



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
JUNE 8, 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 6:34p.m.

ROLL CALL ATTENDANCE

Roll Call	Present	Absent		Present	Absent
Barnett	☒	☐	Lane	☒	☐
Happer	☒	☐	Menard	☒	☐
Horst	☒	☐	Shepherd	☒	☐
Korman	☒	☐			

FLAG SALUTE

Mayor Shepherd led the salute to the flag.

EXECUTIVE SESSION

R117-20 Resolution to Enter Into Executive Session – Contract Negotiations

Motion made by Councilmember Happer, second by Councilmember Lane to go onto Executive Session., with all members in favor signifying by "Aye".

COMMUNITY ANNOUNCEMENTS

Mayor Shepherd announced that Borough resident Art Muti had passed away. Mr. Muti was acknowledged for his many years of service to the Borough. The Council held a moment of silence to honor Mr. Muti.

Councilmember Barnett announced that Barka restaurant is open for takeout and delivery.

SPECIAL PRESENTATIONS

There were no presentations.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES _____

Public Safety / Borough Hall Infrastructure Advisory Committee Update Presentation

Jeff Berei, licensed architect and member of the Public Safety/Borough Hall Infrastructure Advisory Committee, gave an update on the Borough Hall renovation project. He advised that the Schematic Design Phase has been completed and the Design Development Phase is in progress. Mr. Berei advised the project cost estimate is \$4,542,474 and that the annual average taxpayer cost (assessed at \$800k) is \$190. The committee unanimously supports the Borough Hall renovation project and is requesting that the Borough Council authorize funding so construction could start in the fall of 2020. Committee members Councilmember Barnett, Councilmember Happer and Deputy Mayor Menard discussed the reasons why the project should move forward.

The Council discussed and asked questions of Mr. Berei and Borough Manager Stern about the presentation and Borough Hall project.

PUBLIC COMMENT

Mayor Shepherd opened the meeting to the public.

Ellen Emr – 2 Schindler Court Boonton Township NJ, former Councilmember is in full support of the Borough Hall renovation project.



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Ann - 5 Rainbow Trail, questioned if the Borough Hall renovation project was going to be bid out. Borough Manager Stern responded and advised that sections of the project will go out to bid and the other sections will be done with Borough labor.

George Jackson – 20 Sherwood Drive, expressed concern over the Borough Hall renovation project and suggested that the project be downsized, and the building exterior be changed to fit the character of Mountain Lakes.

Deb Shertzer – 5 Lookout Road, questioned what the overall tax burden will be to the residents for the Borough Hall renovation project.

Blair Wilson – 3 Grove Place, former Councilmember for 16 years, is in full support of the Borough Hall renovation project and believes that Council meetings should not take place at Borough Hall until it is handicap accessible.

Tucker Glavin – 65 Bellvale Road, thanked Mr. Berei for his informative presentation on the Borough Hall renovation project and thanked the Borough Council for sending the presentation materials out prior to the Council meeting. Mr. Glavin expressed concern over the cost of the Borough Hall renovation project and the impact on the taxpayer. Mr. Glavin gave some suggestions to reduce the cost of the renovation project which included the Borough entering into shared services and obtaining private funding.

Samuel Caruthers - 104 Briarcliff Road, thanked the Council for their effort in the Borough Hall renovation project. He expressed concern over the renovation project. Mr. Caruthers asked the following questions regarding the project: What is the cost to design Borough Hall in the style that it is currently in? What is the comparable size of space that Parsippany, Denville, and Boonton's municipal buildings have for the number of municipal employees they have and the size of the town? What is the Borough Hall building not compliant in? What is the cost saving of energy efficiency? Is the Borough allowed to assess impact fees for new construction to defray the cost to the taxpayers?

Peter Holmberg – 74 Hanover Road, expressed his full support of the Borough Hall renovation project. Mr. Holmberg asked the following questions about the Borough Hall renovation project: Why is the cost of the project the same as estimates in the past that included the Board of Education's offices? Are the Board of Education's trailer offices sustainable? What is the overall tax burden to residents when including the Borough's future infrastructure projects such as the Dam project?

Stephen Shaw – 4 Pointview Place, former Mayor and Councilmember, expressed concern over the Borough Hall renovation project and suggested holding off on the project until the impact of the Covid-19 pandemic is known.

Khizar Sheikh – 6 Warwick Road, expressed his support for the Borough Hall renovation project and believes it is an investment for the Borough and its residents.

Steve Castellucci – 2 Laurelwood Drive, thanked everyone who worked on the Borough Hall renovation project and expressed his support for the project.

Doug McWilliams – 95 Boulevard, expressed his support for the project and encourages the Council to keep moving forward with the project

Joe Mullaney – 1124 Cedar Street Boonton NJ, current Borough employee, thanked all who worked on the Borough Hall renovation project and expressed his support for the project. He gave an overview of the issues that employees face and requested that the Council move forward with the project.

Chris Somjen – read a statement on behalf of the Police Benevolent Association (PBA). Mr. Somjen expressed the reasons why the Borough Hall renovation project is necessary and the issues that the current building has. Mr. Somjen thanked everyone and requested that the Council move forward with the project.



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Public Safety/Borough Hall Infrastructure Advisory Committee member Jeff Berei, Mayor Shepherd, Councilmembers, Borough Manager Stern and Borough Attorney Oostdyk answered questions of the public on the Borough Hall Renovation project.

Mr. Berei advised that the building plan that included the BOE was approximately 2,000 square feet larger. The needs of the departments do not fit in the size of the current building. Mr. Berei advised that the committee assessed municipal buildings of similar sized towns in Northern NJ. Mr. Berei advised that the committee's intention for the building exterior is an arts and crafts feel that is cost conscious.

Mr. Oostdyk advised that impact fees are not permitted in New Jersey.

Mayor Shepherd advised that the Board of Education would be able to answer questions about their trailer offices and its budgetary needs.

Borough Manager Stern advised that annual average taxpayer cost (assessed at \$800k) of the Borough Hall Renovation Project is \$190.00.

Councilmember Happer advised that the Borough has researched numerous shared services. He also advised that the Borough is at risk of losing its in-house labor if the renovation project does not move forward.

Councilmember Barnett advised that the future Sunset Lake Dam taxpayer impact is expected to be \$86.00.

Councilmember Lane expressed her concern with the Borough Hall Renovation Project and suggested that the project be paused until after the Covid-19 pandemic.

BOROUGH COUNCIL DISCUSSION ITEMS

Single Use Plastic Ban Proposed Ordinance

The Council discussed the single use plastic ban ordinance proposed by the Mountain Lakes Environmental Commission (MLEC). Mimi Kaplan, Chair of the MLEC, was in attendance for the discussion. The Council asked questions of Mrs. Kaplan and Mrs. Kaplan answered them. The Council requested that the MLEC contact all businesses that would be impacted by the proposed ordinance to obtain feedback.

ATTORNEY'S REPORT

Mr. Oostdyk had nothing to report.

MANAGER'S REPORT

Beach Badges

Mr. Stern reported that the Borough is selling beach badges for the summer season. At this time, the Borough will not be selling guest passes in anticipation of increased attendance due to the Covid-19 pandemic.

DPW Lighting Upgrade Grant Approval

Mr. Stern reported that a grant request for a lighting upgrade at the DPW facility has been approved. The project cost is \$11,236.89, with the grant covering 80% (\$8,989.51). the balance will be paid over 36 months with the Borough's utility bill.



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ORDINANCES

Introduction of Ordinance 6-20

**AMENDING CHAPTER 111 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES
AND REVISING THE FEE SCHEDULE**

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on June 22, 2020.

Introduced: June 8, 2020

Council member	M	2nd	Yes	No	Abstain	Absent
Barnett	☐	☒	☒	☐	☐	☐
Happer	☒	☐	☒	☐	☐	☐
Horst	☐	☐	☒	☐	☐	☐
Korman	☐	☐	☒	☐	☐	☐
Lane	☐	☐	☒	☐	☐	☐
Menard	☐	☐	☒	☐	☐	☐
Shepherd	☐	☐	☒	☐	☐	☐

Construction Official Steve Gluck and Chief Financial Officer Monica Goscicki were present to explain the fee changes in Ordinance 6-20. The Council asked questions to Mr. Gluck and Ms. Goscicki and they answered them.

Introduction of Ordinance 8-20

**BOND ORDINANCE PROVIDING FOR THE IMPROVEMENT OF THE MUNICIPAL BUILDING IN AND BY THE
BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, APPROPRIATING \$4,463,000
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,250,000 BONDS OR NOTES OF THE BOROUGH FOR
FINANCING SUCH APPROPRIATION**

Following introduction, the above Ordinance will be published in accordance with the law and a Public hearing will be held on June 22, 2020.

Introduced: June 8, 2020

Council member	M	2nd	Yes	No	Abstain	Absent
Barnett	☐	☐	☒	☐	☐	☐
Happer	☒	☐	☒	☐	☐	☐
Horst	☐	☐	☒	☐	☐	☐
Korman	☐	☐	☒	☐	☐	☐
Lane	☐	☐	☐	☒	☐	☐
Menard	☐	☒	☒	☐	☐	☐
Shepherd	☐	☐	☒	☐	☐	☐

Final Hearing of Ordinance 7-20

APPROPRIATING THE SUM OF \$6000 CURRENTLY LOCATED WITHIN GENERAL CAPITAL FUND BALANCE

Mayor Shepherd opened the meeting to the public.

There was no one from the public who wished to comment.



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Introduced: May 27, 2020

Council member	M	2nd	Yes	No	Abstain	Absent
Barnett	☐	☐	☒	☐	☐	☐
Happer	☒	☐	☒	☐	☐	☐
Horst	☐	☒	☒	☐	☐	☐
Korman	☐	☐	☒	☐	☐	☐
Lane	☐	☐	☒	☐	☐	☐
Menard	☐	☐	☐	☐	☐	☒
Shepherd	☐	☐	☒	☐	☐	☐

Adopted: June 8, 2020

Council member	M	2nd	Yes	No	Abstain	Absent
Barnett	☐	☐	☒	☐	☐	☐
Happer	☒	☐	☒	☐	☐	☐
Horst	☐	☒	☒	☐	☐	☐
Korman	☐	☐	☒	☐	☐	☐
Lane	☐	☐	☒	☐	☐	☐
Menard	☐	☐	☒	☐	☐	☐
Shepherd	☐	☐	☒	☐	☐	☐

***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. R111-20, *Authorizing the Payment of Bills*
- b. R112-20, *Authorizing the Settlement of Tax Appeal (Mountain Lakes Properties, Inc. v. Borough of Mountain Lakes-Block 4, Lot 23)*
- c. R113-20, *Approving the Corrective Action Plan for the Borough of Mountain Lakes*
- d. R114-20, *Authorizing a Professional Services Agreement for Lakes Management between the Borough of Mountain Lakes and Solitude Lake Management*
- e. R115-20, *Authorizing Approval to Submit Grant Application and Execute Grant Contract with the New Jersey Department of Transportation for the North Glen Road Resurfacing Project*
- f. R116-20, *Authorizing Approval to Submit Grant Application and Execute Grant Contract with the New Jersey Department of Transportation for the Intervale Road Resurfacing Project*

***APPROVAL OF MINUTES**

5/27/20 (Regular)

5/27/20 (Executive)

***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



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***Approval of the Consent Agenda**

Council member	M	2nd	Yes	No	Abstain	Absent
Barnett	☐	☐	☒	☐	☐	☐
Happer	☐	☐	☒	☐	☐	☐
Horst	☐	☐	☒	☐	☐	☐
Korman	☒	☐	☒	☐	☐	☐
Lane	☐	☐	☒	☐	☐	☐
Menard	☐	☒	☒	☐	☐	☐
Shepherd	☐	☐	☒	☐	☐	☐

***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

COUNCIL REPORTS

The Council agreed to postpone the reports to the June 22nd Council Meeting.

PUBLIC COMMENT

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

Mayor Shepherd opened the meeting to the public.

Steve Castellucci – 2 Laurelwood Drive, thanked the Council for a great meeting.

NEXT STEPS AND PRIORITIES

Mayor Shepherd reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Contact businesses impacted by proposed single use plastic ban ordinance	Environmental Commission	

ADJOURNMENT at 11:23 P.M.

Motion made by Councilmember Barnett, second by Deputy Mayor Menard to adjourn the meeting at 11:23p.m., with all members in favor signifying by "Aye".

Respectfully Submitted

Mitchell Stern, Acting Borough Clerk