792
May-15	21	\$ 200.00	\$ -	6	0	0	1	2	79	43	12	18	11	2	0	1	0	646
May-16	11	\$ 100.00	\$ 50.00	13	1	11	0	1	267	98	12	14	13	4	5	0	0	806
May-17	25	\$ -	\$ -	9	0	4	0	3	142	48	10	12	14	9	0	8	0	928
May-18	20	\$ -	\$ -	10	0	0	7	2	164	94	11	9	14	3	1	0	0	875
May-19	13	\$ -	\$ -	2	0	0	0	0	62	18	12	10	22	1	1	3	0	869
June-11	39	N/A	N/A	8	1	0	3	0	85	94	9	14	12	4	0	0	0	633
June-12	15	\$ -	N/A	5	2	3	5	1	64	59	6	21	12	3	0	1	0	571
June-13	14	\$ -	\$ 50.00	1	0	1	0	0	47	21	16	12	9	4	0	0	0	514
June-14	31	\$ 50.00	\$ -	5	1	1	0	0	134	56	13	14	14	1	0	1	0	646
June-15	14	\$ 300.00	\$ 200.00	2	0	0	1	0	81	7	14	9	17	3	0	0	0	698
June-16	21	\$ -	\$ -	15	0	8	4	0	220	70	17	15	9	5	0	1	0	956
June-17	29	\$ -	\$ -	7	1	2	0	2	135	39	16	9	14	4	1	0	0	844
June-18	24	\$ -	\$ -	2	0	0	0	0	154	68	11	7	15	5	0	2	0	800
June-19																		
July-11	35	N/A	N/A	1	1	1	1	0	54	27	10	29	12	4	1	1	0	594
July-12	27	\$ 100.00	\$ -	10	0	1	4	3	72	27	15	14	7	1	0	2	0	566
July-13	25	\$ 200.00	\$ -	5	1	3	5	0	56	17	10	14	8	2	0	1	0	547
July-14	37	\$ 300.00	\$ -	5	0	0	0	2	187	96	8	7	9	3	0	2	0	655
July-15	23	\$ 450.00	\$ 50.00	3	0	0	2	1	116	52	13	15	8	11	0	0	0	705
July-16	22	\$ -	\$ 100.00	15	0	8	1	0	204	52	14	12	19	12	2	12	0	1012
July-17	20	\$ -	\$ -	7	0	3	1	0	138	22	7	12	10	6	2	1	0	693
July-18	16	\$ -	\$ -	7	0	2	0	0	128	56	8	5	9	12	2	22	0	828
July-19																		
August-11	44	N/A	N/A	3	0	0	0	1	59	32	18	32	19	3	0	0	0	737
August-12	30	\$ 100.00	\$ -	6	2	2	1	2	57	23	11	19	14	3	0	1	0	517
August-13	25	\$ 100.00	\$ -	5	0	0	2	0	80	27	10	30	8	5	3	0	0	537
August-14	22	\$ -	\$ -	7	0	1	0	1	188	74	8	21	9	2	0	27	0	685
August-15	27	\$ 100.00	\$ 800.00	4	0	0	0	1	258	82	3	25	13	5	0	4	0	831
August-16	33	\$ -	\$ 250.00	18	0	6	1	0	198	56	8	23	13	3	0	1	0	810
August-17	15	\$ -	\$ -	14	1	4	3	0	109	25	10	8	9	7	1	2	0	603
August-18	23	\$ -	\$ -	3	0	0	0	0	121	44	8	11	17	6	0	3	0	794
August-19																		
September-11	25	N/A	N/A	1	0	0	0	1	66	28	15	26	13	5	0	8	0	634
September-12	8	\$ -	\$ -	5	0	0	0	2	44	22	12	97	12	1	0	2	0	611
September-13	17	\$ -	\$ -	1	0	0	1	0	29	10	9	14	14	2	0	0	0	480
September-14	17	\$ 50.00	\$ 150.00	6	1	1	0	0	155	65	7	18	11	3	1	2	0	696
September-15	28	\$ 550.00	\$ 100.00	5	0	0	1	1	192	80	9	16	19	14	0	1	0	846

MLPD Monthly Activity Report

Month/Year	Alarms	False Alarm Charges	False Alarm Collected	Total Arrests	Juv. Arrests	CDS (Drug) Arrests	L.O. Violations	DWI	M.V. Stops	M.V. Summonses	M.V. Accidents	Animal Complaints	Medical	Thefts	Assaults	Burglary/Robbery	Murder	Total Call Volume
September-16	20	\$ 200.00	\$ -	9	0	3	0	1	153	40	7	10	10	11	0	11	0	861
September-17	14	\$ -	\$ -	4	1	2	0	1	98	35	12	6	15	1	0	0	0	714
September-18	12	\$ -	\$ -	7	0	2	1	1	78	28	9	5	14	11	0	8	0	795
September-19																		
October-11	45	N/A	N/A	2	0	0	0	0	50	31	15	20	19	1	0	1	2	671
October-12	40	\$ 50.00	N/A	4	0	1	0	0	45	23	14	114	19	3	0	0	0	773
October-13	4	\$ -	\$ 350.00	7	2	0	0	2	66	30	7	33	18	3	2	2	0	667
October-14	24	\$ 150.00	\$ 200.00	4	0	1	0	1	106	52	12	20	10	7	2	1	0	663
October-15	21	\$ 600.00	\$ 550.00	9	0	0	2	3	147	49	11	16	16	2	0	0	0	716
October-16	28	\$ -	\$ -	3	0	2	1	0	105	22	7	13	9	4	0	1	0	708
October-17	25	\$ -	\$ -	5	0	2	0	0	115	48	16	6	15	6	0	1	0	766
October-18	13	\$ -	\$ -	3	0	1	0	1	122	55	15	4	15	8	0	0	1	866
October-19																		
November-11	18	N/A	N/A	1	0	0	0	0	59	35	9	19	17	2	1	2	0	577
November-12	38	\$ 50.00	N/A	4	0	0	0	2	51	35	9	28	12	1	0	1	0	576
November-13	9	\$ -	\$ -	2	0	0	0	1	51	17	10	15	20	6	1	1	0	599
November-14	33	\$ 200.00	\$ 100.00	2	1	0	1	1	107	46	7	14	10	8	1	0	0	625
November-15	28	\$ 550.00	\$ 500.00	7	0	1	0	0	169	42	11	7	13	6	0	2	0	766
November-16	21	\$ -	\$ 200.00	4	0	2	1	0	230	69	10	5	9	4	0	0	0	853
November-17	18	\$ -	\$ -	6	0	2	1	0	79	31	10	1	12	9	1	5	0	701
November-18	20	\$ -	\$ -	4	0	2	0	0	81	27	13	5	10	5	0	3	0	804
November-19																		
December-11	34	N/A	N/A	2	0	0	0	0	76	28	8	14	17	6	0	6	0	541
December-12	17	\$ -	N/A	0	0	0	0	0	73	47	14	17	20	2	2	0	0	581
December-13	22	\$ -	\$ -	5	1	2	0	0	66	28	13	6	14	6	0	1	0	545
December-14	37	\$ 1,350.00	\$ 250.00	10	3	4	0	3	106	52	10	8	11	2	0	1	0	576
December-15	26	\$ 1,200.00	\$ 450.00	2	0	0	4	0	157	45	16	13	15	6	0	1	0	718
December-16	22	\$ 50.00	\$ -	13	0	6	0	2	194	79	13	8	10	0	0	0	0	865
December-17	15	\$ -	\$ -	1	0	1	0	0	100	44	4	4	13	2	0	0	0	690
December-18	25	\$ -	\$ -	3	0	0	0	0	60	21	10	5	16	1	0	0	0	683
December-19																		
2011	376	N/A	N/A	38	4	5	15	5	1025	671	141	215	183	41	3	18	2	7515
2012	333	\$ 850.00	\$ -	54	4	11	17	16	874	510	139	364	179	34	3	12	0	7157
2013	219	\$ 400.00	\$ 400.00	45	4	7	10	12	663	318	122	165	161	36	9	17	0	6506
2014	290	\$ 2,150.00	\$ 700.00	62	10	12	8	11	2112	937	115	162	128	43	7	44	0	8462
2015	263	\$ 4,100.00	\$ 4,000.00	61	1	9	25	13	1595	608	129	160	161	58	1	14	0	8306
2016	244	\$ 450.00	\$ 1,600.00	142	3	71	8	12	2518	645	132	129	132	66	8	29	0	10034
2017	237	\$ 700.00	\$ 750.00	94	3	39	8	11	1603	511	113	85	139	60	6	25	0	8991
2018	211	\$ -	\$ -	68	1	16	11	12	1519	665	118	76	157	60	4	39	1	9815

MLPD Monthly Activity Report

<u>Month/Year</u>	<u>Alarms</u>	<u>False Alarm</u> <u>Charges</u>	<u>False Alarm</u> <u>Collected</u>	<u>Total</u> <u>Arrests</u>	<u>Juv.</u> <u>Arrests</u>	<u>CDS (Drug)</u> <u>Arrests</u>	<u>L.O.</u> <u>Violations</u>	<u>DWI</u>	<u>M.V.</u> <u>Stops</u>	<u>M.V.</u> <u>Summonses</u>	<u>M.V.</u> <u>Accidents</u>	<u>Animal</u> <u>Complaints</u>	<u>Medical</u>	<u>Thefts</u>	<u>Assaults</u>	<u>Burglary/ Robbery</u>	<u>Murder</u>	<u>Total Call</u> <u>Volume</u>
2019 YTD	96	\$ 50.00	\$ 50.00	23	1	5	3	1	496	173	38	48	76	11	3	3	0	4230

May 2019

<u>Total Overtime</u>
<u>Hours Paid</u>
340.5

<u>Total</u>	<u>Total</u>	<u>% of Hrs Equating to</u>
<u>Vaca/Comp Hrs</u>	<u>Vaca/Comp/Personal/Bereave Hrs</u>	<u>OT</u>
169	30.5	18.05%

<u>Total Sick Time</u>	<u>Total Sick Time</u>	<u>% of Hrs Equating to</u>
<u>Hrs</u>	<u>Hrs Creating OT</u>	<u>OT</u>
96	57	59.38%

- * 9 Hours Arrests/Transports
- * 16 Hours Memorial Day/Mtn Lakes Day
- * 7 Hours Mutual Aid
- * 4.5 Hours Mandatory Training
- * 216.5 Hours Traffic for Fitzpatrick Curbing & Paving

Time Used/Overtime by Month

	Sick Time Hours							Vacation/Comp Hours/Pers Day/Retiree							Court Overtime							Department Overtime					Training/School Hours								
	2013	2014	2015	2016	2017	2018	2019	2013	2014	2015	2016	2017	2018	2019	2013	2014	2015	2016	2017	2018	\$2,019	2013	2014	2015	2016	2017	2018	2019	2013	2014	2015	2016	2017	2018	2019
Jan	12	104	106	58	236	216	79	12	60	64	127.5	22	15	14	\$0	\$0	\$0	\$0	\$0	\$158	\$0	\$1,522	\$9,344	\$2,989	\$3,164	\$2,598	\$4,159	\$4,348	0	6	60	50	48	51	86
Feb	72	80	104	142	226	252	86	36	45	34	11	84	104	220	\$0	\$221	\$0	\$0	\$0	\$0	\$210	\$6,262	\$10,162	\$4,641	\$7,750	\$7,009	\$4,927	\$2,138	30	112	75	125	103	15	16
March	60	128	82	82	238	310	110	156	36	96	139	198	148.5	168	\$0	\$180	\$0	\$0	\$151	\$0	\$0	\$16,524	\$7,262	\$6,541	\$7,689	\$12,822	\$29,829	\$6,254	87	52	15	91	115	59	57
April	60	36	72	46	209.5	0	106	60	165	218	138	154	250	265.5	\$0	\$360	\$271	\$0	\$0	\$0	\$422	\$4,355	\$1,563	\$8,942	\$4,657	\$5,399	\$12,146	\$27,385	59	37	85	60	44	0	94
May	96	94	188	69	128	204	96	132	220	322	192	254	178	169	\$0	\$0	\$0	\$0	\$0	\$0	\$993	\$13,769	\$10,958	\$11,708	\$16,276	\$12,700	\$24,263	\$29,828	33	45	42	120	54	3	106
June	96	104	144	85	140	130	204	257	152	299	268	208	\$0	\$0	\$0	\$0	\$0	\$193	\$19,603	\$9,640	\$18,386	\$6,362	\$17,917	\$21,572	53	106	240	95	40	24					
July	72	68	128	140	318	152	407	520	428	592	518	524	\$0	\$0	\$0	\$0	\$0	\$158	\$31,478	\$11,237	\$27,256	\$31,836	\$31,018	\$24,005	20	48	85	105	12	39					
August	72	120	114	182	272	94	600	674	585	528	606	682	\$0	\$0	\$0	\$0	\$140	\$193	\$32,665	\$20,462	\$30,377	\$20,059	\$21,042	\$18,754	22	0	128	115	48	62					
Sept	94	116	71.5	92	276	94	100	131	228	364.5	294	375.5	\$0	\$0	\$0	\$354	\$0	\$0	\$12,410	\$6,874	\$13,746	\$12,484	\$21,047	\$16,316	157	118	66	150	47	58					
Oct	96	92	82	94	332	106	168	146	302	414	125	208	\$0	\$266	\$0	\$0	\$0	\$0	\$12,150	\$8,543	\$16,914	\$15,755	\$12,876	\$14,514	40	120	43	253	36	41					
Nov	72	94	96.5	188	346	148	292	256	145	164	274.5	235.5	\$0	\$0	\$0	\$0	\$0	\$246	\$21,516	\$9,762	\$8,770	\$11,241	\$18,359	\$15,103	80	76	40	290	24	179.5					
Dec	106	164	121	392	392	254	168	175	157.5	217.5	171	346.5	\$0	\$0	\$0	\$0	\$302	\$0	\$18,515	\$15,512	\$5,481	\$19,591	\$18,360	\$20,920	10	145	114	167	100	46					
Total	908	1200	1309	1570	3114	1960	477	2335	2685	2732	3187	2969	3279	836.5	\$0	\$1,028	\$271	\$354	\$593	\$947	\$1,625	\$190,769	\$121,318	\$155,793	\$157,266	\$181,548	\$206,506	\$69,953	591	865	993	1621	671	577.5	359

BOROUGH OF MOUNTAIN LAKES

Recreation Department

Department Activity **May 2019**

The Recreation Commission met on May 29th at 7:30pm at Borough Hall. Discussions included the addition of a new kids fitness camp being offered at Midvale Park in August. The Commission decided if the camp was to be offered to only girls, there had to be another equal camp offered for boys. Also conversation about the practices for youth track and the fact that the coaches need to be respectful of MLHS games and relocate practice when any games are scheduled. Other topics included an overview of the beach renovation progress, the boat rack sale process, field use priority and a summer program and hiring overview.

- Interviewed new seasonal employee candidates for: Sailing, Recreation Summer Camp counselors and CITs.
- Continued to work with Athletic Director Pat Brunner to assist HUB lakes requests and youth Spring sports including track, girl's lacrosse, boy's lacrosse and Tri-town little league with field and turf requests and schedule changes.
- Continued planning, promoting and staffing summer camps and summer programs.
- Updated website and virtual backpack with all current summer programs and events.
- Assisted residents, school groups and scout troops with various facilities requests.
- Planned 55+ Laker senior art demonstration which was held on May 17th.
- Assisted with Mountain Lakes Day and Art at the Esplanade planning.
- Began planning summer concerts (3) and movie night.
- Attended HUB Lakes meeting and organized HUB team coaches and equipment.
- Created all employments packets and began processing all necessary paperwork for more than 70 summer employees.
- Began reviewing summer facilities preparations with DPW.
- Worked with Beach Manager and Lifeguard Supervisor on summer preparations.
- Began planning 4th of July festivities.
- Attended Morris County seminar for Seasonal Employee Safety.
-

ASSOC. NO.	COMP. NO.	LINE NO.
FOR STATE OFFICE USE ONLY		

**N.J. STATE FIREMEN'S
ASSOCIATION
MEMBERSHIP APPLICATION**

Form 100 - Rev. 5/16

Date _____

Relief Association _____ Municipality Mountain Lakes County Morris

Company _____ Department MLVED

Name Scott First Initial J Last Saypol

Street Address 48 Seneca Trl. Town Denville Zip Code 07834 For 2 Years

Birth date 5/10/90 Birthplace Summit NJ SS# [REDACTED]
(REQUIRED)

Have you ever applied to be a member of the New Jersey State Firemen's Assoc.? Yes No

If so, when _____ Where _____

The signature below certifies that I have received and read the attached PRIVACY NOTICE.

Phone No. [REDACTED] Signature of Applicant [Signature]

Applicants Email Address: NJLOANQUY@gmail.com

I hereby authorize the State Association to move my records to the above association.

Signature of Applicant **(FILL-IN ONLY IF APPLICABLE)**

SIGNATURE OF RELIEF ASSOCIATION SECRETARY _____ SIGNATURE OF CHIEF OF DEPARTMENT _____

STATE OF NEW JERSEY COUNTY OF Morris

Scott J Saypol Being duly sworn, doth depose and says that the above statements are true to the best of their knowledge and belief.

Notary Public of New Jersey John E. von Sternberg, Jr. before me this 6th day of June 2019

No. 2452322
My Commission Expires April 27, 2020

Seal _____ Expiration Date _____ SIGNATURE OF NOTARY PUBLIC [Signature]

MUNICIPAL APPROVAL

We hereby certify that this applicant was admitted to active membership in the department and has been approved by the governing body of MOUNTAIN LAKES on the 24 day of JUNE 2019

[Signature]
SIGNATURE OF MUNICIPAL CLERK/ BOARD OF FIRE COMMISSIONERS

IMPORTANT: APPLICATION MUST BE FILLED OUT AS INDICATED BELOW

- A. APPLICATION SHOULD BE COMPLETED BY APPLICANT, TYPED OR PRINTED. (DO NOT WRITE)
- B. APPLICANT MUST HAVE PHYSICAL TEST RECORD COMPLETED BY A LICENSED NEW JERSEY PHYSICIAN.
- C. APPLICATION MUST BE RETURNED TO THE LOCAL RELIEF SECRETARY WHOSE ADDRESS IS LISTED ON THE BACK PAGE OF THIS FORM.
- D. THE LOCAL RELIEF SECRETARY SHALL COMPLETE THE FORM AND FORWARD IT TO THE MUNICIPAL AUTHORITY FOR APPROVAL, THEN TO THE NEW JERSEY STATE FIREMEN'S ASSOCIATION.

THE APPLICANT IS NOT A MEMBER OF THE N.J.S.F.A. UNTIL THE COMPLETED **ORIGINAL** APPLICATION IS **RECEIVED** AND **APPROVED** AT THE NEW JERSEY STATE FIREMEN'S ASSOCIATION OFFICE.

PHYSICAL TEST RECORD (VALID FOR 180 DAYS)

TO BE FILLED OUT BY A PHYSICIAN LICENSED IN THE STATE OF N.J. AND RETURNED TO LOCAL RELIEF SECRETARY WHOSE ADDRESS IS LISTED BELOW. ALL SECTIONS OF THE PHYSICAL MUST BE PROPERLY FILLED OUT OR THE APPLICATION WILL BE RETURNED.

PLEASE PRINT

NAME Scott J Saypol M
FIRST INITIAL LAST SEX
 AGE 29 HEIGHT 5 Ft. 11 In. WEIGHT 221² lbs. HEARING 25ft BLOOD PRESSURE 128/84
(NUMBERS PLEASE)
 EYESIGHT LEFT 20/25 RIGHT 20/25 BOTH (CORRECTED) 20/25
(NUMBERS PLEASE)

HAS APPLICANT ANY APPARENT DISABILITIES IN:

FACIAL symmetry noted PULMONARY clear all lung fields
 CARDIO PULMONARY S-S2 @ murmur S VASCULAR Edema @ cap refill < 3 seconds
 ABDOMEN soft, @ bowel sounds x4 all quad GENITOURINARY @ direct hernia neg
 MUSCULO-SKELETAL FROM OTHER _____

The applicant is free of any other, than listed above, medical or physical conditions that would cause harm to him/her or any other firefighter(s). YES NO (If no please explain)

HAS APPLICANT EVER SUFFERED FROM INJURY? YES NO IF SO, WHEN? _____
 DESCRIBE _____

REMARKS/OR REJECTION IS BASED ON:

I CERTIFY THAT AS A PRACTICING PHYSICIAN IN THE STATE OF NEW JERSEY, THE APPLICANT IS FREE FROM ANY ACUTE OR CHRONIC DISEASE AND HAS NO PHYSICAL DEFECTS THAT WOULD HINDER HIS/HER ABILITY TO PERFORM THE DUTIES OF A FIREFIGHTER.

Mountain Lakes Medical Center
 Richard J. Schweltzer, MD
 100 Rte. 46E, Ste 204 - Mountain Lakes, NJ 07046
 Tel: (973) 917-3200 Fax: (973) 917-3201

DATE EXAMINED 5/28/19 EXAMINED AT _____
 PHYSICIAN'S PHONE NUMBER 973-917-3200 PRINT PHYSICIAN'S NAME Harpreet Singh ADDRESS OF OFFICE _____
 SIGNATURE OF PHYSICIAN [Signature]

VALID FOR 180 DAYS FROM DATE OF PHYSICAL

THE NEW JERSEY STATE FIREMEN'S ASSOCIATION RESERVES THE RIGHT TO HAVE THIS APPLICATION REVIEWED BY A MEDICAL DOCTOR OF ITS CHOICE, INCLUDING A NEW PHYSICAL EXAMINATION IF NECESSARY.

APPLICATION MUST BE RETURNED TO: _____ LOCAL RELIEF SECRETARY _____
NAME ADDRESS ZIP CODE