



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
OCTOBER 12, 2020  
HELD AS A REMOTE MEETING ON ZOOM**

**CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT**

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting and the agenda thereof had been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 7, 2020 and posted in the municipal building.

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

**ROLL CALL ATTENDANCE**

Roll Call	Present	Absent		Present	Absent
Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lane	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Happer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Menard	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Horst	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Shepherd	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

**FLAG SALUTE**

Mayor Shepherd led the salute to the flag.

**COMMUNITY ANNOUNCEMENTS**

Mayor Shepherd announced the following: There will be a scary movie night at Island Beach on October 29th at 7pm; The Cub Scout Pack 10 enjoyed their annual cookout and campfire.

Councilmember Korman announced the following: The YMCA is offering free flu shots on October 13<sup>th</sup> from noon-2pm; The YMCA is holding its annual coat drive and donations are being accepted through October 15<sup>th</sup>; The YMCA is holding a blood drive on November 8<sup>th</sup>; The Mountain Lakes Public Library will hold a "Science of Candy" program on October 22<sup>nd</sup>.

Councilmember Horst announced that the Garden Club's Junior Nature Club will be starting this week.

**EXECUTIVE SESSION**

There was no executive session.

**SPECIAL PRESENTATIONS**

There were no special presentations.

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

**Public Works Committee – Island Beach & Birchwood Lake Update**

Public Works Committee Members Borough Manager Stern, Recreation Director Karen Brennfleck, Deputy Mayor Menard and Councilmember Barnett gave a presentation on the status of the Island Beach & Birchwood Lake projects. The council asked questions to the committee members and the committee members answered them. The majority of the council approved the location of the swing set that was proposed by the committee and also agreed to postpone paving the Island Beach parking lot.

Councilmember Happer requested that the Public Works Committee consult the Historic Preservation Committee about repairing the Island Beach retaining wall.

Borough Manager Stern agreed to provide an accounting of the cost savings for the Island Beach and Birchwood Lake projects.

**PUBLIC COMMENT**

Mayor Shepherd opened the meeting to the public.



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Deb Shertzer - 5 Lookout Road, requested a breakdown of the \$225,000 cost savings of the Island Beach & Birchwood Lake projects.

Steve Shaw – 4 Pointview Place, questioned if the Borough submits its construction projects to the NJ Historic Preservation Office for review. Mr. Shaw expressed his disappointment with the Borough reducing the hours of the Borough recycling center and questioned if the recycling attendant will remain at the recycling center after the hours are reduced.

**BOROUGH COUNCIL DISCUSSION ITEMS**

There were no discussion items.

**ATTORNEY'S REPORT**

Mr. Oostdyk reported that he anticipates that the affordable housing accessory apartment program resolution will be ready for the October 26th Council meeting.

**MANAGER'S REPORT**

**Island Beach Retaining Wall**

Mr. Stern reported that the Borough will be repairing the two sections of the Island Beach retaining wall that are failing.

**Mountain and Wildwood Lake Lowering**

Mr. Stern reported that in accordance with the Borough's NJ DEP permit, lowering of the Mountain and Wildwood lakes has begun. He advised that the lowered level would continue until December 1<sup>st</sup>, at which time the lakes would be allowed to naturally refill.

**RESOLUTIONS**

**9/14/20 Minutes**

**Approval of the 9/14/20 Minutes**

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

**R147-20, Supporting a Plastic Bag Ban and Urging Governor Murphy to Sign Legislation Instituting a Statewide Ban**

**Approval of R147-20**

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

**R147-20 approved with the following change to the last paragraph:** "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, that the Borough Council hereby supports a ban on single-use plastic bags by retail establishments statewide and urges Governor Murphy to sign



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the Legislation adopted by the Legislature instituting such a ban and supports the efforts of the Mountain Lakes Environmental Commission to raise awareness of the damaging effects of plastic bag usage”.

**ORDINANCES**

There were no ordinances.

**\*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. *R141-20, Authorizing the Payment of Bills*
- b. *R142-20, Establishing Revised 2020 Borough Council Meeting Schedule*
- c. *R143-20, Authorizing a Lien on Block 64, Lot 16 (41 Melrose Road) for Costs Incurred in the Remediation of a Property Maintenance Violation*
- d. *R144-20, Authorizing the Adoption of the 2020 Morris County, New Jersey Hazard Mitigation Plan Update*
- e. *R145-20, Rejecting the Bid for Leaf & Brush Removal Services*
- f. *R146-20, Authorizing the Award of Contract for Condit Road Improvement Project*

**\*APPROVAL OF MINUTES**

9/30/20 (Regular)

**\*APPROVAL OF REPORTS FOR FILING** (reports are included only if checked)

- ☐ Construction Department
- ☐ Department of Public Works
- ☐ Fire Department
- ☐ Health Department
- ☐ Police Department
- ☐ Recreation Department
- ☐ Code Enforcement/Property maintenance report

**\*BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

**\*Approval of the Consent Agenda**

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

**COUNCIL REPORTS**

Shared Services – Mayor Shepherd reported that the Borough and the Mountain Lakes Board of Education discussed the tennis courts, storm warning system and updates to their shared services agreement. No decisions were made.



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Planning Board – Deputy Mayor Menard reported that the board reviewed Ordinance #03-20 which was found to be consistent with the Master Plan and Mayor Shepherd reported that the public hearing for the Zeri's Inn property is scheduled for October 22<sup>nd</sup>.

Recreation Commission – Councilmember Korman reported that the commission is working on a recommendation for the use of Borough facilities by resident business owners.

Library – Councilmember Korman reported that the Mountain Lakes Library and the Morris County Library are open to the public. The community rooms at both libraries are closed.

Green Team – Councilmember Horst reported that the committee chair has stepped down and the committee is working on finding a replacement.

Public Works - Councilmember Barnett reported that the Public Works Department has been working hard on storm cleanup.

Woodlands Committee- Councilmember Happer reported that the committee is working with the DPW to clean up the storm damage on the Borough trails and parks.

Borough Hall Advisory Committee – Deputy Mayor Menard reported the following: The project manager is working on the final construction drawings and preliminary project estimate; The committee reviewed interior and exterior finish materials; The committee anticipates that construction will start in November.

Lakes Management Advisory Committee - Deputy Mayor Menard reported the following: The committee is holding a canal cleanup on October 17<sup>th</sup>; Machinery cannot be used for lake wall repairs; The committee is looking into applying for a NJ DEP permit that would allow lake hydro-raking and dredging.

#### **PUBLIC COMMENT**

**Please state your name and address for the record.** Each speaker is limited to one (1) comment of no more than five (5) minutes and no yielding of time to another person.

Mayor Shepherd opened the meeting to the public.

Dena Muniz - 7 Rainbow Trail, requested that the Borough address the tree limbs that are hanging over the powerlines throughout the Borough and also requested that the Council postpone rezoning Westbound Route 46 until after the Covid-19 pandemic is over.

#### **NEXT STEPS AND PRIORITIES**

Mayor Shepherd reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Follow up with HPC	Borough Manager	
Research Ultrasound Device to Detect Hollow Trees	Councilmember Barnett	
Holding Meetings/Gatherings in Tents	Borough Manager & Police Chief	
Reconciling Beach Project Lists	Borough Manager	
Council Discussion of Beach Projects' Balances		
Approval of Borough Projects by NJ Historic Preservation Office	Borough Manager	
Send Resolution R147-20 to the State	Borough Clerk	



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**ADJOURNMENT at 10:51P.M.**

Motion made by Councilmember Happer, second by Councilmember Barnett to adjourn the meeting at 10:51p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Mitchell Stern, Acting Borough Clerk