



MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
March 9, 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 7:31p.m. in the municipal building.

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 Korman entered the meeting at 7:33pm and Councilmember Menard entered the meeting at 7:39pm.

FLAG

Mayor Shepherd led the salute to the flag.

COMMUNITY ANNOUNCEMENTS

Mayor Shepherd announced that the State of New Jersey is providing updates on the Corona virus every Tuesday and all new information will be placed on the Borough website.

Borough Manager Stern announced that there will be a conference call for all members of the Borough Council with the County Health Department on Wednesday, March 11th at 6:30pm regarding the Corona virus.

Mayor Shepherd announced that "Chat with the Chief" will be held on March 11th from 1-2:30pm at the ML Library.

PUBLIC COMMENT

Mayor Shepherd opened the meeting to the public.

Michael Morey – St. John’s Masonic Lodge, advised the Council that the members of St. John’s Lodge are not in support of the ordinance that the Historic Preservation Committee proposes, and the members are requesting that the lodge not be designated as a historic landmark.

Steve Shaw – 4 Pointview Place, expressed that he opposed to the ordinance proposed by the Historic Preservation Committee.

Frayda Levy – 33 Crystal Road, stated she is opposed to the ordinance proposed by the Historic Preservation Committee.

Cindy Shaw – 4 Pointview Place, expressed that she is opposed to the ordinance proposed by the Historic Preservation Committee.

John Garrison – 78 Intervale Road, questioned the scope of the ordinance proposed by the Historic Preservation Committee.

Bill Corvelli – Owner of Hapgood’s Restaurant, stated he is opposed to the ordinance proposed by the Historic Preservation Committee and does not want his building deemed historic.



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Reverend Michael Muller – 221 Boulevard, requested that the properties listed in the ordinance proposed by the Historic Preservation Committee be consulted and involved in the process.

ATTORNEY’S REPORT

Attorney James Parisi of Murphy McKeon P.C. who was filling in for Borough Attorney Robert Oostdyk had nothing to report.

MANAGER’S REPORT

Construction Official Award

Mr. Stern reported that the Construction Official Steve Gluck has been named 2020 Construction Official of the Year by the Municipal Construction Officials Association of New Jersey.

Safe Streets to Transit Grant Request Response

Mr. Stern reported that the Borough’s request to fund railroad station access improvements has been denied.

Tax and Utility Payment Debit Notification Letter

Mr. Stern reported that the Borough will be changing their ACH debit process for tax and utility payments (water and sewer). A notification letter and instruction sheet will be sent to property owners who are currently having their tax and or water / sewer payments manually debited by Borough staff. The Council requested that a sentence be added to the letter explaining why the process is being changed.

ORDINANCES

Introduction of Ordinance 4-20,

Bond Ordinance Appropriating \$882,166 and Authorizing the Issuance of \$640,258 Bonds or Notes of the Borough, for Various Improvements or Purposes Authorized to be Undertaken by the Borough of Mountain Lakes, in the County of Morris, New Jersey

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"/>

Final Hearing of Ordinance 2-20

COLA, Calendar Year 2020 Ordinance To Exceed The Municipal Budget Appropriation Limits And To Establish A Cap Bank

Mayor Shepherd opened the meeting to the public.

There was no one from the public wishing to speak.

Introduced: February 24, 2020

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"/>



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Shepherd

Adopted March 9, 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 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"/>

***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. R88-20, Authorizing the Payment of Bills
- b. R89-20, Authorizing the Redemption of Tax Title Lien 2019-004
- c. R90-20, Authorizing Membership in the New Jersey State Firemen's Association
- d. R91-20, Authorizing the Refund of Overpayment of Water Rents **(this resolution was requested to be removed from the agenda and was not voted on)**
- e. R92-20, Authorizing the Refund of Overpayment of Water Rents

***APPROVAL OF MINUTES**

- 2/10/20 (Executive)
- 2/19/20 (Regular) **Menard and Shepherd not Eligible**
- 2/24/20 (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 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 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 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"/>



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COUNCIL REPORTS

Councilmember Lane reported the Environmental Commission is in support of a single use plastic ban ordinance and the Commission requests that it be put on a future agenda for Council Discussion. Mayor Shepherd advised that the ordinance is scheduled for discussion at the March 23rd Council Meeting. Councilmember Lane reported that she helped the Environmental Commission write a grant to help offset the costs of building the rain garden at Island Beach. Councilmember Lane also reported the Environmental Commission is working on recommendations to deal with littering.

Councilmember Horst requested that the Borough Attorney research why the State of NJ did not pass the single use plastic ban.

Deputy Mayor Menard reported that the Lakes Management Committee requested additional racks be built for kayaks and paddleboards. Deputy Mayor Menard reported that hydro-raking is allowed and does not require a DEP permit if the bottom of the lake is not disturbed. The Council discussed hydro-raking. Deputy Mayor Menard reported that the Lakes will be lowered this year in the fall. Deputy Mayor Menard reported that Solitude Lake Management is offering to donate a 35-foot living shoreline on Borough property and offer a discount to residents on their properties. Deputy Mayor Menard reported that the Lakes Management Committee is researching what fish species is the best for the trout derby.

Councilmember Horst reported that she did not attend the last Zoning Board meeting and asked Zoning Board Secretary, Cindy Shaw, who was in the audience to give the report. Ms. Shaw reported that the Zoning Board heard 2 applications. One application was approved, and the other application needs to make changes and come back to re-present.

Councilmember Horst reported that the Green team is focused on obtaining the highest level of the Sustainable Jersey program.

Mayor Shepherd reported that the Economic Development Committee will be meeting in 2 weeks.

Councilmember Korman reported that the Affordable Housing Committee is working on an accessory apartment program manual.

Councilmember Korman reported that the Whippany River Watershed Action Committee chose the Borough of Mountain Lakes to receive a \$2400 grant to install a rain garden in at Birchwood Lake.

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.

Steve Shaw – 4 Pointview Place, expressed his support for Council meeting processes and stated he would like Council to follow them. Mr. Shaw opposes non-residents being able to serve on Borough boards, committees and commissions. Mr. Shaw believes the 50-foot hydro raking rule will not address the problem areas of the lakes.

Cindy Shaw – 4 Pointview Place, requested that a maintenance plan be put in place for the rain garden and living shoreline projects before approval. Mrs. Shaw also requested that the Borough send letters to residents regarding the lake lowering including what can and cannot be done.

Joe Scura - 32 Woodland Avenue, expressed that he opposed to the ordinance proposed by the Historic Preservation Committee.

Peter Holmberg – 74 Hanover Road, asked when the training for committee and commission chairs would be held. Mayor Shepherd advised that the training would probably be held in April.



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NEXT STEPS AND PRIORITIES

Mayor Shepherd reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Add a sentence to the Tax and Utility Payment Debit Notification letter	Borough Manager	
Find out how many committees/commissions have nonresidents serving on them	Borough Manager	

ADJOURNMENT at 9:10P.M.

Motion made by Council Member Korman, second by Council Member Horst to adjourn the meeting at 9:10p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Mitchell Stern, Acting Borough Clerk