



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
 SEPTEMBER 14, 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 January 7, 2020 and posted in the municipal building.

Mayor Shepherd called the meeting to order at 7:31p.m.

ROLL CALL ATTENDANCE

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

FLAG SALUTE

Mayor Shepherd led the salute to the flag.

COMMUNITY ANNOUNCEMENTS

Police Chief Shawn Bennett announced that the Halloween Safe Zone in the Borough's Village neighborhood will not be taking place this year due to the Covid-19 pandemic. Trick or treating is still permitted. Councilmembers Barnett and Lane requested that Chief Bennett explore alternate ideas for Halloween.

Councilmember Korman announced the following: The Mountain Lakes Garden Club will be hosting a webinar and luncheon at the Rockaway River Country Club on September 23rd; The Town Club will be hosting a "Kick Off and Newcomers Party" on Friday, September 25th; The Mountain Lakes Library is holding outdoor story time on Fridays at 10:30am. Councilmember Korman reminded everyone to continue to support the Borough's restaurants and businesses. Councilmember Korman thanked the Woodlands Committee for all of their hard work repairing the trails to make them usable after the storms.

Councilmember Barnett announced that the Mountain Lakes High School football team will be holding a fundraiser on September 26th at the Masonic Lodge. Councilmember Barnett thanked the Mountain Lakes Police Department for their support during back to school.

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.

Mary Joelsson – 6 Scarborough Road, read a statement as President of the Mountain Lakes League of Women Voters regarding League sponsored debates.



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Peter Holmberg – 74 Hanover Road, requested that the council think about long term sustainability and unintended consequences when passing Borough policies / ordinances. Mr. Holmberg advised the Council that there is overgrown brush on the sidewalks on Morris Avenue, Pocono Road, and the Boulevard. Mr. Holmberg requested that the Borough enforce its sign ordinance. Mr. Holmberg suggested that the Borough not hold trash day and instead refer residents to the Parsippany transfer station because it is more cost effective.

Sueanne Sylvester – 33 Hanover Road, expressed concern over unsolicited emails and questioned what protocols the Borough has in place to protect resident email addresses that are registered for Borough business.

Borough Manager Stern advised that the Borough does not rent, sell, or give away email lists to anyone.

Councilmember Korman requested that the Borough Manager advise recreation programs that email distribution lists are not to be released. Borough Manager Stern agreed to do so.

Chief Bennett advised that there have been no restrictions implemented on parking since the parking ordinance was updated.

Borough Manager Stern advised that the DPW will address the overgrown brush on sidewalks.

Borough Manager Stern advised that the Borough enforces its sign ordinance and removes all signs that are larger than 12 square feet and/or located in the Borough right-of-way. The list of Borough rights-of-way is posted on the Shade Tree Commission's webpage.

BOROUGH COUNCIL DISCUSSION ITEMS

Reassessment Schedule Update

Tax Assessor Rick DelGuercio gave an overview of the process of performing a reassessment. The council discussed and asked questions of Mr. DelGuercio and he answered them. All councilmembers commented and expressed their position on moving forward with the reassessment.

Goals Update

The council discussed the progress of their 2020 Goals. The council agreed to create a subcommittee to create a best practices manual. The council also agreed to include an item regarding the tree canopy and Councilmember Korman agreed to draft it.

ATTORNEY'S REPORT

Ordinance 3-20

Mr. Oostdyk reported that Ordinance 3-20 ("An Ordinance Amending Chapter 40 and 245 of the Revised General Ordinances of the Borough of Mountain Lakes") on May 11, 2020 needs to be re-introduced and re-adopted to cure a procedural defect (failure to notice the Morris County Planning Board in the initial adoption).

Tax Appeals

Mr. Oostdyk reported that a total of 60 tax appeals were filed for 2020.

MANAGER'S REPORT

Water / Sewer Billing – Late Payments

Mr. Stern reported that the Borough saw an unusually large number of utility payments being late by one day past the due date. The cause of the delay strongly points to the US Postal Service. For payments that were received up to two days late, the Borough will be waiving any penalty imposed.

Sign Ordinance Reminder

Mr. Stern reminded everyone that signs cannot be larger than 12 square feet and they cannot be placed within the Borough's right-of-way.



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Water Rate Increase – Sewer Rate Decrease

Mr. Stern reported that a review of income and expenses for the water and sewer utilities reflect the need to increase water rates by 5% for 2021 and decrease sewer rates by 4.2%.

Borough Hall Reopening

Mr. Stern reported that Borough Hall will reopen to the public effective Monday, September 21st. Visitors will be required to wear masks and there will be areas to wait that will accommodate social distancing requirements. Once Borough Hall reopens, trash bags will no longer be delivered by the DPW. Borough Hall will not be holding any meetings due to continuing Executive Orders concerning capacity limitations.

ORDINANCES

Introduction of Ordinance 11-20

Authorizing a Special Emergency Appropriation in the Sum of \$125,000.00 to Abide the Cost of a Real Property Tax Re-Assessment Program Approved by the Morris County Board of Taxation Together with Related Necessary Expenses and to Authorize the Financing of the Same by the Issuance of “Special Emergency Notes” Pursuant to N.J.S.A. 40A:4-55 Should the Same Be Required

Introduced: September 14, 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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"/>

Introduction of 12-20

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

Introduced: September 14, 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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Re-Introduction of 3-20

Authorizing Chapters 40 and 245 of the Revised General Ordinances of the Borough of Mountain Lakes (East-Bound Rt. 46 Ordinance)

Introduced: September 14, 2020

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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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. R135-20, Authorizing the Payment of Bills
- b. R136-20, Renewing Liquor Licenses for 2020-2021 Licensing Term
- c. R137-20, Authorizing the Redemption of Tax Title Lien 2019-002
- d. R138-20, Authorizing the Refund of Overpayment of Water/Sewer

***APPROVAL OF MINUTES**

8/24/20 (Regular)

The minutes were approved with the following change to the Green Team Report: Councilmember Horst reported that the Green Team utilized the assistance of an intern (provided by a grant supported by New Jersey Natural Gas) to work on Sustainable New Jersey initiatives.

***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**

Michael Albanese to the Finance Advisory Committee as a Member with a term expiring 12/31/2020



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***Approval of the Consent Agenda**

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

Lakes Management Committee – Deputy Mayor Menard reported the following: The Birchwood Lake hydro-raking project will be starting in early October; The committee is planning a lake cleanup project which will be overseen by the student committee members; The committee is requesting to attend a Council meeting to give a living shoreline report.

Finance Committee – Councilmember Barnett reported that the committee is reviewing financing options for a water meter project that the manager is considering.. The committee discussed water/sewer rates, reassessment financing and bond anticipation note financing. The committee reviewed resumes of potential new committee members.

Green Team – Councilmember Barnett reported that the committee chair has stepped down and the committee needs to find a replacement.

Economic Development Committee – Mayor Shepherd reported that the committee met with the Historic Preservation Committee to research the market area.

Affordable Housing Committee – Councilmember Korman reported that the committee anticipates that the accessory apartment program draft manual will be ready for Council review at the September 28th Council meeting.

Shade Tree Commission – Councilmember Barnett reported the following: The commission is extremely thankful to DPW Director Doug Edler and the DPW staff for all of their support and assistance with taking care of the trees; The commission is conducting their annual walks to identify trees for the prune/remove list and locations for tree plantings; The commission is looking into collaborating with the Environmental Commission to beautify Rt. 46; The tree canopy incentive program that the commission is working on will not be ready until at least the spring of 2021; The commission is working on a proposal to allocate some of the money obtained through permit fees to the Shade Tree Trust Fund.

Whippany River Watershed Action Committee – Councilmember Korman reported that the committee is offering to give their recycling presentation to the Council.

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.

Sueanne Sylvester – 33 Hanover Road, suggested that the Council create a real estate advisory board to report on the Borough's real estate market.

Dena Muniz – 7 Rainbow Trail, expressed concern with using copper sulfate to treat the lakes and requested that the Borough look into other alternatives.

Deputy Mayor Menard advised that he believes that copper sulfate is a safe and nontoxic treatment. Borough Manager Stern offered to put Ms. Muniz in contact with the Borough's Lakes Management Professional (Solitude) and also invited



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her to attend the monthly Lakes Management Committee meetings.

NEXT STEPS AND PRIORITIES

Mayor Shepherd reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
DPW Scheduled Maintenance	Borough Manager	
Credit Card/Zip Check Update	Borough Manager	9/30/20
Contact Speedway LSRP	Borough Manager	9/30/20
Rt. 46 Westbound Proposed Ordinance	Mayor	
Plastic Ban Ordinance	Mayor	

ADJOURNMENT at 10:16P.M.

Motion made by Councilmember Happer, second by Deputy Mayor Menard to adjourn the meeting at 10:16p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Mitchell Stern, Acting Borough Clerk