



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
FEBRUARY 22, 2021
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 has been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 7, 2021 and posted in the municipal building.

Mayor Menard called the meeting to order at 7:30p.m.

ROLL CALL ATTENDANCE

Roll Call	Present	Absent		Present	Absent
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sheikh	<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"/>	Menard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Richter	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

FLAG SALUTE

Councilmember Lane led the salute to the flag.

COMMUNITY ANNOUNCEMENTS

Mayor Menard asked for a moment of silence for the 500,000 people who have died from Covid-19.

Mayor Menard made the following announcements: February is Black History Month to recognize the heritage and achievements of black people in the United States; The federal government expects that all people who want to receive a Covid-19 vaccination should be able to do so by July 2021; He encouraged everyone to assist elderly neighbors with signing up for the Covid-19 vaccination or getting to their vaccination appointment; NJ has a property tax reimbursement program available for senior citizens and disabled residents that qualify.

Councilmember Korman announced that applications for the Payroll Protection Program (PPP) are being accepted.

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 Menard opened the meeting to the public.

Cathi Hadjiloucas – 5 Lakewood Drive, asked questions regarding the following: Resolution R70-21, Ordinance 3-20, Leak at the former Speedway site on Route 46, and Borough Committee/Commission member selections.

Michael Hadjiloucas – 5 Lakewood Drive, requested that the Wawa Planning Board Application be denied.

Mary Alosio – 6 Scarborough Road, advised the Council of the upcoming programs that the League of Women Voters will be hosting.

Cheryl Dennis - 26 Lakewood Drive Denville, NJ is opposed to the proposed Wawa project and asked questions regarding the project.



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Victoria Branchini – 7 Pinewood Lane, asked questions regarding the following: Pinewood Trail Traffic Study, Accessory Apartments Program and Borough recycling. Ms. Branchini offered a suggestion for a 2021 Council goal.

Jennifer Lynch - 1 Fernwood Trail, urged the Council to be cautious moving forward with the proposed Wawa project.

Briana Ostrosky - 8 Rainbow Trail, asked questions regarding the following: Borough meeting standards, Covid-19 protocol violations, and the Borough's noise ordinance.

The following individuals are opposed to the proposed Wawa project and voiced their concerns: Eric Lee – 6 Laurelwood Drive, Rebecca Hadjiloucas – 5 Lakewood Drive and Brian Lynch - 1 Fernwood Trail.

Dena Muniz – 7 Rainbow Trail, asked a question about the Borough's Business Zone "B" and gave some suggestions to consider when redeveloping in the future.

Jake DeNooyer - 79 Lake Drive, requested that the Council consider fixing the broken Borough electronic sign and asked a question about the proposed Wawa project.

Josephine Hadjiloucas – 5 Lakewood Drive, asked a question about the proposed Wawa project.

Borough Attorney Oostdyk, Mayor Menard, Borough Manager Stern and Police Chief Bennett responded to the public's questions.

BOROUGH COUNCIL DISCUSSION ITEMS

Resolution R70-21, Granting Permission to AT&T Corp. to Install Communications Facilities Along, Under and Over the Public Right-of-Way in Order to Provide Communications Services to the Public

Laura Miller Esq. and Theresa Piscioti, AT&T representatives, were present at the meeting to discuss Resolution R70-21. The Council asked questions of Ms. Miller and Ms. Piscioti, and they answered them.

Public Comment Regarding Resolution R70-21

Mayor Menard opened the meeting to the public.

Ellen Foppes – 29 Rainbow Trail, asked a question regarding the location of the installation of the communication facilities.

Introduction of 2021 Municipal Budget

Mr. Stern gave a PowerPoint presentation of the 2021 municipal budget.

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"/>
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"/>
Richter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Barnett	<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"/>



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ATTORNEY'S REPORT

Mr. Oostdyk reported the following: Ordinance 2-21 will be on the agenda to adopt at the 3/22/21 Council meeting. The Planning Board will be reviewing Ordinance 2-21 on March 11th; Governor Murphy has signed legislation legalizing marijuana in NJ and Mr. Oostdyk will provide updates to the Council as information becomes available.

MANAGER'S REPORT

Borough Zoning Official Certification

Mr. Stern reported that the Borough's Zoning Official, John Zamierowski, has completed Rutgers University, Center for Government Services program for Zoning Officials.

Recycling Material Vendor – Atlantic Coast Fiber

Mr. Stern reported that Atlantic Coast Fibers experienced a catastrophic fire at their Passaic location, resulting in a total loss of the facility. Atlantic Coast will continue to accept Borough material at their other facilities; however, there will be an increase in costs associated with the transportation of material.

DPW Snowblowers

Mr. Stern reported that the Borough replaced two snowblowers at a total cost of \$5600.

RESOLUTIONS

R76-21, 3 Year Average Municipal Court Fines & Costs

Resolution R76-21 was introduced prior to the Introduction of the 2021 Municipal Budget

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"/>
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"/>
Richter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<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"/>
Menard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES TO INTRODUCE

4-21, COLA, Calendar Year 2021 Ordinance to Exceed the Municipal Budget Appropriation Limits and Establish a Cap Bank

Ordinance 4-21 was introduced prior to the Introduction of the 2021 Municipal Budget

Introduced: February 22, 2021

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



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5-21, Authorizing the Execution of a Lease to the Borough of Mountain Lakes from Mountain Lakes Realty LLC

Introduced: February 22, 2021

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"/>
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"/>
Richter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<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"/>
Menard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6-21, Amending Chapter 111 of the Revised General Ordinances of the Borough of Mountain Lakes and Revising the Fee Schedule

Introduced: February 22, 2021

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"/>
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richter	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<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"/>
Menard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

ORDINANCES TO ADOPT

3-21, Amending Chapter 88 of the Revised General Ordinances of the Borough of Mountain Lakes and Providing a Requirement for Construction Record Clearance

PUBLIC COMMENT/HEARING

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 Menard opened the meeting to the public.

There was no one from the public wishing to speak.

Introduced: February 8, 2021

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



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Adopted: February 22, 2021

Council member	M	2nd	Yes	No	Abstain	Absent
Happer	<input checked="" 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"/>
Richter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<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"/>
Menard	<input type="checkbox"/>	<input checked="" 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. R70-21, Granting Permission to AT&T Corp. to Install Communications Facilities Along, Under and Over the Public Right-of-Way in Order to Provide Communications Services to the Public
- b. R75-21, Authorizing the Payment of Bills
- c. R77-21, Approving the Certification List of Volunteer Members of the Borough of Mountain Lakes Fire Department
- d. R78-21, Authorizing the Transfer of Appropriations
- e. R79-21, Authorizing a Professional Services Agreement between the Borough of Mountain Lakes & Arcari & Iovino, P.C.
- f. R80-21, Authorizing the Award of Contract for the Fabrication & Delivery of Structural Steel for Additions to the Municipal Building

***APPROVAL OF MINUTES**

2/8/21 (Regular)

***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

***Approval of the 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"/>
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Richter	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sheikh	<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"/>
Menard	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution R78-21 was removed from the Consent Agenda and not voted on.

Resolution R70-21 was approved with the addition of the following sentence to subsection "K": AT&T shall remove all its facilities from the right of way at the end of the currently effective term unless otherwise permitted by the Borough.



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DEPARTMENT REPORTS SUBMITTED 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

COUNCIL REPORTS

Health Commission – Councilmember Barnett reported that the commission’s 2021 project will be to continue their Stigma-free initiative.

Planning Board – Councilmember Lane reported that the board appointed its planner and engineer and also continued hearing the Highview application.

Affordable Housing Committee – Councilmember Lane reported the following: There will be a Zoom information session to learn about the Borough’s Accessory Apartments Program on February 24th at 7pm; The resident mailer to announce the accessory apartment program was mailed to residents.

Woodlands Committee – Councilmember Lane reported that the committee is dissatisfied with the gravel/stone choice for the Boulevard trails. The committee discussed the following: Committee goals for the year; Clearing of the Overlook and Crestview Trail paths; Ordering saplings for 2021; Creating a summit meeting of like-minded committees.

Finance Committee – Councilmember Happer reported the following: The committee discussed the 2021 Borough budget; The committee is scheduled to meet with the Borough Auditor on March 24th to discuss bond authorization.

Environmental Commission – Councilmember Happer reported that the commission discussed the stormwater ordinance and the pros and cons of a minor subdivision.

Zoning Board – Councilmember Richter reported that the board heard one application for a 2nd floor deck and that the March 4th meeting has been canceled due to lack of applications.

Green Team – Councilmember Korman reported the following: The committee is working toward obtaining silver certification for Sustainable New Jersey; The committee is working on drafting a no smoking ordinance to propose to Borough Council.

Shade Tree Commission – Councilmember Korman reported that the commission is working on drafting an ordinance to provide set back tree protections in commercial zones to propose to Borough 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 Menard opened the meeting to the public.

Cathi Hadjiloucas – 5 Lakewood Drive, requested the following: The ordinance that allowed the tandem use of a gas station and convenient store at the Zeris Inn property; The Borough’s conflict of interest policy; The Economic Development Advisory Committee minutes from 2018 and 2020. Ms. Hadjiloucas disapproved of the Council passing Resolution R70-21.



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Dena Muniz – 7 Rainbow Trail, asked questions about the following: Borough committee/commission membership, the proposed Wawa project and the proposed Shade Tree Ordinance that includes commercial properties.

Michael Hadjiloucas – 5 Lakewood Drive, disapproves that the Council passed Ordinance 3-20.

Jake DeNooyer - 79 Lake Drive, supports Ordinance 6-21 and asked a question about the proposed Wawa project.

Mayor Menard, Councilmember Lane, Councilmember Happer, Borough Attorney Oostdyk, Councilmember Korman, Councilmember Richter, and Councilmember Lane responded to the public's questions.

NEXT STEPS AND PRIORITIES


Mayor Menard reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
AT&T Route Information Regarding R70-21	Borough Manager	
Salt & Snow Costs	Borough Manager	
Capital Analysis	Borough Manager	

ADJOURNMENT at 11:18P.M.

Motion made by Councilmember Korman, second by Councilmember Lane to adjourn the meeting at 11:18p.m., with all members in favor signifying by "Aye".

Respectfully Submitted



Cara Fox, Deputy Borough Clerk