



**AGENDA FOR THE COUNCIL MEETING OF THE BOROUGH OF MOUNTAIN LAKES
HELD AS A REMOTE MEETING ON ZOOM**

MARCH 22, 2021

PUBLIC SESSION – BEGINS AT 7:30 PM

To Participate via computer please use the following link: <https://zoom.us/j/208487754> or call iPhone one-tap : US: +13126266799,, 208487754# or +19292056099,,208487754#
Or Telephone: Dial (for higher quality, dial a number based on your current location):
US: +1 312 626 6799 or +1 929 205 6099 or +1 346 248 7799 or +1 669 900 6833 or
+1 253 215 8782 or +1 301 715 8592 Webinar ID: 208 487 If calling into the meeting via telephone, the following commands can be entered via DTMF tones using your phone's dial pad while in a Zoom meeting: *6 - Toggle mute/unmute *9 - Raise hand (once hand is raised, it cannot be lowered. If you change your mind and choose not to speak, when called upon, please let us know that you have changed your mind).

1) CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT – Mayor

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.

2) ROLL CALL ATTENDANCE - Clerk

3) FLAG SALUTE – Mayor

4) EXECUTIVE SESSION

5) COMMUNITY ANNOUNCEMENTS

6) SPECIAL PRESENTATIONS

a. Swearing in of New Police Officers – Borough Clerk

7) REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

a. Borough Hall & Public Safety Infrastructure Advisory Committee Q1 2021 Project Update

8) BOROUGH COUNCIL DISCUSSION ITEMS

- a. R83-21, Resolution to Read Budget By Title
- b. R84-21, Self Examination of Budget Resolution
- c. Public Hearing & Adoption of the 2021 Municipal Budget

9) 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.

10) ATTORNEY'S REPORT

11) MANAGER'S REPORT

12) RESOLUTIONS

13) ORDINANCES TO INTRODUCE

- a. 7-21, Authorizing the Salary and/or Wages of the Officers and Employees of the Borough of Mountain Lakes, County of Morris, New Jersey
- b. 8-21, Amending the Chapters 102 and 111 of the Revised General Ordinances of the Borough of Mountain Lakes to Apply the Protected Tree Removal Permit Requirements to All Properties within the Borough and Amending the Fee for a Tree Removal Permit
- c. 9-21, Amending the Revised General Ordinances of the Borough of Mountain Lakes and Establishing Solid Waste Recycling Regulations
- d. 10-21, Bond Ordinance Appropriating \$1,834,237, and Authorizing the Issuance of \$1,544,925 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

14) ORDINANCES TO ADOPT

- a. 2-21, Amending Chapter 202 Entitled "Stormwater Control" of The Revised General Ordinances of the Borough of Mountain Lakes

15) *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. R85-21, Authorizing the Payment of Bills
- b. R86-21, Authorizing a Professional Services Agreement between the Borough of Mountain Lakes and Matthew J. Giacobbe, Esq. of Cleary Giacobbe Alfieri Jacobs, LLC
- c. R87-21, Authorizing Municipal Employees' Salary
- d. R88-21, Authorizing a Professional Services Agreement between the Borough of Mountain Lakes & Arcari & Iovino, P.C.

***APPROVAL OF MINUTES**

3/8/21 (Regular)

***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

16) DEPARTMENT REPORTS SUBMITTED FOR FILING

- Construction Department
- Department of Public Works
- Fire Department
- Health Department
- Police Department
- Recreation Department
- Code Enforcement/Property Maintenance

17) COUNCIL REPORTS

18) 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.

19) NEXT STEPS AND PRIORITIES

20) ADJOURNMENT



1Q 2021 Project Update

Borough Hall & Public Safety Infrastructure Advisory Committee

March 22, 2021

Agenda

- Construction Update
- Schedule
- Budget Update
- Borough Hall Administration & Public Safety Operations During Construction
- Updated Exterior Elevations
- HVAC Upgrade

Construction Update

Completed

- ✓Excavation for Back Addition
- ✓Footings for Back Addition
- ✓Foundation Walls for Back Addition
- ✓Slabs for Back Addition
- ✓Demolition of Former Council Chambers
- ✓Demolition of Former Board of Education Space
- ✓Utility Work under Back Parking Lot
- ✓Drainage Work under Back Parking Lot

In Progress

- Masonry Block Walls for Back Addition
- Materials Procurement
- Preparation for Borough Hall Administration move to 420 Boulevard

Next Steps

- Borough Hall Administration Move to 420 Boulevard
- On-Going Construction of Back Addition
- On-Going Interior Demolition
- Excavation for Front Addition



Breaking Ground! Excavation for Back Addition



Footings for Back Addition



Foundation Walls for Back Addition



Slabs for Back Addition



Demolition of Former Council Chambers



Demolition of Former Board of Education Space

Schedule: December 2020 – August 2022

Construct Rear Addition: December 2020 – December 2021

Foundations – Above Grade Masonry – Steel Framing/Pour 2nd Floor – Frame & Sheath
Exterior Walls – Roof – Exterior Finishes & Windows – Interior Fit Out

Construct Front Addition: April 2021 – May 2022

Foundations – Above Grade Masonry/Elevator Shaft – Steel Framing/Pour 2nd Floor Deck – Frame & Sheath
Exterior Walls – Roof – Elevator Installation – Roof – Exterior Finishes & Windows – Interior Fit Out

Exterior Envelope/Interior Remodel: April 2021 – August 2022

Replace Roof – Exterior Finishes & Windows – First Floor Demo – First Floor Walls – First Floor Ceilings – Finishes –
Fixtures – Second Floor Demo – Second Floor Walls – Second Floor Ceilings – Finishes – Fixtures

Budget Update

Project Expenses through 2.28.21

Total Budget	Expenses	Encumbered	Balance
\$4,513,000	\$293,633	\$149,971	\$4,069,396

Borough Hall Administration & Public Safety Operations During Construction

Borough Hall Administration

- Relocate to 420 Boulevard
- 1st or 2nd week of April moving date

Public Meetings

- Continue virtual meetings in the near-term
- Assess alternative locations in preparation for return to in-person meetings

Mountain Lakes Police Department

- Remain on-site in the near-term

ML Volunteer Fire Department

- Remain on-site in the near-term



Updated Exterior Elevations

HVAC Upgrade

In consultation with the project architect and mechanical engineer, the committee recommended modifications to the building's HVAC System design in response to the continuing Covid-19 pandemic:

Roof Top Unit (RTU) "Purge Cycle" (No Additional Upfront Cost):

- One Hour Cycle as Required.

Enhanced MERV 13 Filter Maintenance on RTUs (Additional +/- \$2,000 Annually):

- Upgrade to Monthly vs. Quarterly Maintenance

Heat Pump - Needlepoint Biopolar Ionization (Additional +/- \$2,200 Upfront Cost):

- Two Test Units in Public Spaces

RTUs - Catalytic Air Cleaning System (Additional +/- \$20,000 Upfront Cost):

- Add System to the Three Roof Top Air Handling Units

The Committee recommended approving these upgrades with the understanding that these expenses will be covered by 1) federal COVID aid, 2) project savings, or 3) the additional allocation of funds.

Thank You



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Mitchell Stern
Borough Manager
mstern@mtnlakes.org

400 Boulevard
Mountain Lakes, NJ 07046
P -973-334-3131 ext.2006
F -973-402-5595

TO: Honorable Mayor and Borough Council
SUBJ: Manager's Report
CC: Robert Oostdyk, Borough Attorney

The following represents the Manager's report for the Borough Council meeting of March 22, 2021.

AT&T Fiber Optic Cable Route – Attached, please find copy of the fiber optic cable route map that was discussed during a recent Borough Council meeting. The cable will be placed on utility poles along Route 46 coming from Denville, then turning down Fox Hill Road and on into Parsippany.

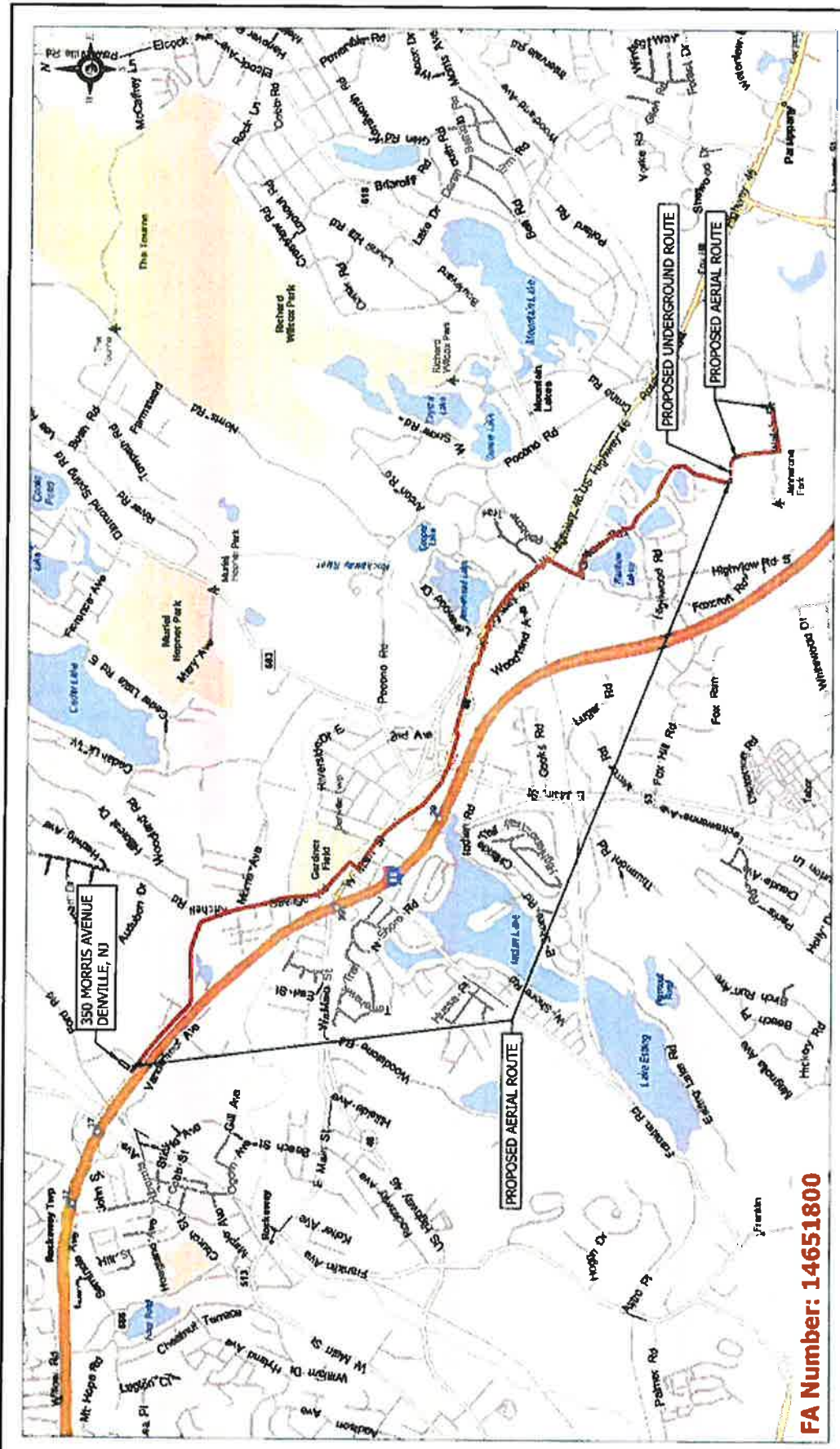
Intervale Road Culvert Replacement– Morris County Engineering has begun preliminary design and engineering work to replace a culvert that runs under Intervale Road in the area of Sherwood Drive. Construction will most likely occur in the spring / summer 2022. I'll provide additional information as I receive it.

Manager Goals for 2021 – As discussed during our recent Borough Council meeting, below are my goals as Borough Manager for 2021.

- **Covid-19:**
To maintain Borough operations as we continue to navigate the pandemic.
- **Borough Hall Project:**
To continue to move the project forward on schedule and on budget.
To maintain continuity of operations as we transition to temporary workspace.
- **Personnel Policy Handbook:**
To complete transition to the JIF Personnel Policy Manual.
- **10-year Capital Plan:**
To complete the 10-year capital plan.

As always, I encourage anyone with questions or concerns to reach out to me.

Mitchell



FA Number: 14651800

TITLE: PROPOSED FIBER OPTIC CABLE INSTALLATION	DRAWN BY: J. DODD
ENG. BY: L. ADULTO	SCALE: NOT TO SCALE
DATE: 10/28/2023	REV#: MAP



TC SYSTEMS, INC. (AT&T)
 AT&T PROPRIETARY. NOT FOR USE OR DISCLOSURE OUTSIDE
 THE AT&T COMPANIES EXCEPT UNDER WRITTEN AGREEMENT.

RESOLUTION AND ORDINANCE REVIEW FOR THE MARCH 22, 2021 MEETING

TO: MAYOR AND COUNCIL

FROM: MITCHELL STERN, MANAGER

RESOLUTIONS

R83-21, RESOLUTION TO READ BUDGET BY TITLE - this resolution authorizes the 2021 Budget to be read by title only. This can be done because for at least one week prior to the hearing, a complete copy of the approved budget has been available for public inspection and is available to any person upon request.

R84-21, SELF EXAMINATION OF BUDGET RESOLUTION - this resolution certifies that the Borough has been authorized to participate in the Self-Examination program through the Division of Local Government Services, and that certain requirements have been met by the Borough regarding the municipal budget. This program allows the Borough to adopt the budget without first gaining written approval by the Division of Local Government Services. The Borough is required to receive written approval of the budget every third year through the program.

R86-21, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MOUNTAIN LAKES AND MATTHEW J. GIACOBBE ESQ. OF CLEARY GIACOBBE ALFIERI JACOBS, LLC- this resolution authorizes the Borough to enter into an agreement with Matthew J. Giacobbe Esq. for legal services for labor and employment related matters.

R87-21, AUTHORIZING MUNICIPAL EMPLOYEES' SALARY – this resolution authorizes a salary increase for the Department of Public Works Foreman that was agreed upon as part of the original offer of employment. The salary increase was discussed with the Personnel Subcommittee at time of offer. Due to the increase occurring prior to the annual salary resolution, the need arises for a separate resolution to address the increase.

R88-21, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MOUNTAIN LAKES & ARCARI & IOVINO, P.C. - this resolution authorizes the Borough to enter into an agreement with Arcari & Iovino, PC for additional architectural services (Building Exterior Façade Study) for the Borough Hall renovation project. The total cost of this phase is not to exceed \$5,000.00. Funding for this contract is included in the overall cost of the Borough Hall project and has been approved by the sub-committee.

ORDINANCES TO INTRODUCE

7-21, AUTHORIZING THE SALARY AND/OR WAGES OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF MOUNTAIN LAKES, COUNTY OF MORRIS, NEW JERSEY – this ordinance sets the minimum and maximum range of salary authorized by the Borough for each employment position. This ordinance is required to be in place by Statute. Once adopted, an annual salary resolution listing positions and salaries will be submitted to Borough Council for review and approval.

8-21, AMENDING THE CHAPTERS 102 AND 111 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES TO APPLY THE PROTECTED TREE REMOVAL PERMIT REQUIREMENTS TO ALL PROPERTIES WITHIN THE BOROUGH AND AMENDING THE FEE FOR A TREE REMOVAL PERMIT – this ordinance amends the current Shade Tree Removal Permit to apply to all Borough properties, not just residential, and increases the tree removal permit fee from \$250 to \$350.

9-21, AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING SOLID WASTE RECYCLING REGULATIONS – this ordinance amendment is a wording change. The existing ordinance lists acceptable recycling material by specific item, which can change on short notice. The new wording replaces the existing list of recycling materials and instead references the Morris County Municipal Utilities Authority list of acceptable recyclable materials. This change will help us avoid the need to amend our ordinance each time a change in acceptable material occurs.

10-21, BOND ORDINANCE APPROPRIATING \$1,834,237, AND AUTHORIZING THE ISSUANCE OF \$1,544,925 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 -- this bond ordinance appropriates \$1,834,237 for various improvements to be undertaken by the Borough and authorizes the issuance of a maximum \$1,544,925 in bonds, provides for application of a \$81,312 down payment understood to be presently available and appropriates the expected \$208,000 NJDOT grant. Adoption of this ordinance is recommended by the Borough Manager and CFO.

ORDINANCES TO ADOPT

2-21, AMENDING CHAPTER 202 ENTITLED “STORMWATER CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES – this updated ordinance is a result of a statewide requirement to bring stormwater management ordinances into compliance with rule changes that were advanced in the New Jersey Register in March 2020. This ordinance was prepared by the Borough Attorney in consultation with the Borough Engineer.

If there are any questions prior to the meeting, please feel free to contact me.

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 83-21

“RESOLUTION TO READ BUDGET BY TITLE”

WHEREAS, N.J.S.A. 40A 4-8 as amended provides that the Budget shall be read in full at the public hearing, or that it may be read by its title only if:

1. At least one week prior to the date of the hearing and at the hearing, a complete copy of the approved budget,
 - a. shall be made available for public inspection, and
 - b. shall be made available to each person upon request

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Mountain Lakes that it is hereby declared that the conditions of N.J.S.A. 40A:4-8, as amended set forth in subsections 1(a)and1(b), have been met and therefore the Budget shall be read by title only.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 22, 2021.

Mitchell Stern, Acting Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Korman						
Lane						
Richter						
Sheikh						
Barnett						
Menard						

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 22, 2021.

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Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Korman						
Lane						
Richter						
Sheikh						
Barnett						
Menard						

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 85-21

“RESOLUTION AUTHORIZING THE PAYMENT OF BILLS”

WHEREAS, the Borough Manager has reviewed and approved purchase orders requested by the Department Heads; and

WHEREAS, the Finance Office has certified that funds are available in the proper account; and

WHEREAS, the Borough Treasurer has approved payment, upon certification from the Borough Department Heads that the goods and/or services have been rendered to the Borough.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that the current bills, dated **March 22, 2021** and on file and available for public inspection in the Office of the Treasurer and approved by him for payment, be paid.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 22, 2021.

Mitchell Stern, Acting Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Korman						
Lane						
Richter						
Sheikh						
Barnett						
Menard						

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 03/22/2021 For bills from 03/04/2021 to 03/17/2021

Check#	Vendor	Description	Payment	Check Total
18473	124 - AC DAUGHTRY, INC.	PO 23160 DPW - CENTRAL STATION MONITORING - 1st	164.70	
18474	219 - ACCESS	PO 23160 DPW - CENTRAL STATION MONITORING - 1st	60.00	224.70
18475	196 - ALLIED OIL	PO 23224 CUST# 156NFY04790 - MAR 2021	61.33	61.33
18476	3068 - ALLISON RANKIN	PO 23034 DPW - FUEL EXPENSES - UNLEADED - BLANKET	1,875.42	
18477	239 - AMERICAN WEAR, INC.	PO 23237 DPW - FUEL EXPENSES - UNLEADED - BLANKET	1,320.90	3,196.32
18478	189 - ANCHOR ACE HARDWARE	PO 23209 CLEAN COMMUNITIES GRANT - STORMWATER POS	288.99	288.99
		PO 23208 DPW - UNIFORMS	671.00	671.00
		PO 23076 DPW / WATER DEPT - DEPARTMENT SUPPLIES -	106.10	
18479	3957 - ATLANTIC COAST FIBERS, LLC	PO 23076 DPW / WATER DEPT - DEPARTMENT SUPPLIES -	211.09	317.19
18480	220 - ATLANTIC SALT, INC.	PO 23256 RECYCLING COSTS - JANUARY 2021	24.05	24.05
18481	3828 - BOROUGH OF MADISON	PO 23123 STREETS & ROADS - SNOW REMOVAL - MCC	8,338.59	8,338.59
18482	2775 - CAPITOL SUPPLY CONSTRUC PROD, INC	PO 23280 DECEMBER 2020 IT BILLING	1,021.10	1,021.10
18483	2147 - CCTMO LLC	PO 23239 WATER DEPARTMENT - EQUIPMENT & TOOLS	52.00	52.00
18484	4135 - CGP&H, LLC	PO 23197 MAR 2021 - CELL TOWER REIMBURSEMENT CROW	1,885.00	1,885.00
18485	2196 - CHRISTINA WHITAKER	PO 23281 OCTOBER - DECEMBER 2020 - COAH	2,596.00	2,596.00
18486	4150 - CLEARY GIACOBEE ALFIERIE JACOBS,	PO 22962 2021 QUARTERLY HEALTH BENEFITS REIMBURSEM	517.17	517.17
18487	2396 - COUNTY WELDING SUPPLY CO.	PO 23289 FEB. 2021 LABOR ATTORNEY SRVCS.	1,600.50	1,600.50
18488	726 - ECOL SCIENCE, INC.	PO 23036 DPW - EQUIPMENT & TOOLS - BLANKET	68.00	68.00
18489	4042 - ELIFEGUARD, INC.	PO 23229 SUNSET LAKE DAM REHAB - TASK 1-3	6,061.00	6,061.00
18490	1170 - FERGUSON ENTERPRISES #501	PO 23162 ISLAND BEACH - IMPROVEMENTS	2,524.99	2,524.99
18491	3993 - FSC LEAK DETECTION	PO 23211 BH RENO: SUPPLIES/PVC PIPE - 2/2021	263.78	263.78
18492	653 - GANNET NEW JERSEY NEWSPAPERS	PO 23242 EMERGENCY - WATER DEPT LEAK - OVERLOOK	400.00	400.00
		PO 22973 BOA/PLANNING: 2021 ADVERTISING - ACCT#31	90.30	
		PO 22977 CLERK - 2021 ADVERTISING - BLANKET	496.55	
		PO 23287 CLERK: ADVERTISING - FEB 2021	401.18	988.03
18493	4131 - GENERAL RECREATION, INC	PO 23065 RECREATION - PLAYGROUND EQUIPMENT	177.00	177.00
18494	503 - HERBERT J. COHRS	PO 22963 2021 QUARTERLY HEALTH BENEFITS REIMBURSE	1,159.63	1,159.63
18495	911 - HOME DEPOT CREDIT SERVICES	PO 22943 DPW - DEPARTMENT SUPPLIES - BLANKET	398.98	398.98
18496	984 - INTL. INSTITUTE OF MUNICIPAL CLERKS	PO 23275 CLERK: 2021 MEMBERSHIP DUES	175.00	175.00
18497	859 - JCP&L	PO 23210 ACCT#100 075 505 725 - BILL PRD: 1/22 -	3.10	
		PO 23223 ACCT#100 050 702 156 - BILL PRD: 1/27 -	4.16	
18498	859 - JCP&L	PO 23273 M/A #200 000 054 011/ BILL DATE: FEB 04.	645.87	653.13
		PO 23274 M/A #200 000 054 011/ BILL DATE: MAR 5,	998.96	
		PO 23277 M/A #200 000 053 658 / BILL DATE: MAR 5,	1,542.56	
18499	859 - JCP&L	PO 23278 MASTER ACCT#200 000 574 000/ BILL DATE:	57.30	2,598.82
		PO 23279 MAST ACCT# 200 000 021 275 / BILL DATE:	3,852.60	
		PO 23291 M/A #200 000 020 764: BILL DATE: MAR 10,	63.10	3,915.70
18500	1074 - JW PIERSON CO.	PO 23159 DPW - DIESEL FUEL - BLANKET	2,166.24	2,166.24
18501	1086 - KENNEDY CULVERT & SUPPLY CO.	PO 23163 BH RENOVATION	2,649.58	2,649.58
18502	1090 - KENVIL POWER MOWER	PO 23238 DPW - EQUIPMENT REPAIRS - BLANKET	107.00	107.00
18503	1182 - LINCOLN NATIONAL LIFE INS.	PO 23175 2020 LOSAP CONTRIBUTIONS/CONTRACT# CR334	16,100.00	16,100.00
18504	1441 - MAJOR POLICE SUPPLY	PO 23177 POLICE - VEHICLE REPAIR	265.00	265.00
18505	2790 - MC PUBLIC SAFETY TRAINING ACADEMY	PO 22921 POLICE: ACADEMY TRAINING - 2021 BLANKET	20.00	20.00
18506	2308 - MCNERNEY & ASSOCIATES, INC.	PO 23109 LEGAL: TAX APPEAL 35 CRYSTAL RD.	2,500.00	2,500.00
18507	1338 - MGL PRINTING SOLUTIONS, LLC	PO 23191 ADMIN: NON WINDOW ENVELOPES	206.50	
		PO 23216 CLERK: MINUTE BOOK/ PAPER	340.00	546.50
18508	1295 - MORRIS CTY MUNICIPAL UTILITIES	PO 23258 SOLID WASTE DISPOSAL - FEBRUARY 2021	8,418.42	8,418.42
18509	1311 - MORRIS CTY TREASURER	PO 23196 MORRIS COUNTY COMMUNICAITONS DISPATCH SE	26,497.42	26,497.42
18510	4196 - MOUNTAIN LAKES REALTY, LLC	PO 23293 BH: LEASE PAYMENTS FOR TEMP BORO HALL	5,000.00	5,000.00
18511	1394 - MTN. LAKES PUBLIC LIBRARY	PO 23198 APRIL 2021 MTN LAKES PUBLIC LIBRARY AID	24,834.58	24,834.58
18512	1472 - MURPHY MCKEON P.C.	PO 23233 FEBRUARY 2021 LEGAL SERVICES - TAX APPEA	3,930.00	
		PO 23234 MARCH 2021 PROFESSIONAL SERVICES - RETAI	4,166.66	8,096.66
18513	1435 - NAZZARENO MOSCARINI	PO 22964 2021 QUARTERLY HEALTH BENEFITS REIMBURSE	193.27	193.27
18514	881 - NCX	PO 22972 ADMIN: 2021 DNS HOSTING / ACCT# GTI - BL	21.95	21.95
18515	1553 - NEW JERSEY NATURAL GAS	PO 23288 DEC 2020 - JAN 2021 SERVICE	2,671.72	2,671.72
18516	3388 - NEW JERSEY REGISTRAR'S ASSOCIATION	PO 22912 2021 MEMBERSHIP RENEWAL FOR CARA FOX	25.00	25.00
18517	1562 - NJLM	PO 23212 FINANCE: PROFESSIONAL DEVELOPMENT - MONI	75.00	75.00
18518	2595 - NORTH JERSEY MUNICIPAL EMPLOYEE	PO 23219 MARCH 2021 DENTAL PREMIUMS - GROUP 1624	2,522.00	2,522.00
18519	2727 - ONE CALL CONCEPTS, INC.	PO 22991 ACCT# 12-BML / 2020 JAN - DEC BLANKET	76.86	76.86
18520	2968 - OPTIMUM	PO 22929 2021 DPW INTERNET SERVICES ACCT# 07876-6	146.18	146.18
18521	2968 - OPTIMUM	PO 22930 DPW: 2021 CABLE BOXES ACCT# 07876-41456	11.72	11.72
18522	3659 - OPTIMUM	PO 23282 MARCH 2021 BORO INTERNET FEES: ACCT# 078	140.55	140.55
18523	3113 - PHILLIPS PREISS GRYGIEL LEHENY HUGH	PO 23217 JAN 2021 PROFESSIONAL SERVICES - COAH	320.00	320.00
18524	4151 - PITNEY BOWES, INC	PO 23207 ADMIN: POSTAGE INK ORDER# 13886234	107.88	107.88
18525	4184 - PLANIT NETWORKS	PO 22865 BH: POLICE PHONE IN FRONT VESTIBULE - MA	250.00	250.00
18526	4070 - PREMIER CAR WASH COR	PO 22914 POLICE: CAR WASHES - 2021 BLANKET- ACCT	108.00	108.00
18527	2397 - ROCKAWAY AUTO RESOURCES, LLC	PO 22975 DPW / POLICE - VEHICLE REPAIRS - BLANKET	375.27	
		PO 23068 DPW - VEHICLE REPAIRS	265.40	
		PO 23122 DPW - VEHICLE REPAIR	83.10	

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 03/22/2021 For bills from 03/04/2021 to 03/17/2021

Check#	Vendor	Description	Payment	Check Total
18528	3695 - RT 23 PATIO & MASON CENTER, LLC	PO 23152 DPW/ POLICE - VEHICLE MAINTENANCE	250.62	974.39
18529	2856 - SENSUS USA, INC	PO 23067 ISLAND BEACH / BIRCHWOOD BEACH SWING SET	253.50	253.50
18530	285 - SHAWN BENNETT	PO 23182 WATER DEPARTMENT - EQUIPMENT	1,949.94	1,949.94
		PO 23247 POLICE: REIMBURSEMENT	41.25	
		PO 23269 POLICE: REIMBURSEMENT	50.00	91.25
18531	2774 - STAPLES CONTRACT & COMMERCIAL, LLC	PO 22918 POLICE: OFFICE SUPPLIES - 2021 BLANKET	211.80	
		PO 23103 ADMIN: ORDER#	65.43	
		PO 23180 MULTI DEPT: ORDER# 7325331904	96.05	373.28
18532	1916 - STICKEL, KOENIG, SULLIVAN & DRILL,	PO 23226 2021 PROFESSIONAL SERVICES FOR MICHAEL D	3,500.00	3,500.00
18533	1981 - SUBURBAN DISPOSAL, INC	PO 23230 BH RENO: ROLL-OFF CONTAINER	850.00	
		PO 23257 SOLID WASTE / RECYCLING COLLECTION - FEB	36,219.99	37,069.99
18534	2108 - THE UPS STORE 4650	PO 22916 POLICE: POSTAGE - 2021 BLANKET	10.21	10.21
18535	253 - THOMAS BARBATO	PO 22965 2021 QUARTERLY HEALTH BENEFITS REIMBURSE	622.15	622.15
18536	603 - TOWNSHIP OF DENVERVILLE	PO 23225 2021 SHARED MUNICIPAL COURT SERVICES	14,629.00	14,629.00
18537	1424 - TOWNSHIP OF MONTVILLE	PO 23199 1Q2021 ANIMAL ACTIVITY CHARGE	2,961.82	2,961.82
18538	4191 - TRANSUNION RISK & ALTERNATIVE	PO 23093 POLICE: 2021 SUBSCRIPTION ACCT. ID: 3645	100.00	100.00
18539	1736 - TWP OF PARSIPPANY - TROY HILLS	PO 23195 MARCH 2021 SEWER MAINTENANCE CHARGES	39,416.67	39,416.67
18540	1062 - UNITED SITE SERVICES	PO 22776 BH:TEMPORARY FENCING /BLANKET	122.50	
		PO 23227 MAR - APR 2021 - CUST ID# 140157	320.00	442.50
18541	2135 - VERIZON WIRELESS	PO 23272 ACCT# 882388054-00001 / FEB 05 - MAR 04	782.07	782.07
18542	832 - W.W. GRAINGER, INC	PO 22946 STREETS & ROADS - DEPARTMENT SUPPLIES -	68.96	68.96
18543	4177 - WEINER LAW GROUP, LLP	PO 23263 FEB 2021 PROFESSIONAL SERVICES - PB	35.00	35.00
18544	3753 - WINNER FORD OF CHERRY HILL	PO 22773 2021 UTILITY INTERCEPTOR BASE VEHICLE	33,012.00	33,012.00
TOTAL				280,342.26

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN - OTHER EXPENSE	433.28			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXP'S	1,499.52			
01-201-20-130-020	FINANCE - OTHER EXPENSES	75.00			
01-201-20-140-020	COMPUTER SERVICES	174.22			
01-201-20-145-020	TAX COLLECTOR - OTHER EXPENSES	22.67			
01-201-20-155-020	LEGAL SERVICES - OTHER EXPENSE	12,517.16			
01-201-21-180-020	PLANNING BOARD - OTHER EXPENSE	111.54			
01-201-21-185-020	BD OF ADJUST - OTHER EXPENSES	3,513.76			
01-201-23-220-020	GROUP INSURANCE PLANS-EMPLOYEE	5,014.22			
01-201-25-240-020	POLICE DEPT - OTHER EXPENSES	541.26			
01-201-25-250-020	INTERLOCAL SERVICES: MC DISPATCH - OE	26,497.42			
01-201-25-251-020	INTERLOCAL SERVICES: DENVERVILLE COURT - OE	14,629.00			
01-201-26-290-020	STREETS & ROADS - OTHER EXP.	10,174.50			
01-201-26-305-020	SOLID WASTE - OTHER EXPENSES	44,413.64			
01-201-26-306-020	Recycling Tax	248.82			
01-201-26-310-020	BLDG & GROUNDS - MUNIC BLDG	19.45			
01-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	1,239.39			
01-201-28-370-020	PARKS & PLAYGROUNDS OTHER EXP.	177.00			
01-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	320.00			
01-201-29-390-020	AID TO PUBLIC LIBRARY	24,834.58			
01-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	2,441.80			
01-201-31-440-020	TELECOMMUNICATIONS	782.07			
01-201-31-447-020	PETROLEUM PRODUCTS	5,362.56			
01-203-20-100-020	(2020) GENERAL ADMIN - OTHER EXPENSE		2,596.00		
01-203-20-140-020	(2020) COMPUTER SERVICES		553.32		
01-203-25-240-020	(2020) POLICE DEPT - OTHER EXPENSES		467.78		
01-203-31-435-020	(2020) ELECTRICITY - ALL DEPARTMENTS		815.95		
01-203-31-437-020	(2020) NATURAL GAS		2,671.72		
01-203-36-476-020	(2020) LENGTH OF SVS AWARDS (LOSAP)		16,100.00		
01-260-05-100	DUE TO CLEARING			0.00	180,132.63
01-290-55-000-005	DUE TO T-MOBILE - SPRINT FEES			1,885.00	
TOTALS FOR Current Fund		155,042.86	23,204.77	1,885.00	180,132.63

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
02-200-40-700-340	Clean Communities Grant			288.99	
02-260-05-100	DUE TO CLEARING			0.00	288.99
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	288.99	288.99
04-215-55-982-000	2016 CAPITAL ORDINANCE 06-16			2,778.49	
04-215-55-985-000	2019 CAPITAL ORDINANCE 2-19			6,061.00	
04-215-55-989-000	2020 CAPITAL ORD. 8-20 BORO HALL RENOV.			9,135.86	
04-260-05-100	DUE TO CLEARING			0.00	17,975.35
TOTALS FOR	General Capital	0.00	0.00	17,975.35	17,975.35
05-201-55-520-520	Water Operating - Other Expenses	6,445.50			
05-203-55-520-520	(2020) Water Operating - Other Expenses		52.00		
05-260-05-100	DUE TO CLEARING			0.00	6,497.50
TOTALS FOR	Water Operating	6,445.50	52.00	0.00	6,497.50
07-201-55-520-520	Sewer Operating - Other Expenses	39,473.97			
07-260-05-100	DUE TO CLEARING			0.00	39,473.97
TOTALS FOR	Sewer Operating	39,473.97	0.00	0.00	39,473.97
13-260-05-100	DUE TO CLEARING			0.00	2,961.82
13-286-56-000-000	RESERVE - ANIMAL LICENSE FUND			2,961.82	
TOTALS FOR	Animal Trust	0.00	0.00	2,961.82	2,961.82
19-260-05-100	DUE TO CLEARING			0.00	33,012.00
19-300-60-000-005	RESERVE FOR POLICE VEHICLE			33,012.00	
TOTALS FOR	Police Outside Detail Trust	0.00	0.00	33,012.00	33,012.00

Total to be paid from Fund 01 Current Fund	180,132.63
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	288.99
Total to be paid from Fund 04 General Capital	17,975.35
Total to be paid from Fund 05 Water Operating	6,497.50
Total to be paid from Fund 07 Sewer Operating	39,473.97
Total to be paid from Fund 13 Animal Trust	2,961.82
Total to be paid from Fund 19 Police Outside Detail Trust	33,012.00
	280,342.26

**List of Bills - (1210101001001) PAYROLL AGENCY-CASH-PROVIDENT BANK
Payroll Agency Account**

Meeting Date: 03/22/2021 For bills from 03/04/2021 to 03/17/2021

Check#	Vendor	Description	Payment	Check Total
5032	1392 - MTN. LAKES POLICE ASSOCIATION	PO 23286 2021- PBA UNON DUES	740.00	740.00
	TOTAL			740.00

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
12-101-01-001-001	PAYROLL AGENCY-CASH-PROVIDENT BANK			0.00	740.00
12-200-00-000-800	POLICE UNION DUES			740.00	
TOTALS FOR	Payroll Agency Account	0.00	0.00	740.00	740.00

Total to be paid from Fund 12 Payroll Agency Account 740.00
=====
740.00

Checks Previously Disbursed

5031	STATE OF NEW JERSEY	PO# 23232 PERS LOCATION # 20670 RETRO PAYROL	72.73	3/11/2021

			72.73	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund QUALITY CUSTOM HOMES	72.73		72.73
Fund 12 Payroll Agency Account	72.73	740.00	812.73
BILLS LIST TOTALS	145.46	740.00	885.46

**List of Bills - (1710101001002) Escrow - Developers - Checking
Developer's Escrow**

Meeting Date: 03/22/2021 For bills from 03/03/2021 to 03/17/2021

Check#	Vendor	Description	Payment	Check Total
5223	4157 - BRIGHT VIEW ENGINEERING	PO 23265 FEBRUARY 2021 PROFESSIONAL SERVICES - ES	1,151.25	1,151.25
5224	4169 - BURGIS ASSOCIATES, INC.	PO 23267 JANUARY 2021 PROFESSIONAL SERVICES - ESC	1,190.00	1,190.00
5225	4170 - DEWBERRY ENGINEERS, INC	PO 23270 JANUARY 2021 PROFESSIONAL SERVICES - ESC	960.00	960.00
5226	4177 - WEINER LAW GROUP, LLP	PO 23266 FEBRUARY 2021 PROFESSIONAL SERVICES - ES	845.00	845.00
TOTAL				4,146.25

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
17-101-01-001-002	Escrow - Developers - Checking			0.00	4,146.25
17-500-00-091-319	HIGHVIEW HOMES LLC			4,146.25	
TOTALS FOR	Developer's Escrow	0.00	0.00	4,146.25	4,146.25

Total to be paid from Fund 17 Developer's Escrow

4,146.25

4,146.25

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 86-21

“RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MOUNTAIN LAKES AND MATTHEW J. GIACOBBE, ESQ. OF CLEARY GIACOBBE ALFIERI JACOBS, LLC”

WHEREAS, there exists the need for professional legal services (Labor Attorney) for the Borough of Mountain Lakes; and

WHEREAS, Matthew J. Giacobbe, Esq. has submitted a proposal indicating that legal services will be provided for the annual fee of \$165.00 per hour for all attorneys and \$90.00 per hour for all law clerks and paralegals; and

WHEREAS, the maximum amount of the contract is \$10,000.00; and

WHEREAS, the Township's Chief Financial Officer has certified that funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey:

Section 1. The Borough Manager and Deputy Borough Clerk are hereby authorized and directed to execute an agreement with Matthew J. Giacobbe, Esq. for professional legal services (Labor Attorney) for the Borough of Mountain Lakes as set forth in a proposal, attached hereto, which shall be billed at \$165.00 per hour for all attorneys and \$90.00 per hour for all law clerks and paralegals.

Section 2. This contract is awarded as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.

Section 3. The term of this agreement shall be for one year, from January 1, 2021 through December 31, 2021.

Section 4. A notice of this action shall be printed once in the legal newspaper of the Borough of Mountain Lakes.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 22, 2021.

Mitchell Stern, Acting Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Korman						
Lane						
Richter						
Sheikh						
Barnett						
Menard						

CERTIFICATION OF THE AVAILABILITY OF FUNDS
01-201-20-155-020 Legal Services \$10,000.00



Monica Goscicki, CFO

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 88-21

**“RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF
MOUNTAIN LAKES AND ARCARI & IOVINO,PC.”**

WHEREAS, there exists the need for the Borough of Mountain Lakes to obtain additional architectural services in connection with the Borough Hall renovation project; and

WHEREAS, it is agreed that Iovino & Arcari, PC will provide additional architectural services (Building Exterior Façade Study) for the Borough Hall renovation project; and

WHEREAS, the maximum amount of the contract is \$5,000.00; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) requires that the resolution authorizing the award of contracts for "Professional Services" without competitive bids and the contract itself must be available for public inspection.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris, and State of New Jersey, as follows:

1. The Borough Manager and Deputy Borough Clerk are hereby authorized and directed to execute the agreement attached hereto with Arcari & Iovino, PC for architectural services in connection with the Borough Hall renovation project in an amount not to exceed \$5,000.00.
2. This contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the contract is for a service performed by a person(s) authorized by law to practice a recognized profession that is regulated by law.
3. A notice of this action shall be printed once in the legal newspaper of the Borough of Mountain Lakes.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

CERTIFICATION: I hereby certify the foregoing to be a true and correct copy of a resolution duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on March 22, 2021.

Mitchell Stern, Acting Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Happer						
Korman						
Lane						
Richter						
Sheikh						
Barnett						
Menard						

CERTIFICATION OF THE AVAILABILITY OF FUNDS

04-215-55-984-013 2018 Capital Ord. 4-18 Various Improvements

A handwritten signature in cursive script, appearing to read "Monica Goscicki".

Monica Goscicki, CFO

arcari iovino
ARCHITECTS P.C.

One Katherine Street
Little Ferry, NJ 07643

tel: 201.641.0600
fax: 201.641.0626

www.aiarchs.com



March 11, 2021

Mitchell Stern, Borough Manager
Borough of Mountain Lakes
400 Boulevard
Mountain Lakes, NJ 07046

**RE: Professional Services Proposal
Municipal Building – Façade Study**

Dear Mr. Stern:

I am writing to formalize the previous additional services request regarding the requested façade study. The building committee had asked our office to investigate additional options for the building's exterior and to prepare renderings to help everyone visualize such options. We had agreed in principle to a not-to-exceed hourly fee of \$5,000 since the extent of the work could not be quantified. I do anticipate that the final amount will be well lower than that cap.

Our office had progressed at our own risk for the sake of the project's progress. We ask that this proposal be formally accepted at this time.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Iovino', written over a light blue horizontal line.

Anthony Iovino, AIA, PP
Arcari + Iovino Architects, P.C.

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 7-21

"ORDINANCE AUTHORIZING THE SALARY AND/OR WAGES OF THE OFFICERS AND EMPLOYEES OF THE
BOROUGH OF MOUNTAIN LAKES, COUNTY OF MORRIS, NEW JERSEY"

BE IT ORDAINED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. That the respective salary/wage range, to be paid to the full and part-time professionals, full and part-time department heads and their full or part-time deputies are as follows:

Position	Minimum	Maximum
Borough Manager	\$100,000	\$155,000
Borough Clerk/Registrar	\$10,000	\$100,000
Deputy Borough Clerk	\$2,500	\$80,000
Chief Financial Officer	\$10,000	\$132,000
Chief of Police	\$90,000	\$170,000
Director of Public Works	\$90,000	\$125,000
Tax Collector	\$30,000	\$70,000
Deputy Borough Treasurer	\$30,000	\$55,000
Accounts Payable/Finance Assistant	\$30,000	\$55,000
Qualified Purchasing Agent	\$1,000	\$10,000
Executive Assistant to Borough Mgr. and/or Borough Clerk	\$20,000	\$60,000
Recreation Director	\$10,000	\$35,000
Construction Official	\$10,000	\$49,000
Construction Code Assistant/Borough Hall Receptionist	\$40,000	\$45,000

Section 2. That the respective salary/wage range, to be paid to the full-time employees of the Police Department be as follows:

Position	Minimum	Maximum
Patrolman		Per contract
Sergeant		Per contract
Lieutenant		Per contract
Detective Stipend	\$500	\$1,500
Administrative Assistant/Records Clerk	\$20,000	\$57,500

All Police Department employees with the exception of the Chief, Special Police, School Crossing Guards, Police Department Administrative Assistant/Records Clerk and Police Matrons are subject to a contract pursuant to Chapter 303 of the Laws of 1968. To the extent that the terms, conditions, and benefits of their employment as set forth in the contract are different from those set forth in this Ordinance, the contract supersedes and takes precedence over the conflicting Ordinance provisions. A copy of the contract is available for public inspection at the office of the Borough Clerk. The terms and conditions of the contract shall remain in effect for the life of the contract. All terms and conditions of the current contract shall remain in force until a successor agreement has been approved by the Governing Body.

Section 3. That the respective salary/wage range, to be paid to the full-time employees of the Department of Public Works shall be as follows:

Position	Minimum	Maximum
Operations Manager/Assistant DPW Director	\$55,000	\$90,000
Foreman	\$50,000	\$82,500
Crew Chief	\$40,000	\$70,000
Carpenter/Mason	\$30,000	\$72,500
Equipment Operator	\$25,000	\$75,000
Senior Public Utility Serviceperson	\$30,000	\$85,000
Junior Public Utility Serviceperson	\$25,000	\$55,000
Public Utility Serviceperson	\$25,000	\$45,500
Driver/Laborer	\$25,000	\$75,000
Mechanic	\$25,000	\$69,000
Administrative Assistant to DPW Director	\$20,000	\$58,500

Section 4. That the respective salary/wage range, to be paid to the part-time employees shall be as follows:

Position	Minimum	Maximum
General Administrative – Floater	Prevailing Minimum Wage	\$30.00 per hour
Receptionist	\$12,000	\$30,000
Administrative Assistant – Land Use Boards	Prevailing Minimum Wage	\$30.00 per hour
Secretary, Board of Health	\$3,000	\$5,500
Water and Sewer Utility Clerk	\$2,500	\$22,500
Tax Assessor	\$10,000	\$30,000
Sub-Code Officials/Construction Office	\$5,000	\$30,000
Zoning Officer	\$5,000	\$16,000
Zoning Inspector	\$5,000	\$10,000
Code Enforcement Official	\$3,000	\$16,000
Property Maintenance Officer	\$5,000	\$40,000
Fire Official	\$3,000	\$12,000
Fire Safety Officer	\$3,000	\$6,000
Fire Department Administrative Officer	\$3,000	\$8,000
Police Matron	Prevailing Minimum Wage	\$38.00 per hour
School Crossing Guards	Prevailing Minimum Wage	\$30.00 per hour
Police Specials	Prevailing Minimum Wage	\$30.00 per hour
Permanent/Seasonal Part-Time, Dept. Public Works	Prevailing Minimum Wage	\$30.00 per hour
Office of Emergency Management Coordinator	\$1,000	\$3,000
Deputy Office of Emergency Management Coordinator	\$500	\$2,500
Custodian	Prevailing Minimum Wage	\$25.00 per hour
Recycling Attendant	Prevailing Minimum Wage	\$20.00 per hour

Seasonal Part-Time Employees	Minimum	Maximum
Recreation Camp Directors/Assistant Directors, Various	\$3,000	\$12,000

Recreation Camp Counselor	Prevailing Minimum Wage	\$20.00 per hour
Recreation Coach	\$1,000	\$ 6,000
Recreation Referee/Official/Umpire	Prevailing Minimum Wage	\$50.00 per hour
Park Ranger	Prevailing Minimum Wage	\$30.00 per hour
Beach Director/Assistant Director	\$2,500	\$20,000
Lifeguard	Prevailing Minimum Wage	\$25.00 per hour

- Section 5.** The Borough Manager is authorized to prepare an annual salary resolution for consideration and approval by the Borough Council that shall set the salary/wage for all full-time and permanent part-time employees of the Borough. The Borough Manager is authorized to set the hourly rate according to the salary range for all seasonal employees and to notify the Borough Council of such action.
- Section 6.** If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.
- Section 7.** All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.
- Section 8.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law. The salaries indicated within the range are those that will be in effect retroactive to January 1, 2021 and upon final passage of this ordinance.

Mitchell Stern, Acting Borough Clerk

Introduced: 3/22/21

Adopted:

Name	Motion	Second	Aye	Nay	Absent	Abstain	Motion	Second	Aye	Nay	Absent	Abstain
Happer												
Korman												
Lane												
Richter												
Sheikh												
Barnett												
Menard												

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 8-21

**ORDINANCE AMENDING THE CHAPTERS 102 AND 111 OF THE
REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN
LAKES TO APPLY THE PROTECTED TREE REMOVAL PERMIT
REQUIREMENTS TO ALL PROPERTIES WITHIN THE BOROUGH AND
AMENDING THE FEE FOR A TREE REMOVAL PERMIT**

BE IT ORDAINED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 102, Section 102-36, entitled “Protected Trees Within Setback Area of Residential Lots”, of the Revised General Ordinance of the Borough of Mountain Lakes shall be re-titled “Protected Trees within Setback Area”, and subsection A (1) shall be amended to read, in its entirety, as follows:

A. Regulations.

(1) Tree removal permit required. No person shall remove a protected tree, which does not include dead trees, in the setback area of any lot without first obtaining a tree removal permit. A tree removal permit shall not be required for removal of a protected tree if the work to be done is in accordance with an approved setback tree management plan and the related permits required by Subsection A(2) herein. The tree removal permit shall be automatically approved, with no requirement for neighbor notification, if no more than 50%, up to a maximum of three of the protected trees, which does not include dead trees, in the setback area have been or will be removed in a twelve-month period.

Section 2. Chapter 102, Section 102-37, entitled “Fees, Violations, and Penalties”, of the Revised General Ordinance of the Borough of Mountain Lakes shall be re-titled “Violations and Penalties”, and subsection A shall be repealed.

Section 3. Chapter 111, Section 111-3 entitled “Fee Schedule”, of the Revised General Ordinance of the Borough of Mountain Lakes shall be amended to include new subsection P which shall read, in its entirety, as follows:

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 09-21

**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING SOLID
WASTE RECYCLING REGULATIONS**

BE IT ORDAINED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. The Revised General Ordinances of the Borough of Mountain Lakes shall be amended by the inclusion of new Chapter 295 which shall be entitled "Solid Waste Recycling," and shall read in its entirety as follows:

Chapter 295

SOLID WASTE RECYCLING

§295-1. Definitions.

§295-2. Source Separation; Exemptions.

§295-3. Collection of Recyclable Materials.

§295-4. Residential Dwelling Compliance Requirements.

§295-5. Non-residential Establishment Compliance Requirements.

**§295-6. New Developments of Multi-Family Residential units or Commercial,
Institutional, or Industrial Properties.**

§295-7. Institutional or Industrial Properties.

**§295-8. Prohibition of the Collection of Solid Waste Mixed with Recyclable
Materials.**

§295-9. Enforcement.

§295-10. Violations and Penalties.

§295-1. Definitions.

Commingled – A combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

Commercial/Industrial – Any nonresidential business, firm or enterprise including, but not necessarily limited to, those engaged in professional services, shipping and receiving, manufacturing or other business-related activities; and, while operating within the Borough, providers of contracted services such as construction, demolition, landscaping, tree removal, and the like.

Designated recyclable materials – Those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include those designated recyclable materials from the County Recycling Plan for the residential, commercial and institutional sectors and a current list is to be made available on the Borough website.

- Newspaper - A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.
- Corrugated Cardboard - Shipping containers made with kraft paper linerboard and corrugated medium.
- Mixed Paper - Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books, chipboard, Kraft bags and telephone books.
- Leaves - Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.
- Grass Clippings - Vegetative material generated when grass (lawns) are cut.
- Brush - Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.
- Natural Wood Waste - Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.
- Oil-Contaminated Soil - Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26.
- Used Motor Oil - Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.
- Lead-Acid Batteries - Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.
- Hazardous Dry Cell Batteries - Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated

mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.

Metal Appliances - Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.

Whole Tires* - Tires that are whole, not chipped into small pieces.

*Tires are allowed to be recycled and/or incinerated for energy recovery;

Electronic waste – A computer central processing unit and associated hardware including keyboards, modems, printers, scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

Institutional – Any established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, health-care and governmental establishments;

Multifamily dwelling – Any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the “Hotel and Multiple Dwelling Law,” P.L. 1967, c. 76(C.55: 13A-1 et seq.);

Municipal Recycling Coordinator – The person or persons appointed by the governing body of the Borough of Mountain Lakes to fulfill the requirements of Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefore;

Municipal Recycling Enforcement Coordinator – means the person or persons named by the Borough of Mountain Lakes who shall fulfill the responsibilities with respect to recycling enforcement coordination detailed in the March 2007 Morris County Solid Waste Management Plan Amendment Section 8.6. This person may be the same person designated as the Municipal Recycling Coordinator;

Municipal solid waste stream – All solid waste generated at residential establishments serviced by the municipal solid waste contract, and commercial, industrial and institutional establishments within the boundaries of the Borough of Mountain Lakes which is not bulky waste or construction or demolition debris;

Recyclable material – Those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

Resident – Any person who owns, leases, rents or occupies one or more dwellings within the Borough, including any person in a multifamily or single-family development;

Residential – Any building suited for or characterized by private residences;

Source-separated recyclable materials – Recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

Source separation – The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

§295-2. Source Separation; Exemption from Source Separation Requirements.

A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential premises serviced by the Mountain Lakes municipal solid waste contract, and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations, and industrial locations, within the Borough of Mountain Lakes, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises.

B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16.6.(d), the governing body of the Borough of Mountain Lakes may exempt persons occupying commercial, industrial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial, industrial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial, industrial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial, industrial or institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

§295-3. Acceptance of the Municipal Solid Waste Recycling Goal.

As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Borough of Mountain Lakes accepts the goal of 50% recycling of municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

§295-4. Recycling of Designated Materials.

A. Residents shall be responsible for disposing of designated recyclable materials either by way of the municipal contract providing for back door collection of recyclable materials or by depositing the designated materials in the proper repositories at the Mountain Lakes Recycling Center during designated hours of acceptance. Those residents who choose to dispose of the designated materials through means other than by the municipal contract or at the Mountain Lakes Recycling Center must do so in accordance with the state laws governing such designated materials.

B. Collection.

1. All containers and brown paper bags containing recyclable materials as defined in Chapter 295-1 shall be placed, adjacent to the garage or within six feet of the driveway, so as to be available for collection beginning at 7:30 a.m. on the designated collection day. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition.

2. All receptacles or dumpsters shall be maintained in accordance with the Health Code of the Borough of Mountain Lakes. The owner of any property shall be responsible for compliance with this Ordinance.

3. Back door pickup is provided to single family residents of the following recyclables:

a) Paper (newspapers, mixed paper and corrugated cardboard) may be combined in one single container. Containers may not exceed thirty-five (35) gallons in capacity or fifty (50) pounds in weight. Reusable containers are to be provided by the resident. All bundles of paper must be of manageable size and weight.

b) Commingled (aluminum cans, glass bottles and jars, steel (tin) cans and plastic bottles coded "#1" or "#2") should be rinsed and may be combined in a single container. All plastic bottle caps and tops must be removed. Containers may not exceed thirty-five (35) gallons in capacity or fifty (50) pounds in weight. Reusable containers are to be provided by the resident.

c) Christmas trees are collected at curbside on specific dates in January. All ornaments, decorations and tinsel must be removed from the trees.

C. Disposal at the Mountain Lakes Recycling Center.

1) The Mountain Lakes Recycling Center located at the Borough Garage is open to residents only during posted hours. The Borough Recycling Coordinator may modify the procedures as deemed necessary. Designated recyclable materials as defined in Chapter 295-1 may be deposited in the appropriate collection sites as indicated by signage:

a) Paper (newspaper, mixed paper and corrugated cardboard) is to be deposited in the single designated 30 yard dumpster.

b) Commingled (aluminum cans, glass bottles and jars, steel (tin) cans and plastic bottles coded #1 or #2) is to be deposited in the single designated 30 yard dumpster.

c) Leaves may be deposited in the bin designated.

d) Brush may be deposited in the bin designated.

e) Tires may be deposited in the bin designated.

f) Lead-acid and hazardous dry cell batteries may be deposited in the bin designated. They may also be disposed of through the Morris County Household Hazardous Waste Disposal Program.

g) Motor oil and anti-freeze may be deposited in the receptacles designated. They may also be disposed of through the Morris County Household Hazardous Waste Disposal Program.

D. Disposal of Other Recyclable Materials.

1) Grass clippings are mandated recyclable materials. They may be home composted or recycled at a vegetative waste facility.

2) Stumps and tree parts will normally be hauled away by a contractor for a fee. There are commercial establishments which accept stumps and tree parts.

3) Oil-contaminated soil is accepted by certain commercial establishments.

4) Metal appliances are accepted by certain commercial establishments. Any refrigerants must be recovered separately.

E. Voluntary residential recycling is strongly encouraged for items which can be donated, reused or refurbished or for which recycling or collection programs are made available. This includes printer cartridges, plastic grocery bags, clothing, furniture, electronic goods or waste. Residents are also encouraged to leave grass clippings in place or mulch and to mulch leaves.

§295-5. Residential Dwelling Compliance Requirements.

The owner of any property serviced by the municipal solid waste contract shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and annually during their occupancy.

§295-6. Non-Residential Establishment Compliance Requirements.

A. All non-residential generators, including commercial, industrial, and institutional generators of solid waste, shall be required to comply with the provisions of this Ordinance.

B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, industrial or institutional property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, industrial or institutional properties which provide indoor/outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

C. All non-residential facilities shall report to the Recycling Coordinator on an annual basis by March 1 of the following year, on such forms as may be prescribed, on recycling activities at their premises, including the name of the facility, the street address location and block and lot designation, the name title and phone number of the contact person for the facility, and the vendor or vendors providing recycling service for the purpose of determining the amount of designated recycled material by material type. The amount of recycled material may be requested by the Recycling Coordinator

D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

E. All vendors providing recycling services within the Borough shall report to the Recycling Coordinator on an annual basis by April 30 of the following year the amount of designated recycled materials by material type.

F. Commercial contractors operating within the Borough or the owners of property upon which such operations are conducted shall recycle all designated recyclable materials in the manner prescribed by the Recycling Coordinator. Compliance shall be a condition precedent to the issuance of any permanent certificate of use or occupancy or final work inspection approval for the project generating the recyclables.

G. No commercial landscaper, yard maintenance contractor or other commercial contractor shall dispose of leaves, brush or yard waste of any kind at the Mountain Lakes Recycling Center.

§295-7. New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16.6.c.)

A. Any application to the planning board of the Borough of Mountain Lakes, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:

1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development, and

2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.

B. Prior to the issuance of a Certificate of Occupancy by the Borough of Mountain Lakes the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

§295-8. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.

A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.

C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

§295-9. Enforcement.

The Borough Manager, the Department of Police, the Director of Municipal Services, the Code Enforcement Official, the Department of Health, the Recycling Coordinator, and the Morris County Office of Health Management are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

§295-10. Violations and Penalties.

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction

thereof, be punishable by a fine not less than \$25, or more than \$1000. Each day for which a violation of this Ordinance occurs shall be considered a separate offence.

Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

Section 2. Chapter 294, Section 294-3 entitled "Recycling," is hereby repealed.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

Mitchell Stern, Acting Borough Clerk

Introduced: 3/22/21

Adopted:

Name	Motion	Second	Aye	Nay	Absent	Abstain	Motion	Second	Aye	Nay	Absent	Abstain
Happer												
Korman												
Lane												
Richter												
Sheikh												
Barnett												
Menard												

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

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ORDINANCE 094-21

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**ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF
THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING SOLID
WASTE RECYCLING REGULATIONS**

BE IT ORDAINED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. The Revised General Ordinances of the Borough of Mountain Lakes shall be amended by the inclusion of new Chapter 295 which shall be entitled "Solid Waste Recycling," and shall read in its entirety as follows:

Chapter 295

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SOLID WASTE RECYCLING

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§295-1. Definitions.

§295-2. Source Separation; Exemptions.

§295-3. Collection of Recyclable Materials.

§295-4. Residential Dwelling Compliance Requirements.

§295-5. Non-residential Establishment Compliance Requirements.

§295-6. New Developments of Multi-Family Residential units or Commercial, Institutional, or Industrial Properties.

§295-7. Institutional or Industrial Properties.

§295-8. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.

§295-9. Enforcement.

§295-10. Violations and Penalties.

§295-1. Definitions.

Commingled – A combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

Commercial/Industrial – Any nonresidential business, firm or enterprise including, but not necessarily limited to, those engaged in professional services, shipping and receiving, manufacturing or other business-related activities; and, while operating within the Borough, providers of contracted services such as construction, demolition, landscaping, tree removal, and the like.

Designated recyclable materials – Those materials designated within the Morris County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include those designated recyclable materials from the County Recycling Plan for the residential, commercial and institutional sectors and a current list is to be made available on the Borough website. These materials include:

~~Aluminum Cans – Cans made from aluminum that was manufactured to hold a serving of a beverage. Specifically omitted from this definition are aluminum foil and aluminum pie plates.~~

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~~Glass Bottles and Jars – Bottles and jars made from glass including clear, brown and green glass. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. A jar is defined as a wide mouthed container that can be capped. Caps and lids not included. Specifically omitted from this definition are drinking glasses, windows, mirrors, light bulbs, and anything made of Pyrex® or ceramic.~~

~~Plastic Bottles (coded 1 and 2) – Plastic bottles coded to indicate that they are composed of the specific types of plastic compounds (polymers) known as polyethylene terephthalate (PETE) or high density polyethylene (HDPE). See symbols to the~~

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~~left. A bottle is defined as a receptacle having a narrow neck and a mouth that can be corked or capped. Caps and lids not included. Any item made of plastic that is not a bottle, and any plastic bottle without one of the symbols shown to the left is specifically omitted from this definition. Empty bottles which contained hazardous materials, such as motor oil, antifreeze, etc. should not be recycled.~~

~~Steel (Tin) Cans – An air-tight container for the distribution or storage of goods, composed of thin, usually ferrous, metal. Examples are soup cans and tuna fish cans. Specifically omitted from this definition are paint cans and aerosol cans.~~

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Newspaper - A publication containing news, information and advertising, usually printed on low-cost paper called newsprint. Newspaper may include glossy inserts which come with the paper, dependent upon the market conditions at the time.

Corrugated Cardboard - Shipping containers made with kraft paper linerboard and corrugated medium.

Mixed Paper - Various categories of recyclable paper including, but not limited to white and colored paper used in printers, photocopiers and fax machines, white and colored ledger paper, carbonless copy paper, construction paper, undeliverable mail, mailed promotional letters/advertisements/circulars, magazines, catalogues, envelopes, soft cover books, chipboard, Kraft bags and telephone books.

Leaves - Vegetative material, typically generated in the autumn when they fall from trees and then are raked from residents' and/or commercial lawns.

Grass Clippings - Vegetative material generated when grass (lawns) are cut.

Brush - Branches, woody plants and other similar vegetative material. Leaves and grass do not constitute brush.

Natural Wood Waste - Logs, stumps, branches and other wood tree parts. Dimensional lumber is omitted from inclusion in this definition.

Oil-Contaminated Soil - Non-hazardous soil that contains petroleum hydrocarbons (gasoline, diesel, kerosene, jet fuel, #4 & #6 heating oils and certain other refinery products including coal tar). This type of soil shall be determined to be non-hazardous in accordance with the standards set forth in N.J.A.C. 7:26.

Used Motor Oil - Motor oil from motor vehicles, lawn mowers, boats, etc., which has served its intended useful purpose.

Lead-Acid Batteries - Storage batteries in which the electrodes are grids of lead containing lead oxides that change in composition during charging and discharging, and the electrolyte is dilute sulfuric acid. These include starting batteries such as car batteries that deliver a short burst of high power to start the engine. In addition, they may include deep cell batteries found on boats or campers used to power accessories like trolling motors, winches or lights.

Hazardous Dry Cell Batteries - Rechargeable batteries, such as nickel-cadmium, nickel-iron, nickel metal hydride, lithium ion, small sealed lead acid, etc. These are often used as substitutes for non-rechargeable batteries in standard sizes such as AAA, AA, C, D and 9V. Rechargeable batteries are commonly found in cordless tools, cellular and cordless phones, laptop computers, cameras, remote controls, toys, etc. Also included in this definition are non-rechargeable batteries that are hazardous as defined by the Resource Conservation Recovery Act ("RCRA"), regardless of the RCRA exclusion of household waste from the definition of hazardous waste pursuant to 40 C.F.R. 261.4(b). Non-rechargeable, hazardous batteries include older alkaline and carbon zinc batteries as well as silver oxide, mercury and magnesium button-type batteries, etc. It should be noted that domestically manufactured alkaline and carbon zinc non-rechargeable batteries made after circa 1994 eliminated mercury content to the point that they should not be considered RCRA hazardous and therefore are not included in this material category.

Metal Appliances - Appliances composed predominantly of metal, and may include stoves, washing machines and dryers, for example, if the appliance is predominantly metal. Also included are air conditioners, refrigerators and dehumidifiers if they are predominantly metal. If these appliances on the latter list contain refrigerants that are prohibited by the Clean Air Act from being knowingly vented, the refrigerant must be recovered accordingly.

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*Tires are allowed to be recycled and/or incinerated for energy recovery;

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Institutional – Any established organization or foundation dedicated to public service or culture, including, but not limited to, religious, educational, health-care and governmental establishments;

Multifamily dwelling – Any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76(C.55: 13A-1 et seq.);

Municipal Recycling Coordinator – The person or persons appointed by the governing body of the Borough of Mountain Lakes to fulfill the requirements of Morris County Solid Waste Management Plan and the New Jersey Statewide Mandatory Source Separation and Recycling Act and those rules and regulations promulgated therefore;

Municipal Recycling Enforcement Coordinator – means the person or persons named by the Borough of Mountain Lakes who shall fulfill the responsibilities with respect to recycling enforcement coordination detailed in the March 2007 Morris County Solid Waste Management Plan Amendment Section 8.6. This person may be the same person designated as the Municipal Recycling Coordinator;

Municipal solid waste stream – All solid waste generated at residential establishments serviced by the municipal solid waste contract, and commercial, industrial and institutional establishments within the boundaries of the Borough of Mountain Lakes which is not bulky waste or construction or demolition debris;

Recyclable material – Those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

Resident – Any person who owns, leases, rents or occupies one or more dwellings within the Borough, including any person in a multifamily or single-family development;

. Residential – Any building suited for or characterized by private residences;

Source-separated recyclable materials – Recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

Source separation – The process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

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B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16.6.(d), the governing body of the Borough of Mountain Lakes may exempt persons occupying commercial, industrial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons

have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial, industrial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial, industrial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the entity; the name, address, official contact person and telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial, industrial or institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

§295-3. Acceptance of the Municipal Solid Waste Recycling Goal.

As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Borough of Mountain Lakes accepts the goal of 50% recycling of municipal solid waste by 2015 and shall monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

§295-4. Recycling of Designated Materials.

A. Residents shall be responsible for disposing of designated recyclable materials either by way of the municipal contract providing for back door collection of recyclable materials or by depositing the designated materials in the proper repositories at the Mountain Lakes Recycling Center during designated hours of acceptance. Those residents who choose to dispose of the designated materials through means other than by the municipal contract or at the Mountain Lakes Recycling Center must do so in accordance with the state laws governing such designated materials.

B. Collection.

1. All containers and brown paper bags containing recyclable materials as defined in Chapter 295-1 shall be placed, adjacent to the garage or within six feet of the driveway, so as to be available for collection beginning at 7:30 a.m. on the designated collection day. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition.

2. All receptacles or dumpsters shall be maintained in accordance with the Health Code of the Borough of Mountain Lakes. The owner of any property shall be responsible for compliance with this Ordinance.

3. Back door pickup is provided to single family residents of the following recyclables:

a) Paper (newspapers, mixed paper and corrugated cardboard) may be combined in one single container. Containers may not exceed thirty-five (35) gallons in capacity or fifty (50) pounds in weight. Reusable containers are to be provided by the resident. All bundles of paper must be of manageable size and weight.

b) Commingled (aluminum cans, glass bottles and jars, steel (tin) cans and plastic bottles coded "#1" or "#2") should be rinsed and may be combined in a single container. All plastic bottle caps and tops must be removed. Containers may not exceed thirty-five (35) gallons in capacity or fifty (50) pounds in weight. Reusable containers are to be provided by the resident.

c) Christmas trees are collected at curbside on specific dates in January. All ornaments, decorations and tinsel must be removed from the trees.

C. Disposal at the Mountain Lakes Recycling Center.

1) The Mountain Lakes Recycling Center located at the Borough Garage is open to residents only during posted hours. The Borough Recycling Coordinator may modify the procedures as deemed necessary. Designated recyclable materials as defined in Chapter 295-1 may be deposited in the appropriate collection sites as indicated by signage:

a) Paper (newspaper, mixed paper and corrugated cardboard) is to be deposited in the single designated 30 yard dumpster.

b) Commingled (aluminum cans, glass bottles and jars, steel (tin) cans and plastic bottles coded #1 or #2) is to be deposited in the single designated 30 yard dumpster.

c) Leaves may be deposited in the bin designated.

d) Brush may be deposited in the bin designated.

e) Tires may be deposited in the bin designated.

f) Lead-acid and hazardous dry cell batteries may be deposited in the bin designated. They may also be disposed of through the Morris County Household Hazardous Waste Disposal Program.

g) Motor oil and anti-freeze may be deposited in the receptacles designated. They may also be disposed of through the Morris County Household Hazardous Waste Disposal Program.

D. Disposal of Other Recyclable Materials.

1) Grass clippings are mandated recyclable materials. They may be home composted or recycled at a vegetative waste facility.

2) Stumps and tree parts will normally be hauled away by a contractor for a fee. There are commercial establishments which accept stumps and tree parts.

3) Oil-contaminated soil is accepted by certain commercial establishments.

4) Metal appliances are accepted by certain commercial establishments. Any refrigerants must be recovered separately.

E. Voluntary residential recycling is strongly encouraged for items which can be donated, reused or refurbished or for which recycling or collection programs are made available. This includes printer cartridges, plastic grocery bags, clothing, furniture, electronic goods or waste. Residents are also encouraged to leave grass clippings in place or mulch and to mulch leaves.

§295-5. Residential Dwelling Compliance Requirements.

The owner of any property serviced by the municipal solid waste contract shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and annually during their occupancy.

§295-6. Non-Residential Establishment Compliance Requirements.

A. All non-residential generators, including commercial, industrial, and institutional generators of solid waste, shall be required to comply with the provisions of this Ordinance.

B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, industrial or institutional property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, industrial or institutional properties which provide indoor/outdoor litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.

C. All non-residential facilities shall report to the Recycling Coordinator on an annual basis by March 1 of the following year, on such forms as may be prescribed, on recycling activities at their premises, including the name of the facility, the street address location and block and lot designation, the name title and phone number of the contact person for the facility, and the vendor or vendors providing recycling service for the purpose of determining the amount of designated recycled material by material type. The amount of recycled material may be requested by the Recycling Coordinator

D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

E. All vendors providing recycling services within the Borough shall report to the Recycling Coordinator on an annual basis by April 30 of the following year the amount of designated recycled materials by material type.

F. Commercial contractors operating within the Borough or the owners of property upon which such operations are conducted shall recycle all designated recyclable materials in the manner prescribed by the Recycling Coordinator. Compliance shall be a condition precedent to the issuance of any permanent certificate of use or occupancy or final work inspection approval for the project generating the recyclables.

G. No commercial landscaper, yard maintenance contractor or other commercial contractor shall dispose of leaves, brush or yard waste of any kind at the Mountain Lakes Recycling Center.

§295-7. New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16.6.c.)

A. Any application to the planning board of the Borough of Mountain Lakes, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:

- 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development, and
- 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.

B. Prior to the issuance of a Certificate of Occupancy by the Borough of Mountain Lakes the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

§295-8. Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials.

A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.

C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

§295-9. Enforcement.

The Borough Manager, the Department of Police, the Director of Municipal Services, the Code Enforcement Official, the Department of Health, the Recycling Coordinator, and the Morris County Office of Health Management are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

§295-10. Violations and Penalties.

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$25, or more than \$1000. Each day for which a violation of this Ordinance occurs shall be considered a separate offence.

Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program.

Section 2. Chapter 294, Section 294-3 entitled "Recycling," is hereby repealed.

Section 3. If any section or provision of this Ordinance shall be held invalid in any Court of competent jurisdiction, the same shall not affect the other sections or provisions of this Ordinance, except so far as the section or provision so declared invalid shall be inseparable from the remainder or any portion thereof.

Section 4. All Ordinances or parts of Ordinances, which are inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

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Introduced: ~~June 22, 2008~~ Adopted: July 27, 2009

Council Member	By:	2 nd	Yes	No	Abstain	Absent	By	2 nd	Yes	No	Abstain	Absent
McWilliams			X					X	X			
Emr			X						X			
Jackson			X						X			
Gormally			X						X			
Happer	X		X									X
Wilson		X	X				X		X			
Shaw			X									X

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Christina Whitaker _____ Stephen Shaw, Mayor
 Mitchell Stern, Acting Borough Clerk _____

Introduced: 3/22/21 _____ Adopted: _____

Name	Motion	Second	Aye	Nay	Absent	Abstain	Motion	Second	Aye	Nay	Absent	Abstain
Happer												
Korman												
Lane												
Richter												
Sheikh												
Barnett												
Menard												

Borough Clerk _____

BOROUGH OF MOUNTAIN LAKES

MORRIS COUNTY, NEW JERSEY

ORDINANCE # 10-21

BOND ORDINANCE APPROPRIATING \$1,834,237, AND AUTHORIZING THE ISSUANCE OF \$1,544,925 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.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Mountain Lakes, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,834,237 including the aggregate sum of \$81,312 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (b) of said Section 3, the sum of \$208,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing and improvement or purpose.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,834,237 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,544,925 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,544,925 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase and installation as necessary of new and additional equipment, including without limitation, armored plate carriers for use by the Police Department of the Borough, air packs for use by the Fire Department of the Borough, one (1) chipper, two (2) salters and one (1) truck hoe for use by the Department of Public Works of the Borough, and one (1) electronic message board for use in and by the Borough, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)	\$332,649	\$316,000
(b) Improvement of various roads and locations in and by the Borough by the reconstruction and resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation, North Glen Road, Rainbow Trail, Hanover Road, Maple Way, Oak Lane, Bellvale Road, and Vale Drive, together with all curbs, sidewalks, drainage, milling, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the		

office of the Borough Clerk and hereby approved the \$429,051 hereby appropriated therefor being inclusive of the sum of \$208,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to North Glen Road (useful life: 10 years)

429,051 210,000

(c) Improvement of the storm water drainage system in and by the Borough, including drainage improvements on Lowell Road, together with all equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 40 years)

104,784 99,000

(d) Acquisition by purchase and installation, as necessary, of new and additional vehicular equipment, including retrofitting equipment for installation in police vehicles of the Borough, together with all equipment, appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 5 years)

15,717 13,925

(e) Improvement of municipally-owned properties and locations in and by the Borough, including the acquisition and installation of a traffic light at the intersection of Pocono Road and Boulevard, and engineering costs associated with the improvement of Grundens Pond, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)

171,395 163,000

(f) Improvement of the water supply and distribution system in and by the Borough, including by the acquisition and installation of new water meters, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)

780,641 743,000

Totals

\$1,834,237 \$1,544,925

Except as otherwise stated in paragraph (b) above with respect to said \$208,000 grant-in-aid of financing the improvement or purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of

bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.83 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,544,925, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$175,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 5. The funds from time to time received by the Borough on account of the \$208,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3(b) of this bond ordinance by application thereof either to direct payment of the cost of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance

Section 6. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.



DELAFIELD SWOOD LLP DIRECT DIAL: (973) 642-8677

E-MAIL: MLOUCOPOLOS@HAWKINS.COM

A NEW YORK LIMITED LIABILITY PARTNERSHIP

March 12, 2021

PHONE: 973-642-8584
FAX: 973-642-6773

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MEGAN I. SARTOR
NILES B. MURPHY
DAVID ATLAS*
PARTHESH M. KARNA

*NEW YORK BAR ONLY

Borough of Mountain Lakes
in the County of Morris, New Jersey

Ms. Monica Goscicki
Chief Financial Officer
Borough Hall
400 Boulevard
Mountain Lakes, New Jersey 07046-1520

Dear Monica:

In accordance with instructions received, I have prepared and am attaching a draft bond ordinance appropriating \$1,834,237 for various improvements to be undertaken by the Borough. This draft authorizes the issuance of a maximum \$1,544,925 in bonds or notes, provides for application of a \$81,312 down payment understood to be presently available and appropriates the expected \$208,000 NJDOT grant.

Enclosed also are (a) the notice of pending ordinance and summary to be published at least seven days prior to the public hearing, (b) the bond ordinance statements and summary to be published after final adoption and (c) a certificate that should be completed and returned, together with the indicated attachments, after the ordinance is finally adopted.

As you know, the supplemental debt statement should be filed electronically as of the date of introduction of the ordinance with the Division of Local Government Services (please forward a copy of the e-mail submission to our attention) and in the office of the Borough Clerk.

Very truly yours,

Michelle

Michelle A. Loucopolos

Attachments

cc w/atts.: Martin F. Murphy, Esq.
Mr. Mitchell Stern

E-mail only

ORDINANCE # 10-21

BOND ORDINANCE APPROPRIATING \$1,834,237, AND AUTHORIZING THE ISSUANCE OF \$1,544,925 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.

BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), **AS FOLLOWS:**

Section 2. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Mountain Lakes, New Jersey. For the said several improvements or purposes stated in said Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sum being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,834,237 including the aggregate sum of \$81,312 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes and including also, in the case of the improvement or purpose described in paragraph (b) of said Section 3, the sum of \$208,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing and improvement or purpose.

Section 3. For the financing of said improvements or purposes and to meet the part of said \$1,834,237 appropriations not provided for by application hereunder of said down payments and grant, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,544,925 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,544,925 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 4. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, and the estimated maximum amount of bonds or notes to be issued for each such purpose, are respectively as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>ESTIMATED MAXIMUM AMOUNT OF BONDS AND NOTES</u>
(a) Acquisition by purchase and installation as necessary of new and additional equipment, including without limitation, armored plate carriers for use by the Police Department of the Borough, air packs for use by the Fire Department of the Borough, one (1) chipper, two (2) salters and one (1) truck hoe for use by the Department of Public Works of the Borough, and one (1) electronic message board for use in and by the Borough, together with all appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)	\$332,649	\$316,000
(b) Improvement of various roads and locations in and by the Borough by the reconstruction and resurfacing thereof to provide roadway pavements at least equal in useful life or durability to a roadway pavement of Class B construction (as such term is used or referred to in Section 40A:2-22 of said Local Bond Law), including without limitation, North Glen Road, Rainbow Trail, Hanover Road, Maple Way, Oak Lane, Bellvale Road, and Vale Drive, together with all curbs,		

sidewalks, drainage, milling, structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved the \$429,051 hereby appropriated therefor being inclusive of the sum of \$208,000 received or expected to be received by the Borough from the New Jersey Department of Transportation as a grant-in-aid of financing said improvement to North Glen Road (useful life: 10 years)

429,051 210,000

(c) Improvement of the storm water drainage system in and by the Borough, including drainage improvements on Lowell Road, together with all equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 40 years)

104,784 99,000

(d) Acquisition by purchase and installation, as necessary, of new and additional vehicular equipment, including retrofitting equipment for installation in police vehicles of the Borough, together with all equipment, appurtenances, attachments and accessories necessary therefor or incidental thereto, all as shown on and in accordance with the specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 5 years)

15,717 13,925

(e) Improvement of municipally-owned properties and locations in and by the Borough, including the acquisition and installation of a traffic light at the intersection of Pocono Road and Boulevard, and engineering costs associated with the improvement of Grundens Pond, together with for all the aforesaid all equipment, structures, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)

171,395 163,000

(f) Improvement of the water supply and distribution system in and by the Borough, including by the acquisition and installation of new water meters, together with all structures, equipment, site work, work and materials necessary therefor or incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file or to be filed in the office of the Borough Clerk and hereby approved (useful life: 15 years)

780,641 743,000

Totals

\$1,834,237 \$1,544,925

Except as otherwise stated in paragraph (b) above with respect to said \$208,000 grant-in-aid of financing the improvement or purpose described in said paragraph, the excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and each is a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes within the limitations of said Local Bond Law and taking into consideration the respective amounts of the said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 15.83 years.

(c) The supplemental debt statement required by said Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in said Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,544,925, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) Amounts not exceeding \$175,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law may be included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 6. The funds from time to time received by the Borough on account of the \$208,000 grant referred to in Section 1 of this bond ordinance shall be used for financing the improvement or purpose described in Section 3(b) of this bond ordinance by application thereof either to direct payment of the cost of said improvement or purpose, or to payment or reduction of the authorization of the obligations of the Borough authorized by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of such costs shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance

Section 7. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer, provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. §40A:2-8. The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the dates of delivery thereof. The Chief Financial Officer is directed to report in writing to the

governing body of the Borough at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, interest rate and maturities of the notes sold, the price obtained and the name of the purchaser.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 9. The capital budget or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget or temporary capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 10. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

**(TO BE PUBLISHED AFTER INTRODUCTION AND POSTED AT LEAST
SEVEN DAYS PRIOR TO THE PUBLIC HEARING)**

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the governing body of the Borough of Mountain Lakes, in the County of Morris, New Jersey, on March 22, 2021. It will be further considered for final passage, after public hearing thereon, at a meeting of the governing body to be held at Borough Hall in said Borough on April 12, 2021 at 8:00 o'clock P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours at the Clerk's office in said Borough Hall for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title:	Bond ordinance appropriating \$1,834,237, and authorizing the issuance of \$1,544,925 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
Purpose(s):	Acquisition by purchase and installation as necessary of new and additional equipment, including without limitation, armored plate carriers for use by the Police Department of the Borough, air packs for use by the Fire Department of the Borough, one (1) chipper, two (2) salters and one (1) truck hoe for use by the Department of Public Works of the Borough, and one (1) electronic message board for use in and by the Borough. Improvement of various roads and locations in and by the Borough by the reconstruction and resurfacing thereof, including without limitation, North Glen Road, Rainbow Trail, Hanover Road, Maple Way, Oak Lane, Bellvale Road, and Vale Drive. Improvement of the storm water drainage system in and by the Borough, including drainage improvements on Lowell Road. Acquisition by purchase and installation, as necessary, of new and additional vehicular equipment, including retrofitting equipment for installation in police vehicles of the Borough. Improvement of municipally-owned properties and locations in and by the Borough, including the acquisition and installation of a traffic light at the intersection of Pocono Road and Boulevard, and engineering costs associated with the improvement of Grundens Pond. Improvement of the water supply and distribution system in and by the Borough, including by the acquisition and installation of new water meters.
Appropriation:	\$1,834,237
Bonds/Notes Authorized:	\$1,544,925
Grants (if any) Appropriated:	\$208,000
Section 20 Costs:	\$175,000
Useful Life:	15.83 years

/s/ Mitchell Stern

Acting Borough Clerk

This Notice is published pursuant to N.J.S.A. 40A:2-17.

(TO BE PUBLISHED AFTER FINAL PASSAGE)
BOND ORDINANCE STATEMENTS AND SUMMARY

The bond ordinance, the summary terms of which are included herein, has been finally adopted by the Borough of Mountain Lakes, in the County of Morris, New Jersey, on April 12, 2021 and the twenty (20) day period of limitation within which a suit, action or proceeding questioning the validity of such ordinance can be commenced, as provided in the Local Bond Law, has begun to run from the date of the first publication of this statement. Copies of the full ordinance are available at no cost and during regular business hours at the Clerk's office in Borough Hall in said Borough for members of the general public who request the same. The summary of the terms of such bond ordinance follows:

Title:	Bond ordinance appropriating \$1,834,237, and authorizing the issuance of \$1,544,925 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
Purpose(s):	Acquisition by purchase and installation as necessary of new and additional equipment, including without limitation, armored plate carriers for use by the Police Department of the Borough, air packs for use by the Fire Department of the Borough, one (1) chipper, two (2) salters and one (1) truck hoe for use by the Department of Public Works of the Borough, and one (1) electronic message board for use in and by the Borough. Improvement of various roads and locations in and by the Borough by the reconstruction and resurfacing thereof, including without limitation, North Glen Road, Rainbow Trail, Hanover Road, Maple Way, Oak Lane, Bellvale Road, and Vale Drive. Improvement of the storm water drainage system in and by the Borough, including drainage improvements on Lowell Road. Acquisition by purchase and installation, as necessary, of new and additional vehicular equipment, including retrofitting equipment for installation in police vehicles of the Borough. Improvement of municipally-owned properties and locations in and by the Borough, including the acquisition and installation of a traffic light at the intersection of Pocono Road and Boulevard, and engineering costs associated with the improvement of Grundens Pond. Improvement of the water supply and distribution system in and by the Borough, including by the acquisition and installation of new water meters.
Appropriation:	\$1,834,237
Bonds/Notes Authorized:	\$1,544,925
Grants (if any) Appropriated:	\$208,000
Section 20 Costs:	\$175,000
Useful Life:	15.83 years

/s/ Mitchell Stern

Acting Borough Clerk

CLERK'S CERTIFICATE

I, **MITCHELL STERN**, Acting Borough Clerk of the Borough of Mountain Lakes, in the County of Morris, New Jersey (the "Borough"), **HEREBY CERTIFY** as follows that:

1. The attached copy of Ordinance No. _____ (the "Ordinance") of the Borough entitled as set forth below and finally adopted on April 12, 2021, has been compared by me with the original thereof officially recorded in the Ordinance Book of the Borough and is a true and correct copy thereof and of the whole of the original Ordinance. The title of the Ordinance is as follows:

**BOND ORDINANCE APPROPRIATING \$1,834,237, AND
AUTHORIZING THE ISSUANCE OF \$1,544,925 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.**

2. The Ordinance was introduced and passed on first reading at a **regular** meeting of the Borough Council duly called and held on March 22, 2021 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), and was passed on second reading and finally adopted by the recorded affirmative vote of at least two-thirds of all the members of the Borough Council, at a **regular** meeting thereof duly called and held on April 12, 2021 (a true and correct copy of an extract of the minutes of the meeting is attached hereto), following the holding of a public hearing thereon at which all interested persons were given an opportunity to be heard. Notice of such meetings was given in accordance with the provisions of the Open Public Meetings Act.

3. The Ordinance, or a summary thereof, was published after first reading, on March 25, 2021, in the "*Daily Record*", a newspaper published in the county in which the Borough is located and circulating in the Borough, together with a notice of pending ordinance, containing the date of introduction and the time and place of further consideration of the Ordinance (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

4. On March 23, 2021, the Ordinance, or a summary thereof, was posted on the bulletin board or other place upon which public notices are customarily posted in the principal municipal building of the Borough, together with notice of the availability of copies of the Ordinance at the office of the Borough Clerk, and such copies of the Ordinance were made available to all members of the general public requesting the same.

5. After final passage, the Ordinance, or a summary thereof, was duly published, together with a notice of adoption and statutory estoppel statement, on April 15, 2021 in the "*Daily Record*", a newspaper published in the county in which the Borough is located and circulating in the Borough, and no protest by any person against making the improvement or issuing the indebtedness authorized in the Ordinance, nor any petition requesting that a referendum vote be taken on the action proposed in the Ordinance has been presented to the governing body or to me or filed in my office nor has any such action or proceeding questioning

the validity of the Ordinance been commenced within twenty (20) days after such publication (a true and correct copy of the affidavit of publication of the Ordinance is attached hereto).

6. The Ordinance when introduced was complete in the form in which it was finally adopted and remained on file in the office of the Borough Clerk for public inspection from the date of introduction to the date of final adoption.

7. The attached copy of a Supplemental Debt Statement has been compared by me with the original Supplemental Debt Statement of the Borough, prepared as of March 22, 2021, and sworn to on March 22, 2021, by Monica Goscicki, who was then the Chief Financial Officer of the Borough, and filed in the office of the Borough Clerk on March 22, 2021, and that the same is a true and complete copy of said original Supplemental Debt Statement.

8. A complete, executed duplicate of the said original Supplemental Debt Statement was duly filed electronically (before final adoption of the Ordinance) in the Office of the Director of the Division of Local Government Services of the State of New Jersey on March 22, 2021. Attached is a copy of the e-mail transmitting the Supplemental Debt Statement or a copy of the automated e-mail acknowledging receipt of the Supplemental Debt Statement.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the corporate seal of the Borough this ____ day of _____, 2021.

(SEAL)

Mitchell Stern
Acting Borough Clerk

Bond ordinance appropriating \$1,834,237, and authorizing the issuance of \$1,544,925 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 (Useful life: 15.83 years)

ATTACHMENTS

- A. Ordinance # _____
- B. Extract of minutes of March 22, 2021, Borough Council meeting at which the Ordinance was introduced
- C. Extract of minutes of April 12, 2021, Borough Council meeting at which the Ordinance was finally adopted
- D. Affidavit of First Publication of the Ordinance after introduction ("*Daily Record*" – March 25, 2021)
- E. Affidavit of Second Publication of the Ordinance after final adoption ("*Daily Record*" – April 15, 2021)
- F. Supplemental Debt Statement (with transmittal or acknowledgement email)

**BOROUGH OF MOUNTAIN LAKES
MORRIS COUNTY, NEW JERSEY**

ORDINANCE 2-21

“ORDINANCE AMENDING CHAPTER 202 ENTITLED “STORMWATER CONTROL” OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES”

BE IT ORDAINED by the Mayor and Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey, as follows:

Section 1. Chapter 202, entitled “Stormwater Control”, of the Revised General Ordinances of the Borough of Mountain Lakes shall be amended to read in its entirety as follows:

Chapter 202 Stormwater Control

§202-1 Scope and Purpose:

A. Policy statement. In filing an application for general development plan, preliminary major subdivision or preliminary major site plan, the applicant shall comply with the following stormwater management requirements:

(1) Flood control, groundwater recharge, and pollutant reduction shall be achieved through the use of stormwater management measures, including green infrastructure Best Management Practices (GI BMPs) and nonstructural stormwater management strategies. GI BMPs and low impact development (LID) should be utilized to meet the goal of maintaining natural hydrology to reduce stormwater runoff volume, reduce erosion, encourage infiltration and groundwater recharge, and reduce pollution. GI BMPs and LID should be developed based upon physical site conditions and the origin, nature and the anticipated quantity, or amount, of potential pollutants. Multiple stormwater management BMPs may be necessary to achieve the established performance standards for water quality, quantity, and groundwater recharge.

B. Purpose

(1) The purpose of this ordinance is to protect the public health, safety and welfare of the citizens of the Borough of Mountain Lakes and the surrounding communities by establishing minimum stormwater management requirements and controls for “major development,” as defined below in §202-2.

C. Applicability

(1) This ordinance shall be applicable to the following major developments:

- (a) Non-residential major developments; and
- (b) Aspects of residential major developments that are not pre-empted by the Residential Site Improvement Standards at N.J.A.C. 5:21.

(2) This ordinance shall also be applicable to all major developments undertaken by the Borough of Mountain Lakes

D. Compatibility with Other Permit and Ordinance Requirements. Development approvals issued pursuant to this ordinance are to be considered an integral part of development approvals and do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act, or ordinance. In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. This ordinance is not intended to interfere with, abrogate, or annul any other ordinances, rule or regulation, statute, or other provision of law except that, where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, the more restrictive provisions or higher standards shall control.

§202-2 Definitions:

For the purpose of this ordinance, the following terms, phrases, words and their derivations shall have the meanings stated herein unless their use in the text of this Chapter clearly demonstrates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words used in the singular number include the plural number. The word "shall" is always mandatory and not merely directory. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

CAFRA CENTERS, CORES OR NODES – those areas with boundaries incorporated by reference or revised by the Department in accordance with N.J.A.C. 7:7-13.16.

CAFRA PLANNING MAP – the map used by the Department to identify the location of Coastal Planning Areas, CAFRA centers, CAFRA cores, and CAFRA nodes. The CAFRA Planning Map is available on the Department's Geographic Information System (GIS).

COMMUNITY BASIN – an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond, established in accordance with N.J.A.C. 7:8-4.2(c)14, that is designed and constructed in accordance with the New Jersey Stormwater Best Management Practices Manual, or an alternate design, approved in accordance with N.J.A.C. 7:8-5.2(g), for an infiltration system, sand filter designed to infiltrate, standard constructed wetland, or wet pond and that complies with the requirements of this chapter.

COMPACTION – the increase in soil bulk density.

CONTRIBUTORY DRAINAGE AREA – the area from which stormwater runoff drains to a stormwater management measure, not including the area of the stormwater management measure itself.

CORE – a pedestrian-oriented area of commercial and civic uses serving the surrounding municipality, generally including housing and access to public transportation.

COUNTY REVIEW AGENCY – an agency designated by the Morris County Board of Commissioners to review municipal stormwater management plans and implementing ordinance(s). The county review agency may either be: a county planning agency or; a county water resource association created under N.J.S.A 58:16A-55.5, if the ordinance or resolution delegates authority to approve, conditionally approve, or disapprove municipal stormwater management plans and implementing ordinances.

DEPARTMENT – the Department of Environmental Protection.

DESIGNATED CENTER – a State Development and Redevelopment Plan Center as designated by the State Planning Commission such as urban, regional, town, village, or hamlet.

DESIGN ENGINEER – a person professionally qualified and duly licensed in New Jersey to perform engineering services that may include, but not necessarily be limited to, development of project requirements, creation and development of project design and preparation of drawings and specifications.

DEVELOPMENT – the division of a parcel of land into two or more parcels, the construction, reconstruction, conversion, structural alteration, relocation or enlarge-enlargement of any building or structure, any mining excavation or landfill, and any use or change in the use of any building or other structure, or land or extension of use of land, for which permission is required under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq. In the case of development of agricultural land, development means: any activity that requires a State permit, any activity reviewed by the County Agricultural Board (CAB) and the State Agricultural Development Committee (SADC), and municipal review of any activity not exempted by the Right to Farm Act, N.J.S.A 4:1C-1 et seq.

DISTURBANCE – the placement or reconstruction of impervious surface or motor vehicle surface, or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation. Milling and repaving is not considered disturbance for the purposes of this definition.

DRAINAGE AREA – a geographic area within which stormwater, sediments, or dissolved materials drain to a particular receiving waterbody or to a particular point along a receiving waterbody.

ENVIRONMENTALLY CONSTRAINED AREA – the following areas where the physical alteration of the land is in some way restricted, either through regulation, easement, deed restriction or ownership such as: wetlands, floodplains, threatened and endangered species sites or designated habitats, and parks and preserves. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

ENVIRONMENTALLY CRITICAL AREA – an area or feature which is of significant environmental value, including but not limited to: stream corridors, natural heritage priority sites, habitats of endangered or threatened species, large areas of contiguous open space or upland

forest, steep slopes, and well head protection and groundwater recharge areas. Habitats of endangered or threatened species are identified using the Department's Landscape Project as approved by the Department's Endangered and Nongame Species Program.

EMPOWERMENT NEIGHBORHOODS – neighborhoods designated by the Urban Coordinating Council "in consultation and conjunction with" the New Jersey Redevelopment Authority pursuant to N.J.S.A 55:19-69.

EROSION – the detachment and movement of soil or rock fragments by water, wind, ice, or gravity.

GREEN INFRASTRUCTURE - a stormwater management measure that manages stormwater close to its source by: treating stormwater runoff through infiltration into subsoil; treating stormwater runoff through filtration by vegetation or soil; or storing stormwater runoff for reuse.

HUC 14 or HYDROLOGIC UNIT CODE 14 – an area within which water drains to a particular receiving surface water body, also known as a subwatershed, which is identified by a 14-digit hydrologic unit boundary designation, delineated within New Jersey by the United States Geological Survey.

IMPERVIOUS SURFACE – a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water.

INFILTRATION – is the process by which water seeps into the soil from precipitation.

LEAD PLANNING AGENCY – one or more public entities having stormwater management planning authority designated by the regional stormwater management planning committee pursuant to N.J.A.C. 7:8-3.2, that serves as the primary representative of the committee.

MAJOR DEVELOPMENT – an individual "development," as well as multiple developments that individually or collectively result in:

- A. The disturbance of one or more acres of land since February 2, 2004;
- B. The creation of one-quarter acre or more of "regulated impervious surface" since February 2, 2004;
- C. The creation of one-quarter acre or more of "regulated motor vehicle surface" since March 2, 2021 or the effective date of this ordinance, whichever is earlier; or
- D. A combination of B and C above that totals an area of one-quarter acre or more. The same surface shall not be counted twice when determining if the combination area equals one-quarter acre or more.

Major development includes all developments that are part of a common plan of development or sale (for example, phased residential development) that collectively or individually meet any one or more of paragraphs A, B, C, or D above. Projects undertaken by any government agency that otherwise meet the definition of "major development" but which do not require approval under the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., are also considered "major development."

MOTOR VEHICLE – land vehicles propelled other than by muscular power, such as automobiles, motorcycles, autocycles, and low speed vehicles. For the purposes of this definition, motor vehicle does not include farm equipment, snowmobiles, all-terrain vehicles, motorized wheelchairs, go-carts, gas buggies, golf carts, ski-slope grooming machines, or vehicles that run only on rails or tracks.

MOTOR VEHICLE SURFACE - any pervious or impervious surface that is intended to be used by "motor vehicles" and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

MUNICIPALITY – any city, borough, town, township, or village.

NEW JERSEY STORMWATER BEST MANAGEMENT PRACTICES (BMP) MANUAL or BMP MANUAL – the manual maintained by the Department providing, in part, design specifications, removal rates, calculation methods, and soil testing procedures approved by the Department as being capable of contributing to the achievement of the stormwater management standards specified in this chapter. The BMP Manual is periodically amended by the Department as necessary to provide design specifications on additional best management practices and new information on already included practices reflecting the best available current information regarding the particular practice and the Department's determination as to the ability of that best management practice to contribute to compliance with the standards contained in this chapter. Alternative stormwater management measures, removal rates, or calculation methods may be utilized, subject to any limitations specified in this chapter, provided the design engineer demonstrates to the municipality, in accordance with §202-4.F. of this ordinance and N.J.A.C. 7:8-5.2(g), that the proposed measure and its design will contribute to achievement of the design and performance standards established by this chapter.

NODE - an area designated by the State Planning Commission concentrating facilities and activities which are not organized in a compact form.

NUTRIENT – a chemical element or compound, such as nitrogen or phosphorus, which is essential to and promotes the development of organisms.

PERSON – any individual, corporation, company, partnership, firm, association, political subdivision of this State and any state, interstate or Federal agency.

POLLUTANT – any dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, refuse, oil, grease, sewage sludge, munitions, chemical wastes, biological materials, medical wastes, radioactive substance (except those regulated under the Atomic Energy Act of 1954, as amended (42 U.S.C. §§ 2011 *et seq.*)), thermal waste, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, agricultural, and construction waste or runoff, or other residue discharged directly or indirectly to the land, ground waters or surface waters of the State, or to a domestic treatment works. "Pollutant" includes both hazardous and nonhazardous pollutants.

RECHARGE – the amount of water from precipitation that infiltrates into the ground and is not evapotranspired.

REGULATED IMPERVIOUS SURFACE - any of the following, alone or in combination:

- A. A net increase of impervious surface;
- B. The total area of impervious surface collected by a new stormwater conveyance system (for the purpose of this definition, a "new stormwater conveyance system" is a stormwater conveyance system that is constructed where one did not exist immediately prior to its construction or an existing system for which a new discharge location is created);
- C. The total area of impervious surface proposed to be newly collected by an existing stormwater conveyance system; and/or,
- D. The total area of impervious surface collected by an existing stormwater conveyance system where the capacity of that conveyance system is increased.

REGULATED MOTOR VEHICLE SURFACE – any of the following, alone or in combination:

- A. A net increase in motor vehicle surface; and/or,
- B. The total area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant, where the water quality treatment will be modified or removed.

SEDIMENT – solid material, mineral or organic, that is in suspension, is being transported, or has been moved from its site of origin by air, water or gravity as a product of erosion.

SITE – the lot or lots upon which a major development is to occur or has occurred.

SOIL – all unconsolidated mineral and organic material of any origin.

STATE DEVELOPMENT AND REDEVELOPMENT PLAN METROPOLITAN PLANNING AREA (PA1) – an area delineated on the State Plan Policy Map and adopted by the State Planning Commission that is intended to be the focus for much of the State's future redevelopment and revitalization efforts.

STATE PLAN POLICY MAP – the geographic application of the State Development and Redevelopment Plan's goals and statewide policies, and the official map of these goals and policies.

STORMWATER - water resulting from precipitation (including rain and snow) that runs off the land's surface, is transmitted to the subsurface, or is captured by separate storm sewers or other sewage or drainage facilities or conveyed by snow removal equipment.

STORMWATER MANAGEMENT BMP – an excavation or embankment and related areas designed to retain stormwater runoff. A stormwater management BMP may either be normally dry (that is, a detention basin or infiltration system), retain water in a permanent pool (a retention basin), or be planted mainly with wetland vegetation (most constructed stormwater wetlands).

STORMWATER MANAGEMENT MEASURE – any practice, technology, process, program, or other method intended to control or reduce stormwater runoff and associated pollutants, or to

induce or control the infiltration or groundwater recharge of stormwater or to eliminate illicit or illegal non-stormwater discharges into stormwater conveyances.

STORMWATER RUNOFF – water flow on the surface of the ground or in storm sewers, resulting from precipitation.

STORMWATER MANAGEMENT PLANNING AGENCY – a public body authorized by legislation to prepare stormwater management plans.

STORMWATER MANAGEMENT PLANNING AREA – the geographic area for which a stormwater management planning agency is authorized to prepare stormwater management plans, or a specific portion of that area identified in a stormwater management plan prepared by that agency.

URBAN COORDINATING COUNCIL EMPOWERMENT NEIGHBORHOOD - means a neighborhood given priority access to State resources through the New Jersey Redevelopment Authority.

URBAN ENTERPRISE ZONES – a zone designated by the New Jersey Enterprise Zone Authority pursuant to the New Jersey Urban Enterprise Zones Act, N.J.S.A. 52:27H-60 et. seq.

URBAN REDEVELOPMENT AREA - previously developed portions of areas:

- A. Delineated on the State Plan Policy Map (SPPM) as the Metropolitan Planning Area (PA1), Designated Centers, Cores or Nodes;
- B. Designated as CAFRA Centers, Cores or Nodes;
- C. Designated as Urban Enterprise Zones; and
- D. Designated as Urban Coordinating Council Empowerment Neighborhoods.

WATER CONTROL STRUCTURE – a structure within, or adjacent to, a water, which intentionally or coincidentally alters the hydraulic capacity, the flood elevation resulting from the two-, 10-, or 100-year storm, flood hazard area limit, and/or floodway limit of the water. Examples of a water control structure may include a bridge, culvert, dam, embankment, ford (if above grade), retaining wall, and weir.

WATERS OF THE STATE - the ocean and its estuaries, all springs, streams, wetlands, and bodies of surface or groundwater, whether natural or artificial, within the boundaries of the State of New Jersey or subject to its jurisdiction.

WETLANDS or WETLAND – an area that is inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation.

§202-3. Design and Performance Standards for Stormwater Management Measures

- A. Stormwater management measures for major development shall be designed to provide erosion control, groundwater recharge, stormwater runoff quantity control, and stormwater runoff quality treatment as follows:

- (1) The minimum standards for erosion control are those established under the Soil and Sediment Control Act, N.J.S.A. 4:24-39 et seq., and implementing rules at N.J.A.C. 2:90.
- (2) The minimum standards for groundwater recharge, stormwater quality, and stormwater runoff quantity shall be met by incorporating green infrastructure.

B. The standards in this ordinance apply only to new major development and are intended to minimize the impact of stormwater runoff on water quality and water quantity in receiving water bodies and maintain groundwater recharge. The standards do not apply to new major development to the extent that alternative design and performance standards are applicable under a regional stormwater management plan or Water Quality Management Plan adopted in accordance with Department rules.

§202-4. Stormwater Management Requirements for Major Development

- A. The development shall incorporate a maintenance plan for the stormwater management measures incorporated into the design of a major development in accordance with §202-10.
- B. Stormwater management measures shall avoid adverse impacts of concentrated flow on habitat for threatened and endangered species as documented in the Department's Landscape Project or Natural Heritage Database established under N.J.S.A. 13:1B-15.147 through 15.150, particularly *Helonias bullata* (swamp pink) and/or *Clemmys muhlenbergi* (bog turtle).
- C. The following linear development projects are exempt from the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §202-4.P, Q and R:
 - (1) The construction of an underground utility line provided that the disturbed areas are revegetated upon completion;
 - (2) The construction of an aboveground utility line provided that the existing conditions are maintained to the maximum extent practicable; and,
 - (3) The construction of a public pedestrian access, such as a sidewalk or trail with a maximum width of 14 feet, provided that the access is made of permeable material.
- D. A waiver from strict compliance from the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity requirements of §202-4.O, P, Q and R may be obtained for the enlargement of an existing public roadway or railroad; or the construction or enlargement of a public pedestrian access, provided that the following conditions are met:
 - (1) The applicant demonstrates that there is a public need for the project that cannot be accomplished by any other means;
 - (2) The applicant demonstrates through an alternatives analysis, that through the use of stormwater management measures, the option selected complies with the requirements of §202-4.O, P, Q and R to the maximum extent practicable;
 - (3) The applicant demonstrates that, in order to meet the requirements of §202-4.O, P, Q and R, existing structures currently in use, such as homes and buildings, would need to be condemned; and,

(4) The applicant demonstrates that it does not own or have other rights to areas, including the potential to obtain through condemnation lands not falling under 4.D.(3) above within the upstream drainage area of the receiving stream, that would provide additional opportunities to mitigate the requirements of §202-4.O, P, Q and R that were not achievable onsite.

E. Tables 1 through 3 below summarize the ability of stormwater best management practices identified and described in the New Jersey Stormwater Best Management Practices Manual to satisfy the green infrastructure, groundwater recharge, stormwater runoff quality and stormwater runoff quantity standards specified in §202-4.O, P, Q and R. When designed in accordance with the most current version of the New Jersey Stormwater Best Management Practices Manual, the stormwater management measures found at N.J.A.C. 7:8-5.2 (f) Tables 5-1, 5-2 and 5-3 and listed below in Tables 1, 2 and 3 are presumed to be capable of providing stormwater controls for the design and performance standards as outlined in the tables below. Upon amendments of the New Jersey Stormwater Best Management Practices to reflect additions or deletions of BMPs meeting these standards, or changes in the presumed performance of BMPs designed in accordance with the New Jersey Stormwater BMP Manual, the Department shall publish in the New Jersey Registers a notice of administrative change revising the applicable table. The most current version of the BMP Manual can be found on the Department's website at:

https://njstormwater.org/bmp_manual2.htm.

F. Where the BMP tables in the NJ Stormwater Management Rule are different due to updates or amendments with the tables in this ordinance the BMP Tables in the Stormwater Management rule at N.J.A.C. 7:8-5.2(f) shall take precedence.

Table 1
Green Infrastructure BMPs for Groundwater Recharge, Stormwater Runoff
Quality, and/or Stormwater Runoff Quantity

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Cistern</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>--</u>
<u>Dry Well^(a)</u>	<u>0</u>	<u>No</u>	<u>Yes</u>	<u>2</u>
<u>Grass Swale</u>	<u>50 or less</u>	<u>No</u>	<u>No</u>	<u>2^(e)</u> <u>1^(f)</u>
<u>Green Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>--</u>
<u>Manufactured Treatment Device^{(a) (g)}</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Pervious Paving System^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Bioretention Basin^(a)</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Small-Scale Infiltration Basin^(a)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Small-Scale Sand Filter</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Vegetative Filter Strip</u>	<u>60-80</u>	<u>No</u>	<u>No</u>	<u>--</u>

(Notes corresponding to annotations ^(a) through ^(g) are found below Table 3)

Table 2
Green Infrastructure BMPs for Stormwater Runoff Quantity
(or for Groundwater Recharge and/or Stormwater Runoff Quality
with a Waiver or Variance from N.J.A.C. 7:8-5.3)

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Bioretention System</u>	<u>80 or 90</u>	<u>Yes</u>	<u>Yes^(b)</u> <u>No^(c)</u>	<u>2^(b)</u> <u>1^(c)</u>
<u>Infiltration Basin</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Sand Filter^(b)</u>	<u>80</u>	<u>Yes</u>	<u>Yes</u>	<u>2</u>
<u>Standard Constructed Wetland</u>	<u>90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Wet Pond^(d)</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

(Notes corresponding to annotations ^(b) through ^(d) are found below Table 3)

Table 3
BMPs for Groundwater Recharge, Stormwater Runoff Quality, and/or
Stormwater Runoff Quantity
only with a Waiver or Variance from N.J.A.C. 7:8-5.3

<u>Best Management Practice</u>	<u>Stormwater Runoff Quality TSS Removal Rate (percent)</u>	<u>Stormwater Runoff Quantity</u>	<u>Groundwater Recharge</u>	<u>Minimum Separation from Seasonal High Water Table (feet)</u>
<u>Blue Roof</u>	<u>0</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>
<u>Extended Detention Basin</u>	<u>40-60</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Manufactured Treatment Device^(h)</u>	<u>50 or 80</u>	<u>No</u>	<u>No</u>	<u>Dependent upon the device</u>
<u>Sand Filter^(c)</u>	<u>80</u>	<u>Yes</u>	<u>No</u>	<u>1</u>
<u>Subsurface Gravel Wetland</u>	<u>90</u>	<u>No</u>	<u>No</u>	<u>1</u>
<u>Wet Pond</u>	<u>50-90</u>	<u>Yes</u>	<u>No</u>	<u>N/A</u>

Notes to Tables 1, 2, and 3:

- (a) subject to the applicable contributory drainage area limitation specified at §202-4.0.(2);
- (b) designed to infiltrate into the subsoil;
- (c) designed with underdrains;
- (d) designed to maintain at least a 10-foot wide area of native vegetation along at least 50 percent of the shoreline and to include a stormwater runoff retention component designed to capture stormwater runoff for beneficial reuse, such as irrigation;
- (e) designed with a slope of less than two percent;
- (f) designed with a slope of equal to or greater than two percent;
- (g) manufactured treatment devices that meet the definition of green infrastructure at §202-2.;
- (h) manufactured treatment devices that do not meet the definition of green infrastructure at §202-2.

- G. An alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate may be used if the design engineer demonstrates the capability of the proposed alternative stormwater management measure and/or the validity of the alternative rate or method to the municipality. A copy of any approved alternative stormwater management measure, alternative removal rate, and/or alternative method to calculate the removal rate shall be provided to the Department in accordance with §202-6.B. Alternative stormwater management measures may be used to satisfy the requirements at §202-4.O only if the measures meet the definition of green infrastructure at §202-2. Alternative stormwater management measures that function in a similar manner to a BMP listed at Section O.(2) are subject to the contributory drainage area limitation specified at Section O.(2) for that similarly functioning BMP. Alternative stormwater management measures approved in accordance with this subsection that do not function in a similar manner to any BMP listed at Section O.(2) shall have a contributory drainage area less than or equal to 2.5 acres, except for alternative stormwater management measures that function similarly to cisterns, grass swales, green roofs, standard constructed wetlands, vegetative filter strips, and wet ponds, which are not subject to a contributory drainage area limitation. Alternative measures that function similarly to standard constructed wetlands or wet ponds shall not be used for compliance with the stormwater runoff quality standard unless a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §202-4.D is granted from §202-4.O.
- H. Whenever the stormwater management design includes one or more BMPs that will infiltrate stormwater into subsoil, the design engineer shall assess the hydraulic impact on the groundwater table and design the site, so as to avoid adverse hydraulic impacts. Potential adverse hydraulic impacts include, but are not limited to, exacerbating a naturally or seasonally high water table, so as to cause surficial ponding, flooding of basements, or interference with the proper operation of subsurface sewage disposal systems or other subsurface structures within the zone of influence of the groundwater mound, or interference with the proper functioning of the stormwater management measure itself.
- I. Design standards for stormwater management measures are as follows:
- (1) Stormwater management measures shall be designed to take into account the existing site conditions, including, but not limited to, environmentally critical areas; wetlands; flood-prone areas; slopes; depth to seasonal high water table; soil type, permeability, and texture; drainage area and drainage patterns; and the presence of solution-prone carbonate rocks (limestone);
 - (2) Stormwater management measures shall be designed to minimize maintenance, facilitate maintenance and repairs, and ensure proper functioning. Trash racks shall be installed at the intake to the outlet structure, as appropriate, and shall have parallel bars with one-inch spacing between the bars to the elevation of the water quality design storm. For elevations higher than the water quality design storm, the parallel bars at the outlet structure shall be spaced no greater than one-third the width of the diameter of the orifice or one-third the width of the weir, with a minimum spacing between bars of one inch and a maximum spacing between bars of six inches. In addition, the design of trash racks must comply with the requirements of §202-8.C;

- (3) Stormwater management measures shall be designed, constructed, and installed to be strong, durable, and corrosion resistant. Measures that are consistent with the relevant portions of the Residential Site Improvement Standards at N.J.A.C. 5:21-7.3, 7.4, and 7.5 shall be deemed to meet this requirement;
 - (4) Stormwater management BMPs shall be designed to meet the minimum safety standards for stormwater management BMPs at §202-8; and
 - (5) The size of the orifice at the intake to the outlet from the stormwater management BMP shall be a minimum of two and one-half inches in diameter.
- J. Manufactured treatment devices may be used to meet the requirements of this subchapter, provided the pollutant removal rates are verified by the New Jersey Corporation for Advanced Technology and certified by the Department. Manufactured treatment devices that do not meet the definition of green infrastructure at §202-2 may be used only under the circumstances described at §202-4.O.(4).
- K. Any application for a new agricultural development that meets the definition of major development at §202-2 shall be submitted to the Soil Conservation District for review and approval in accordance with the requirements at §202-4.O, P, Q and R and any applicable Soil Conservation District guidelines for stormwater runoff quantity and erosion control. For purposes of this subsection, "agricultural development" means land uses normally associated with the production of food, fiber, and livestock for sale. Such uses do not include the development of land for the processing or sale of food and the manufacture of agriculturally related products.
- L. If there is more than one drainage area, the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §202-4.P, Q and R shall be met in each drainage area, unless the runoff from the drainage areas converge onsite and no adverse environmental impact would occur as a result of compliance with any one or more of the individual standards being determined utilizing a weighted average of the results achieved for that individual standard across the affected drainage areas.
- M. Any stormwater management measure authorized under the municipal stormwater management plan or ordinance shall be reflected in a deed notice recorded in the Morris County Clerk's Office. A form of deed notice shall be submitted to the municipality for approval prior to filing. The deed notice shall contain a description of the stormwater management measure(s) used to meet the green infrastructure, groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §202-4.O,P, Q and R and shall identify the location of the stormwater management measure(s) in NAD 1983 State Plane New Jersey FIPS 2900 US Feet or Latitude and Longitude in decimal degrees. The deed notice shall also reference the maintenance plan required to be recorded upon the deed pursuant to §202-10.B.(5). Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality. Proof that the required information has been recorded on the deed shall be in the form of either a copy of the complete recorded document or a receipt from the clerk or other proof of recordation provided by the recording office. However, if the initial proof provided to the municipality is not a copy of the complete recorded document, a copy of the complete recorded document shall be provided to the municipality within 180 calendar days of the authorization granted by the municipality.

N. A stormwater management measure approved under the municipal stormwater management plan or ordinance may be altered or replaced with the approval of the municipality, if the municipality determines that the proposed alteration or replacement meets the design and performance standards pursuant to §202-4 of this ordinance and provides the same level of stormwater management as the previously approved stormwater management measure that is being altered or replaced. If an alteration or replacement is approved, a revised deed notice shall be submitted to the municipality for approval and subsequently recorded with the Morris County Clerk's Office and shall contain a description and location of the stormwater management measure, as well as reference to the maintenance plan, in accordance with M above. Prior to the commencement of construction, proof that the above required deed notice has been filed shall be submitted to the municipality in accordance with M above.

O. Green Infrastructure Standards

- (1) This subsection specifies the types of green infrastructure BMPs that may be used to satisfy the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards.
- (2) To satisfy the groundwater recharge and stormwater runoff quality standards at §202-4.P and Q, the design engineer shall utilize green infrastructure BMPs identified in Table 1 at §202-4.F. and/or an alternative stormwater management measure approved in accordance with §202-4 .G. The following green infrastructure BMPs are subject to the following maximum contributory drainage area limitations:

<u>Best Management Practice</u>	<u>Maximum Contributory Drainage Area</u>
<u>Dry Well</u>	<u>1 acre</u>
<u>Manufactured Treatment Device</u>	<u>2.5 acres</u>
<u>Pervious Pavement Systems</u>	<u>Area of additional inflow cannot exceed three times the area occupied by the BMP</u>
<u>Small-scale Bioretention Systems</u>	<u>2.5 acres</u>
<u>Small-scale Infiltration Basin</u>	<u>2.5 acres</u>
<u>Small-scale Sand Filter</u>	<u>2.5 acres</u>

- (3) To satisfy the stormwater runoff quantity standards at §202-4.R, the design engineer shall utilize BMPs from Table 1 or from Table 2 and/or an alternative stormwater management measure approved in accordance with §202-4.G.
- (4) If a variance in accordance with N.J.A.C. 7:8-4.6 or a waiver from strict compliance in accordance with §202-4.D is granted from the requirements of this subsection, then BMPs from Table 1, 2, or 3, and/or an alternative stormwater management measure approved in accordance with §202-4.G may be used to meet the groundwater recharge, stormwater runoff quality, and stormwater runoff quantity standards at §202-4.P, Q and R.

- (5) For separate or combined storm sewer improvement projects, such as sewer separation, undertaken by a government agency or public utility (for example, a sewerage company), the requirements of this subsection shall only apply to areas owned in fee simple by the government agency or utility, and areas within a right-of-way or easement held or controlled by the government agency or utility; the entity shall not be required to obtain additional property or property rights to fully satisfy the requirements of this subsection. Regardless of the amount of area of a separate or combined storm sewer improvement project subject to the green infrastructure requirements of this subsection, each project shall fully comply with the applicable groundwater recharge, stormwater runoff quality control, and stormwater runoff quantity standards at §202-4.P, Q and R, unless the project is granted a waiver from strict compliance in accordance with §202-4.D.

P. Groundwater Recharge Standards

- (1) This subsection contains the minimum design and performance standards for groundwater recharge as follows:
- (2) The design engineer shall, using the assumptions and factors for stormwater runoff and groundwater recharge calculations at §202-5, either:
 - (a) Demonstrate through hydrologic and hydraulic analysis that the site and its stormwater management measures maintain 100 percent of the average annual pre-construction groundwater recharge volume for the site; or
 - (b) Demonstrate through hydrologic and hydraulic analysis that the increase of stormwater runoff volume from pre-construction to post-construction for the 2-year storm is infiltrated.
- (3) This groundwater recharge requirement does not apply to projects within the "urban redevelopment area," or to projects subject to (4) below.
- (4) The following types of stormwater shall not be recharged:
 - (a) Stormwater from areas of high pollutant loading. High pollutant loading areas are areas in industrial and commercial developments where solvents and/or petroleum products are loaded/unloaded, stored, or applied, areas where pesticides are loaded/unloaded or stored; areas where hazardous materials are expected to be present in greater than "reportable quantities" as defined by the United States Environmental Protection Agency (EPA) at 40 CFR 302.4; areas where recharge would be inconsistent with Department approved remedial action work plan or landfill closure plan and areas with high risks for spills of toxic materials, such as gas stations and vehicle maintenance facilities; and
 - (b) Industrial stormwater exposed to "source material." "Source material" means any material(s) or machinery, located at an industrial facility, that is directly or indirectly related to process, manufacturing or other industrial activities, which could be a source of pollutants in any industrial stormwater discharge to groundwater. Source materials include, but are not limited to, raw materials; intermediate products; final products; waste materials; by-products; industrial machinery and fuels, and lubricants, solvents, and detergents that are related to process, manufacturing, or other industrial activities that are exposed to stormwater.

Q. Stormwater Runoff Quality Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quality impacts of major development. Stormwater runoff quality standards are applicable when the major development results in an increase of one-quarter acre or more of regulated motor vehicle surface.
- (2) Stormwater management measures shall be designed to reduce the post-construction load of total suspended solids (TSS) in stormwater runoff generated from the water quality design storm as follows:
 - (c) Eighty percent TSS removal of the anticipated load, expressed as an annual average shall be achieved for the stormwater runoff from the net increase of motor vehicle surface.
 - (d) If the surface is considered regulated motor vehicle surface because the water quality treatment for an area of motor vehicle surface that is currently receiving water quality treatment either by vegetation or soil, by an existing stormwater management measure, or by treatment at a wastewater treatment plant is to be modified or removed, the project shall maintain or increase the existing TSS removal of the anticipated load expressed as an annual average.
- (3) The requirement to reduce TSS does not apply to any stormwater runoff in a discharge regulated under a numeric effluent limitation for TSS imposed under the New Jersey Pollutant Discharge Elimination System (NJPDES) rules, N.J.A.C. 7:14A, or in a discharge specifically exempt under a NJPDES permit from this requirement. Every major development, including any that discharge into a combined sewer system, shall comply with (2) above, unless the major development is itself subject to a NJPDES permit with a numeric effluent limitation for TSS or the NJPDES permit to which the major development is subject exempts the development from a numeric effluent limitation for TSS.
- (4) The water quality design storm is 1.25 inches of rainfall in two hours. Water quality calculations shall take into account the distribution of rain from the water quality design storm, as reflected in Table 4, below. The calculation of the volume of runoff may take into account the implementation of stormwater management measures.

**Table 4 - Water Quality Design Storm
Distribution**

Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)	Time (Minutes)	Cumulative Rainfall (Inches)
1	0.00166	41	0.1728	81	1.0906
2	0.00332	42	0.1796	82	1.0972
3	0.00498	43	0.1864	83	1.1038
4	0.00664	44	0.1932	84	1.1104
5	0.00830	45	0.2000	85	1.1170
6	0.00996	46	0.2117	86	1.1236
7	0.01162	47	0.2233	87	1.1302
8	0.01328	48	0.2350	88	1.1368
9	0.01494	49	0.2466	89	1.1434
10	0.01660	50	0.2583	90	1.1500
11	0.01828	51	0.2783	91	1.1550
12	0.01996	52	0.2983	92	1.1600
13	0.02164	53	0.3183	93	1.1650
14	0.02332	54	0.3383	94	1.1700
15	0.02500	55	0.3583	95	1.1750
16	0.03000	56	0.4116	96	1.1800
17	0.03500	57	0.4650	97	1.1850
18	0.04000	58	0.5183	98	1.1900
19	0.04500	59	0.5717	99	1.1950
20	0.05000	60	0.6250	100	1.2000
21	0.05500	61	0.6783	101	1.2050
22	0.06000	62	0.7317	102	1.2100
23	0.06500	63	0.7850	103	1.2150
24	0.07000	64	0.8384	104	1.2200
25	0.07500	65	0.8917	105	1.2250
26	0.08000	66	0.9117	106	1.2267
27	0.08500	67	0.9317	107	1.2284
28	0.09000	68	0.9517	108	1.2300
29	0.09500	69	0.9717	109	1.2317
30	0.10000	70	0.9917	110	1.2334
31	0.10660	71	1.0034	111	1.2351
32	0.11320	72	1.0150	112	1.2367
33	0.11980	73	1.0267	113	1.2384
34	0.12640	74	1.0383	114	1.2400
35	0.13300	75	1.0500	115	1.2417
36	0.13960	76	1.0568	116	1.2434
37	0.14620	77	1.0636	117	1.2450
38	0.15280	78	1.0704	118	1.2467
39	0.15940	79	1.0772	119	1.2483
40	0.16600	80	1.0840	120	1.2500

- (5) If more than one BMP in series is necessary to achieve the required 80 percent TSS reduction for a site, the applicant shall utilize the following formula to calculate TSS reduction:

$$R = A + B - (A \times B) / 100,$$

Where

R = total TSS Percent Load Removal from application of both BMPs, and
A = the TSS Percent Removal Rate applicable to the first BMP
B = the TSS Percent Removal Rate applicable to the second BMP.

- (6) Stormwater management measures shall also be designed to reduce, to the maximum extent feasible, the post-construction nutrient load of the anticipated load from the developed site in stormwater runoff generated from the water quality design storm. In achieving reduction of nutrients to the maximum extent feasible, the design of the site shall include green infrastructure BMPs that optimize nutrient removal while still achieving the performance standards in §202-4.P, Q and R.
- (7) In accordance with the definition of FW1 at N.J.A.C. 7:9B-1.4, stormwater management measures shall be designed to prevent any increase in stormwater runoff to waters classified as FW1.
- (8) The Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-4.1(c)1 establish 300-foot riparian zones along Category One waters, as designated in the Surface Water Quality Standards at N.J.A.C. 7:9B, and certain upstream tributaries to Category One waters. A person shall not undertake a major development that is located within or discharges into a 300-foot riparian zone without prior authorization from the Department under N.J.A.C. 7:13.
- (9) Pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-11.2(j)3.i, runoff from the water quality design storm that is discharged within a 300-foot riparian zone shall be treated in accordance with this subsection to reduce the post-construction load of total suspended solids by 95 percent of the anticipated load from the developed site, expressed as an annual average.
- (10) This stormwater runoff quality standards do not apply to the construction of one individual single-family dwelling, provided that it is not part of a larger development or subdivision that has received preliminary or final site plan approval prior to December 3, 2018, and that the motor vehicle surfaces are made of permeable material(s) such as gravel, dirt, and/or shells.

R. Stormwater Runoff Quantity Standards

- (1) This subsection contains the minimum design and performance standards to control stormwater runoff quantity impacts of major development.
- (2) In order to control stormwater runoff quantity impacts, the design engineer shall, using the assumptions and factors for stormwater runoff calculations at §202-5, complete one of the following:
- (a) Demonstrate through hydrologic and hydraulic analysis that for stormwater leaving the site, post-construction runoff hydrographs for the 2-, 10-, and 100-year storm events

do not exceed, at any point in time, the pre-construction runoff hydrographs for the same storm events;

(b) Demonstrate through hydrologic and hydraulic analysis that there is no increase, as compared to the pre-construction condition, in the peak runoff rates of stormwater leaving the site for the 2-, 10- and 100-year storm events and that the increased volume or change in timing of stormwater runoff will not increase flood damage at or downstream of the site. This analysis shall include the analysis of impacts of existing land uses and projected land uses assuming full development under existing zoning and land use ordinances in the drainage area;

(c) Design stormwater management measures so that the post-construction peak runoff rates for the 2-, 10- and 100-year storm events are 50, 75 and 80 percent, respectively, of the pre-construction peak runoff rates. The percentages apply only to the post-construction stormwater runoff that is attributable to the portion of the site on which the proposed development or project is to be constructed.

(3) The stormwater runoff quantity standards shall be applied at the site's boundary to each abutting lot, roadway, watercourse, or receiving storm sewer system.

§202-5 Calculation of Stormwater Runoff and Groundwater Recharge:

A. Stormwater runoff shall be calculated in accordance with the following:

(1) The design engineer shall calculate runoff using one of the following methods:

(a) The USDA Natural Resources Conservation Service (NRCS) methodology, including the NRCS Runoff Equation and Dimensionless Unit Hydrograph, as described in Chapters 7, 9, 10, 15 and 16 Part 630, Hydrology National Engineering Handbook, incorporated herein by reference as amended and supplemented. This methodology is additionally described in *Technical Release 55 - Urban Hydrology for Small Watersheds* (TR-55), dated June 1986, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the Natural Resources Conservation Service website at:

https://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb1044171.pdf

or at United States Department of Agriculture Natural Resources Conservation Service, 220 Davison Avenue, Somerset, New Jersey 08873; or

(b) The Rational Method for peak flow and the Modified Rational Method for hydrograph computations. The rational and modified rational methods are described in "Appendix A-9 Modified Rational Method" in the Standards for Soil Erosion and Sediment Control in New Jersey, January 2014. This document is available from the State Soil Conservation Committee or any of the Soil Conservation Districts listed at N.J.A.C. 2:90-1.3(a)3. The location, address, and telephone number for each Soil Conservation District is available from the State Soil Conservation Committee, PO Box 330, Trenton, New Jersey 08625. The document is also available at:

<http://www.nj.gov/agriculture/divisions/anr/pdf/2014NJSoilErosionControlStandardsComplete.pdf>.

- (2) For the purpose of calculating runoff coefficients and groundwater recharge, there is a presumption that the pre-construction condition of a site or portion thereof is a wooded land use with good hydrologic condition. The term "runoff coefficient" applies to both the NRCS methodology above at §202-5.A.(1)(a) and the Rational and Modified Rational Methods at §202-5.A.(1)(b). A runoff coefficient or a groundwater recharge land cover for an existing condition may be used on all or a portion of the site if the design engineer verifies that the hydrologic condition has existed on the site or portion of the site for at least five years without interruption prior to the time of application. If more than one land cover has existed on the site during the five years immediately prior to the time of application, the land cover with the lowest runoff potential shall be used for the computations. In addition, there is the presumption that the site is in good hydrologic condition (if the land use type is pasture, lawn, or park), with good cover (if the land use type is woods), or with good hydrologic condition and conservation treatment (if the land use type is cultivation).
- (3) In computing pre-construction stormwater runoff, the design engineer shall account for all significant land features and structures, such as ponds, wetlands, depressions, hedgerows, or culverts, that may reduce pre-construction stormwater runoff rates and volumes.
- (4) In computing stormwater runoff from all design storms, the design engineer shall consider the relative stormwater runoff rates and/or volumes of pervious and impervious surfaces separately to accurately compute the rates and volume of stormwater runoff from the site. To calculate runoff from unconnected impervious cover, urban impervious area modifications as described in the *NRCS Technical Release 55 – Urban Hydrology for Small Watersheds* or other methods may be employed.
- (5) If the invert of the outlet structure of a stormwater management measure is below the flood hazard design flood elevation as defined at N.J.A.C. 7:13, the design engineer shall take into account the effects of tailwater in the design of structural stormwater management measures.

B. Groundwater recharge may be calculated in accordance with the following:

The New Jersey Geological Survey Report GSR-32, A Method for Evaluating Groundwater-Recharge Areas in New Jersey, incorporated herein by reference as amended and supplemented. Information regarding the methodology is available from the New Jersey Stormwater Best Management Practices Manual; at the New Jersey Geological Survey website at:

<https://www.nj.gov/dep/njgs/pricelst/gsreport/gsr32.pdf>

or at New Jersey Geological and Water Survey, 29 Arctic Parkway, PO Box 420 Mail Code 29-01, Trenton, New Jersey 08625-0420.

§202-6 Sources for Technical Guidance:

A. Technical guidance for stormwater management measures can be found in the documents listed below, which are available to download from the Department's website at:

http://www.nj.gov/dep/stormwater/bmp_manual2.htm.

- (1) Guidelines for stormwater management measures are contained in the New Jersey Stormwater Best Management Practices Manual, as amended and supplemented.

Information is provided on stormwater management measures such as, but not limited to, those listed in Tables 1, 2, and 3.

(2) Additional maintenance guidance is available on the Department's website at:

https://www.njstormwater.org/maintenance_guidance.htm

B. Submissions required for review by the Department should be mailed to:

The Division of Water Quality, New Jersey Department of Environmental Protection,
Mail Code 401-02B, PO Box 420, Trenton, New Jersey 08625-0420.

§202-7 Solids and Floatable Materials Control Standards:

A. Site design features identified under §202-4.F above, or alternative designs in accordance with §202-4.G above, to prevent discharge of trash and debris from drainage systems shall comply with the following standard to control passage of solid and floatable materials through storm drain inlets. For purposes of this paragraph, "solid and floatable materials" means sediment, debris, trash, and other floating, suspended, or settleable solids. For exemptions to this standard see §202-7.A.(2) below.

(1) Design engineers shall use one of the following grates whenever they use a grate in pavement or another ground surface to collect stormwater from that surface into a storm drain or surface water body under that grate:

- (a) The New Jersey Department of Transportation (NJDOT) bicycle safe grate, which is described in Chapter 2.4 of the NJDOT Bicycle Compatible Roadways and Bikeways Planning and Design Guidelines; or
- (b) A different grate, if each individual clear space in that grate has an area of no more than seven (7.0) square inches, or is no greater than 0.5 inches across the smallest dimension. Examples of grates subject to this standard include grates in grate inlets, the grate portion (non-curb-opening portion) of combination inlets, grates on storm sewer manholes, ditch grates, trench grates, and grates of spacer bars in slotted drains. Examples of ground surfaces include surfaces of roads (including bridges), driveways, parking areas, bikeways, plazas, sidewalks, lawns, fields, open channels, and stormwater system floors used to collect stormwater from the surface into a storm drain or surface water body.
- (c) For curb-opening inlets, including curb-opening inlets in combination inlets, the clear space in that curb opening, or each individual clear space if the curb opening has two or more clear spaces, shall have an area of no more than seven (7.0) square inches, or be no greater than two (2.0) inches across the smallest dimension.

(2) The standard in A.(1) above does not apply:

- (a) Where each individual clear space in the curb opening in existing curb-opening inlet does not have an area of more than nine (9.0) square inches;
- (b) Where the municipality agrees that the standards would cause inadequate hydraulic performance that could not practicably be overcome by using additional or larger storm drain inlets;

- (c) Where flows from the water quality design storm as specified in N.J.A.C. 7:8 are conveyed through any device (e.g., end of pipe netting facility, manufactured treatment device, or a catch basin hood) that is designed, at a minimum, to prevent delivery of all solid and floatable materials that could not pass through one of the following:

- [1] A rectangular space four and five-eighths (4.625) inches long and one and one-half (1.5) inches wide (this option does not apply for outfall netting facilities); or
- [2] A bar screen having a bar spacing of 0.5 inches.

Note that these exemptions do not authorize any infringement of requirements in the Residential Site Improvement Standards for bicycle safe grates in new residential development (N.J.A.C. 5:21-4.18(b)2 and 7.4(b)1).

- (d) Where flows are conveyed through a trash rack that has parallel bars with one-inch (1 inch) spacing between the bars, to the elevation of the Water Quality Design Storm as specified in N.J.A.C. 7:8; or
- (e) Where the New Jersey Department of Environmental Protection determines, pursuant to the New Jersey Register of Historic Places Rules at N.J.A.C. 7:4-7.2(c), that action to meet this standard is an undertaking that constitutes an encroachment or will damage or destroy the New Jersey Register listed historic property.

§202-8 Safety Standards for Stormwater Management Basins:

- A. This section sets forth requirements to protect public safety through the proper design and operation of stormwater management BMPs. This section applies to any new stormwater management BMP.
- B. The provisions of this section are not intended to preempt more stringent municipal or county safety requirements for new or existing stormwater management BMPs. Municipal and county stormwater management plans and ordinances may, pursuant to their authority, require existing stormwater management BMPs to be retrofitted to meet one or more of the safety standards in §202-8.C.(1), 8.C.(2), and 8.C.(3) for trash racks, overflow grates, and escape provisions at outlet structures.
- C. Requirements for Trash Racks, Overflow Grates and Escape Provisions

- (1) A trash rack is a device designed to catch trash and debris and prevent the clogging of outlet structures. Trash racks shall be installed at the intake to the outlet from the Stormwater management BMP to ensure proper functioning of the BMP outlets in accordance with the following:

- (a) The trash rack shall have parallel bars, with no greater than six-inch spacing between the bars;
- (b) The trash rack shall be designed so as not to adversely affect the hydraulic performance of the outlet pipe or structure;
- (c) The average velocity of flow through a clean trash rack is not to exceed 2.5 feet per second under the full range of stage and discharge. Velocity is to be computed on the basis of the net area of opening through the rack; and

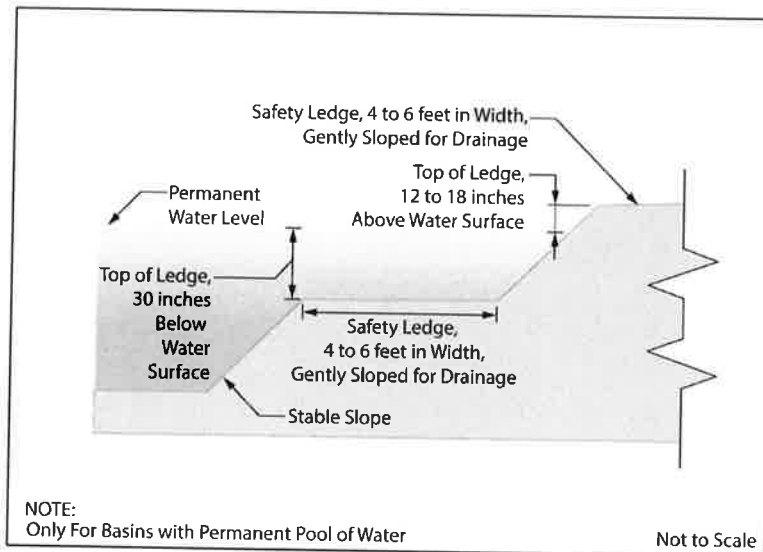
- (d) The trash rack shall be constructed of rigid, durable, and corrosion resistant material and designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (2) An overflow grate is designed to prevent obstruction of the overflow structure. If an outlet structure has an overflow grate, such grate shall meet the following requirements:
- (a) The overflow grate shall be secured to the outlet structure but removable for emergencies and maintenance.
 - (b) The overflow grate spacing shall be no less than two inches across the smallest dimension
 - (c) The overflow grate shall be constructed and installed to be rigid, durable, and corrosion resistant, and shall be designed to withstand a perpendicular live loading of 300 pounds per square foot.
- (3) Stormwater management BMPs shall include escape provisions as follows:
- (a) If a stormwater management BMP has an outlet structure, escape provisions shall be incorporated in or on the structure. Escape provisions include the installation of permanent ladders, steps, rungs, or other features that provide easily accessible means of egress from stormwater management BMPs. With the prior approval of the municipality pursuant to §202-8.C, a free-standing outlet structure may be exempted from this requirement;
 - (b) Safety ledges shall be constructed on the slopes of all new stormwater management BMPs having a permanent pool of water deeper than two and one-half feet. Safety ledges shall be comprised of two steps. Each step shall be four to six feet in width. One step shall be located approximately two and one-half feet below the permanent water surface, and the second step shall be located one to one and one-half feet above the permanent water surface. See §202-8.E for an illustration of safety ledges in a stormwater management BMP; and
 - (c) In new stormwater management BMPs, the maximum interior slope for an earthen dam, embankment, or berm shall not be steeper than three horizontal to one vertical.

D. Variance or Exemption from Safety Standard

A variance or exemption from the safety standards for stormwater management BMPs may be granted only upon a written finding by the municipality that the variance or exemption will not constitute a threat to public safety.

E. Safety Ledge Illustration

Elevation View –Basin Safety Ledge Configuration



§202-9 Requirements for a Site Development Stormwater Plan:

A. Submission of Site Development Stormwater Plan

1. Whenever an applicant seeks municipal approval of a development subject to this article, the applicant shall submit all of the required data for the site development stormwater management plan (SDSMP) as specified in Subsection C of this section below as part of the submission of the applicant's application for subdivision or site plan approval. The SDSMP shall be a written report together with maps, diagrams, charts, and data consistent with the purposes, policies and requirements of these provisions which fully indicates the necessary land treatment measures and techniques, including a schedule of implementation and maintenance.
2. The applicant shall demonstrate that the project meets the standards set forth in this article.
3. The applicant shall establish a funding mechanism for maintenance of proposed stormwater control facilities.

B. Site Development Stormwater Plan Approval. The applicant's Site Development project shall be reviewed as a part of the review process by the municipal board or official from which municipal approval is sought. That municipal board or official shall consult the municipality's review engineer to determine if all of the checklist requirements have been satisfied and to determine if the project meets the standards set forth in this ordinance.

C. Submission of Site Development Stormwater Plan. The following information shall be required:

- (1) **Topographic Base Map.** The reviewing engineer may require upstream tributary drainage system information as necessary. It is recommended that the topographic base map of the site be submitted which extends a minimum of 200 feet beyond the limits of the proposed development, at a scale of 1"=200' or greater, showing 2-foot contour intervals. The map as appropriate may indicate the following: existing surface water drainage, shorelines, steep slopes, soils, erodible soils, perennial or intermittent streams that drain into or upstream of the Category One waters, wetlands and flood plains along with their appropriate buffer strips, marshlands and other wetlands, pervious

or vegetative surfaces, existing man-made structures, roads, bearing and distances of property lines, and significant natural and manmade features not otherwise shown.

- (2) Environmental Site Analysis. A written and graphic description of the natural and man-made features of the site and its surroundings should be submitted. This description should include a discussion of soil conditions, slopes, wetlands, waterways and vegetation on the site. Particular attention should be given to unique, unusual, or environmentally sensitive features and to those that provide particular opportunities or constraints for development.
- (3) Project Description and Site Plans. A map (or maps) at the scale of the topographical base map indicating the location of existing and proposed buildings roads, parking areas, utilities, structural facilities for stormwater management and sediment control, and other permanent structures. The map(s) shall also clearly show areas where alterations will occur in the natural terrain and cover, including lawns and other landscaping, and seasonal high groundwater elevations. A written description of the site plan and justification for proposed changes in natural conditions shall also be provided.
- (4) Land Use Planning and Source Control Plan. This plan shall provide a demonstration of how the goals and standards of §202-3 through §202-5 are being met. The focus of this plan shall be to describe how the site is being developed to meet the objective of controlling groundwater recharge, stormwater quality and stormwater quantity problems at the source by land management and source controls whenever possible.
- (5) Stormwater Management Facilities Map. The following information, illustrated on a map of the same scale as the topographic base map, shall be included:
 - (a) Total area to be disturbed, paved or built upon, proposed surface contours, land area to be occupied by the stormwater management facilities and the type of vegetation thereon, and details of the proposed plan to control and dispose of stormwater.
 - (b) Details of all stormwater management facility designs, during and after construction, including discharge provisions, discharge capacity for each outlet at different levels of detention and emergency spillway provisions with maximum discharge capacity of each spillway.
- (6) Calculations
 - (a) Comprehensive hydrologic and hydraulic design calculations for the pre-development and post-development conditions for the design storms specified in §202-4 of this ordinance.
 - (b) When the proposed stormwater management control measures depend on the hydrologic properties of soils or require certain separation from the seasonal high water table, then a soils report shall be submitted. The soils report shall be based on onsite boring logs or soil pit profiles. The number and location of required soil borings or soil pits shall be determined based on what is needed to determine the suitability and distribution of soils present at the location of the control measure.
- (7) Maintenance and Repair Plan. The design and planning of the stormwater management facility shall meet the maintenance requirements of §202-10.

- (8) Waiver from Submission Requirements. The municipal official or board reviewing an application under this ordinance may, in consultation with the municipality's review engineer, waive submission of any of the requirements in §202-9.C.(1) through §202-9.C.(6) of this ordinance when it can be demonstrated that the information requested is impossible to obtain or it would create a hardship on the applicant to obtain and its absence will not materially affect the review process.

§202-10 Maintenance and Repair:

A. Applicability

Projects subject to review as in §202-1.C of this ordinance shall comply with the requirements of §202-10.B and §202-10 C.

B. General Maintenance

- (1) The design engineer shall prepare a maintenance plan for the stormwater management measures incorporated into the design of a major development.
- (2) The maintenance plan shall contain specific preventative maintenance tasks and schedules; cost estimates, including estimated cost of sediment, debris, or trash removal; and the name, address, and telephone number of the person or persons responsible for preventative and corrective maintenance (including replacement). The plan shall contain information on BMP location, design, ownership, maintenance tasks and frequencies, and other details as specified in Chapter 8 of the NJ BMP Manual, as well as the tasks specific to the type of BMP, as described in the applicable chapter containing design specifics.
- (3) If the maintenance plan identifies a person other than the property owner (for example, a developer, a public agency or homeowners' association) as having the responsibility for maintenance, the plan shall include documentation of such person's or entity's agreement to assume this responsibility, or of the owner's obligation to dedicate a stormwater management facility to such person under an applicable ordinance or regulation.
- (4) Responsibility for maintenance shall not be assigned or transferred to the owner or tenant of an individual property in a residential development or project, unless such owner or tenant owns or leases the entire residential development or project. The individual property owner may be assigned incidental tasks, such as weeding of a green infrastructure BMP, provided the individual agrees to assume these tasks; however, the individual cannot be legally responsible for all of the maintenance required.
- (5) If the party responsible for maintenance identified under §202-10.B.(3) above is not a public agency, the maintenance plan and any future revisions based on §202-10.B.(7) below shall be recorded upon the deed of record for each property on which the maintenance described in the maintenance plan must be undertaken.
- (6) Preventative and corrective maintenance shall be performed to maintain the functional parameters (storage volume, infiltration rates, inflow/outflow capacity, etc.) of the stormwater management measure, including, but not limited to, repairs or replacement to the structure; removal of sediment, debris, or trash; restoration of eroded areas; snow

and ice removal; fence repair or replacement; restoration of vegetation; and repair or replacement of non-vegetated linings.

- (7) The party responsible for maintenance identified under §202-10.B.(3) above shall perform all of the following requirements:
- (a) maintain a detailed log of all preventative and corrective maintenance for the structural stormwater management measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance-related work orders;
 - (b) evaluate the effectiveness of the maintenance plan at least once per year and adjust the plan and the deed as needed; and
 - (c) retain and make available, upon request by any public entity with administrative, health, environmental, or safety authority over the site, the maintenance plan and the documentation required by §202-10.B.(6) and §202-10.B.(7) above.
 - (d) Beginning on January 31, 2019, persons responsible for maintenance under Subsection B.(2) above shall make annual submissions to the municipality, by January 31, containing excerpts of the detailed log of all preventative and corrective maintenance that was performed for the calendar year that just ended for all structural stormwater measures incorporated into the design of the development, including a record of all inspections and copies of all maintenance related work orders.
 - (e) The requirements of §202-10.B.(3) and §202-10.B.(4) do not apply to stormwater management facilities that are dedicated to and accepted by the municipality or another governmental agency, subject to all applicable municipal stormwater general permit conditions, as issued by the Department.
 - (f) In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the municipal engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the municipality or County may immediately proceed to do so and shall bill the cost thereof to the responsible person. Nonpayment of such bill may result in a lien on the property.
 - (g) Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**Borough of Mountain Lakes
Mountain Lakes, NJ 07046**

March 15, 2021

TO: Borough Council

FROM: Cynthia Shaw, Planning Board Administrator

The Planning Board conducted a special meeting on March 11, 2021 during which time it reviewed proposed Ordinance 02-21.

The Planning Board found Ordinance 02-21 to be consistent with the Master Plan.

The Planning Board found one error they think should be corrected before the public hearing.

Section 202-2 Definitions:

DEVELOPMENT – in the second line “enlarge-enlargement” should just be *enlargement*.



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

CONSTRUCTION OFFICE MONTHLY ACTIVITY REPORT

FEBRUARY 2021

ADMINISTRATIVE SUMMARY

Application and permit activity is rebounding nicely from the low levels of the last quarter of 2020. All aspects of the office are busy with both intake of new applications and full inspection schedules.

Construction permits for Building #8 at The Enclave have been issued and the developer is pushing to complete these units as soon as possible. After a slow start to pre-sales, it appears all units are now committed.

The Sunrise project continues with interior finishes and mechanicals with model units nearing completion.

The weather appears to be favoring construction activities and will improve with each month through the Spring.



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

CONSTRUCTION OFFICE SUMMARY OF FEES COLLECTED

PERIOD	2019 COLLECTED	YEAR TO DATE	COMMENTS	AMOUNT
JANUARY	12,338.00	12,338.00		
FEBRUARY	4,042.00	16,380.00		
MARCH	23,677.00	40,057.00		
APRIL	8,056.00	48,113.00		
MAY	23,363.00	71,476.00		
JUNE	26,134.00	97,610.00		
JULY	16,904.00	114,514.00	Enclave fees	10,592.00
AUGUST	7,245.00	121,759.00		
SEPTEMBER	8,425.00	130,184.00		
OCTOBER	7,403.00	137,587.00		
NOVEMBER	14,035.00	151,622.00		
DECEMBER	7,618.00	159,240.00		

PERIOD	2020 COLLECTED	YEAR TO DATE	COMMENTS	AMOUNT
JANUARY	106,301.00	106,301.00	Enclave and Sunrise fees	98,243.00
FEBRUARY	5,520.00	111,821.00		
MARCH	13,491.00	125,312.00		
APRIL	2,171.00	127,483.00		
MAY	2,476.00	129,959.00		
JUNE	13,410.00	143,369.00		
JULY	3,900.00	147,269.00		
AUGUST	21,791.00	169,060.00		
SEPTEMBER	14,343.00	183,403.00		
OCTOBER	61,757.00	245,160.00	Enclave fees	36,825.00
NOVEMBER	18,634.00	263,794.00		
DECEMBER	6,934.00	270,728.00		

PERIOD	2021 COLLECTED	YEAR TO DATE	COMMENTS	AMOUNT
JANUARY	11,663.00	11,663.00		
FEBRUARY	40,193.00	51,856.00	Enclave fees	27,748.00
MARCH				
APRIL				
MAY				
JUNE				
JULY				
AUGUST				
SEPTEMBER				
OCTOBER				
NOVEMBER				
DECEMBER				



Mountain Lakes Borough
 400 BOULEVARD
 MOUNTAIN LAKES, NJ 07046

Construction Permit Activity Report

2/1/2021 -> 2/28/2021

Summary

	Cost:	Count:			
New:	\$946,500.00	6	Cubic Footage:	199,658 Cu.ft	Permits Issued: 33
Addition:	\$33,000.00	1	Square Footage:	23,524 Sq.ft	Updates Issued: 15
Alteration:	\$478,012.00	40			
Demolition:	\$0.00	1			
Total:	\$1,457,512.00	48			

Permits	Count	Permit Fees	Admin Fees	Total	Inspections	Passed	Failed	Other
Building:	15	\$17,233.00	\$0.00	\$17,233.00	B	22	18 %81.8	2 %9.1
Plumbing:	16	\$6,205.00	\$0.00	\$6,205.00	P	25	15 %60	5 %20
Electrical:	29	\$6,898.00	\$0.00	\$6,898.00	E	63	42 %66.7	5 %7.9
Fire:	18	\$3,384.00	\$0.00	\$3,384.00	F	6	5 %83.3	0 %0
Elevator:	0	\$0.00	\$0.00	\$0.00	V	0	0 %	0 %
Mechanical:	19	\$1,520.00	\$0.00	\$1,520.00	M	23	18 %78.3	2 %8.7
	97	\$35,240.00	\$0.00	\$35,240.00		139	98	14
DCA Training:	7		740		(Note: Does not include result of none)			
DCA State:	41		913	\$2,100.00				
DCA Minimum:	0		0					
	48		\$1,653					

Variations	Total	Paid	Certificates	Issued	Total	Paid Total
Building	0	0	CA	77	\$0.00	\$0.00
Plumbing	0	0	CCO	0	\$0.00	\$0.00
Electrical	0	0	CO	2	\$100.00	\$1,200.00
Fire	0	0	CC	0	\$0.00	\$0.00
Mechanical	0	0	TCO	0	\$0.00	\$0.00
Elevator	0	0	TCC	0	\$0.00	\$0.00
Total:	\$0.00	\$0.00	Total:	79	\$100.00	\$1,200.00

NOTE:
 Information gathered is based on the Issue date for that item, ie permit issue date, certificate issue date.
 This will cause discrepancies between the payments section which uses Payment date. Example you took in money for a CO but the CO has not been issued yet.

Permit Subcode Exempted (State) Fees			Permit Subcode Waived (Local) Fees		
	Record Count	Total Exempted		Record Count	Total Waived
Building	0	\$0	Building	0	\$0
Plumbing	0	\$0	Plumbing	0	\$0
Electrical	0	\$0	Electrical	0	\$0
Fire	0	\$0	Fire	0	\$0
Mechanical	0	\$0	Mechanical	0	\$0
Elevator	0	\$0	Elevator	0	\$0
Total:		\$0	Total:		\$0
	Record Count	Total Exempted		Fines	Paid
DCA Fees 0		\$0	Violations Issued 0	\$0.00	\$0.00

Payments (Based on Payment Date)	
Permit (95)	\$40,193.00
NON-UCC (0)	\$0.00
Variation Payments	\$0.00
Penalty (0)	\$0.00
Inspection Payments	\$0.00
Ongoing Invoice	\$0.00
Test Payments	\$0.00
Other Payments	\$0.00
Grand Total	\$40,193.00



Mountain Lakes Borough

Deposit Payment Totals 2/1/2021 to 2/28/2021

Starting Receipt
PMT-21-00086

Ending Receipt
PMT-21-00188

Cash Total
\$0.00

Check Total
\$40,543.00

Charge Total
\$0.00

Grand Total
\$40,543.00

Bag # _____

Deposit Account
DCA 01-290-55-000-001
ENG 01-192-08-105-015
UCC 01-192-08-160-000
ZON 01-192-08-105-017

YTD Payments	Payments
\$2,351.00	\$1,653.00
\$2,100.00	\$2,100.00
\$47,405.00	\$36,440.00
\$950.00	\$350.00
<hr/> \$52,806.00	<hr/> \$40,543.00

BOROUGH OF MOUNTAIN LAKES
DEPARTMENT OF PUBLIC WORKS
Department Activity
February 2021

IN HOUSE

All regular work details including building maintenance, vehicle repairs and maintenance, trash and recycling collection, trash bag deliveries, street sweeping, lawn maintenance, leaf and brush disposal, daily maintenance

Additionally:

Streets & Roads Department:

- DPW
 - 10 multi-day snow events
 - Plowing, salting, sidewalks, road widening
 - Water main repair - Overlook
 - Blacktop - Hanover Rd, Overlook
 - Pothole repairs - Briarcliff, Intervale, Morris
 - Basin cleanouts - Glen Rd
 - 3 Styrofoam Foam Pak deliveries

Vacation/Sick Time:

- 32 Vacation Hours; 312 Sick Hours



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Joe Mullaney
Fire Chief
info@mlvfd.com

400 Boulevard
Mountain Lakes, NJ 07046
P -973-394-1094

TO: Mitchell Stern
DATE: 3/15/21
SUBJECT: February 2021 Report

The following lists the activity for the Mountain Lakes Volunteer Fire Department during the month of February 2021 :

FIRE CALLS (8)

LOCATION	DATE	TIME	DESCRIPTION
44 Lake Drive	2/5	7:11 PM	CO Alarm- Faulty Detector
Barka Restaurant	2/5	9:40 PM	Fire Alarm-Malfunction of hot Water heater
25 Crystal Road	2/6	12:58 PM	CO Alarm-Faulty Detector
Barka Restaurant	2/6	10:00 PM	Fire Alarm- Malfunction of hot Water heater
Barka Restaurant	2/6	2:11 PM	Fire Alarm- Malfunction of sprinkler. System. Fire Marshall Tom Trepasso Notified and responded. Fire Marshall notified owner he would be closing the establishment until repairs were made
Wildwood School	2/13	4:09 PM	Odor of natural gas. NJNG notified.
Wilkins Field	2/20	10:48 AM	Of natural gas. Investigation revealed a propane tank leaking that services the concession stand. Ryan Dunn notified.
Morris Ave and Midvale		9:13 AM	Odor of Natural Gas.. NJNG notified.

DRILLS (5)

LOCATION	DATE	TIME	DESCRIPTION
Virtual	2/7	1:00 PM	JFD Training
Virtual	2/9	7:30 PM	Annual Blood Borne Pathogens, Right to Know, Haz Mat refresher training
Firehouse	2/16	7:00 PM	JFD Training

Firehouse	2/21	1:00 PM	JFD Training
Firehouse	2/23	7:30 PM	JFD Training

MEETINGS (1)

LOCATION	DATE	TIME	DESCRIPTION
Virtual	2/23	8:00 PM	Business Meeting

No Special Events or Announcements

Total Manhours: 300

Borough of Mountain Lakes

BOARD OF HEALTH

400 BOULEVARD • MOUNTAIN LAKES, NEW JERSEY 07046

Telephone: (973) 334-3131 • Fax: (973) 402-5595



February 2021

Health Department Report

This report provides information regarding the activities of the health officer and staff during the past month. Additional supplemental reports from Environmental, Nursing, Health Education and are provided.

Modifications/changes for businesses, schools and municipal government agencies; opening of municipalities and schools as it relates to quarantines.

Participate in multiple weekly Zoom and Teams meetings with State Department of Health, County Agencies, LINCIS and Health Officers in order to best implement State guidance

The Nursing Department continues to investigate COVID cases on COMM CARE and in CDRSS. Flattening cases are occurring this month. Nurses, inspectors and local and state funded staff are continuing to contact trace 7 days a week.

Meetings attended either Zoom/phone with superintendents and school staff. Ongoing phone calls received and responded to week.

Radon canisters are available for residents free of charge program continues until March 31, 2021.

Vaccine information forwarded.

Currently Mt. Lakes has 18 active cases, last month there were 30 active cases.

Activities

- Review guidance from NJDOH/CDC regarding update of guidance and best practices quarantine and vaccine programs.
- Provide guidance to Fire, EMS and School Superintendents and school nurses as needed on an ongoing basis for specific circumstance and incidence.
- Provide information to Township Manager, and leadership within the community
- Review most frequently asked questions with staff to answer COVID questions from the public.
- Continued to deliver a report 3 days a week with information regarding case numbers in the municipality, county and state and expired cases, providing guidance documents and timely information.
- Continue to monitor staff activities regarding public health inspections and complaints, which are becoming more common.
- Plans are loosely developing for homebound and senior housing groups. Also a new 75-year-old and older phone line has been established by NJDOH for vaccine scheduling.(856-249-7007)

- Various discussions and emails with school superintendent regarding positive cases from sports and associated quarantines and contact tracing activities.
- For the Morris County Mega site currently it is advised to register on the Atlantic health care site. When registering on the State site, notification will be given as appointments open up throughout the state. Therefore, openings for the state super sites are attached to open availability of the sites and appointments may only be available in different locations other than the rockaway site. For example: we have heard of Morris County residents that needed to travel to Rowan University instead of the local site in Rockaway, as that was the opening made available to them.
- Atlantic Healthcare is opening appointments one or two days at a time thus pushing out vaccines a few days after appointments.
- 50 percent of the vaccine doses received by the state are distributed to the mega centers. Presently there is no availability to request vaccine on a smaller level but as vaccine becomes available application and acquisition of vaccine will become possible. Time line not determined but likely 6 weeks.

Testing Site:

County College of Morris – approximately 400 test per day with an average turnaround time of test results is 24 to 36 hrs.

Stay Well.

Respectfully Submitted,
F. Michael Fitzpatrick, Health Officer

MOUNTAIN LAKES BORO POLICE DEPARTMENT

Officer Citation Report

From Date : 2/1/2021 To Date : 2/28/2021

Report Date : 3/16/2021 9:06 AM

Officers Name	Badge Number	Traffic Stops	Equipment	Moving	Radar	Parking	Ordinance	Warnings	Total
XXX	XX	1	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	29	0	0	0	0	0	0	0
XXX	XX	1	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	2	0	0	0	0	0	0	0
XXX	XX	0	0	0	0	0	0	0	0
XXX	XX	1	0	0	0	0	0	0	0
Total:		34	0	14	0	0	0	0	14

MOUNTAIN LAKES BORO POLICE DEPARTMENT

Agency Activity Report

By CFS Classification**From Date: 2/1/2021 To Date: 2/28/2021****Report Date: 3/16/2021 9:07:19 AM**

Classification code	Description	Total Events	0000-0800	0801-1600	1601-2359
0100	Murder	0	0	0	0
0200	Rape	0	0	0	0
0300	Robbery	0	0	0	0
0400	Aggravated Assault	0	0	0	0
0500	Burglary	0	0	0	0
0600	Theft	2	0	2	0
0700	MV Theft	0	0	0	0
0800	Other Assaults	0	0	0	0
0900	Arson	0	0	0	0
1000	Forgery Counterfeit	0	0	0	0
1100	Fraud	1	0	0	1
1200	Embezzlement	0	0	0	0
1300	Stolen Property	0	0	0	0
1400	Malicious Mischief	2	1	0	1
1500	Weapons Offense	0	0	0	0
1600	Prostitution Vice	0	0	0	0
1700	Sex Offense	0	0	0	0
1800	Narcotics Drug Laws	0	0	0	0
1900	Gambling	0	0	0	0
2000	Family Offense	3	0	1	2
2100	Liquor Laws Drunk Driving	0	0	0	0
2200	Liquor Laws Possession	0	0	0	0
2400	Disorderly Conduct	4	0	3	1
2600	All Other Offenses	1	0	1	0
2900	Runaways	0	0	0	0
3800	Homeland Security	0	0	0	0
4000	Non Criminal Investigations	13	2	7	4
4100	Fire Related	8	0	4	4
4200	WATER RESCUE	0	0	0	0
4500	Deaths / Suicides	0	0	0	0
5000	Lost Found Property	1	0	1	0
5010	Missing Persons	0	0	0	0
5500	Animal Complaints	7	0	4	3
6000	Traffic Accidents	5	1	3	1

MOUNTAIN LAKES BORO POLICE DEPARTMENT

Agency Activity Report

By CFS Classification

From Date: 2/1/2021 To Date: 2/28/2021

Report Date: 3/16/2021 9:07:19 AM

Classification code	Description	Total Events	0000-0800	0801-1600	1601-2359
6300	Traffic Enforcement	57	4	43	10
6400	MARINE / BOATING	0	0	0	0
6500	Parking Enforcement	1	0	1	0
6600	Traffic Services	2	0	2	0
7000	Public Services	213	66	34	113
7500	Assist other Agency	50	4	44	2
7600	Special Unit Activity Codes	0	0	0	0
8000	Warrants	0	0	0	0
8100	Warrants Other	0	0	0	0
8200	Warrant Tracking	0	0	0	0
8300	Corrections	0	0	0	0
8500	Departmental Services	0	0	0	0
9000	Administrative	221	33	96	92
	Total:	591	111	246	234

Time Used/Overtime by Month

	Sick Time Hours					Vacation/Comp Hours/Pers Day/Bereave					Court Overtime					Department Overtime												
	2015	2016	2017	2018	2019	2020	2021	2015	2016	2017	2018	2019	2020	2021	2015	2016	2017	2018	2019	2020	2021							
Jan	106	58	236	216	79	588	324	64	127.5	22	15	14	0	42	\$0	\$0	\$0	\$158	\$0	\$154	\$0	\$2,989	\$3,164	\$2,998	\$4,159	\$4,348	\$9,570	\$7,154
Feb	104	142	226	252	86	444	266	34	11	84	104	220	111	189.5	\$0	\$0	\$0	\$0	\$210	\$258	\$0	\$4,641	\$7,750	\$7,009	\$4,927	\$2,138	\$4,789	\$21,810
March	82	82	238	310	110	332		96	139	198	148.5	168	74.5		\$0	\$0	\$151	\$0	\$0	\$0	\$6,541	\$7,689	\$12,822	\$29,829	\$6,254	\$4,081		
April	72	46	209.5	0	106	456		218	138	154	250	265.5	0		\$271	\$0	\$0	\$0	\$422	\$0	\$8,942	\$4,657	\$5,399	\$12,146	\$27,385	\$3,930		
May	188	69	128	204	96	564		322	192	254	178	169	96		\$0	\$0	\$0	\$0	\$993	\$0	\$11,708	\$16,276	\$12,700	\$24,263	\$29,828	\$5,202		
June	144	85	140	130	106	540		152	299	268	208	254	194		\$0	\$0	\$0	\$193	\$0	\$0	\$18,386	\$6,362	\$17,917	\$21,572	\$32,632	\$21,692		
July	128	140	318	152	47	442		428	592	518	524	84.5	551		\$0	\$0	\$0	\$158	\$0	\$0	\$27,256	\$31,836	\$31,018	\$24,005	\$27,180	\$26,802		
August	114	182	272	94	246	312		585	528	606	682	748	708		\$0	\$0	\$140	\$193	\$0	\$0	\$30,377	\$20,059	\$21,042	\$18,754	\$34,709	\$22,125		
Sept	71.5	92	276	94	180	256		228	364.5	294	375.5	222.5	389		\$0	\$354	\$0	\$0	\$0	\$0	\$13,746	\$12,484	\$21,047	\$16,316	\$22,108	\$20,166		
Oct	82	94	332	106	154	314		302	414	125	208	216	292		\$0	\$0	\$0	\$0	\$0	\$0	\$16,914	\$15,755	\$12,876	\$14,514	\$15,865	\$17,041		
Nov	96.5	188	346	148	426	302		145	164	274.5	235.5	176	287		\$0	\$0	\$0	\$246	\$0	\$0	\$8,770	\$11,241	\$18,359	\$15,103	\$17,554	\$10,442		
Dec	121	392	392	254	600	424		157.5	217.5	171	346.5	144.5	376		\$0	\$0	\$302	\$0	\$0	\$0	\$5,481	\$19,991	\$18,360	\$20,920	\$21,126	\$25,206		
Total	1309	1570	3114	1960	2236	4974	590	2731.5	3186.5	2968.5	3275	2682	3018.5	231.5	\$271	\$354	\$593	\$947	\$1,625	\$412	\$0	\$155,753	\$157,266	\$181,548	\$206,506	\$241,128	\$171,046	\$28,965

February

<u>Total Overtime</u> <u>Hours Paid</u> 252

<u>Total</u>	<u>Total</u>	<u>% of Hrs Equating to</u>
<u>Vaca/Comp Hrs</u>	<u>Vaca/Comp/Personal/Bereave Hrs</u>	<u>OT</u>
189.5	168	88.65%
	<u>Creating OT</u>	

<u>Total Sick Time</u>	<u>Total Sick Time</u>	<u>% of Hrs Equating to</u>
<u>Hrs</u>	<u>Hrs Creating OT</u>	<u>OT</u>
324	84	25.93%

** One Officer out injury/disability, creating 160 of the 266 sick hours for the month.
 *** Operating with 10 Officers

BOROUGH OF MOUNTAIN LAKES

Recreation Department

Department Activity February 2021

The Recreation Commission met on February 16th, 2021. The discussion mostly centered around finalizing the Fee Ordinance Increases surrounding the Racks/Rings and Beach Tags. They helped me to organize my presentation for Council.

- Set parameters for Summer Rec Camp. Input into RSchool Scheduler with updated dates and times.
- Several calls with Dr. Azar to secure Wildwood school for Summer Rec Camp.
- Assisted the ML Youth Lacrosse Boys and Girls program in securing the Turf time for the spring.
- Assisted residents with various facilities requests.
- Contacted Trout Derby Committee. Ongoing discussions for “Virtual Derby” this year.
- Assisted boys and girls lacrosse programs with background checks for all youth coaches.
- Worked with Spring and Summer sports and camps and Schools to begin to schedule and acquire turf and facility time.
- Lakers 55 February canceled. Zoom meetings are not the best platform for this group.
- Assisted a handful of Lakers 55 members to secure vaccines and shopping assistance.
- Planned upcoming meetings for Lakers 55. Irish music & song will be outside.
- Began planning for alternative Easter Egg Hunt if necessary.
- Began hiring process for summer seasonal employees for the borough beaches and programs.
- Set up registration and laid out initial plans for both Recreation Summer Camp and Teen Adventure Camp.
- Attended several planning and personnel meetings with both the Sailing Board.
- Attended Council Budget Meeting.
- Attended DPW meeting.
- Met with JIF representative to inspect both swingsets.
- Opened camp summer camp registration and posted summer employment opportunities. Sold out in 24 hours.



BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

Joe Mullaney
Code Enforcement Officer
jmullaney@mtnlakes.org

400 Boulevard
Mountain Lakes, NJ 07046
P -973-334-3131 ext .2014
F -973-402-3466

TO: Borough Manager Mitchell Stern
DATE: 3/15/21
SUBJECT: Monthly Report January 2021

The following lists code enforcement/property maintenance issues for the month of February 2021:

2/15: Follow up on complaint about trees being taken down on Intervale Road near Route 46. Contractor working for Jersey Central Power and Light. Work was authorized
2/26: Follow up on complaint on Hanover Road about work starting before 8 AM at a house under renovation. Contractor reminded about the ordinance and advised that a future violation could result in a summons being issued.

Smoke and Carbon Monoxide Detector Inspections

Date:	Location	Pass/Fail
2/17	10 Rockaway Terr	Pass
2/17	26 Dartmouth Rd	Pass
2/23	116 Lake Drive	Pass
2/23	247 Rock Lane	Pass
2/25	70 Crane Road	Pass
2/25	17 Dartmouth Rd	Pass
2/25	130 Lake Drive	Pass

SIGN ENFORCEMENT –Monitor placement of temporary signs for compliance with ordinance.

Parking Enforcement: Monitor parking of landscaping trucks on Boulevard and around town to ensure compliance.

**BOROUGH OF MOUNTAIN LAKES
COUNTY OF MORRIS, NJ**

RESOLUTION 84-21

**“SELF-EXAMINATION OF BUDGET RESOLUTION”
[as required by DCA]**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Mountain Lakes has been declared eligible to participate in the program by the Division of Local government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2019 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Mountain Lakes that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated,
 - b. Items of appropriation are properly set forth
 - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.

