



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
 FEBRUARY 10, 2020  
 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 7, 2020 and posted in the municipal building.

Mayor Shepherd called the meeting to order at 7:00 p.m. in the municipal building.

**ROLL CALL ATTENDANCE**

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

**FLAG**

Mayor Shepherd led the salute to the flag.

**EXECUTIVE SESSION**

R73-20 Resolution to Enter Into Executive Session – Litigation/Tax Appeals

Motion made by Councilmember Happer, second by Councilmember Korman to go onto Executive Session., with all members in favor signifying by "Aye".

**COMMUNITY ANNOUNCEMENTS**

Mayor Shepherd announced the Garden Club will be hosting a "Creating a Better Rain Garden" workshop on February 26<sup>th</sup> at 10am at the Mountain Lakes Library.

Mayor Shepherd announced the 43<sup>rd</sup> Annual Woods and Lakes Run will be held on Saturday, April 25<sup>th</sup> at 10am

Councilmember Lane announced the Trout Derby will be held Saturday, April 18<sup>th</sup> and the trout stocking will be on April 17<sup>th</sup>.

Councilmember Lane announced the Tri-Town Little League parade will be held on Saturday, on April 18<sup>th</sup>.

Councilmember Lane announced the Easter egg hunt will be held on April 5<sup>th</sup>.

Councilmember Lane announced the boy's lacrosse fun run will be held on March 7<sup>th</sup>.

Councilmember Lane announced the Art at the Esplanade will be held on June 7<sup>th</sup>.

Councilmember Happer announced there were a couple of great informative recycling videos on the last email blast and on the Borough website and encourages everyone to view them.

Councilmember Korman announced that the Mountain Lakes Club is holding a comedy night on Friday, February 14<sup>th</sup> and it is open to the public.

Councilmember Korman announced that the Mountain Lakes Club is having a Valentine's Day dinner on Saturday, February 15<sup>th</sup> and a children's Valentine's Day party on Sunday, February 16<sup>th</sup> for members only.



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Councilmember Korman announced that the Lakeland Hills YMCA is holding a Disney family fun night on Friday, February 21<sup>st</sup> and all are welcome. The cost for non-members is \$5.00.

**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.

Natalie Rowell - 5 New Castle Court, thanked the Borough Manager and Councilmember Barnett for their quick response to her water overpayment issue. She asked the Council to pay her interest on \$2,274.00 from November 2018 until today. She requested a review of her water account from 2007 to 2013 to confirm she wasn't overcharged, as she was only able to review her records back to 2013. She expressed concerns over the increases in minimums from 2014 until the present. She questioned if the people not being charged the minimum are being charged the same percentage increases on their per gallon rate. She also asked the Council what the purpose of the minimum is.

The Council agreed to credit Ms. Rowell's water account up to \$50.00. The Council agreed to pass a resolution at the next meeting to give the Borough Manager authority to resolve utility disputes up to \$50.00.

Borough Manager Stern advised the water minimums are set to cover the costs of the utility. He also advised that the water rate increases are applied to all water rate tiers.

George Jackson – 20 Sherwood Drive, does not want the DPW Recycling Center hours to change and believes the DPW video cameras should be enough to catch illegal dumping.

**SPECIAL PRESENTATION**

**Public Safety/Borough Hall Infrastructure Advisory Committee Update**

Jeff Berei, licensed architect and member of the Public Safety/Borough Hall Infrastructure Advisory Committee gave an update on the Borough Hall renovation project. He reviewed the project background and existing facility issues. He presented a preliminary architect design for renovated and expanded Borough Hall/Public Safety facilities. Mr. Berei advised the project cost estimate is \$4,542,474. He advised that the next steps would be for the Council to approve a resolution to fund the Schematic Design Phase and then have the Council review/discuss the Schematic Design and approve the project budget at the March 23<sup>rd</sup> Council meeting.

The Council discussed and asked questions of Mr. Berei and Borough Manager Stern about the presentation and Borough Hall project.

Mayor Shepherd opened the meeting to the public:

George Jackson – 20 Sherwood Drive, expressed concern over the proposed cost and size of the new Borough Hall/Public Safety building.

Mimi Kaplan – 89 Lake Drive, suggested using green initiatives for the renovated building.

Steve-Castellucci – 2 Laurelwood Drive, thanked the Council, Committee, Jeff and all agencies who have worked on the project. He requested that all of the department heads be consulted to ensure all needs are met.

**ATTORNEY'S REPORT**

Mr. Oostdyk had nothing to report.

**MANAGER'S REPORT**



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**Mountain Lakes Board of Education Request**

Borough Manager Stern reported the Mountain Lakes Board of Education is requesting permission to install a scoreboard on the lower Halsey Field. If approved, the Scoreboard will be installed, maintained and if necessary, removed from the field without expense to the Borough. The Council unanimously agreed to the request.

**2018 Capital Ordinance**

Borough Manager Stern reported that due to a decrease in the amount of reimbursable costs and an increase in the amount on non-reimbursable costs, items from the 4-18 Ordinance would need to be cancelled to accommodate the expenses.

**Recycling Center at DPW Yard Proposed Changes**

Borough Manager Stern reported that the open access to the DPW yard is a liability to the Borough and recommends the following: Restricting access to the DPW yard and recycling center; Hiring a part-time employee to monitor the yard when it is open to the public; Staffing the yard three days per week (Monday, Wednesday and Saturday) throughout the year and Sunday's during the months of April and November for six hours each day. After discussion, the Borough Manager will evaluate the possibility of having two entrances, one of which would be limited to use by those utilizing the facility for recycling, rather than using the gates.

**\*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. R74-20, Authorizing the Payment of Bills
- b. R75-20 Authorizing 2020 Municipal Employees' Salary
- c. R76-20 Authorizing the Cancellation of General Capital Receivable and Appropriation Balance
- d. R77-20 Authorizing a Professional Services Agreement Between the Borough of Mountain Lakes and Arcari & Iovino, PC
- e. R78-20 Authorizing Membership in the Mountain Lakes Volunteer Fire Department
- f. R79-20 Resolution Authorizing the Refund of Overpayment of Water / Sewer Charges

**\*APPROVAL OF MINUTES**

- 1/15/20 (Regular)
- 1/15/20 (Executive)
- 1/22/20 (Regular) **Happer not Eligible**

**\*APPROVAL OF CONSENT AGENDA**

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

**BOROUGH COUNCIL DISCUSSION ITEMS  
 Eastbound Rt. 46 Zone Change Proposal**



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Mountain Lakes Borough Planner Paul Phillips and the Borough Council discussed the draft ordinance of Business Zone B. Mr. Phillips reviewed the changes to the revised draft ordinance. He advised that the Planning Board concerns were addressed. He believes the ordinance is complete and ready to be introduced.

The Council expressed concern with allowing overnight animal accommodations. Mr. Philipps advised overnight accommodations are not permitted in the proposed ordinance.

The Council agreed to hire an environmental expert to investigate underground storage tank safety.

Mayor Shepherd opened the meeting to the public:

George Jackson – 20 Sherwood Drive, questioned how the height of the conditional use is measured and if it applies around the entire building. He also questioned how many properties on Rt. 46 are compliant with this ordinance.

Mr. Philipps responded to Mr. Jackson. He advised that properties that are not in compliance with use standards or bulk standards are grandfathered in and can continue to operate so long as they do not make any changes to the site. He also advised that the method Mountain Lakes currently uses to measure height would be applied.

Mimi Kaplan – 89 Lake Drive, thanked Council for hiring in an environmental expert for an opinion on the safety of underground storage tanks.

**ORDINANCE NO. 1-20, AN ORDINANCE AUTHORIZING THE SALARY AND/OR WAGES OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MOUNTAIN LAKES, COUNTY OF MORRIS, NEW JERSEY**

Council agreed to pass Ordinance 1-20 with the change of lowering the Deputy Clerk minimum salary to \$2500.00. A motion was made by Council Member Lane, seconded by Councilmember Korman to introduce Ordinance 1-20 for first reading. Roll call was taken.

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

The Council agreed to push the reports to the February 19<sup>th</sup> Council Meeting.

**PUBLIC COMMENT**

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Mayor Shepherd opened the meeting to the public.

There was no one from the public who wished to comment.



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**NEXT STEPS AND PRIORITIES**

Mayor Barnett reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Borough Attorney will meet with Rick	Borough Attorney	
Manager will meet with Bill Ryden - water related questions & concerns	Borough Manager	
Department heads sign off on Borough Hall project building plans	Borough Manager	
Underground Storage Tank Safety Expert	Borough Manager	
Borough Hall Project documents online and eblast	Borough Manager	
Send updated Council Goals to Council	Councilmember Menard	2/11/20
Investigate implementing two entrances at DPW facility, one for recycling	Borough Manager	

**ADJOURNMENT at 10:58 P.M.**

Motion made by Councilmember Lane second by Deputy Mayor Menard to adjourn the meeting at 10:58 p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

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Mitchell Stern, Acting Borough Clerk