



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
 FEBRUARY 24, 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 9, 2019 and posted in the municipal building.

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

**ROLL CALL ATTENDANCE**

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

**FLAG**

Mayor Shepherd led the salute to the flag.

**COMMUNITY ANNOUNCEMENTS**

Mayor Shepherd announced the Public Safety seminar will be held on Wednesday, March 4<sup>th</sup> at 7pm at Borough Hall.

Mayor Shepherd announced the Community Church of Mountain Lakes will be hosting a concert fundraiser featuring "The Outside Band" on March 28<sup>th</sup> at 7:30pm. All proceeds will benefit the Appalachia Service Project.

Councilmember Horst announced the ML Garden Club will be hosting a rain garden seminar on February 26<sup>th</sup>. Brian Marshall will be the speaker.

**REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES**

Police Chief Bennett provided a Police Department update. He announced the Mountain Lakes High School ice hockey team won the HAAS cup and had an escort through town by first responders. Chief Bennett thanked the Council for passing the PAARI (Police Assisted Addiction and Recovery Initiative) resolution and advised that the Police Department is now certified. Chief Bennett reported that based on their three-year (2018-2020) traffic study, there has been no change in traffic on Intervale Road since the opening of Whole Foods on Waterview Boulevard. Chief Bennett announced that there will be a seminar about safety in the home on Wednesday, March 4<sup>th</sup> from 7-8:30pm at Borough Hall. He also announced, he will be hosting "Chatting with the Chief" on March 26<sup>th</sup> at the Mountain Lakes Library.

**SPECIAL PRESENTATIONS**

**Underground Petroleum Storage Tank Safety – Ridge Environmental Management**

John Engdahl from Ridge Environmental Management gave a presentation on Underground Petroleum Storage Tank Safety. The Council asked questions to Mr. Engdahl and he answered them.

Mayor Shepherd opened the meeting to the public:

Mimi Kaplan – 89 Lake Drive, asked several questions to Mr. Engdahl and he responded.

George Jackson – 20 Sherwood Drive, requested the Council think strategically about how many gas stations there should be on Route 46 since the gas stations would be over the aquifer.

**PUBLIC COMMENT**

Mayor Shepherd opened the meeting to the public.



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George Jackson – 20 Sherwood Drive, provided suggestions for the Borough Hall renovation project and would like to see Borough Hall stay in the existing footprint. Mr. Jackson supports Ordinance 3-20 and thanked the Council for their work on it.

**BOROUGH COUNCIL DISCUSSION ITEMS**

**PowerPoint presentation of the 2020 Municipal budget**

Mr. Stern gave a PowerPoint presentation of the 2020 municipal budget.

**Introduction of the 2020 Municipal Budget**

Council agreed to introduce the 2020 Budget with the understanding that the fire equipment grant will be filed.

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

**Borough Council Goals**

The Council discussed and finalized their 2020 Goals.

**ATTORNEY'S REPORT**

Mr. Oostdyk reported that the New Land Mountain Lakes tax appeal that is on tonight's agenda for approval includes all leases up to October 1<sup>st</sup> and does not include their recent structure improvements. Mr. Oostdyk advised that Tax Assessor, Rick Delguercio, will be doing an added assessment to reflect the leases added after October 1<sup>st</sup> and recent structure improvements.

**MANAGER'S REPORT**

Mr. Stern reported that JCP& L will be performing tree trimming in the Borough on or about March 2<sup>nd</sup>.

**ORDINANCES**

**Introduction of Ordinance 2-20, COLA**

**CALENDAR YEAR 2020 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK**

Ordinance 2-20 was introduced prior to the Introduction of the 2020 Municipal Budget

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

**Introduction of Ordinance 3-20,**

**AMENDING CHAPTERS 40 AND 245 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES**

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



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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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

**Final Hearing of Ordinance 1-20**

Mayor Shepherd opened the meeting to the public.

There was no one from the public wishing to speak.

**Introduced: February 10, 2020**

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

**Adopted**

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

**\*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. R80-20, Authorizing the Payment of Bills
- b. R81-20, Authorizing the Settlement of Tax Appeal (New Land Mountain Lakes LLC v. Borough of Mountain Lakes-Block 4, Lot 17.02)
- c. R82-20, Authorizing 2020 Municipal Employees' Salary
- d. R83-20, Appointing Cara Fox Deputy Borough Clerk
- e. R84-20, Authorizing Membership in the Mountain Lakes Volunteer Fire Department
- f. R85-20, Authorizing Shared Services Agreement for Animal Control Services
- g. R86-20, Authorizing a Professional Service Agreement Between the Borough of Mountain Lakes and Ridge Environmental Management
- h. R87-20, Authorizing the Borough Manager to Resolve Certain Utility Account Disputes

**\*APPROVAL OF MINUTES**

1/27/20 (Regular)



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2/10/20 (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

**\*Approval of the Consent Agenda**

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

Councilmember Horst reported the Health Officer distributed a Coronavirus fact sheet from the CDC via the email blast.

Deputy Mayor Menard reported the Planning Board met and discussed one property which ended with a negotiated agreement.

Mayor Shepherd reported the Economic Development Advisory Committee is looking forward to the passage of Ordinance 3-20 (Eastbound Route 46). The committee will be making recommendations for Westbound Route 46 and Mayor Shepherd anticipates Council discussion will take place at the March 23<sup>rd</sup> meeting.

Councilmember Horst reported the Zoning Board heard applications from 80 Boulevard and 34 West Shore Road. The applicant at 80 Boulevard must rebuild the 4 pillars in front of the house to meet Borough code. The applicant at 34 West Shore Road must scale back their building plans and then re-present to the Zoning Board.

Councilmember Horst reported the Green Team is still actively pursuing actions under Sustainable Jersey.

Councilmember Barnett reported the Shade Tree reviewed the prune/removal list and social media policy. Shade Tree is also working on their new Excel-based database. Borough Manager Stern advised that a tablet device will probably be purchased so they can check trees live. Councilmember Barnett requested Borough Manager Stern confirm proper tree protections are being implemented at the high school building.

Councilmember Horst reported the Historic Preservation Committee cancelled its last meeting.

Councilmember Korman advised the Affordable Housing Committee will be meeting on Thursday and Borough Professional CGP& H will be present to answer questions on the accessory apartments program. The committee anticipates a draft of the accessory apartments operating manual will be ready for Council discussion in April.



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Deputy Mayor Menard reported that the DPW committee recommends putting gates at the recycling yard which will be paid for through a grant. Councilmember Barnett reported that the DPW committee is concerned with litter and are looking into ways to deal with it. Councilmember Barnett also reported that the committee is still working on determining the Borough's model commemorative bench. Deputy Mayor Menard reported that the Island beach project is moving along and the DPW committee is finalizing the swing sets. Councilmember Korman reported that the DPW committee is recommending the Borough fireworks be held on Thursday, July 2<sup>nd</sup> with a rain date on Friday, July 3<sup>rd</sup>.

Councilmember Korman reported that the Whippany River Watershed Committee will be building a raingarden at Birchwood Lake.

Councilmember Korman reported that the Library Board thanked the Borough Council for their financial support shown in the budget and the DPW for their continued support. Councilmember Korman reported that the Library is working on a strategic plan and will be holding focus groups of non-users. The strategic plan should be completed by May.

Mayor Shepherd reported that the Memorial Day Committee is working on obtaining a speaker and Grand Marshall for the parade.

**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.

There was no one from the public wishing to speak.

**ADJOURNMENT at 10:45P.M.**

Motion made by Council Member Korman, second by Council Member Horst to adjourn the meeting at 10:45p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

\_\_\_\_\_  
Mitchell Stern, Acting Borough Clerk