



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
OCTOBER 26, 2020
HELD AS A REMOTE MEETING ON ZOOM**

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 October 15, 2020 and posted in the municipal building.

Mayor Shepherd called the meeting to order at 7:32p.m.

ROLL CALL ATTENDANCE

Roll Call	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
Barnett	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Lane	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 checked="" type="checkbox"/>	<input type="checkbox"/>			

Councilmember Lane entered the meeting at 7:34pm

FLAG SALUTE

Mayor Shepherd led the salute to the flag.

COMMUNITY ANNOUNCEMENTS

There were no community announcements.

EXECUTIVE SESSION

There was no executive session.

SPECIAL PRESENTATIONS

There were no special presentations.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

There were no reports.

PUBLIC COMMENT

Mayor Shepherd opened the meeting to the public.

The following individuals expressed concern over the stealing of lawn signs: Angela Tsai (9 Lakewood Drive), Cathy Hadjiloucas - 5 Lakewood Drive, Jonathan Cabelly - 111 Morris Avenue, Dena Muniz - 7 Rainbow Trail, Michael Hollick - 9 Lakewood Trail, Tara Baumann - 51 Lakewood Drive, Briana Ostrosky - 8 Rainbow Trail, Dr. Green Ford - 5 Crestview Road, Rebecca Hadjiloucas - 5 Lakewood Drive, Josephine Hadjiloucas - 5 Lakewood Drive.

The following individuals expressed concern and were opposed to the in-person only Planning Board Meeting scheduled for October 29th at the Mansion: Cathy Hadjiloucas - 5 Lakewood Drive, Dena Muniz - 7 Rainbow Trail, Andy Sadowski - 29 Highview Road Denville, Michael Hollick - 9 Lakewood Drive, Tara Baumann - 51 Lakewood Drive, Brian Lynch - 1 Fernwood Trail, Briana Ostrosky - 8 Rainbow Trail, Jennifer Lynch - 1 Fernwood Trail, Michael Hadjiloucas - 5 Lakewood Drive, Ellen Foppes - 29 Rainbow Trail, Victoria Branchini - 7 Pinewood Trail, and Rebecca Hadjiloucas - 5 Lakewood Trail).

Borough Attorney Oostdyk advised that the Planning Board is an autonomous body, and the Borough Council does not have authority to direct the Planning Board on their procedures and policies.

Police Chief Bennett advised that since September there have been 13 signs stolen and the police are diligently working to find the perpetrator.



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Borough Manager Stern advised that he would relay the public comments regarding the Planning Board meeting to the Planning Board.

BOROUGH COUNCIL DISCUSSION ITEMS

There were no discussion items.

ATTORNEY'S REPORT

Mr. Oostdyk reported that the Borough reassessment has begun, and inspections are currently taking place. Mr. Oostdyk explained the reason Resolution 149-20 is on the agenda.

MANAGER'S REPORT

Shade Tree Commission Request

The Commission is requesting that the Borough Council transfer the \$14,000 received from the Sunrise Assisted Living project for tree removal from the Borough's fund balance to the Shade Tree Trust Fund account.

Water Meter Cost Increase / Fee Ordinance Revision

Due to an increase in the cost for the Borough to purchase water meters, the fee schedule needs to be amended to reflect the price increase. The cost of a 3/4" meter will increase to \$325 from \$300, and the cost of a 1" meter will increase to \$406 from \$375.

Annual Best Practices Review

This year's Best practices Inventory contained 72 questions of which 43 were unscored survey questions. Of the 29 scored questions, a score of 16 or above must be attained to avoid loss of state aid. The Borough attained a score of 21.5. The Best Practices Inventory must be electronically filed with the State no later than November 3, 2020.

RESOLUTIONS

There were no resolutions.

ORDINANCES

Introduction of 13-20

Amending Chapter 111 of the Revised General Ordinances of the Borough of Mountain Lakes and Revising the Fee Schedule

Introduced: October 26, 2020

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

***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. R148-20, Authorizing the Payment of Bills



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- b. R149-20, Authorizing the Settlement of a Tax Appeal (Edward F. Joyce IV & Barbara V. Joyce– Block 43, Lot 1)
- c. R150-20, Authorizing Use of the Storm Recovery Trust Fund Reserve for Expenses Related to the Coronavirus Response

***APPROVAL OF MINUTES**
10/12/20 (Regular)

***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 report

***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

Andrew Armani to the Shade Tree Commission as a Member with a term expiring 12/31/2021

***Approval of the Consent Agenda**

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

COUNCIL REPORTS

Historic Preservation Committee – Councilmember Horst reported the following: Committee members Sueanne Sylvester and Allison Nacim are updating the oral history of Mountain Lakes; The chairperson of the Historic Preservation Committee recognized Borough Zoning Officer, John Zamierowski, for his exemplary job performance; The Historic Preservation Committee was consulted on the repair of the Island Beach retaining wall.

Affordable Housing Committee – Councilmember Korman reported that the committee is finalizing the affordable housing administrative manual and accessory apartments manual. The committee anticipates that the manuals will be ready for Council approval in November.

DPW Committee – Deputy Mayor Menard reported the following: The parking lot guard rail dividers at Birchwood Lake have been removed and replaced with boulder dividers in which trees will be planted; In an effort to reduce recycling contamination and cost, the DPW has limited its hours at the recycling center and will have a recycling attendant oversee the recycling process; The swing set at Island Beach will be installed by early spring; The committee is reviewing and discussing the list of open beach project items.

Borough Hall Advisory Committee – Deputy Mayor Menard reported the following: The project manager has completed the final construction drawings and is working on completing the preliminary project estimate; The committee anticipates that construction will start in November.



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Environmental Commission – Councilmember Lane reported the following: The commission is working on a Rt. 46 beautification plan and is researching funding options; The commission is working with the Mountain Lakes Board of Education to create a botanical garden at Mountain Lakes High School; The commission is requesting that the Borough notify the commission of all Borough development projects; The commission is requesting the Borough forward any environmental permits and/or correspondence regarding the demolition of the Route 46 Speedway gas station; The commission discussed the ERI and stormwater maintenance schedule at the Sunrise Assisted Living facility; The Woodland raingarden has been completed.

Recreation Commission – Councilmember Korman reported the following: The commission is working on creating a hierarchy chart for use of beach facilities; The commission is exploring ways to use the Borough resident hang tags; The commission is recommending that the Borough increase the rates for boat racks/rings for 2021; A resident requested that the tennis courts be dedicated to high school coaches, Mike and Ginny O'Donnell, and the commission is requesting information of Borough policy regarding dedications.

Planning Board – Mayor Shepherd reported that the board heard an application from Park Lakes Tennis Club and the board requested them to address a several issues and then return.

Woodlands Committee – Councilmember Happer reported the following: The committee is working on updating the Borough trail maps; The committee decided that a new trail map sign should be placed at Birchwood Lake; There has been an increase in dumping of yard waste on Borough woodlands.

PUBLIC COMMENT

Please state your name and address for the record. Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

Mayor Shepherd opened the meeting to the public.

Ellen Foppes – 29 Rainbow Trail, expressed concern over the Park Lakes Tennis Club's Planning Board application.

Cathy Hadjiloucas - 5 Lakewood Drive, requested that a traffic study be done for the Park Lakes Tennis Club Planning Board application. Ms. Hadjiloucas questioned if Borough Attorney Oostdyk's legal advice trumps Planning Board Attorney Peter Henry's legal advice regarding holding an in-person only meeting.

Victoria Branchini – 7 Pinewood Lane, requested the following: The Borough consider putting a stop sign and/or speed bump on Pinewood Lane; The Borough offer curbside yard waste pick up; The Planning Board have a dual format meeting.

Michael Hollick - 9 Lakewood Drive, expressed his dissatisfaction that the Borough does not have any authority over the Planning Board.

Deputy Mayor Menard responded to resident comments and provided some information regarding the Park Lakes Tennis Club's Planning Board application. He also advised that he would express all of the residents' concerns regarding the Planning Board to the Planning Board chairperson.

Chief Bennett provided information about conducting traffic/speed studies.

Borough Attorney Oostdyk advised that it is the Planning Board's decision whether or not to take the Planning Board Attorney's legal advice and advised he has not given a legal opinion on the Planning Board's in-person only meeting.

NEXT STEPS AND PRIORITIES

Mayor Shepherd reviewed the following next steps and priorities:



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Next Step	Completed by	Completion date
Nepotism Policy	Personnel Subcommittee	
Transfer of Sunrise Living Tree Removal Permit Fees to Shade Tree For Tree Plantings	Borough Manager	
Email Borough Hall Renovation Construction Drawings to Councilmembers and Post on Website	Borough Manager	
Email Speedway Environmental Documents to Environmental Commission	Borough Manager	
Place Reminder in Eblast About No Dumping in Woodlands	Borough Manager	
Place Affordable Housing on Agenda in November		
Follow Up List of Island Beach Projects	Deputy Mayor Menard	
Update From Architect & Engineer - Air Handling Capacity at Proposed Borough Hall	Borough Manager	

ADJOURNMENT at 9:54P.M.

Motion made by Councilmember Happer, second by Deputy Mayor Menard to adjourn the meeting at 9:54p.m., with all members in favor signifying by "Aye".

Respectfully Submitted



 Mitchell Stern, Acting Borough Clerk