



**AGENDA FOR THE COUNCIL MEETING OF THE BOROUGH OF MOUNTAIN LAKES  
HELD AT ML HIGH SCHOOL, 96 POWERVILLE ROAD, MOUNTAIN LAKES, NJ 07046  
JULY 24, 2023  
PUBLIC SESSION – BEGINS AT 7PM**

**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 9, 2023 and posted in the municipal building.

**2) ROLL CALL ATTENDANCE - Clerk**

**3) FLAG SALUTE – Mayor**

**4) EXECUTIVE SESSION**

**5) COMMUNITY ANNOUNCEMENTS**

**6) SPECIAL PRESENTATIONS**

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

**8) BOROUGH COUNCIL DISCUSSION ITEMS**

**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**

**14) ORDINANCES TO ADOPT**

- a. 11-23, Amending the Revised General Ordinances of the Borough of Mountain Lakes and Establishing Hours When Commercial Landscaping Shall be Permitted
- b. 12-23, Bond Ordinance Making a Supplemental Appropriation of \$850,000 for the Improvement of the Sunset Lake Dam in and by the Borough Heretofore Authorized to be Undertaken by the Borough of Mountain Lakes, in the County of Morris, New Jersey, and Authorizing

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**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. R146-23, Authorizing the Payment of Bills

- b. R147-23, Renewing Liquor License for 2023-2024 Licensing Term*
- c. R148-23, Authorizing Refund of Overpayment of Taxes*
- d. R149-23, Cancelling 2022 LEAP Grant*
- e. R150-23, Authorizing the Refund of Overpayment of Taxes*
- f. R151-23, Authorizing a Professional Services Agreement for Planning Services between the Borough of Mountain Lakes and Phillips Preiss Grygiel LLC*
- g. R152-23, Awarding a Contract for the furnishing & Delivery of Interior Doors for Borough Hall Renovation Project*
- h. R153-23, Awarding a Contract for the furnishing & Delivery of a New 4-Door Sedan Electric Vehicle*
- i. R154-23, Amending Personnel Policy and Procedure Manual*
- j. R155-23, Authorizing a Professional Services Agreement between the Borough of Mountain Lakes and Wilentz, Goldman & Spitzer, P.A.*
- k. R156-23, Authorizing the Award of Contract to Earthworks Inc. for the Sunset Lake Dam Rehabilitation Project*

**\*APPROVAL OF MINUTES**

*6/26/23 (Regular)*

*7/10/23 (Regular)*

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

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**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**



# 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*

TO: Honorable Mayor and Borough Council  
SUBJ: Manager's Report for the Borough Council meeting of July 24, 2023  
CC: Robert Oostdyk, Borough Attorney

**Water Meter Project Update** –As of July 21<sup>st</sup>, 1,051 water meters have been replaced. Appointments for meter changeout continue to be scheduled with residents. Water service line types identified to date: Copper – 965; Galvanized – 81; Iron Pipe – 2; Poly – 2; Lead – 1.

At this time, this leaves us with 82 water service lines that will need to be replaced (lead and galvanized).

Should you have any questions, please feel free to contact me.

Respectfully,

**Mitchell**

## RESOLUTION AND ORDINANCE REVIEW FOR THE JULY 24, 2023 MEETING

TO: MAYOR AND COUNCIL

FROM: MITCHELL STERN, MANAGER

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### **RESOLUTIONS**

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**R147-23, RENEWING LIQUOR LICENSE FOR 2023-2024 LICENSING TERM** -this resolution authorizes the approval of the annual Liquor License for Hapgoods LLC for the 2022-2023 licensing term.

**R148-23, AUTHORIZING REFUND OF OVERPAYMENT OF TAXES** - this resolution, requested by the Borough Tax Collector, authorizes a refund in the amount of \$12,427.22 for an overpayment of taxes for Block 61 Lot 1.01.

**R149-23, CANCELLING 2022 LEAP GRANT** – this resolution authorizes the Borough to cancel the remaining balance of the LEAP grant because no more services are needed.

**R150-23, AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES** - this resolution, requested by the Borough Tax Collector, authorizes a refund in the amount of \$4,379.61 for an overpayment of taxes for Block 116 Lot 21.

**R151-23, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR PLANNING SERVICES BETWEEN THE BOROUGH OF MOUNTAIN LAKES AND PHILLIPS PREISS GRYGIEL LLC** - this resolution authorizes the Borough to enter into an agreement with Phillips Preiss Grygiel for planning services to update and revise the Borough's land use ordinances.

**R152-23, AWARDING A CONTRACT FOR THE FURNISHING & DELIVERY OF INTERIOR DOORS FOR BOROUGH HALL RENOVATION PROJECT** – this resolution authorizes the Borough Manager to enter into a contract with Advanced Fireproof Door Company (\$48,257.46) for the furnishing and delivery of interior doors for the Borough Hall Renovation Project. Bids were taken on 6/23/23 and 7/11/23. The bid received on 6/23/23 was rejected because it was overbudget and no bids were received on 7/11/23.

**R153-23, AWARDING A CONTRACT FOR THE FURNISHING & DELIVERY OF A NEW 4-DOOR SEDAN ELECTRIC VEHICLE** – this resolution authorizes the Borough Manager to enter into a contract with Tesla (\$59,903.38) for the purchase of a new 4-door sedan electric vehicle for the police school resource officer. Bids were taken on 6/27/23 and 7/11/23 and no bids were submitted on either date.

**R154-23, AMENDING PERSONNEL POLICY AND PROCEDURE MANUAL** – this resolution authorizes amendments / additions of various policies contained in the Personnel Policy and Procedure Manual. The JIF has recommended these modifications (see attached memo) and the personnel subcommittee has reviewed the proposed changes.

**R155-23, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MOUNTAIN LAKES AND WILENTZ, GOLDMAN & SPITZER, P.A.** – this resolution authorizes the Borough to hire Wilentz, Goldman & Spitzer P.A. on contingency for legal services regarding the presence of PFAS in the Borough's drinking water supplies.

**R156-23, AUTHORIZING THE AWARD OF CONTRACT TO EARTHWORKS INC. FOR THE SUNSET LAKE DAM REHABILITATION PROJECT** – this resolution authorizes the award of a contract to Earthworks Inc. for \$2,423,650.00 for the Sunset Lake Dam project.

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***ORDINANCES TO INTRODUCE***

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**None.**

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***ORDINANCES TO ADOPT***

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**11-23, AMENDING THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING HOURS WHEN COMMERCIAL LANDSCAPING SHALL BE PERMITTED** – this ordinance changes Borough commercial landscaping hours to Monday -Saturday from 9am -6pm.

**12-23, BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$850,000 FOR THE IMPROVEMENT OF THE SUNSET LAKE DAM IN AND BY THE BOROUGH HERETOFORE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING** – this supplemental bond ordinance appropriates \$850,000 for the Sunset Lake Dam Restoration project and authorizes the issuance of a maximum \$809,000 in bonds or notes. Adoption of this ordinance is recommended by the Borough Manager and CFO.

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

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

**ORDINANCE 11-23**

**“ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF MOUNTAIN LAKES AND ESTABLISHING HOURS  
WHEN COMMERCIAL LANDSCAPING SHALL BE PERMITTED”**

**WHEREAS**, the Borough Council finds that commercial landscaping activities, while necessary and important for property maintenance, can affect the quiet enjoyment by Borough residents of neighboring properties; and

**WHEREAS**, it is reasonable and necessary to balance the need for commercial landscaping with the opportunity for Borough residents to enjoy a quiet and peaceful use of their properties within the Borough; and

**WHEREAS**, Commercial landscaping vehicles can take up a significant amount of space on narrow Borough roads and obstruct sidewalks, which can create safety issues for drivers, bicyclists, and pedestrians; and

**WHEREAS**, balancing the hours during which commercial landscaping activity is permitted will provide Borough residents reasonable daylight periods of respite from noise and other impacts during busy commuter hours.

**NOW THEREFORE, 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 Ordinance of the Borough of Mountain Lakes shall be amended by the inclusion of new Chapter 98 which shall be entitled “Commercial Landscaping” and shall read, in its entirety, as follows:

## **Chapter 98**

### **Commercial Landscaping**

#### **98-1 Definitions**

As used in this chapter, the following terms shall have the meanings indicated:

**Commercial Landscaper:** An individual, firm, corporate or other entity performing commercial landscaping services.

**Commercial Landscaping:** The business or trade of rendering any landscaping services, as defined herein, either as principal, independent contractor, or through an agent or employee, for a fee, charge, or other compensation, to or for the benefit of any owner, tenant, or occupant of any lot, plot, or parcel of land.

**Landscaping:** The maintaining of and/or providing care of lawns, including but not limited to mowing, cutting and trimming, also the gathering, raking, blowing, and/or removal of leaves, grass or lawn clippings and/or other debris, tree trimming or removal, on any lot, plot or parcel of land. This includes regular maintenance as well as fall and spring clean-ups.

#### **98-2 Hours of Operation for Commercial Landscaping**

Commercial landscapers shall be permitted to furnish Commercial Landscaping services within the Borough of Mountain Lakes during the hours of 9 a.m. to 6 p.m., Monday through Saturday. Commercial Landscaping shall be prohibited within the Borough outside these hours and during Federal Legal Holidays. The Borough Manager shall have the authority to temporarily permit commercial landscaping activities during prohibited hours in the case of an emergency or under extenuating circumstances.

#### **98-3 Violations and Penalties**

Any person(s) found to be in violation of the provisions of this article shall be subject to Article III of Chapter 1.

**Section 2.** 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.** This Ordinance shall take effect immediately after final passage and publication in the manner provided by law.

**CERTIFICATION:** I hereby certify the foregoing to be a true and correct copy of the ordinance duly adopted by the Borough Council of Mountain Lakes, New Jersey, at a meeting held on April 24, 2023.

**Adopted: 7/24/23**

[illegible]



**BOROUGH OF MOUNTAIN LAKES**

**MORRIS COUNTY, NEW JERSEY**

**ORDINANCE # 12-23**

**BOND ORDINANCE MAKING A SUPPLEMENTAL APPROPRIATION OF \$850,000 FOR THE IMPROVEMENT OF THE SUNSET LAKE DAM IN AND BY THE BOROUGH HERETOFORE AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF MOUNTAIN LAKES, IN THE COUNTY OF MORRIS, NEW JERSEY, AND AUTHORIZING THE ISSUANCE OF \$809,000 BONDS OR NOTES OF THE BOROUGH FOR FINANCING SUCH SUPPLEMENTAL APPROPRIATION.**

**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 improvement described in Section 3 of this bond ordinance has heretofore been and is hereby authorized as a general improvement to be made or acquired by the Borough of Mountain Lakes, New Jersey, by Section 3(d) of the bond ordinance (the "Prior Ordinance") of the Borough adopted on April 8, 2019 (#2-2019), entitled: "Bond ordinance appropriating \$3,185,956, and authorizing the issuance of \$2,815,758 bonds or notes (including the receipt by the Borough of a loan or loans from the NJDEP Division of Dam Safety and Flood Control) 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". The cost of the improvement described in Section 3(a) of this bond ordinance, estimated in April, 2019, at \$2,100,000 is now estimated at \$2,950,000. By the Prior Ordinance there has been appropriated to payment of the cost of said improvement the sum of \$2,100,000. It is now necessary for the Borough to raise the additional sum of \$850,000 to meet the remainder of said \$2,950,000

estimated cost of said improvement not provided by the appropriation therefor made by the Prior Ordinance.

Section 2. For the financing of said improvement or purpose, including for the purpose of applicable United States Treasury regulations the reimbursement of expenditures heretofore or hereafter made therefor, and in addition to the sum of \$2,100,000 heretofore appropriated therefor by the Prior Ordinance, there is hereby appropriated the further sum of \$850,000 including the sum of \$41,000 as a down payment for said improvement or purpose required by law 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. Said additional appropriation of \$850,000 shall be financed and met from the said down payment and the proceeds of negotiable bonds of the Borough which are hereby authorized to be issued in the principal amount of \$809,000 pursuant to the Local Bond Law of New Jersey. In anticipation of the issuance of said bonds and to temporarily finance said improvement or purpose, negotiable notes of the Borough in a principal amount not exceeding \$809,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by said Local Bond Law.

Section 3. (a) The improvement heretofore and hereby authorized and purpose for the financing of which said obligations are to be issued is the improvement of the Sunset Lake Dam in and by the Borough, by the rehabilitation thereof, together with all designs, studies, engineering, 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 heretofore and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said purpose is \$2,809,000, inclusive of the \$2,000,000 principal amount of bonds or notes of the Borough heretofore authorized for said improvement or purpose pursuant to the Prior Ordinance.

(c) The estimated cost of said purpose is \$2,950,000 inclusive of the sum of \$2,100,000 heretofore appropriated for said improvement by the Prior Ordinance.

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

(a) The said purpose described in Section 3 of this bond ordinance is not a current expense and 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 benefitted thereby.

(b) The period of usefulness of said purpose within the limitations of said Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is twenty (20) 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 \$809,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$200,000 for interest on said obligations, costs of issuing said obligations 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 additional cost of said improvement and has been included in the foregoing \$850,000 additional estimate thereof.

Section 5. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer, the acting chief financial officer or the treasurer (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 at not less than par 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 6. 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

Section 7. 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.

[illegible]

**Cara Fox, Borough Clerk**

**Adopted: 7/24/23**

[illegible]

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

**RESOLUTION 146-23**

**“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 June 26, 2023 and on file and available for public inspection in the Office of the Treasurer and approved by him for payment, be paid.

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

**List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT**

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total
22375	124 - AC DAUGHTRY, INC.	PO 27160 DPW - CENTRAL STATION MONITORING - BLANK	250.53	250.53
22376	219 - ACCESS	PO 27020 2023 ARCHIVE SERVICES - CUST# 156NFO479	1,398.14	1,398.14
22377	2426 - AGL WELDING SUPPLY CO.	PO 26970 DPW - EQUIPMENT & TOOLS - BLANKET	89.10	89.10
22378	196 - ALLIED OIL	PO 27094 DPW - UNLEADED FUEL - NJ STATE CONTRACT	4,524.27	4,524.27
22379	3861 - AMAZON CAPITAL SERVICES	PO 27207 CLERK COMPUTER CABLE: ORDER# 112-8631034	15.49	
		PO 27249 CLERK: ORDER# 112-6921089-1245007	58.60	
		PO 27258 PARKS/ BEACHES: ORDER# 112-1821667-15218	88.98	
		PO 27279 POLICE: ORDER# 112-4923025-2523463	14.98	178.05
22380	189 - ANCHOR ACE HARDWARE	PO 26282 POLICE - SUPPLIES - BLANKET 2023	17.17	
		PO 26817 BH: RENOVATIONS - SUPPLIES BLANKET	106.94	
		PO 27129 DPW / WATER DEPT - DEPARTMENT SUPPLIES -	223.50	347.61
22381	102 - ANDERSON & DENZLER ASSOC., INC	PO 27270 MAY 2023 PROFESSIONAL SERVICES	1,075.50	
		PO 27270 MAY 2023 PROFESSIONAL SERVICES	7,762.93	
		PO 27270 MAY 2023 PROFESSIONAL SERVICES	179.25	
		PO 27270 MAY 2023 PROFESSIONAL SERVICES	1,523.63	10,541.31
22382	2793 - AP CERTIFIED TESTING, LLC	PO 27175 WATER DEPARTMENT - DEPARTMENT SUPPLIES	1,603.00	1,603.00
22383	3973 - ARCARI & IOVINO ARCHITECTS, PC	PO 27191 BORO HALL: CONSTRUCTION ADMINISTRATION P	337.50	337.50
22384	4374 - ATHENIA MASON SUPPLY	PO 26728 BH: RENOVATIONS - STONE	23,385.36	23,385.36
22385	3103 - BENEFIT ANALYSIS, INC.	PO 26873 2023 FLEXIBLE SPENDING ACCOUNTS - BLANKE	225.00	225.00
22386	3673 - BEVACQUA'S AUTOMOTIVE INC.	PO 26887 DPW - VEHICLE REPAIR	590.00	590.00
22387	3828 - BOROUGH OF MADISON	PO 27265 IT BILLING FOR MARCH/APRIL 2023	2,781.30	
		PO 27298 IT BILLING FOR MAY 2023	1,236.09	4,017.39
22388	4368 - BUY WISE AUTO PARTS, INC.	PO 26410 DPW / WATER DEPARTMENT - VEHICLE REPAIRS	65.30	
		PO 26410 DPW / WATER DEPARTMENT - VEHICLE REPAIRS	69.48	
		PO 26974 POLICE VEHICLE REPAIRS - BLANKET	238.19	
		PO 27177 WATER DEPARTMENT - VEHICLE REPAIR	69.48	442.45
22389	3411 - CENTRAL POLY-BAG CORP	PO 27227 DPW - CUSTODIAL SUPPLIES	1,850.00	1,850.00
22390	4090 - CLEAN MAT SERVICES, LLC	PO 27275 FLOOR MATS / DPW - JULY - DEC 2023 BLANK	93.17	93.17
22391	1481 - CORE & MAIN, LP	PO 24354 FURNISH & INSTALL WATER METERS - RESO# 1	11,678.00	11,678.00
22392	2396 - COUNTY WELDING SUPPLY CO.	PO 26564 DPW - EQUIPMENT & TOOLS - BLANKET	36.00	36.00
22393	4448 - CUMMINS, INC.	PO 26682 BH: RENOVATIONS - TRANSFER SWITCH	3,305.00	3,305.00
22394	652 - DOVER BRAKE AND CLUTCH CO. INC	PO 27291 DPW- EQUIPMENT REPAIR - BLANKET	101.59	101.59
22395	4377 - EDMUNDS GOVTECH, INC.	PO 26909 HOSTING/SUPPORT/PROFESSIONAL SERVICES FE	875.00	
		PO 26909 HOSTING/SUPPORT/PROFESSIONAL SERVICES FE	375.00	
		PO 26909 HOSTING/SUPPORT/PROFESSIONAL SERVICES FE	375.00	1,625.00
22396	4125 - FELDMAN BROTHERS ELECTRICAL SUPPLY	PO 26818 BH: RENOVATIONS - ELEC. SUPPLIES BLANKET	1,466.07	1,466.07
22397	1170 - FERGUSON ENTERPRISES #501	PO 25984 BH: RENOVATIONS - PLUMBING SUPPLIES BLAN	23.46	
		PO 26947 DPW: BATHROOM RENOVATION	1,513.57	1,537.03
22398	3109 - FERRIERO ENGINEERING, INC	PO 27224 PROJ ID: 12ML106 SUNSET LAKE DAM - MARCH	7,096.78	7,096.78
22399	2517 - FFI FIREFIGHTER ONE, LLC	PO 27212 FIRE DEPT: E1 and 2 ANNUAL SERVICE	4,375.00	4,375.00
22400	3597 - FLORIDA WATER PROCESSING, INC	PO 27075 WATER DEPARTMENT - LINE/ PUMP/ MOTOR REP	1,210.70	1,210.70
22401	653 - GANNET NEW JERSEY NEWSPAPERS	PO 26527 PLANNING/ZONING - 2023 ADVERTISING - BLA	35.88	
		PO 27023 CLERK - 2023 ADVERTISING - BLANKET	353.13	
		PO 27225 NOTICE TO BIDDER AD	187.78	
		PO 27225 NOTICE TO BIDDER AD	308.58	
		PO 27273 NOTICE TO BIDDER ADS	193.24	1,078.61
22402	814 - GARDEN STATE HIGHWAY PRODUCTS	PO 27161 BEACHES: MISC. SIGNS	714.54	714.54
22403	3991 - GRM INFORMATION MANAGEMENT SERVICES	PO 27010 2023 ARCHIVE STORAGE - 2-4 QTR - ACCT 01	424.72	424.72
22404	4188 - HERC RENTALS, INC.	PO 27183 BH: RENOVATIONS - RENTALS - BLANKET	1,555.00	1,555.00
22405	4055 - HOFFMAN SERVICES, INC	PO 27164 DPW - SAFETY EQUIPMENT	550.00	550.00
22406	911 - HOME DEPOT CREDIT SERVICES	PO 27077 DPW - DEPARTMENT SUPPLIES - BLANKET	301.79	
		PO 27282 BH: RENOVATIONS - BATHROOM ITEMS	1,839.69	
		PO 27290 DPW BATHROOM RENOVATION - BLANKET	2,100.00	4,241.48
22407	3817 - IL TORRENTE PIZZA	PO 26285 DPW - MEALS - BLANKET	41.10	41.10
22408	4447 - J. CALDWELL & ASSOCIATES, LLC	PO 27294 INITIAL ASSESSMENT HIGHLANDS	337.50	337.50
22409	4234 - JAG CAR WASH HOLDINGS, LLC	PO 26987 POLICE: CAR WASH ETC. - BLANKET	537.00	
		PO 27307 POLICE: OCTOBER 2022 CAR WASHES	175.00	712.00
22410	859 - JCP&L	PO 27219 ACCT#100 076 421 971/ BILL PRD: 5/06 - 6	1,478.33	
		PO 27220 M/A #200 000 054 011/ BILL DATE: JUNE 06	669.94	
		PO 27221 MAST ACCT# 200 000 021 275 / BILL DATE:	1,773.39	3,921.66
22411	859 - JCP&L	PO 27222 M/A #200 000 020 764: BILL DATE: JUNE 09	184.89	
		PO 27286 MASTER ACCT# 200 000 569 000 - JUNE 23,	4,144.94	
		PO 27287 ACCT#100 075 505 725 - BILL PRD: 5/24 -	4.09	
		PO 27288 ACCT#100 141 241 693 BILL PRD: 5/24 - 6/	83.85	
		PO 27300 ACCT#100 050 702 156 - BILL PRD: 5/27 -	5.66	
		PO 27313 ACCT#100 076 421 971/ BILL PRD: 6/07 - 7	284.61	4,708.04
22412	1074 - JW PIERSON CO.	PO 26572 DPW - DEISEL FUEL - BLANKET	343.98	
		PO 26897 DPW - DEISEL FUEL - BLANKET	554.75	898.73
22413	4002 - KAREN BRENNFLECK	PO 27253 RECREATION: REIMBURSEMENT	166.95	166.95



**List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT**

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total
22414	4506 - KEVIN STEWART	PO 27218 POLICE: REIMBURSEMENT FOR MEDICAL EXPENS	735.70	735.70
22415	4231 - KUIKEN BROTHERS COMPANY	PO 27277 BH: RENOVATIONS - BATHROOMS	740.36	
		PO 27305 BH: RENOVATIONS - DRYWALL	305.28	1,045.64
22416	2436 - LAKELAND AUTO PARTS	PO 26409 DPW / WATER DEPARTMENT - VEHICLE REPAIRS	67.47	67.47
22417	1140 - LAWSOFT, INC.	PO 27211 POLICE: CLOUD SERVICE	1,308.00	1,308.00
22418	4508 - LOUIS & LAUREN PERTRIANGELO	PO 27246 REFUND - OVERPAYMENT OF 2023 TAXES	4,379.61	4,379.61
22419	4116 - MANNING MATERIALS, CORP	PO 27283 BH: RENOVATIONS -	3,875.00	3,875.00
22420	3540 - MCANJ	PO 27255 CLERK: 2023 MEMBERSHIP - CARA FOX ID	100.00	100.00
22421	2308 - MCNERNEY & ASSOCIATES, INC.	PO 27239 LEGAL: TAX APPEAL -REVIEW AND PREPERATIO	525.00	525.00
22422	3926 - MITCHELL STERN	PO 27241 REIMBURSEMENT: CONFERENCE	790.00	790.00
22423	3167 - MORRIS COUNTY MUNICIPAL	PO 27289 FY2023 3RD INSTALLMENT	4,775.92	
		PO 27289 FY2023 3RD INSTALLMENT	50,744.15	
		PO 27289 FY2023 3RD INSTALLMENT	4,178.93	59,699.00
22424	1295 - MORRIS CTY MUNICIPAL UTILITIES	PO 26968 SOLID WASTE DISPOSAL - BLANKET	11,823.59	11,823.59
22425	4509 - MORRIS PLAINS COMMUNITY BAND, INC	PO 27254 RECREATION: B AND ON THE BEACH - 5/31/23	300.00	300.00
22426	3363 - MOUNTAIN LAKES BOARD OF EDUCATION	PO 27233 2023 JUNE ELECTION DAY FOOD	447.25	447.25
22427	4196 - MOUNTAIN LAKES REALTY, LLC	PO 26309 BH: 2023 MONTHLY LEASE PAYMENTS FOR TEMP	2,575.00	2,575.00
22428	1371 - MTN. LAKES BOARD OF EDUCATION	PO 27284 AUG 2023 MTN LAKES SCHOOL DISTRICT GENER	2,118,523.34	2,118,523.34
22429	1394 - MTN. LAKES PUBLIC LIBRARY	PO 26924 JUNE - DEC 2023 MTN LAKES PUBLIC LIBRARY	30,934.25	30,934.25
22430	3168 - MUNICIPAL CLERKS ASSOC OF MORRIS CO	PO 26998 CLERK: SEMINAR 6/16/23	90.00	90.00
22431	1553 - NEW JERSEY NATURAL GAS	PO 27217 MAY - JUNE 2023 SERVICE	627.01	627.01
22432	1533 - NJ DEPT OF COMMUNITY AFFAIRS	PO 27262 2ND QTR 2023 STATE PERMIT SURCHARGE FEES	2,368.00	2,368.00
22433	2595 - NORTH JERSEY MUNICIPAL EMPLOYEE	PO 27004 2023 DENTAL PREMIUMS - GROUP 1624 - MAY	2,637.00	2,637.00
22434	2727 - ONE CALL CONCEPTS, INC.	PO 27140 ACCT# 12-BML / 2023 MAY - DEC BLANKET	201.98	201.98
22435	2968 - OPTIMUM	PO 26332 DPW: 2023 CABLE BOXES ACCT# 07876-414565	13.88	13.88
22436	4213 - OPTIMUM	PO 26358 2023 BORO (TEMP SPACE) INTERNET SVCS. AC	175.44	175.44
22437	2968 - OPTIMUM	PO 27301 DPW: 2023 INTERNET SERVICES ACCT# 07876-	164.94	164.94
22438	3137 - R.R. DONNELLEY	PO 27097 CLERK: VITAL RECORD PAPER	106.50	106.50
22439	3890 - RDC DESIGN GROUP, LLC	PO 27281 2023 CONTRACT AGREEMENT - WEB MAINTENANC	3,060.00	3,060.00
22440	3990 - RICH TREE SERVICE, INC.	PO 27079 DPW - TREE PRUNE/ REMOVE	3,750.00	
		PO 27269 SHADE TREE - TREE REMOVAL	843.75	4,593.75
22441	285 - SHAWN BENNETT	PO 27250 POLICE: REIMBURSEMENT FOR CONVENTION - S	80.03	80.03
22442	1994 - SHERWIN-WILLIAMS COMPANY	PO 25955 BH: RENOVATIONS- MISC SUPPLIES BLANKET	357.36	
		PO 27051 BH: RENOVATIONS - PAINT SUPPLIES - BLANK	95.73	
		PO 27063 BH: RENOVATIONS PAINT SUPPLIES - BLANKET	1,169.93	
		PO 27303 BH: RENOVATIONS - PAINTING SUPPLIES	1,262.67	2,885.69
22443	4333 - SPRUCE TECHNOLOGY, INC	PO 25490 BH: DESIGN CONSULTANT FOR AUDIO/VISUAL	8,750.00	8,750.00
22444	4295 - STANLEY STRAMA	PO 27280 BH: REIMBURSEMENT	250.00	250.00
22445	2774 - STAPLES CONTRACT & COMMERCIAL, LLC	PO 27213 DPW - ORDER# 7611484508	84.67	84.67
22446	2961 - SYN-TECH SYSTEMS, INC	PO 26791 DPW /WATER DEPARTMENT- FUEL SYSTEM	550.00	550.00
22447	4458 - TARGET FIRE PROTECTION, INC	PO 26767 BH: RENOVATIONS - FIRE SPRINKLER	2,800.00	2,800.00
22448	4503 - THE HAMPSHIRE LEGACY FUND, LLC	PO 27248 REFUND FOR SUCCESSFUL STATE TAX APPEAL H	24,347.73	24,347.73
22449	881 - TMS, INC	PO 26293 ADMIN: 2023 DNS HOSTING / ACCT# GTI - BL	25.24	25.24
22450	603 - TOWNSHIP OF DENVILLE	PO 27308 3RDQ23 PROPERTY TAXES - TOWPATH	1,201.37	1,201.37
22451	1424 - TOWNSHIP OF MONTVILLE	PO 26905 2023 ANIMAL CHARGES - BLANKET	2,961.83	2,961.83
22452	4308 - TRANE U.S., INC	PO 27278 BH: RENOVATIONS HVAC UNITS	40,520.87	40,520.87
22453	4191 - TRANSUNION RISK & ALTERNATIVE	PO 27274 POLICE: RISK MANAGEMENT AND DATA SOLUTIO	150.00	150.00
22454	1536 - TREAS, STATE OF NJ - D.O.H.	PO 27256 MAY - JUNE 2023 DOG LICENSE FEES	18.60	18.60
22455	1736 - TWP OF PARSIPPANY - TROY HILLS	PO 26949 2023 SEWER MAINTENANCE CHARGES - BLANKET	37,397.05	37,397.05
22456	4069 - UNITED BUSINESS SYSTEMS	PO 27306 CANON COPIERS - 2ND QTR 2023 - PRINTING	1,058.77	1,058.77
22457	1062 - UNITED SITE SERVICES	PO 26363 DPW BATHROOM RENOVATION	43.75	
		PO 26961 PORTA JOHNS - 2023 MAY-DEC - CUST ID# 1	494.75	
		PO 27310 BH: 2023 PORTAJOHNS / TEMP FENCING - BLAN	301.00	839.50
22458	3346 - USA BLUE BOOK	PO 27167 WATER DEPARTMENT - WATER SAMPLING	100.52	100.52
22459	4480 - VERIZON	PO 27008 DPW: 2023 INTERNET SERVICES ACCT# 357-15	106.92	
		PO 27008 DPW: 2023 INTERNET SERVICES ACCT# 357-15	28.71	
		PO 27008 DPW: 2023 INTERNET SERVICES ACCT# 357-15	28.71	164.34
22460	4481 - VERIZON	PO 27009 PD: 2023 INTERNET SERVICES ACCT# 357-156	99.00	99.00
22461	4489 - WALLINGTON PLUMBING & HEATING SUPPLY CO.	PO 27214 BH: RENOVATIONS - HVAC SUPPLIES	645.59	
		PO 27215 BH: RENOVATIONS - HVAC BLANKET	209.75	
		PO 27232 BOROUGH HALL PROJECT - DUCTWORK	1,888.40	2,743.74
22462	4003 - WARSHAUER ELECTRIC SUPPLY CO.	PO 26841 BH: LED LIGHTING SUPPLIES	24,990.37	
		PO 27187 BH: RENOVATIONS - ELECTRIC SUPPLIES QUOT	1,558.53	26,548.90
22463	4177 - WEINER LAW GROUP, LLP	PO 26850 Professional Services 2023 Planning Bd A	600.00	600.00
TOTAL				2,506,999.58



**List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT**

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total	
Summary By Account					
ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-192-18-001-000	CURRENT YEAR TAXES RECEIVED			4,379.61	
01-201-20-100-020	GENERAL ADMIN - OTHER EXPENSE	3,269.58			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXP'S	1,048.98			
01-201-20-140-020	COMPUTER SERVICES	3,389.05			
01-201-20-145-020	TAX COLLECTOR - OTHER EXPENSES	875.00			
01-201-20-155-020	LEGAL SERVICES - OTHER EXPENSE	525.00			
01-201-20-165-020	ENGINEERING SERVICES	7,762.93			
01-201-21-180-020	PLANNING BOARD - OTHER EXPENSE	611.70			
01-201-21-185-020	BD OF ADJUST - OTHER EXPENSES	24.18			
01-201-23-210-020	INSURANCE - LIABILITY	27,857.69			
01-201-23-215-020	WORKERS COMPENSATION	22,886.46			
01-201-23-220-020	GROUP INSURANCE PLANS-EMPLOYEE	2,862.00			
01-201-25-240-020	POLICE DEPT - OTHER EXPENSES	6,992.12			
01-201-26-290-020	STREETS & ROADS - OTHER EXP.	7,820.34			
01-201-26-300-020	SHADE TREE COMMISSION - O/E	843.75			
01-201-26-305-020	SOLID WASTE - OTHER EXPENSES	11,498.15			
01-201-26-306-020	Recycling Tax	325.44			
01-201-26-310-020	BLDG & GROUNDS - MUNIC BLDG	93.17			
01-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	4,745.96			
01-201-28-370-020	PARKS & PLAYGROUNDS OTHER EXP.	654.73			
01-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	1,419.07			
01-201-29-390-020	AID TO PUBLIC LIBRARY	30,934.25			
01-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	2,711.37			
01-201-31-436-020	ELECTRICITY - STREET LIGHTING	4,144.94			
01-201-31-437-020	NATURAL GAS	627.01			
01-201-31-447-020	PETROLEUM PRODUCTS	5,423.00			
01-203-20-120-020	(2022) MUNICIPAL CLERK - OTHER EXP'S		106.50		
01-203-25-240-020	(2022) POLICE DEPT - OTHER EXPENSES		175.00		
01-203-26-315-020	(2022) VEHICLE REPAIRS & MAINTENANCE		590.00		
01-207-55-000-000	LOCAL SCHOOL TAXES PAYABLE			2,118,523.34	
01-260-05-100	DUE TO CLEARING			0.00	2,299,836.05
01-290-55-000-001	DUE TO NJ - DCA TRAINING FEES			2,368.00	
01-400-65-100	Fund Balance Clearing			24,347.73	
TOTALS FOR	Current Fund	149,345.87	871.50	2,149,618.68	2,299,836.05
02-200-40-700-520	HIGHLANDS PLAN CONFORMANCE GRANT			337.50	
02-260-05-100	DUE TO CLEARING			0.00	337.50
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	337.50	337.50
04-215-55-983-000	2017 CAPITAL ORDINANCE 05-17			91.16	
04-215-55-984-000	2018 CAPITAL ORDINANCE 4-18			337.50	
04-215-55-985-000	2019 CAPITAL ORDINANCE 2-19			7,096.78	
04-215-55-989-000	2020 CAPITAL ORD. 8-20 BORO HALL RENOV.			124,170.60	
04-215-55-991-000	2021 CAPTIAL ORDINANCE 10-21			11,678.00	
04-215-55-992-000	2022 CAPITAL ORDINANCE 2-22			3,753.94	
04-215-55-996-000	2023 CAPITAL ORDINANCE 8-23			1,523.63	
04-260-05-100	DUE TO CLEARING			0.00	148,651.61
TOTALS FOR	General Capital	0.00	0.00	148,651.61	148,651.61
05-201-55-520-520	Water Operating - Other Expenses	13,035.05			
05-260-05-100	DUE TO CLEARING			0.00	13,035.05
TOTALS FOR	Water Operating	13,035.05	0.00	0.00	13,035.05

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
07-201-55-520-520	Sewer Operating - Other Expenses	42,158.94			
07-260-05-100	DUE TO CLEARING			0.00	42,158.94
<b>TOTALS FOR</b>	<b>Sewer Operating</b>	<b>42,158.94</b>	<b>0.00</b>	<b>0.00</b>	<b>42,158.94</b>
13-260-05-100	DUE TO CLEARING			0.00	2,980.43
13-286-56-000-000	RESERVE - ANIMAL LICENSE FUND			2,961.83	
13-295-56-000-000	DOG LICENSE FEES-DUE STATE NJ			18.60	
<b>TOTALS FOR</b>	<b>Animal Trust</b>	<b>0.00</b>	<b>0.00</b>	<b>2,980.43</b>	<b>2,980.43</b>

Total to be paid from Fund 01 Current Fund	2,299,836.05
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	337.50
Total to be paid from Fund 04 General Capital	148,651.61
Total to be paid from Fund 05 Water Operating	13,035.05
Total to be paid from Fund 07 Sewer Operating	42,158.94
Total to be paid from Fund 13 Animal Trust	2,980.43
	<u>2,506,999.58</u>



## Checks Previously Disbursed

22374	MORRIS COUNTY SOIL CONSERVATION DI	PO# 27302 SUNSENT LAKE DAMS PROJECT	170.00	7/12/2023
			<u>170.00</u>	

Totals by fund	Previous Checks/Voids	Current Payments	Total
Fund 01 Current Fund		2,299,836.05	<b>2,299,836.05</b>
Fund 02 FEDERAL AND STATE GRANTS		337.50	<b>337.50</b>
Fund 04 General Capital	170.00	148,651.61	<b>148,821.61</b>
Fund 05 Water Operating		13,035.05	<b>13,035.05</b>
Fund 07 Sewer Operating		42,158.94	<b>42,158.94</b>
Fund 13 Animal Trust		2,980.43	<b>2,980.43</b>
<b>BILLS LIST TOTALS</b>	<b>170.00</b>	<b>2,506,999.58</b>	<b><u>2,507,169.58</u></b>

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

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total
5048	1392 - MTN. LAKES POLICE ASSOCIATION	PO 27293 POLICE UNION DUES - 2NDQTR 2023	1,825.00	1,825.00
5049	3466 - PUBLIC EMPLOYEES' RETIREMENT SYSTEM	PO 27299 RETRO ACTIVE PAY DEDUCTION	185.28	185.28
TOTAL				2,010.28

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
12-101-01-001-001	PAYROLL AGENCY-CASH-PROVIDENT BANK			0.00	2,010.28
12-200-00-000-600	PERS WITHHOLDING			173.70	
12-200-00-000-650	C.I. - CONTRIBUTORY INSURANCE			11.58	
12-200-00-000-800	POLICE UNION DUES			1,825.00	
TOTALS FOR	Payroll Agency Account	0.00	0.00	2,010.28	2,010.28

Total to be paid from Fund 12 Payroll Agency Account

2,010.28

2,010.28

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

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total
5364	102 - ANDERSON & DENZLER ASSOC., INC	PO 27243 JUNE 2023 PROFESSIONAL SERVICES - ESCROW	4,207.53	4,207.53
5365	1916 - STICKEL, KOENIG, SULLIVAN & DRILL,	PO 27244 JUNE 2023 PROFESSIONAL SERVICES - ESCROW	477.00	477.00
TOTAL				4,684.53

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
17-101-01-001-002	Escrow - Developers - Checking			0.00	4,684.53
17-500-00-091-320	CORVELLI SERVICES LLC			477.00	
17-500-00-091-404	HIGHVIEW HOMES LLC INSPECTION FEE ESCROW			4,207.53	
TOTALS FOR	Developer's Escrow	0.00	0.00	4,684.53	4,684.53

Total to be paid from Fund 17 Developer's Escrow

4,684.53

4,684.53

# List of Bills - (3310101001001) CASH - RECREATION Recreation Trust

Meeting Date: 07/24/2023 For bills from 06/23/2023 to 07/13/2023

Check#	Vendor	Description	Payment	Check Total
5552	4512 - JOHN CARLSON	PO 27296 RECREATION: 2023 CAMP	395.00	395.00
5553	2611 - MJG PROMOTIONS, LLC	PO 27133 RECREATION: 2023 CAMP TSHIRTS	2,222.50	2,222.50
5554	1371 - MTN. LAKES BOARD OF EDUCATION	PO 27311 Facilities Scheduler Renewal 7/1/23-6/30	1,050.00	1,050.00
5555	2037 - TJ'S SPORTWIDE TROPHY & AWARDS, INC	PO 27231 SPRING TRACK: 2023 TROPHIES	842.80	842.80
5556	1062 - UNITED SITE SERVICES	PO 27297 PORTA POTTY RENTALS	284.60	284.60
TOTAL				4,794.90

## Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
33-101-01-001-001	CASH - RECREATION			0.00	4,794.90
33-600-00-090-000	Recreation Trust Reserves			4,794.90	
TOTALS FOR	Recreation Trust	0.00	0.00	4,794.90	4,794.90

Total to be paid from Fund 33 Recreation Trust

4,794.90

4,794.90

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

**RESOLUTION 147-23**

**“RESOLUTION RENEWING LIQUOR LICENSE FOR 2023-2023 LICENSING TERM”**

**BE IT RESOLVED**, that the Borough Council of the Borough of Mountain Lakes, in the County of Morris, State of New Jersey, does hereby approve the renewal of the liquor license named below for the licensing term of July 1, 2023 (as per Alcoholic Beverage Control Director’s Order) through June 30, 2024:

**PLENARY RETAIL CONSUMPTION LICENSES**

<b><u>License #</u></b>	<b><u>Licensee &amp; Location</u></b>	<b><u>Trading As</u></b>
1425-33-005-003	Hapgoods LLC	Hapgoods LLC

XX

**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

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

**RESOLUTION 148-23**

**“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES”**

**WHEREAS**, the Tax Collector certifies that the following property has an overpayment of 2nd quarter 2023 taxes and the Collector has authorized the issuance of a refund.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that a warrant be drawn to the Estate of Henry Scholten representing a refund due to an overpayment.

<u>Block</u>	<u>Lot</u>	<u>Name &amp; Mailing Address</u>	<u>Property Address</u>	<u>Amount</u>
61	1.01	The Estate of Henry Scholten 3908 Courtshire Drive Dallas Texas, NJ 75229	1 Cobb Road Mountain Lakes	\$12,427.22

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

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

**RESOLUTION 149-23**

**“RESOLUTION CANCELLING 2022 LEAP GRANT”**

**WHEREAS**, there is a receivable with an offsetting appropriation from the State of New Jersey Department of Community Affairs Division of Local Government Services for the Local Efficiency Achievement Program (LEAP) for the police records management shared services in the amount of \$18,736.50 and local matching funds in the amount of \$6,244.75 and,

**WHEREAS**, this receivable, appropriation, and matching funds are no longer needed by 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 receivable, appropriation, and matching funds be cancelled.

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Barnett						
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Sheikh						



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

**RESOLUTION 150-23**

**“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES”**

**WHEREAS**, the Tax Collector certifies that the following property has an overpayment of 2nd quarter 2023 taxes and the Collector has authorized the issuance of a refund.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that a warrant be drawn to Louis and Lauren Pietrangelo representing a refund due to an overpayment.

<u>Block</u>	<u>Lot</u>	<u>Name &amp; Mailing Address</u>	<u>Property Address</u>	<u>Amount</u>
116	21	Louis & Lauren Pietrangelo 9 Poplar Lane Chatham, NJ 07928	23 Albie Drive Mountain Lakes	\$4,379.61

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

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

**RESOLUTION 151-23**

**“RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT FOR PLANNING SERVICES BETWEEN THE  
BOROUGH OF MOUNTAIN LAKES AND PHILLIPS PREISS GRYGIEL LLC”**

**WHEREAS**, there exists the need for professional planning services for the Borough of Mountain Lakes; and

**WHEREAS**, Phillips Preiss Grygiel LLC has submitted a proposal dated July 3, 2023 indicating that planning services will be provided for a fee not to exceed \$15,000.00; 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" 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 Borough Clerk are hereby authorized and directed to execute an agreement with Phillips Preiss Grygiel LLC for professional planning services for the Borough of Mountain Lakes as set forth in the attached contract, for an annual fee not to exceed \$15,000 per year.

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

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

**CERTIFICATION OF THE AVAILABILITY OF FUNDS**

01-201-21-185-029 - BD OF ADJUST - PLANNER REVIEW OF ORD. \$15,000.00

  
Monica Gosicki, CFO

**Borough of Mountain Lakes  
Contract Review Checklist**

**Vendor / Professional:** Philipps Preiss Grygiel

**Service Provided:** Borough Planner Zoning Ordinance Amendments

Item	Applicability	Standard	Reviewed	Verified
Attorney Review	All Contracts	Confirmation that agreement has been reviewed by Borough Attorney	✓	✓
Financial Impact	All Contracts	Has the economic impact of the transaction been evaluated?		✓
Insurance	All Contracts	Proof of Insurance As Required BY RFP, Specifications, or Contract	✓	✓
Invoice Process	All Contracts	Consistent with local public contracts law and Borough procedure	✓	✓
Iran Investment Disclosure	All Contracts	Disclosure of Investment Activities In Iran	✓	✓
Non-Collusion	All Contracts	Non-Collusion Affidavit Signed	✓	✓
Non-Performance	All Contracts	Provision addressing consequences for non-performance / breach of agreement	N/A	N/A
Payment Terms	All Contracts	Do standard payment terms apply?	✓	✓
Standard Agreement	All Contracts	Agreement Provided	✓	✓
Term	All Contracts	1-year professional services, 2-year goods / services, or statutory exemption	✓	✓
Termination	All Contracts	Right to terminate where appropriate	N/A	N/A
Affirmative Action Form	Goods & Services; Professional Services	Employee Information Report Provided	✓	✓
Business Entity / Corporate Disclosure	Goods & Services; Professional Services	Disclosure Affidavit Provided	✓	✓
Business Registration	Goods & Services; Professional Services	Copy of Registration Provided	✓	✓
Confidentiality	Goods & Services; Professional Services	Contract provisions where appropriate	N/A	N/A
Renewal	Goods & Services; Professional Services	Provision concerning renewal included where appropriate	N/A	N/A
Political Contribution Disclosure	Professional Services	Disclosure Language In Contract Form; Form Completed	✓	✓
Qualifications	Professional Services	Proof of professional licenses / certifications	✓	✓
Debarment	Public Works	Vendor Not Currently On State Debarment List	✓	✓

**Reviewed by:** Cara Fox

**Date:** 6/19/23

**Verified by:** [Signature]

**Date:** 7/19/23



July 3, 2023

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

**Subject: Proposal to Prepare Phase II Zoning Ordinance Amendments  
Borough of Mountain Lakes, New Jersey**

Dear Mr. Stern:

Please accept this letter as our proposal to provide professional planning services related to a comprehensive, substantive overhaul of the Borough of Mountain Lakes Land Use Ordinances, including Chapter 40, Land Use Administration; Chapter 102, Environmental Factors; Chapter 208, Subdivision of Land and Site Plan Review; and Chapter 245, Zoning.

Beginning in late 2022, we undertook the first phase of this project, during which we worked with the Borough's Ordinance Committee to complete an administrative review and revision to the Land Use Ordinances. To conclude Phase 1, we prepared a list of recommendations for substantive changes to the Land Use Ordinances based on our review and conversations with the Ordinance Committee. The Ordinance Committee has now indicated that they wish to proceed with the substantive changes to the zoning ordinance. This letter outlines our proposed scope of work and budget for this project.

#### **Scope of Work**

In our capacity as Borough Planner for nearly 10 years, we have prepared several zoning ordinances, zoning studies, and master plans, including affordable housing zoning and substantial amendments to the Borough's Business Zone B that were adopted in 2020, as well as the Phase 1 component of this project as described above. Using this previous work as a basis for our analysis, we propose to undertake the following tasks at this time:

- Consolidate several existing chapters of the Land Use Ordinance into one integrated chapter containing Chapters 40, 208, and 245.
- Modify definitions and terminology throughout the Land Use Ordinances to reflect current State and Borough policies, to be consolidated into one chapter as applicable.
- Prepare substantive zoning amendments related to items identified in Phase 1, including but not limited to wireless telecommunication facilities, contributing dwellings, non-residential floor area ratio, bulk standards for non-residential uses in residential zones, steep slope requirements, and off-street parking and loading.
- Provide new definitions and/or zoning amendments for issues specifically identified by the Ordinance Committee per their ongoing revision and review.

This scope of work also includes attendance at two to three public meetings of the Borough Council, as well as collaboration with the Ordinance Committee. We anticipate the meeting schedule to include introduction and public hearing of the ordinance



before the Borough Council and one additional meeting if required. In addition, our scope anticipates periodic conversations with the Borough Engineer, Borough Attorney, and any other relevant professionals or staff prior to completion of the project. Our final work product at this stage will be a repackaging of the Borough's Land Use Ordinance that is inclusive of the administrative changes accepted as part of Phase 1 and the new substantive changes. This will, in tandem, represent a thorough overhaul and update of the Borough's Land Use Ordinances.

### Staff and Fees

It is anticipated that Managing Principal Paul Phillips will direct the work for this assignment. Mr. Phillips has served as Borough Planner for Mountain Lakes since his initial appointment in 2012. He has extensive experience in the preparation of master plans and zoning ordinances throughout New Jersey, in addition to his work in the Borough. He will be assisted by Kate Keller, Associate Principal, and other staff members as necessary. Mr. Phillips and Ms. Keller are both licensed professional planners in the State of New Jersey.

We would estimate the cost of services to be approximately \$15,000, inclusive of the scope of work above. We propose to bill the Borough of Mountain Lakes for our services based upon the billing rates for Phillips Preiss principals and staff set forth in our 2023 contract with the Borough for planning services, as set forth below:

Paul Phillips, Managing Principal	\$160
Paul Grygiel, Principal	\$160
Elizabeth Leheny, Principal	\$160
Keenan Hughes, Principal	\$160
Kate Keller, Principal	\$140
Senior Urban Designer	\$140
Senior Planner	\$115
Planner	\$115
Director of Graphics	\$110
Support	\$50

The above billing rates have been discounted 20 to 30 percent from our standard billing rates, consistent with company policy. Phillips Preiss will submit monthly invoices to the Borough of Mountain Lakes for work completed to date based upon these hourly rates.

Please feel free to contact me with any questions regarding this proposal. We look forward to assisting the Borough with this project.

Sincerely yours,

Paul A. Phillips, P.P., AICP  
Managing Principal

CC: Christopher K. Richter, Borough of Mountain Lakes Councilmember

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

**RESOLUTION 152-23**

**“RESOLUTION AWARDING A CONTRACT FOR THE FURNISHING AND DELIVERY OF INTERIOR  
DOORS FOR THE BOROUGH HALL RENOVATION PROJECT TO ADVANCED FIREPROOF DOOR  
COMPANY”**

**WHEREAS**, bids for the furnishing and delivery of interior doors for the Borough Hall Renovation Project were opened on June 23, 2023 and on July 11, 2023; and

**WHEREAS**, in response to the first bid, the lone bidder was in excess of the project's estimate and fell outside the existing budget for the project; and

**WHEREAS**, the Borough Council by Resolution adopted on June 26, 2023 (R145-23) rejected the bid submitted on June 23, 2023; and

**WHEREAS**, in response to the second bid, no bids were submitted; and

**WHEREAS**, the Borough Council, pursuant to the Local Public Contracts Law, directed the Borough Manager to proceed with negotiations to obtain proposals for the furnishing and delivery of interior doors; and

**WHEREAS**, the Borough Manager has advised the Council that the lowest proposal for the purchase of the furnishing and delivery of interior doors obtained from Advance Fireproof Door Company in the amount of \$48,257.46 is less than all bids previously received and within the budget for the project.

**NOW THEREFORE, BE IT RESOLVED**, by the council of the Borough of Mountain Lakes, that the contract for the furnishing and delivery of interior doors for the Borough Hall Renovation Project is awarded Advance Fireproof Door Company in the amount of \$48,257.46 as a negotiated contract award.

XX

**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

**CERTIFICATION OF THE AVAILABILITY OF FUNDS**

04-215-55-989-226 - B.H. O/E DOORS \$48,257.46

  
\_\_\_\_\_  
Monica Gosicki, CFO



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

**RESOLUTION 153-23**

**“RESOLUTION AWARDING A CONTRACT FOR THE FURNISHING AND DELIVERY OF A NEW 4-DOOR SEDAN ELECTRIC VEHICLE”**

**WHEREAS**, bids for the furnishing and delivery of a new 4-door sedan electric vehicle were promulgated and advertised for opening on June 27, 2023 and on July 11, 2023; and

**WHEREAS**, in response to both bid requests no bids were submitted; and

**WHEREAS**, the Borough Council, pursuant to the Local Public Contracts Law, directed the Borough Manager to proceed with negotiations to obtain proposals for the furnishing and delivery of a new 4-door sedan electric vehicle ; and

**WHEREAS**, the Borough Manager has advised the Council that the lowest proposal for the purchase of the furnishing and delivery of a new 4-door sedan electric vehicle was obtained by Tesla in the amount of \$59,903.38 which is within the budget for the purchase.

**NOW THEREFORE, BE IT RESOLVED**, by the Council of the Borough of Mountain Lakes, that the contract for the furnishing and delivery of a new 4-door sedan electric vehicle is awarded to Tesla in the amount of \$59,903.38 as a negotiated contract award.

XX

**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

**CERTIFICATION OF THE AVAILABILITY OF FUNDS**

04-215-55-992-009 ELECTRIC - SCHOOL RES. OFFIC. VEHICLE \$59,903.38

  
\_\_\_\_\_  
Monica Goscicki, CFO

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

**RESOLUTION 154-23**

**“RESOLUTION AMENDING PERSONNEL POLICY AND PROCEDURE MANUAL”**

**WHEREAS**, Section 5-3 of the Revised General Ordinances of the Borough of Mountain Lakes provides for the adoption of a Personnel Policy and Procedure Manual for the employees of the Borough of Mountain Lakes, and

**WHEREAS**, a complete revision of the Personnel Policy and Procedure Manual had been approved by the Borough Council on February 14, 2022, and

**WHEREA**, the Borough Council wishes to amend / add the following polices to the Personnel Policy and Procedure Manual: American with Disabilities, Ethical Conduct, Equal Employment Opportunity, Overtime, Personal Day Policy, Sick Leave, Family and Medical Leave, New Jersey Family Leave, Alcohol and Drug-Free Workplace, Domestic Violence Policy, Use of Employer Owned Vehicles (Non-Law Enforcement), and Resignation.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that the policies listed in paragraph three are hereby amended / added to the Borough of Mountain Lakes Personnel Policy and Procedure Manual, and is hereby adopted and incorporated in its entirety, and

**BE IT FURTHER RESOLVED** that a copy of the policies listed in paragraph three shall be available for inspection in the office of the Borough Clerk.

XX

**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						



MATTHEW J. GIACOBBE, Partner  
[mgiacobbe@cgajlaw.com](mailto:mgiacobbe@cgajlaw.com)

Reply to: Oakland Office

To: Member Entities  
From: Matthew J. Giacobbe, Esq.  
Nicholas DelGaudio, Esq.  
Fred Semrau, Esq.

Date: March 13, 2023

Re: Changes to Employee Handbook and Personnel Policies and Procedures Manual

The Municipal Excess Liability Joint Insurance Fund ("MEL") has made suggested modifications to the Model Employee Handbook and Personnel Policies and Procedures Manual ("PPPM") for our members' consideration. Several of the changes made were to make the related policies in the Employee Handbook and PPPM more uniform, while other revisions were made due to changes in law. Below is a brief explanation of the changes that have been made.

*Borough Policy*

- Sick Leave Policy

*2.8 Amended*

In accordance with COVID-19-related updates to the Earned Sick Leave Law, an additional reason for which sick leave may be used was added in both the PPPM and Employee Handbook. In addition, a note was added in both the PPPM and Employee Handbook to clarify that employers may choose to require up to seven (7) days' notice for foreseeable sick leave usage under the Earned Sick Leave Law.

- Alcohol and Drug-Free Workplace

*4.3 Amended*

Changes were made in the PPPM to account for the legalization of recreational cannabis, including the addition of language relating to the requirement that there be documentation of physical signs of impairment in addition to a positive drug test in order to subject an employee to adverse action. Language was also added to provide that applicants cannot be denied employment based solely on a pre-employment positive drug test for cannabis, with some listed exceptions. In the Policy Prohibitions section, cannabis was added to the portion discussing alcohol, as it would no longer fit under the illegal drugs portion that precedes it.

Language that is no longer applicable due to the legalization of cannabis was also removed throughout the policy. On the Pre-Employment Consent and Release Form, the language "for certain employment positions" was added after "Cannabinoids" because employers will no longer need to test for cannabis in pre-employment panels for most positions. In the Employee Handbook, the word "unlawful" was removed before "drugs" in order to make clear that the use of cannabis in the workplace is still prohibited.

Oakland Office: 169 Ramapo Valley Road, UL 105, Oakland, NJ 07436 Tel 973 845-6700 Fax 201 644-7601  
Somerville Office: 50 Division Street, Suite 501, Somerville, NJ 08876 Tel 732 583-7474 Fax 201 644-7601  
Matawan Office: 955 State Route 34, Suite 200, Matawan, NJ 07747 Tel 732 583-7474 Fax 732 290-0753

- Domestic Violence Policy

Letter (E) under the Domestic Violence Reporting Procedures in the PPPM was removed due to it only being applicable to issues between State employees.

- Personal Day Policy

More details were added to the Personal Day Policy in the PPPM in order to match the language included in the same policy found in the Employee Handbook.

- Equal Employment Opportunity Policy and Americans with Disabilities Policy

The protected categories of pregnancy, breastfeeding and childbirth were added to make the policy uniform with the Employee Handbook policy. An additional paragraph regarding breastfeeding accommodations was also added to the Americans with Disabilities Policy to further explain necessary accommodations.

- Family and Medical Leave Policy

Language was added in the PPPM to clarify that the employer may choose to include in their policy that employees are either required to use accrued paid leave during an FMLA-covered leave or may choose to use accrued paid leave. A "utilization of paid leave" section was added to the Employee Handbook to mirror the PPPM. In addition, the Family Temporary Disability section was updated to remove the "six weeks" and "effective July 2020" language.

- New Jersey Family Leave

An additional reason that NJFLA leave may be taken was added in both the PPPM and Employee Handbook, in accordance with COVID-19 related updates to the law. Changes were also made in the PPPM Policy to reinforce and clarify that NJFLA leave may be taken consecutively, intermittently or on a reduced schedule with little restriction, and to clarify the notice requirements for intermittent leave.

- Policy for Use of Employer Vehicles (Non-Law Enforcement)

A provision regarding employees driving their own vehicles for employer business providing the employer with a copy of their current certificate of insurance was added in the PPPM in order to make this policy uniform with the Employee Handbook policy.

- Overtime

The highly-compensated employee overtime exemption was updated from \$100,000 to \$107,432 to reflect current law. In addition, language was added to clarify that the employer may choose to include in its policy that only time actually worked is considered for purposes of determining overtime compensation.

- Hours of Work

In the Employee Handbook's Attendance and Tardiness section, a change was made to make the suggested time by which an employee must call out match the time found in the PPPM Absenteeism and Tardiness policy.

- Personnel Records

Some additions were made to the Employee Handbook policy in order to mirror the PPPM version of the policy.

The Ethical Conduct Policy and Resignation Policy found in the Employee Handbook were added to the PPPM in order to ensure every policy in the more streamlined Employee Handbook is also contained in the larger manual.

We urge you to consult with your entity's General or Labor Counsel regarding these recommended changes.

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## AMERICANS WITH DISABILITIES

### 1.2

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The Borough complies with the New Jersey Law Against Discrimination and the Americans with Disabilities Act. The Borough will not discriminate against any qualified employee or job applicant with respect to any terms, privileges, or conditions of employment because of a person's physical or mental disability, pregnancy, pregnancy-related medical conditions, breastfeeding or childbirth. The Borough also will make reasonable accommodations wherever necessary for all employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential duties and assignments connected with the job and provided that accommodations do not require significant difficulty or expense. The Borough's nondiscrimination policy applies to all aspects of the employer-employee relationship, including recruitment, hiring, upgrading, training, promotion, transfer, discipline, layoff, recall, and termination.

**Definitions.** The Americans with Disabilities Act defines an individual with a disability as any person who:

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(1) has a physical or mental impairment that substantially limits one or more major life activities, such as caring for oneself, walking, seeing, hearing, or speaking.

(2) has a record of such an impairment; or

(3) is regarded as having such an impairment.

An individual must satisfy at least one of the three prongs of the above definition to be considered an individual with a disability under the ADA. Temporary conditions, such as a broken leg, are not disabilities, nor are minor impairments, such as vision problems that are correctable with glasses.

The New Jersey Law Against Discrimination defines disability as a physical disability, infirmity, malformation or disfigurement which is caused by bodily injury, birth defect or illness including epilepsy and other seizure disorders, and which shall include, but not be limited to, any degree of paralysis, amputation, lack of physical coordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment or physical reliance on a service or guide dog, wheelchair, or other remedial appliance or device, or any mental, psychological or developmental disability resulting from anatomical, psychological, physiological or neurological conditions which prevents the normal exercise of any bodily or mental functions or is demonstrable, medically or psychologically, by accepted clinical or laboratory diagnostic techniques. Disability shall also mean AIDS or HIV infection.

A qualified individual is an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of the employment position held or

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sought. An individual who poses a threat to the health and safety of oneself or to others is not qualified. Reasonable accommodation means any change or adjustment to a job or work environment that does not impose an undue hardship on the Borough, or that permits a qualified applicant or employee with a disability to participate in the job application process, perform the essential functions of the job, or enjoy benefits and privileges of employment equal to those enjoyed by employees without disabilities.

Requesting Accommodation. Qualified employees or prospective employees with disabilities may request accommodations to perform the essential functions of their job or gain access to the hiring process. Employees or prospective employees should direct their written request to the Borough. In the written request, the employee or prospective employee should identify themselves as a person with a disability, eligible for protection, and identify the nature of the accommodation or consideration desired.

The Borough may require the employee to provide adequate medical or other appropriate documentation of the disability and the need for the desired accommodation. The Borough will reasonably accommodate the known physical or mental limitation of an otherwise qualified applicant or employee with a disability unless the accommodation would impose an undue hardship on the Borough's business operation.

To further the Borough's nondiscrimination policy, the Borough will:

- Identify the essential functions of a job.
- Determine whether a person with a disability, with or without accommodation, is qualified to perform the duties; and
- Determine whether a reasonable accommodation can be made for a qualified individual.

Reasonable accommodations that the Borough may provide in connection with modifications to the work environment or adjustments in how and when a job is performed may include the following:

- Making existing facilities accessible and usable.
- Job restructuring.
- Part-time or modified work schedules.
- Acquiring or modifying equipment or devices.
- Appropriate adjustment or modifications of testing materials, training materials, and/or policies.
- Reassignment to a vacant position.

In the case of an employee breastfeeding her infant child, the accommodation shall include reasonable break time each day to the employee and a suitable room or other location with privacy, other than a toilet stall, in close proximity to work area for the employee to express breast milk for the child.

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## ETHICAL CONDUCT

### 1.3

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Pursuant to the provisions of the Local Government Ethics Law:

1. No employee or member of his or her immediate family will have an interest in a business organization or engage in any business, transaction or professional activity, which is in substantial conflict with the proper discharge of his or her duties in the public interest.
2. No employee should use or attempt to use his or her official position to secure unwarranted privileges or advantages for him or herself or others.
3. No employee should act in his or her official capacity in any matter wherein he or she, a member of his or her immediate family, or business organization in which he or she has an interest, has a direct or indirect personal or financial interest that might reasonably be expected to impair his or her objectivity or independence of judgment.
4. No employee should undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of his or her official duties.
5. No employee, member of his or her immediate family, or business organization in which he or she has an interest, should solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan contribution, service, promise or other thing of value was given or offered for the purpose of influencing him or her directly or indirectly in the discharge of his or her official duties.
6. No employee will use, or allow to be used, his or her public employment, or any information, not generally available to members of the public, which he or she receives or acquires in the course of and by reason of his or her employment, for the purpose of securing financial gain for himself or herself, any member of his or her immediate family, or any business organization with which he or she is associated.
7. No employee or business organization in which he or she has an interest will represent any person or party other than the Employer in connection with any cause, proceeding, application or other matter pending before any agency in the local government in which he or she serves. An employee or members of his or her immediate family may represent himself or herself in proceedings concerning the employee's own interests.

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## EQUAL EMPLOYMENT OPPORTUNITY POLICY

### 1.4

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The Borough of Mountain Lakes is committed to the principle of equal employment opportunity and anti-discrimination pursuant to Title VII of the 1964 Civil Rights Act as amended by the Equal Opportunity Act of 1972 and the New Jersey Law Against Discrimination (LAD) and all other applicable state or federal laws. Under no circumstances will the Borough of Mountain Lakes discriminate on the basis of sex, race, creed, color, religion, national origin, ancestry, age, marital status, affectional or sexual orientation, domestic partnership status, civil union status, atypical heredity, cellular or blood trait, genetic information, disability (including AIDS or HIV infection), pregnancy, breastfeeding, childbirth, liability for service in the United States Armed Forces, gender identity or expression, and/or any other characteristic protected by state or federal law. Accordingly, decisions regarding hiring, promotion, transfer, demotion or termination are based solely on the qualifications and performance of the employee or prospective employee. If any employee or prospective employee feels they have been treated unfairly, they have the right to address their concern with their supervisor, or if they prefer, their Department Head, Borough Manager, or any other supervisor with whom they feel comfortable, using the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

Any employees with questions or concerns about any type of discrimination or harassment in the workplace are encouraged to bring these issues to the attention of management through the complaint procedure set forth in the Policy Against Harassment set forth in this Manual.

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## OVERTIME

### 2.4

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The Borough of Mountain Lakes complies with all applicable federal and state laws with regard to payment of overtime work, including the New Jersey Wage and Hour Law with the federal Fair Labor Standards Act.

Under the Fair Labor Standards Act, certain employees in managerial, supervisory, administrative, computer or professional positions are exempt from the provisions of the Act. There are also employees who may be exempt because their compensation exceeds \$107,4320,000 per year depending upon their job duties. The Borough Manager shall notify all Exempt employees of their status under the Act. Exempt employees are not eligible to receive overtime compensation and are required to work the normal workweek and any additional hours needed to fulfill their responsibilities. Time off consideration for large amounts of additional hours may be provided with the Borough Manager's prior approval and at the sole discretion of the Borough Manager.

Depending on work needs, employees may be required to work overtime. Employees are not permitted to work overtime unless the overtime is budgeted and approved by the Department Head and the Borough Manager. Employees working overtime without prior approval will be subject to disciplinary action.

Non-exempt employees are paid overtime at the rate of one and one-half times the regular rate of pay for all hours worked over forty (40) in a workweek. Employees may choose overtime compensation in the form of overtime pay or compensating time off. The maximum number of hours that an employee may accrue for future compensating time off is seventy-five (75). Once this maximum has been accumulated, all additional hours will be compensated by overtime pay.

Accrued and taken overtime compensating hours must be noted on the employee's time sheet. Previously scheduled vacation time and holiday time are considered time worked for purposes of determining overtime compensation, but sick time and personal time are not.

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## PERSONAL DAY POLICY

### 2.7

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Employees are entitled to 2 personal days per year and any unused days are forfeited at the end of each calendar year.

For all new hires in their first year of employment, employees will be provided with two (2) personal days if hired on or before June 30. Any employee hired on or after July 1 will be afforded only one (1) personal day in their first year of employment. New hires will be ineligible to use any personal days in their first ninety (90) days of employment.

Part-time employees receive pro-rated personal leave benefits. Temporary and seasonal employees are not eligible for personal leave benefits.

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An employee must apply for personal leave to his/her supervisor, in writing. The employee must apply for it as far in advance as possible, but not less than twenty fourseventy-two (2472) hours prior to the leave. An employee may take personal leave only if his/her supervisor or designee approves and grants the leave. No personal leave will be applied for, approved, or granted immediately before or after any vacation period, holiday period, or weekend, except under extraordinary circumstances.

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Employees must take personal leave in the calendar year in which it is earned. Any unused personal days are forfeited at the end of each calendar year. Any employee who exhausts all of his or her personal leave in any one (1) year shall not be credited with additional paid personal leave until the beginning of the next calendar year. An employee who has resigned, was dismissed or has otherwise been separated from employment will not be paid for any unused personal time.



## SICK LEAVE POLICY

### 2.8

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Schedule of Accrual and Usage: (please see note as to accrual guidelines)

Sick leave is accumulated for all permanent employees on the following schedule:

- First sixty calendar days of employment No Leave
- Sixty days to one (1) year of service retroactive to date of employment (maximum 10 days) 1 Day a Month
- After one year of service (10 days per year)

Sick leave may be utilized by employees ~~for any of the following instances when they are unable to perform their work by reason of personal illness, personal injury, or exposure to contagious disease.~~

~~Sick leave may be utilized for short periods because of death in the employee's immediate family as defined below.~~

~~Sick leave may be used in cases of the serious illness of an immediate family member living with the employee. If an employee is attending to an immediate family member, a doctor's verification of that individual is required.~~

~~(1) Time needed for diagnosis, care, or treatment of, or recovery from, the employee's own mental or physical illness, injury or other adverse health condition, or for preventive medical care for the employee;~~

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~~(2) To aid or care for a family member during diagnosis, care, or treatment of, or recovery from, the family member's mental or physical illness, injury or other adverse health condition, or during preventive medical care for the family member;~~

~~(3) If an employee or a family member are a victim of domestic or sexual violence, and are obtaining services from a designated domestic violence agency or other victim services organization, medical attention, legal services, counseling, or are relocating due to the domestic or sexual violence;~~

~~(4) Closure of an employee's workplace, or of the school or place of care of an employee's child, due to an epidemic or public health emergency, or because of the issuance by a public health authority of a determination that the presence of the employee or their family member in the community would jeopardize the health of others;~~

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(5) During a state of emergency declared by the Governor, or upon the recommendation, direction, or order of a healthcare provider or the Commissioner of Health or other authorized public official, the employee undergoes isolation or quarantine, or cares for a family member in quarantine, as a result of suspected exposure to a communicable disease and a finding by the provider or authority that the presence in the community of the employee or family member would jeopardize the health of others; or

(6) If an employee needs to attend a school-related conference, meeting, function or other event requested or required by an administrator, teacher, or other professional school staff member responsible for the education of the employee's child, or to attend a meeting regarding care provided to the child in connection with the child's health conditions or disability.

In regard to the above, the Employer requires three (3) days' notice for any foreseeable use of leave. If the use of leave is unforeseeable, the employee should notify the Employer as soon as practicable of their need to use same. Should an employee need to use three (3) or more consecutive days of leave, said employee must provide the Employer with reasonable documentation that the leave is being taken for one of the purposes permitted above. Reasonable documentation shall be as defined in N.J.S.A. § 34:11D-3(b).

An employee is eligible to use the earned sick leave beginning on the 120th calendar day after the employee starts work. The employee may subsequently use earned sick leave as soon as it is accrued. Employees will not be paid for any unused sick leave, except as expressly required by federal or State laws, or an applicable collective negotiations agreement.

An employee who exhausts all paid sick leave in any one year shall not be credited with additional paid sick leave until the beginning of the next calendar year.

**Employees Covered under a Collective Bargaining Agreement – The employment details set out in this policy work in conjunction with, and do not replace, amend or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with the Employer. Wherever employment details in this policy differ from the terms expressed in a collective bargaining agreement with the Employer, the specific terms of the collective bargaining agreement will control.**

Sick leave cannot be accumulated.

**Reporting of Absence on Sick Leave:**

If an employee is absent for reasons that entitles him/her to sick leave, his/her Supervisor shall be notified not less than fifteen (15) minutes after the employee's start time. Failure to so notify his supervisor may be cause of denial for the use of sick leave for that absence and may constitute cause for disciplinary action.

**Verification of Sick Leave:**

An employee who is absent on sick leave for two (2) or more consecutive working days may be required to submit acceptable medical evidence substantiating the illness. After the tenth (10<sup>th</sup>) day of absence on sick leave in one calendar year, a doctor's verification must be submitted for all sick leave absences, regardless of duration.

Where the Administration suspects a pattern of abuse, the Borough may require proof of illness of an employee for any sick leave. Abuse of sick leave may be cause for disciplinary action.

In case of leave of absence due to exposure to contagious disease, a certification from the Department of Health shall be required before the employee can return to work.

The Borough may require an employee who has been absent because of personal illness, as a condition of his return to duty, to be examined at the expense of the Borough by a physician designated by the Borough. Such examination shall be required by the Borough with sufficient advance notice and that examination shall establish whether the employee is capable of performing his/her normal duties and must certify that his/her return ~~will~~ not jeopardize the health of other employees.

**Patterns of sick time abuse**

A pattern of sick time abuse is grounds for disciplinary action under this policy.

Pattern Abuse: Consistent periods of sick leave usage, for example:

- a. Before and/or after holidays.
- b. Before and/or after weekends or regular days off.
- c. After pay days.
- d. Absence following overtime worked.
- e. Half days.
- f. Continued pattern of maintaining zero or near zero leave balances.
- g. Excessive absenteeism - use of more sick leave than granted.

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**Family Illness:**

The term "immediate family" as referred to herein shall mean those members in the same household, that is, under the same roof. If it shall be demonstrated to the satisfaction of the Department Head and approved by the Borough Manager that an ill member of the immediate family not residing in the same household requires the employee's presence for the care of such person, then the employee may be excused on sick leave for that purpose.



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## FAMILY AND MEDICAL LEAVE

### 3.3

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In accordance with the federal Family and Medical Leave Act ("FMLA"), the Borough provides eligible employees with up to twelve (12) weeks of unpaid medical and family leave during any twelve (12) month period and up to twenty-six (26) workweeks to care for a Covered Service member. At the conclusion of the leave, subject to some exceptions, an employee generally has a right to return to the same or an equivalent position. The following outlines employees' rights and obligations under the FMLA and the Borough's policies implementing the FMLA.

Leave Available. Eligible employees may take up to a total of twelve (12) weeks of unpaid leave during any twelve (12) month period for any one or more of the following reasons:

- The birth, adoption or placement for foster care of the son or daughter of an employee, and to care for such child.
- A serious health condition of a spouse, son, daughter or parent of an employee if the employee is needed to care for such family member; or
- A serious health condition of an employee that makes an employee unable to work. Generally, the incapacity must result in the employee's inability to work for more than three (3) consecutive days (although there are certain exceptions to this rule);
- Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is a member of the Regular Armed forces, National Guard or Reserves on active-duty status during the deployment to a foreign country, and or has been notified of an impending call to active duty status as such in support of a contingency operation.

In addition, eligible employees who are either spouse, son, daughter, parent or next of kin of a Covered Servicemember shall be entitled to a total of twenty-six (26) workweeks of unpaid leave during a single twelve (12) month period to care for the Covered Servicemember. During this single twelve (12) month period, an eligible employee who qualifies for leave to provide care for the Covered Servicemember shall be entitled to no more than a combined total of twenty-six (26) workweeks of leave.

Definitions.

"Covered Servicemember" means a member of the Armed Forces, including a member of the National Guard or Reserves, or a recent veteran who has been discharged, other than dishonorably, within the five years preceding the family member's initial request for leave, who has a serious injury or illness who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness.

"Eligible Employee" means an individual who has been employed by the Borough for at least twelve (12) months, has worked at least 1,250 hours during the preceding twelve (12) month period, and is employed at a worksite with at least fifty (50) employees within seventy-five (75) miles of that worksite.

"Next of kin" means the nearest blood relative of the individual.

"Qualifying Exigency" covers a number of broad categories of reasons and activities, including short-notice deployment to a foreign country, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities agreed to by the Borough and the employee.

"Serious Health Condition" means an illness, injury, impairment or physical or mental condition that involves either inpatient care or continuing treatment by a health care provider. It generally includes a period of incapacity due to pregnancy, prenatal care, a chronic health condition, a permanent or long-term health condition, or restorative or preventive treatment.

"Serious Injury or Illness" means an injury or illness incurred by a Covered Service member in the line of duty or on active duty in the Armed Forces, National Guard of Reserves, incurred in the line of duty on active duty or whose pre-existing condition has been aggravated by his/her active-duty service, that may render the service member medically unfit to perform the duties of the member's office, grade, rank or rating.

Eligibility. Any employee who has been employed by the Borough for twelve (12) months or more and worked 1,250 hours or more in the twelve (12) month period preceding the first day of the requested leave may be eligible for an unpaid leave of absence of up to twelve (12) weeks during any twelve (12) month period.

**The twelve (12) month period shall be determined by using a rolling twelve (12) month period that commences with the first day of leave taken.**

Leave to care for a child after birth, adoption, or foster care must conclude within twelve (12) months of the child's birth or placement. If both spouses work for the Borough, they may only take a total of twelve (12) weeks between them during the twelve (12) month period in order to care for a child after birth, adoption, or foster care or to care for a parent with a serious health condition and a combined twenty-six (26) weeks in a single twelve (12) month period for military caregiver leave or a combination of military caregiver leave and other FMLA qualifying reasons. Each spouse may be entitled to additional leave for other qualifying reasons under the FMLA, such as the employee's own illness or for the serious illness of the employee's child.

Notice. When the leave is foreseeable, at least thirty (30) days' advance notice to the Borough, in writing, is required. If thirty (30) days' notices cannot be provided, as much notice as is practical should be provided. Failure to give reasonable notice may delay the availability of the leave.

Certification. Where leave is taken to care for a family member with a serious health condition or because of the employee's own serious health condition, medical certification is required, and periodic recertification may be required. In addition, where the leave is taken because of the employee's own serious health condition, a certification of fitness to return to work will be required.

The Borough, at its expense, may require an examination by a second healthcare provider designated by the Borough. If the second healthcare provider's opinion conflicts with the original medical certification, the Borough, at its expense, may require a third, mutually agreeable, healthcare provider to conduct an examination and provide a final and binding opinion.

For military exigency leave, an employee may be required to provide certification that the covered military member is a member of the regular Armed Forces, National Guard or Reserves who is on active duty or called to active duty in support of a contingency operation, as well as certification from the employee about the nature and details of the specific exigency, the amount of leave needed, and the employee's relationship to the military member. For military caregiver leave, the employee may be required to provide information from the health care provider and employee and/or Covered Service member to support such leave.

**Absent unusual circumstances, medical certifications must be provided within fifteen (15) days. The Borough will also require periodic status reports from employees concerning their intended return date.**

Failure to provide requested documentation may result in denial of leave. The Borough may attempt to clarify or authenticate the certification or may require additional certifications to support the need for leave. When leave is taken to care for a family member, the Borough may require the employee to provide documentation or a statement of family relationship (e.g., birth certificate or court document) and proof of the need to care for the family member.

Utilization of Paid Leave. Generally, FMLA leave is unpaid. However, depending upon the circumstances, employees may be entitled to receive short-term disability, workers' compensation benefits, paid family leave benefits, or other state-sponsored wage replacement benefits which pay a portion of normal compensation. These benefits will run concurrently with the employee's unpaid leave. An employee who is eligible for these benefits may also choose to use accumulated paid leave during their approved unpaid leave. Employees may not receive more than 100% of salary at any time. An employee will be required to use any available accumulated paid leave concurrently with the FMLA leave.

Coordination with other Leave Policies. The period of time attributable to the employee's absence due to any workers' compensation, disability, or sick leave, will be counted against available leave under this policy to the extent permitted by law. In the event that



additional family, medical or sick leave is available pursuant to state laws, this leave will also run concurrently with FMLA leave to the extent permitted by law.

Intermittent Leave. When medically necessary, leave taken because of a serious health condition of an employee or family member or to care for a Covered Service member may be taken on an intermittent or reduced work schedule basis. The employee and employer shall attempt to work out a schedule for such leave that meets the employee's needs without unduly disrupting the Borough's operations, subject to the approval of the employee's health care provider. The Borough may require an employee taking intermittent or reduced work schedule leave to transfer temporarily to an alternative position with equivalent pay and benefits that is better suited to the leave schedule.

Employment and Benefits Protection. During the leave, health benefits will continue for up to twelve (12) weeks in each rolling twelve (12) month period under the same conditions as if the employee continued to work. Employees must, however, pay the same amount for any benefits continued as they do prior to the leave. Other benefits, if any, will continue during the leave under the same conditions as if the employee continued to work.

If paid leave is substituted for unpaid FMLA leave, the Borough will deduct the employee's portion of the health plan premium as a regular payroll deduction. If the employee's FMLA leave is unpaid, the employee must pay his/her portion of the premium in accordance with a payment method that is devised and mutually agreed upon between the employee and the Borough.

Employees should consult with their Department Head and human resources official prior to taking an approved leave. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums. With regard to the employee's contribution portion of his/her health benefits pursuant to Chapter 78, P.L. 2011 and any voluntary supplemental benefits that the employee may have, the employee is solely responsible for making payment arrangements with the Borough or for any voluntary benefits, to the respective insurance company. Your healthcare coverage may cease if your premium payment is more than thirty (30) days late. With regard to any pension contribution that you may have, you must contact the human resources official to make payment arrangements concerning contributions or credits paid toward your pension benefits. If you fail to return to work after your FMLA leave for any reason except for circumstances beyond your control, you must pay back all unpaid health insurance premiums.

Before returning to work following a medical leave (except for intermittent or reduced schedule leave) due to the employee's own serious health condition, the employee will be required to present a fitness for duty certification from his/her health care provider that he/she is medically able to resume work. If the date on which the employee is scheduled to return to work from FMLA leave changes, the employee is required to give notice of the change, if foreseeable, to the Borough within two (2) business days of the change.

Subject to some exceptions, most employees will be returned to the position they left or to a position equivalent in pay, benefits and other terms of employment. Individuals identified as "key employees" (the highest paid 10% of salaried employees at the work site or within a seventy-five (75) mile radius of that work site) at the beginning of their leave may not be returned to their former or equivalent position if restoration will cause substantial economic injury to the Borough. Employees will be informed of their key employee status at the beginning of the leave period.

A failure to return from FMLA leave for reasons other than the employee's own serious health condition may result in termination of employment. In the event that an employee cannot return to work at the end of FMLA leave due to a continuation of his/her own serious health condition, they must contact the Borough before the expiration of the leave to discuss their options under state and federal law. State leave laws may provide additional leave similar to that provided under the FMLA. The Borough will comply with these state law provisions to the extent they provide for more generous benefits. State leave law benefits will run concurrently with FMLA benefits to the extent permitted by law.

Family Temporary Disability. During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up to ~~six (6) weeks~~ (twelve (12) weeks ~~, effective July 2020~~) of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement and will thus run concurrently with FMLA and/or NJFLA leaves.

### 3 NEW JERSEY FAMILY LEAVE

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#### 3.6

The Borough provides eligible employees with up to twelve (12) weeks of unpaid, job-protected leave for specified family reasons under the New Jersey Family Leave Act (NJFLA).

Eligible Employees. To be eligible for NJFLA leave, an employee must have worked at least twelve (12) months for the Borough and have worked at least 1,000 hours for the Borough over the previous twelve (12) months.

Qualifying Reasons for Leave. An employee may take NJFLA leave to care for:

- A newly born or adopted child or a child placed into foster care with the employee, but the leave must start within twelve (12) months of the birth of the child or the placement of the child.
- A family member (sibling, grandparent, grandchild, child, spouse, domestic partner, civil union partner, parent-in-law, or parent of a covered individual, or any other individual related by blood to the employee, and any other individual that the employee shows to have a close association with the employee which is the equivalent of a family relationship) with a serious health condition.

• In the event of a state of emergency declared by the Governor, or when indicated to be needed by the Commissioner of Health or other public health authority, an epidemic of a communicable disease, a known or suspected exposure to the communicable disease, or efforts to prevent spread of a communicable disease, which:

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- (i) requires in-home care or treatment of a child due to the closure of the school or place of care of the child of the employee, by order of a public official due to the epidemic or other public health emergency;
- (ii) prompts the issuance by a public health authority of a determination, including by mandatory quarantine, requiring or imposing responsive or prophylactic measures as a result of illness caused by an epidemic of a communicable disease or known or suspected exposure to the communicable disease because the presence in the community of a family member in need of care by the employee, would jeopardize the health of others; or
- (iii) results in the recommendation of a health care provider or public health authority, that a family member in need of care by the employee voluntarily undergo self-quarantine as a result of suspected exposure to a communicable disease because the presence in the community of that family member in need of care by the employee, would jeopardize the health of others.

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Leave taken ~~to care for a newly born or adopted child or a child placed into foster care with the employer may for reasons above must~~ be consecutive or intermittent and must begin by the end of the twelve (12) month period after the birth or placement for adoption or foster care.

Leave Benefits. An employee may take up to a maximum of twelve (12) weeks of NJFLA leave in a twenty-four (24) month period, which is measured as a rolling twenty-four (24) month period that commences with the first day of NJFLA leave taken.

You may take NJFLA leave to care for a seriously ill family member:

- As a single block of time.
- By reducing your normal ~~+weekly, [but not daily,]~~ work schedule for no more than twenty-four (24) consecutive weeks in a twenty-four (24) month period.
- Intermittently ~~in increments lasting at least one week, but less than twelve (12) weeks in a consecutive twelve (12) month period,~~ when medically necessary.

Employees permitted to take intermittent, or reduced-schedule leave must try to schedule their leave so that it will not unduly disrupt the Borough's operations. The total time within which an intermittent leave is taken may not exceed a twelve (12) month period, if such leave is taken in connection with a single serious health condition.

Intermittent leaves taken in connection with more than one serious health condition episode must be taken within a consecutive twenty-four (24) month period, or until such time as the employee's twelve (12) week family leave entitlement is exhausted, whichever is shorter. An employee taking a family leave on a reduced leave schedule shall not be entitled to such leave for more than a consecutive twenty-four (24) week period. An eligible employee shall be entitled to only one leave on a reduced leave schedule during any consecutive twenty-four (24) month period. Any remaining family leave to which the employee is entitled subsequent to the expiration of a leave taken on a reduced leave schedule may be taken on a consecutive or intermittent basis.

Depending on the purpose of the employee's leave, the employee may ~~be required to or~~ may choose to use accrued paid leave, concurrently with some or all of his/her NJFLA leave. The employee will not be eligible to accrue seniority or benefits, including vacation and holidays, during any period of NJFLA leave. The Borough will notify employees of their options to continue to participate in our group health plans during NJFLA leave.

Required Notice and Certifications. When requesting NJFLA leave, an employee must provide The Borough thirty (30) days' advance written notice. ~~For employees requesting leave on an intermittent basis, at least fifteen (15) days advance written notice must be provided.~~ If advance written notice is not possible because of an emergency, the employee must provide the Borough with reasonable oral notice and then follow up with written notice.

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The employee also must give the Borough a medical certification supporting the need for leave. The Borough reserves the right to require second or third medical opinions and periodic re-certifications. The employee must also provide periodic reports during the leave regarding the employee's status and intent to return to work as deemed appropriate by the Borough. If an employee fails to provide the required documentation, the Borough may delay the start of the employee's NJFLA leave, withdraw any designation of NJFLA leave or deny the leave, in which case the absences will be treated in accordance with the Borough's standard leave of absence and attendance policies and the employee may be subject to discipline up to and including termination of employment.

If an employee provides false or misleading information or omits material information about an NJFLA leave, the employee will be subject to discipline up to and including immediate termination of employment.

**Benefits Protection.** During a family leave of absence, the employee's health benefits will be maintained under the same conditions as if the employee continued to work. If the employee decides to return to work when his/her family leave of absence ends, the employee may be reinstated to the same or equivalent job with the same pay, benefits, and terms and conditions of employment. If the employee decides not to return to work when the family leave of absence ends, the employee may be required to reimburse the Borough for the health insurance premiums paid on his/her behalf during the leave of absence (except if the failure to return to work was caused by the continuation, recurrence, or onset of serious health condition which would entitle the employee to a leave of absence under the law or other circumstances beyond the employee's control).

With regard to any pension contributions, the employee must contact the human resources official to make payment arrangements concerning contributions or credits paid toward his/her pension benefits. Employees should consult with the Borough prior to taking an approved leave.

**Returning to Work after NJFLA Leave.** On returning to work after NJFLA leave, eligible employees will typically be restored to their original job or to an equivalent job with equivalent pay, benefits and other employment terms and conditions. Any employee who fails to return to work as scheduled after NJFLA leave or exceeds the twelve (12) week NJFLA entitlement will be subject to the Borough's standard leave of absence and attendance policies. This may result in termination if the employee's continued absence is unauthorized (for example, if the employee has no other Employer-provided leave available to him/her).

**Retaliation Prohibited.** The Borough and the NJFLA prohibit the interference with, restraint of or denial of any right provided under the NJFLA and/or discharge or discrimination against any person for opposing any practice made unlawful by the NJFLA or for involvement in any proceeding under or relating to the NJFLA. The Borough encourages employees to bring any concerns or complaints about retaliation or compliance with the NJFLA to the attention of the human resources official.

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**New Jersey Family Leave Insurance.** During a period of unpaid leave to care for a family member with a serious health condition or a newborn or adopted child or child placed into foster care with the employee, the employee may be eligible for up ~~too six (6) weeks~~ (twelve (12) weeks, ~~effective July 2020~~) of Family Leave Insurance ("FLI") payments through the State in a twelve (12) month period. FLI is a monetary benefit paid by the State and not a separate leave entitlement and will thus run concurrently with FMLA and/or NJFLA leaves.

An employee's job is not protected while receiving FLI benefits – unless the employee is eligible for leave under the FMLA, NJFLA, or is otherwise designated for an approved family leave of absence.

Employees must provide the Borough with advance notice of need for leave, as follows:

- At least thirty (30) days before leave to bond with a newborn or newly adopted child, unless the time of the leave is unforeseeable or the time of the leave changes for unforeseeable reasons.
- In a reasonable and practicable manner for leave to care for a seriously ill family member on a continuous, non-intermittent basis, unless an emergency or other unforeseen circumstance precludes advance notice.
- At least fifteen (15) days before leave to care for a seriously ill family member or leave to bond with a newborn or newly adopted child on an intermittent basis unless an emergency or other unforeseen circumstance precludes advance notice.

Application for Family and/or Medical Leave  
(FMLA) and/or New Jersey Family Leave  
(NJFLA)

Name: \_\_\_\_\_ Date of Request: \_\_\_\_\_

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Mailing Address: \_\_\_\_\_

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Department: \_\_\_\_\_ Hire Date: \_\_\_\_\_

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Title: \_\_\_\_\_

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Start Date of Anticipated Leave: \_\_\_\_\_

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Expected Date of Return to Work: \_\_\_\_\_

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Reason for Leave:

☐ I request family leave to care for my newborn child, newly adopted child, or a newly placed foster child in my home.

☐ I request family leave to care for my family member with a serious health condition. I request family leave to care for:

☐ Spouse ☐ Child ☐ Parent

NJFLA Only: ☐ Parent-in-Law ☐ Civil Union/Domestic Partner

Name: \_\_\_\_\_

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Address: \_\_\_\_\_

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☐ I request medical leave to care for my own serious medical condition. Describe serious health condition: \_\_\_\_\_

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- ☐ I request military family leave because of a qualifying exigency arising out of the fact that my
- ☐ Spouse    ☐ Child    ☐ Parent

is on active duty or called to active duty status in support of a contingency operation as a member of the National Guard or reserves.

- ☐ I request military family leave because I am the

- ☐ Spouse    ☐ Child    ☐ Parent    ☐ Next of  
Kin of a covered service member with a serious injury  
or illness.

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#### Application for FMLA and/or NJFLA (cont'd)

I understand that if my family or medical leave (total of paid and unpaid time) does not exceed twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), I will be returned to my same or equivalent position.

I understand that if my family or medical leave exceeds twelve (12) weeks (twenty-six (26) weeks for military caregiver leave), the Borough may terminate my employment in accordance with the applicable law.

If my request for leave is approved, it is my understanding that unless the Borough has authorized an extension of my leave in writing, I must report to duty on the first workday following the date my leave is scheduled to end.

I understand that failure to return to work within five (5) consecutive working days following the expiration of the leave will constitute unequivocal notice of my intent not to return to work and the Borough may terminate my employment.

Signature of Employee: \_\_\_\_\_ Date: \_\_\_\_\_

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Received By: \_\_\_\_\_

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\_\_\_\_\_  
*Employer Representative*

Complete and Return To:

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

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### Return to Work Medical Certification

Employee Name: \_\_\_\_\_

Position: \_\_\_\_\_

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Date leave commenced: \_\_\_\_\_

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Date employee can return to work: \_\_\_\_\_

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To Be Completed by Health Care Provider:

\_\_\_\_ I have completely examined this employee. In my medical opinion, his/her functional capacity is limited such that there is no possible way to modify his/her work environment to accommodate his/her physical and/or mental limitations according to the attached job description that was reviewed by me.

\_\_\_\_ This employee's condition prevents him/her from safely performing the essential functions of his/her position and will be unable to return to work.

- or -

\_\_\_\_ This employee is unable to return to work at this time and should be out of work until (please provide date): \_\_\_\_\_

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\_\_\_\_ I have completely examined this employee and in my medical opinion, his/her functional capacity is limited. This employee can continue to work safely if the job, according to the attached job description that was reviewed by me, is modified to match the modifications stated below:

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\_\_\_\_ Modified duty status should continue until

\_\_\_\_

\_\_\_\_ Date

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\_\_\_\_ I have completely examined this employee. In my medical opinion I believe this employee can resume/perform all functions of his/her position without restrictions according to the attached job description that was reviewed by me.

Signature of Health Care Provider: \_\_\_\_\_

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Date: \_\_\_\_\_

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Name of Health Care Provider: \_\_\_\_\_

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Telephone: \_\_\_\_\_

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Address: \_\_\_\_\_

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Type of Practice: \_\_\_\_\_

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Area of Specialization: \_\_\_\_\_

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## ALCOHOL AND DRUG-FREE WORKPLACE

### 4.3

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**All applicants for positions that require a CDL license and all employees whose job requires them to possess a CDL license shall be excluded from this Alcohol and Drug-Free Workplace policy. Instead, these employees are governed by Federal and State regulations, as well as the attached CDL Drug and Alcohol Testing Policy (Appendix A). Employees hired with the understanding that they must obtain a CDL license will be covered under this Alcohol and Drug-Free Workplace Policy until they obtain their CDL license.**

## YOUR ROLE AND RESPONSIBILITIES

### DRUG-FREE WORKPLACE

The Borough of Mountain Lakes is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This is considered a Health & Safety Policy of the Borough of Mountain Lakes. This Policy highlights the Borough of Mountain Lakes' New Jersey Drug-Free Workplace Policy. The Borough of Mountain Lakes' Designated Employer Representative (DER) is Cara Fox. The Alternative DER is Doug Edler.

The Borough of Mountain Lakes recognizes the prime importance to the Borough of Mountain Lakes of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the adverse effects of substance abuse. While the Borough of Mountain Lakes has no intention of intruding into the private lives of its employees, the Borough of Mountain Lakes does expect employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's substance abuse. Ultimately an employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Borough of Mountain Lakes has a duty to safeguard its employees and the public from the risk of harm from employees who work under the influence of alcohol and drugs. Similarly, employees who are working under the influence, and employees who know that a fellow employee is working under the influence, owe such a duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability. All employees and contractors are responsible and accountable for ensuring that they, and their employees, are not under the influence of alcohol or drugs when carrying out work for the Borough of Mountain Lakes. Managers and supervisors are responsible for taking appropriate action where they identify individuals who are at



work while under the influence of alcohol or drugs. They should also take appropriate action to protect the health and safety of individuals who may be affected.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable. However, to the extent this policy may conflict with a current collective bargaining agreement (CBA), the CBA shall prevail.

All testing information is considered confidential information by the Borough of Mountain Lakes and will be maintained in a separate file along with the employee's medical records, separate from other personnel files. An employee has the right to inspect and obtain a copy of his or her drug test results. Drug testing information will only be released to those employees of the Borough of Mountain Lakes with a job related need to know, the DER and Alternate DER, to defend against any administrative action brought by the employee against the Borough of Mountain Lakes, in grievance or arbitration proceeding under the terms of a collective bargaining agreement, in a court of law under subpoena, as released by the employee in writing, the MRO, Borough of Mountain Lakes insurers, rehabilitation programs and as otherwise required by law. Our Drug-Free Workplace Policy does not tolerate the abuse of drugs or alcohol in the workplace. Understand that this Policy prohibits illegal drug use on or off the job. We encourage any employee suffering from a substance abuse problem to seek help. If you need help, we can direct you to our Employee Assistance Program (EAP) Substance Abuse Professional (SAP) for a confidential evaluation and referral for substance abuse treatment if necessary. Notice of the Borough of Mountain Lakes' New Jersey Drug-Free Workplace testing will be provided on vacancy announcement and is posted in conspicuous locations on Borough of Mountain Lakes premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Borough of Mountain Lakes safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment, except to the extent this policy may conflict with a current collective bargaining agreement (CBA), which CBA shall prevail. The Borough of Mountain Lakes has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of 7/1/21 all employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

## **WHO DO WE TEST?**

All employees performing safety-sensitive functions, and all final applicants for positions where safety-sensitive functions are performed, and all other employees where reasonable suspicion exists. All DOT regulated employees are also subject to testing under this policy. Using the criteria below, the following positions have been classified by the Borough of Mountain Lakes as safety-sensitive: Police Officers, Firefighters, heavy

machinery operators, motorized equipment operators and any employee who operates a Borough owned vehicle. Elected officials who are not otherwise classified as employees are not subject to testing under this Policy.

## **SAFETY-SENSITIVE CLASSIFICATIONS**

Safety-sensitive employees are those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire and police dispatchers, 911 operators, heavy machinery operators, forklift operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, and those involved in security functions. All Department of Transportation (DOT) regulated employees are determined to be safety-sensitive by those regulations. Unless an employee comes under drug testing regulations of some federal agency, each position, job classification or department, should be individually evaluated to determine whether the employee is safety-sensitive in accordance with the above guidelines. (Attach safety-sensitive job classifications on separate sheet if necessary.)

## **HOW DO WE TEST?**

Drug and alcohol testing is done through chemical analysis which determines without question if a person has drugs or alcohol in his or her system and in conformity with regulations of the New York Department of Health, New Jersey Department of Health, or CLIA. Specimens subject to testing include urine, breath, hair, oral fluids, or blood. Specimen collections, chain of custody and drug and alcohol tests will be in substantial compliance with the U.S. Department of Transportation (DOT) procedures if applicable to the type of specimen being tested. To ensure accuracy, urine lab test procedures shall include a preliminary drug screening, two highly sophisticated scientific tests including adulterant detection, and are reported to an independent certified Medical Review Officer prior to being released to the Borough of Mountain Lakes. Observed urine collections will only be conducted with the consent of the donor, and the observer will be by a person whose gender matches the donor's gender as identified by the donor at the beginning of the observed collection. Observed collections will be conducted in a professional manner that minimizes discomfort to the donor, and a medical professional may serve as the monitor, regardless of gender. The Medical Review Officer may recommend the collection of an alternate specimen (e.g., oral fluid) when a donor is unable to provide a sufficient amount of urine specimen at the collection site. The MRO will verify that chain of custody procedures were adhered to, use of a certified laboratory and that the test results were valid. The Borough of Mountain Lakes provides reasonable accommodations to employees and/or applicants in the alcohol and drug testing program whose physical



condition prevents them from producing a urine specimen suitable for testing. You may contact the DER if you wish to make an accommodation request. In accordance with Borough of Mountain Lakes policy, a test result reported by the laboratory as a negative dilute urine test is not considered a negative test but subjects the donor to immediate retesting; and a second negative dilute urine test will render an applicant ineligible for hire and current employees, where a negative test is required, not currently fit for duty. FDA approved on-site screening devices may be utilized with all initial positive results confirmed by laboratory testing.

All positive initial tests are confirmed by GC/MS at established DOT cut off levels. An Alcohol content of 0.04 or higher using a DOT approved alcohol screening device, or breath alcohol device, is classified as a positive test. The drugs tested for may include all or some of the following: (1) Amphetamines; (2) Cannabinoids; (3) Cocaine; (4) Phencyclidine (PCP); (5) Opioids, designer drugs, or a metabolite of any of the above substances and mind altering synthetic narcotics or designer drugs, or impairing effect medications or substances, taken by employees working in a safety-sensitive classified position, in order for the employer to fulfill its duty to provide a safe place to work as a safety rule. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

#### **WHAT IF YOU TEST POSITIVE?**

The Medical Review Officer will contact you confidentially to give you an opportunity to discuss your results before reporting them to the Borough of Mountain Lakes as a verified positive. You may discuss the result with the MRO up to seventy-two (72) hours after a positive result and ask questions of the MRO about prescription and non-prescription medications, rebut or explain the test results to the MRO, and provide supporting documentation. During this 72-hour period, any applicant or employee may request that their split specimen be tested at a second laboratory and if positive, they will be responsible for that expense and that cost may be deducted from their paycheck, depending upon the result and, if negative, the employee will be reimbursed by the Borough of Mountain Lakes for the cost of the test and any lost time. Under federal regulations, the MRO has the discretionary authority to notify the Borough of Mountain Lakes that an employee is temporarily medically disqualified from the performance of safety-sensitive work during this evaluation period and also has the duty to notify the Borough of Mountain Lakes if the employee is taking an impairing effect medication. A positive drug or alcohol test is classified as willful misconduct and a violation of the Borough of Mountain Lakes' Policy. Any employee who tests positive, or refuses to be tested, may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, for gross misconduct connected with work, and violation of a safety rule for those employees working in a safety-sensitive position and/or forfeit eligibility for Worker's Compensation benefits *N.J. Stat. Ann. § 34:15-7* if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits. Any applicant made a conditional offer

that tests positive, or refuses to be tested, will be denied employment or have their offer withdrawn.

As it relates to cannabis, an employee will be subject to adverse action if there is both a positive drug test, confirmed by a licensed laboratory, and a determination of reasonable suspicion based on documentation of physical signs or other evidence of impairment during the employee's work hours. When the New Jersey Cannabis Regulatory Commission issues standards for certification of a Workplace Impairment Recognition Expert ("WIRE"), an employee will be subject to adverse action if there is both a positive drug test and a physical evaluation by a WIRE.

Applicants for non-CDL positions will not be denied employment based solely on a positive pre-employment drug test for cannabis, except for law enforcement officers assigned to a federal task force, holding a federally regulated license requiring testing, or applying to an agency that is specifically required to test for cannabis by the terms of a federal contract or federal grant.

## **WHAT IF YOU FAIL TO FOLLOW SAFETY GUIDELINES?**

Often times, impairment from drugs or alcohol will cause an employee to fail to adhere to safety guidelines and other common sense safe working practices. Failure to wear a seatbelt, failure to use Borough of Mountain Lakes provided or required safety equipment, failure to follow safety guidelines, or removal (or disabling) of a safety guard will be willful misconduct connected with work, and subject the employee to discipline, up to and including discharge for violation of Borough of Mountain Lakes Policy.

## **WHAT ABOUT IMPAIRING EFFECT MEDICATIONS OR SUBSTANCES?**

Any employee working in a safety-sensitive position as defined by Borough of Mountain Lakes Policy is required, as a safety rule, to pre-duty disclosure that they are taking or using ANY impairing effect prescription, including medical marijuana, over-the-counter medications, mind altering synthetic or designer drugs or other substance which may have an effect on performance of safety-sensitive duties. If the fact that the employee is taking or using an impairing effect medication or substance is not disclosed pre-duty by a safety-sensitive employee and the employee tests positive, is otherwise determined to be taking or using such, or is determined by the MRO to be a potential safety risk due to taking or using an impairing effect medication or substance, that employee will be subject to discipline, up to and including termination, for violation of this safety rule. If disclosure is made, the Borough of Mountain Lakes reserves the right to send the employee for a Fitness-for-Duty evaluation to evaluate the medication or substance and its effects on the performance of safety-sensitive duties. In advance of testing, employees are encouraged to have their own doctor make an individualized assessment of any safety-related risks of the medications or substances which they are taking or using, providing the doctor a copy of their job description and having the doctor render an opinion on the safety-related risks. The employee need not disclose to the Borough of Mountain Lakes the medication

or medical condition involved to fulfill the disclosure obligation of this Policy. All information provided will be kept separate from personnel files and in a confidential manner. The MRO, or another Medical Professional selected by the Borough of Mountain Lakes, will make the final determination on the safety-related risks of any particular medication or substance.

## **WHAT IF AN ADULTERANT IS FOUND?**

The use of an adulterant (something added to a specimen to attempt to hide drug use) is considered a refusal to test and a violation of the Policy. The same would be true if you attempted to substitute a specimen. Any employee who is found to have violated this Policy by attempting to defraud a drug or alcohol test may be subject to appropriate disciplinary action, up to and including termination for willful misconduct connected with work, or withdrawal of a job offer. No last chance opportunity is available under such a circumstance. It is a criminal offense to substitute or adulterate a test specimen. It also is a criminal offense in New Jersey to manufacture, sell, give away, or possess any device or substance designed or commonly used to substitute or adulterate a test specimen. *N.J. Stat. Ann. § 2C:36-10*. The MRO may declare a urine specimen to be adulterated or substituted based on the laboratory report.

## **WHAT IF I REFUSE?**

A refusal to provide a specimen for testing, unless the MRO agrees a medically valid reason exists for your inability, will be considered willful misconduct connected with work. Such willful misconduct connected with work will cause an applicant's offer to be withdrawn and will subject an employee to immediate termination for cause. Under New Jersey law, unemployment compensation benefits may not be available in such a circumstance. Failure to report for specimen collection within a reasonable time, two (2) hours, of being directed to do so is also classified as a refusal under the Borough of Mountain Lakes Policy.

## **DRUG EDUCATIONAL INFORMATION**

Attached to this Policy you will find drug educational information to assist you in recognizing the impairing effects of drug use. The Borough of Mountain Lakes will conduct employee education of substance abuse education and awareness and supervisor training on how to recognize signs of abuse, how to document and collaborate signs of employee substance abuse, and how to refer substance abusing employees to the EAP.

## **WHAT IF YOU HAVE A SUBSTANCE ABUSE PROBLEM?**

The Borough of Mountain Lakes will provide support for employees who need support and help with alcohol or drug dependency via confidential Employee Assistance Program (EAP), Substance Abuse Professional (SAP) or Medical/Occupational Health support services. Employees who proactively seek treatment will be treated sympathetically and

in a confidential manner. In certain cases, this may require a transfer to other duties (e.g. where a person is working in a safety critical role) while the individual is receiving treatment. However, the fact that an employee is seeking or undergoing treatment will not be a defence to a charge of wilful misconduct if the employee reports for work under the influence of alcohol or drugs. Our Policy encourages any employee with a drug or alcohol problem to voluntarily and confidentially seek help through our EAP/SAP program. Coming forward after you have been notified to report for testing is not considered a voluntary report. For confidential help with a substance abuse problem, contact the DER or the EAP/SAP. Counseling and rehabilitation for alcohol or substance abuse is available through the EAP, and may also be available under the health and welfare benefit program for employees, *only to the extent of the current benefits package*. The Borough of Mountain Lakes will assume no direct financial responsibility for counseling or rehabilitation costs of an employee, not covered by the EAP. Any costs in addition to or in excess of any available health benefits are the employee's responsibility. A list of state and national **Substance Abuse Resources** is a part of this Policy.

### **WHAT ABOUT A LAST CHANCE OPPORTUNITY?**

No last chance opportunity is available to a probationary, part time or temporary employee, or in the case of refusal, attempted adulteration, substitution, switching, tampering with, or diluting of a specimen or attempt to defraud a drug test. Employees who receive an EAP/SAP evaluation favorable for rehabilitation may be offered a last chance agreement which will subject the employee to unannounced follow-up testing for up to 12 months, together with other educational and counseling requirements as recommend by the EAP/SAP. A negative return to duty test is required to be placed back on active duty. A positive test, refusal or failure to comply with any term of the last chance agreement during this follow-up period will subject the employee to immediate termination.

### **WHY AND WHEN DO WE TEST?**

- Pre-employment: Drug testing will be performed on all final applicants for safety-sensitive positions, or who transfer into a safety-sensitive position, as a condition of their employment.
- Routine Fitness-for-Duty: Safety-sensitive employees may be required to submit to a drug test as part of a routine Fitness-for-Duty examination and may be based on a particular job classification.
- Reasonable Suspicion: All employees will be required to submit to a drug and/or alcohol test if the Borough of Mountain Lakes has a reasonable suspicion that an employee is under the influence of drugs or alcohol, which adversely affect or could adversely affect the employee's job performance. Employees selected for testing shall be suspended until a negative drug/alcohol screen or laboratory test result is received. If a negative result, the employee will not suffer a loss of pay.



- Post-Accident/Incident Testing: Testing of a safety-sensitive employee may be conducted under any of the following circumstances: 1) the employee involved in the incident/accident was actively engaged in the activity which objectively could have caused or contributed to the injury or damage; or 2) the employee was operating, controlling, or repairing any machinery, tool, device, equipment or vehicle that was involved in the incident/accident; or 3) the employee's action or inaction was likely a contributing factor to the incident/accident or cannot be completely discounted as a contributing factor based on current info; or 4) testing is being conducted as part of the Borough of Mountain Lakes' Post Incident/Accident Investigation related to possible Workers' Compensation Disqualification; or 5) testing is being conducted for other non-injured employees whose actions, or inaction, could have contributed to the incident/accident as part of a root cause investigation; or 6) post-accident drug testing is required by the Workers' Compensation Carrier or Fund.
- Random: Employees in safety-sensitive positions are subject to random drug testing. Those subject to testing are randomly selected, using scientifically valid methods, from a "pool" of covered employees. Non-DOT safety-sensitive employees may be included in a Non-DOT testing "pool." DOT regulated employees should only be placed in a DOT testing "pool."
- Rehabilitation/Follow-up: An employee who has voluntarily requested rehabilitation prior to a positive drug test may be subject to unannounced drug and/or alcohol testing under a work continuation agreement, to determine whether he or she is under the influence of alcohol or drugs after successful completion of the rehabilitation program. The testing will be without notice in conjunction with a referral for treatment.

## **POLICY PROHIBITIONS**

Employees, applicants and Contractors for the Borough of Mountain Lakes are strictly prohibited from engaging in the following conduct:

1. With respect to illegal drugs, employees and applicants violate this Policy by engaging in the following conduct, whether or not during work time or on Borough of Mountain Lakes premises or property and are subject to discipline up to and including discharge, or rejection of the application for employment, or cancellation of contractual agreements:
  - a. Testing positive in a confirmed drug or alcohol test, or refusing to be tested.
  - b. Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia on Borough of Mountain Lakes premises or property, including Borough of Mountain Lakes-owned or leased vehicles, or vehicles used for Borough of Mountain Lakes purposes.

c. Having possession of, being under the influence of, testing positive for, or being in close proximity to persons using illegal drugs, or otherwise having in one's system illegal drugs.

d. Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs. In addition, the Borough of Mountain Lakes will refer such matters to the appropriate police authority.

e. A conviction or plea of guilty relative to any criminal drug offense occurring in the workplace. All employees must notify Borough of Mountain Lakes in writing of any criminal drug conviction no later than five (5) calendar days after such conviction. Drug use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardise the health or safety of other employees, the public or the Borough of Mountain Lakes' equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job drug offence. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Borough of Mountain Lakes and other factors related to the impact of the employee's conviction on the Borough of Mountain Lakes.

f. Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.

g. Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.

h. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, drug testing, medical or physical tests or examinations, when requested or conducted by Borough of Mountain Lakes or its designee, is a violation of Borough of Mountain Lakes Policy and may result in disciplinary action up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

i. Failure to advise pre-duty the Borough of Mountain Lakes of the use of a prescription or over-the-counter drug which may alter the employee's ability to safely perform the essential functions of his or her job.

j. Failure of an employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of drugs.



2. With respect to alcohol **and cannabis**, employees violate this Policy by engaging in the following conduct during work time or on Borough of Mountain Lakes premises or property:
- a. Bringing and/or storing (including in a desk, locker, automobile, or other repository) alcohol **or cannabis** on Borough of Mountain Lakes premises or property, including Borough of Mountain Lakes owned or leased vehicles, or vehicles used for Borough of Mountain Lakes purposes.
  - b. Having possession of, being under the influence of, testing positive for or having in one's system, alcohol **or cannabis**. **Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing alcohol or cannabis. As it relates to a positive drug test for cannabis, an employee violates this policy if there is both positive drug test and evidence-based documentation of physical signs or other evidence of impairment during the employee's work hours. Exceptions to the policy concerning alcohol consumption or possession may be made only upon the prior explicit approval of senior management for specifically identified circumstances.**
  - c. A conviction or plea of guilty relative to any criminal alcohol **or cannabis** offense occurring in the workplace. All employees must notify Borough of Mountain Lakes in writing of any criminal alcohol **or cannabis** conviction not later than five calendar days after such conviction. Alcohol **or cannabis** use off-the-job which adversely affects an employee's performance on the job, or which has the potential to jeopardise the health or safety of other employees, the public or Borough of Mountain Lakes' equipment or function, shall be cause for disciplinary action up to and including dismissal. Action will be taken against employees who are convicted for an off-the job alcohol **or cannabis** offense. In deciding what action will be taken, the incident will be evaluated in terms of the nature of the conviction, the employee's job assignment, the employee's record with the Borough of Mountain Lakes and other factors related to the impact of the employee's conviction on the Borough of Mountain Lakes.
  - d. Switching, tampering with, or adulterating any specimen or sample collected under this Policy, or attempting to do so.
  - e. Refusing to cooperate with the terms of this Policy which includes submitting to questioning, alcohol **or drug** testing, medical or physical tests or examinations, when requested or conducted by Borough of Mountain Lakes or its designee, is a violation of Borough of Mountain Lakes Policy and may result in disciplinary action, up to and including termination. A refusal to test includes conduct obstructing testing such as failure to sign necessary paperwork or failing to report to the collection site at the appointed time.

**f. Failure of employee to notify his or her supervisor before reporting to work if he or she believes that he or she is under the influence of alcohol or cannabis.**

## **HOW CAN YOU HELP?**

- I. If you are doing drugs – STOP!
- II. If you need help – ASK!
- III. If you know someone at work who is doing drugs – TAKE ACTION!
- IV. Don't let someone else's drug or alcohol problem be the cause of an ON THE JOB INJURY!

Only with your help can we truly have a safe, pleasant, and productive environment at the Borough of Mountain Lakes.

**Borough of Mountain Lakes**  
400 Boulevard  
Mountain Lakes, NJ 07046  
973-334-3131

## Drug Educational Information

### Alcohol (Depressant)

<b>Common Forms:</b>	Beer, wine, hard liquor
<b>How Used:</b>	Oral ingestion, patterns of use vary.
<b>Desired Effect:</b>	People drink to relax, to socialize, as a part of a religious ceremony, for the control of physical and emotional pain, or for a variety of other reasons. Its depression of the central nervous system is progressive and continuous. It is a mood-modifying drug that usually provides a temporary feeling of mild euphoria and stimulation. This is a result of the initial depression of the higher centers of the brain which control inhibition. The more you drink, the more sedated you then become.
<b>Time in body:</b>	Depends on many factors, such as body size, amount of alcohol consumed within an hour, and other individual factors. Performance is effected in relation to the amount consumed. Generally, a medium-sized person eliminates the equivalent of one drink per hour. However, "hangover" effects of alcohol have been documented for as long as 14 hours after consuming an intoxicating dose, well after the blood alcohol levels have returned to zero.
<b>Observable effects:</b>	Staggering gait Slurred speech Odor of alcoholic beverage Shaky hands Poor eye-hand coordination Slowed reaction time Eyes react slowly to light - wears sun glasses
<b>Work behavior:</b>	Arrive late, leave early, mis-outs Neglect of physical appearance Restlessness Tremors (hands, face, fingers, lips tongue) Slurred speech Uninhibited - makes inappropriate remarks
<b>Material Indicators:</b>	Empty liquor bottles, cans, often in paper bags Flasks, sometimes disguised as other things
<b>Slang Terms</b>	Booze, juice, hooch, grape, eye-opener, hair-of-the-dog, brew, suds, etc

## Amphetamines (Amphetamine and Methamphetamine)

### Stimulant

<b>Common forms:</b>	Amphetamine - usually capsules or white, flat, double-scored pills. Methamphetamine - white or granular powder, often packaged in aluminum foil or plastic bags.
<b>How used:</b>	Orally, sniffed up the nose, or injected.
<b>Desired effects:</b>	Most commonly sought after effects include euphoria, postponement of fatigue, increased energy, alertness and feelings of personal power. Repeated or chronic use often causes a strong dependence reaction and a schizophrenic loss contact with reality. Users coming off the drug experience extreme fatigue-induced sleep ("crash"), often followed by continued fatigue and depression.
<b>Time in body:</b>	Injection or sniffed up the nose; "rush" felt within 1 minute. Orally, effects felt within about ½ hour. Single doses detectable for about 48 hours.

**Observable effects:**

Dilated pupils. Flushed face, rapid respiration, profuse sweating. Hyper-excitability, talkativeness, restlessness. "Stereotypic" behavior often seen: person engages in repetitive tasks or mannerisms for extended periods of time. In large doses, inability to concentrate, confusion, panic.

**Work behavior:** Try to do job beyond competence level. Impaired ability to operate equipment. Takes chances, risks.

**Material Indicators:** Pills, capsules, white powder, granular crystals  
Foil wrapped tubes, baggies. Hypodermics and paraphernalia for injections

**Slang terms:** Defies, bennies, speed, crank, ice, crystal, white crosses, black beauties

### **Cocaine - A Stimulant**

**Common forms:** Cocaine - White crystalline powder. Free-base cocaine (crack) - white granular "rocks"

**How used:** Cocaine--usually snorted up the nose through a straw or from a "coke spoon" after being chopped to a fine powder with a razor blade. "Crack" -- freebase cocaine--is a processed version which is vaporized in a pipe and inhaled. Either form may also be injected.

**Desired effect:** Most commonly sought after effects are euphoria, stimulation, postponement of fatigue and feelings of personal power. The "high" lasts approximately one hour, with a "down" follow-on period. Psychological and physical dependence to "crack" after one to two uses; dependency to snorted coke takes longer to develop.

**Time in Body:** Single doses detectable for 12-24 hours

**Observable effects:** Dilated pupils. Talkativeness, restlessness. Sniffing, runny nose, irritated or bloody nose. Dramatic mood swings, from "down" to "up" in minutes. Sense of power sometimes manifested in aggressiveness

**Work issues:** Frequent trips "to the restroom"—secluded place. Frequent sick-outs and unexplained absences. Hyper-excitability and over-reaction to stimulus. Isolation/withdrawal from friends and activities. Financial problems--borrows, steals and/or sells to support habit. Insomnia, restlessness, lack of sleep

**Material Indicators:** Small folded paper envelopes (bindles), plastic bags, small vials used to store drug. Razor blades, mirrors, cut off straws, coke spoons. Small glass pipes, and heat sources used to volatilize crack.

**Slang terms:** Coke, snow, toot, crack, blow, happy dust, "C"



## Marijuana

<b>Common forms:</b>	Dried green-brown flowers and leaves of the hemp (cannabis) plant--also as compressed tar like lumps (hashish) and sometimes as an oil to be spread on cigarettes (hash oil).
<b>How used:</b>	Generally smoked in hand-rolled cigarettes (joints) or a small pipe, sometimes eaten in baked goods or steeped to make a tea.
<b>Desired effects:</b>	Effects are somewhat dependent on the user and potency of the plant. Low doses tend to produce a dreamy state of relaxation and euphoria with changes in sensory perceptions (usually intensified) and alteration in thought formation and expression. Higher doses intensify these reactions with fragmentation of thought, memory impairment, shortened attention span, and illusions of insight. Marijuana currently sold on the street is 10 times more potent today than in past years.
<b>Time in body:</b>	Marijuana dissolves in body fat cells and is detectable for extended periods of time--up to seven (7) days for occasional users and four (4) weeks or longer for chronic users
<b>Observable effects:</b>	Red bloodshot glassy eyes (users often wear dark glasses and use eye drops to combat). Poor muscular control. Rambling, disconnected speech patterns. Euphoria--as laughing out of context. Getting "hung up" - i.e. going into the bathroom to comb your hair and coming out two hours later. Distinctive odor in air and/or on clothing.
<b>Work issues:</b>	Lack of attention, vision and auditory changes, and poor muscular control. Inability to respond to emergencies and sudden situational changes. Frequent sick-outs and mis-outs. Lackadaisical "I don't care" attitude about person and work. Chronic health problems for frequent users--persistent cough, fatigue, frequent sickness.
<b>Material indicators:</b>	Baggies of green-brown vegetable matter; rolling papers; small pipes (for marijuana) and very small pipes (for hashish); "roach clips" to hold the burned end of the marijuana cigarette; "roaches" discarded on the floor or in ash trays; distinctive odor of marijuana in the air.
<b>Slang terms:</b>	Dope, grass, reefer, weed, ganja, pot, etc.

## Opioids (Morphine and Codeine)--Narcotic Depressants

<b>Common forms:</b>	Street forms are pills, liquids and powders. Morphine is derived from opium. Opium dissolved in alcohol, containing 10% morphine, is legally available in many states as "paregoric."  Morphine and codeine are widely used medicinally. Morphine is a naturally occurring alkaloid, and is also found in products containing poppy seeds. Heroin is a semi-synthetic derivative of morphine.
<b>How used:</b>	Opium is usually smoked. Codeine is most commonly taken orally. Heroin and morphine are injected; powders can be snorted; cigarettes can be dipped in paregoric and smoked.
<b>Desired effects:</b>	Most commonly effects include euphoria, relief from pain, and a feeling of dissociated well-being. Low maintenance doses allow the addict to function on a daily basis. The heroin user experiences a "rush" described as a very pleasurable whole body reaction lasting 5-10 minutes, followed by several hours of mental and physical relaxation.
<b>Time in body:</b>	Single doses are usually detectable for 48-72 hours.



**Observable effects:**

Pinpoint pupils. Sweating, nausea, vomiting in novice users. "Nodding off"--the head drooping toward the chest, then bobbing up. Overly calm, detached facial expression. Confusion, mental dullness and slurred speech. Needle marks over veins.

**Work issues:** Increased sick-outs, mis-outs. Lack of interest in work, no attention to detail. Sharing of needles brings a high risk of contracting hepatitis and/or AIDS. High cost of the addiction may lead to borrowing money, stealing and selling (on or off the premises).

**Material indicators:**

Foil or paper "bindles" for holding the drug. Charred spoons or bottle caps, used to cook the drug. Multiple burned matches used to cook the drug. Needles, syringes, eye droppers used for injection. Balloons or prophylactics used to hold drug. Bloody tissue papers, blood on shirt sleeves.

**Slang terms:** Heroin, dope, smack, shit, hard stuff, "H", china, monkey dust, china white, etc.

**Phencyclidine (PCP)**

**Common forms:** Pills, liquid, powder, and PCP cigarettes

**How used:** Usually smoked with tobacco or marijuana, but may be injected, swallowed, eaten or snorted.

**Desired effects:**

Users report desirable feelings of immobility, numbness, and detachment. Other sought-after effects include feelings of strength, power, and invulnerability, a dream-like detachment from reality (often coupled with lack of coordination).

**Time in body:**

Usually detectable 1- 8 days, but chronic users may test positive for several weeks following the last dose.

**Observable effects:**

Low doses: Sedated, euphoric, uncoordinated behavior. Wide mood swings. Sparse and purposeless speech. Muscle rigidity and jerky eye movements (nystagmus).

**High doses:** Coma-like states with muscle rigidity and staring, half-closed eyes. Sudden stimuli may send the user into a psychotic state, with extreme agitation, violent behavior, abnormal strength, and inability to speak or comprehend.

**Work issues:** Wide mood swings, unpredictable behavior, aggressive. Tremendous liability in the work force.

**Material indicators:**

Cigarettes that look as if they have been wet. Crystals, liquids or powders in small vials. Folded aluminum foil or paper packets.

**Slang terms:** PCP, angel dust, hog, dust, DOA, shermans, sherms, peace pills, dummy, etc.

## **Substance Abuse Professionals**

### **NATIONAL RESOURCES**

A2Z Alcohol & Drug Abuse-Addiction .....	1-800-274-2042
Al-Anon/Alateen Family Group Headquarters.....	1-800-356-9996
Alcoholics Anonymous World Service .....	1-212-870-3400
American Council on Alcoholism Helpline .....	1-800-527-5344
800 Cocaine--An Information and Referral Hotline .....	1-800-262-2463
Nar-Anon Family Group Headquarters .....	1-310-547-5800
Narcotics Anonymous.....	1-818-773-9999
National Association of Alcoholism (NAADAC).....	1-800-548-0497
<a href="http://www.naadac.org">www.naadac.org</a> Fax: .....	1-800-377-1136
National Association of Addiction Treatment Professionals.....	1-717-581-1901
<a href="http://www.naatp.org">www.naatp.org</a>	
National Council on Alcoholism and Drug Dependence, Inc. ....	1-212-269-7797
<a href="http://www.ncadd.org">www.ncadd.org</a>	
Hope Line (24-hour affiliate referral).....	1-800-NCA-CALL
Center for Substance Abuse Prevention's Workplace Hotline...	1-800-WORKPLACE
National Clearinghouse for Alcohol & Drug Information .....	1-800-729-6686
Center for Substance Abuse Prevention's Drug Information, Treatment & referral Hotline .....	1-800-662-HELP
(Spanish-Espanol) .....	1-800-66-AYUDA

**BOROUGH OF MOUNTAIN LAKES  
ALCOHOL AND DRUG-FREE WORKPLACE POLICY  
NEW JERSEY NON-DOT**

**NOTICE TO ALL EMPLOYEES AND APPLICANTS**

**DRUG-FREE WORKPLACE**

The Borough of Mountain Lakes is committed to maintaining a safe, pleasant, and productive working environment. You have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. This Policy highlights the Borough of Mountain Lakes' New Jersey Drug-Free Workplace Policy. The Borough of Mountain Lakes' Designated Employer Representative (DER) is Cara Fox. The Alternative DER is Doug Edler.

The Borough of Mountain Lakes recognizes the prime importance to the Borough of Mountain Lakes of protecting the safety, health and welfare of its employees and others with whom we interface such as citizens, contractors and members of the public. The objective of this policy is to maintain a working environment free from the effects of substance abuse. While the Borough of Mountain Lakes has no intention of intruding into the private lives of its employees, or preventing them from taking the medicine that they may need to stay safe and healthy, the Borough of Mountain Lakes does expect employees to report to work unimpaired able to perform the duties of their job safely and effectively. In addition to absenteeism and accidents, substance abuse can adversely affect performance, productivity and workplace morale. Co-workers may feel that they have to cover up, or work harder because of someone's alcohol or drug use. Ultimately an employee with an alcohol or drugs problem may lose their job and/or suffer devastating effects on their health. The Borough of Mountain Lakes has a duty to safeguard its employees and the public from the risk of harm from employees who work under the influence of alcohol and drugs. Similarly, employees who know that a fellow employee is working under the influence, owe a similar duty. The failure to honour that duty by taking the right steps to prevent this risk can result in legal liability.

To the extent this Policy supplements, and does not conflict with current collective bargaining agreements, it is applicable.

Notice of the Borough of Mountain Lakes' New Jersey Non-DOT Drug and Alcohol testing will be provided on vacancy announcement and is posted in conspicuous locations on Borough of Mountain Lakes premises.

Our program can help improve your health and help you avoid trouble with the law. Even if you do not use drugs or alcohol, this program will make your workplace safer and more productive, the Borough of Mountain Lakes safer, and will help your friends and co-workers get the help they need. Compliance with this policy is a condition of your hire or continued employment. The Borough of Mountain Lakes has developed its drug-free workplace policy in compliance with New Jersey Laws, *and the Fourth Amendment to the United States Constitution as it covers employees of governmental entities*. Applicant testing will begin immediately and sixty (60) days after the effective date of 9/1/21, all employees are subject to testing as outlined below. The existing drug and alcohol testing program will remain in place until the effective date of this program.

**Borough of Mountain Lakes**  
**DESIGNATED EMPLOYER REPRESENTATIVE (DER) GUIDELINES**  
**ON USE OF FORM TOOLKITS**

The following are helpful tips the DER and/or alternate DER may wish to consult in fulfilling their duties and responsibilities:

**Getting Started:**

Populate the **Drug and Alcohol Testing Policy Development Worksheet** with the information specific to your entity and have this reviewed by legal counsel. As part of this process, you should complete the **Determination of Safety-Sensitive Positions [DFW04]**. That is a significant role in designating those as safety-sensitive in your policy.

Establish date for introduction of the **Drug and Alcohol Testing Policy** to employees. This Policy includes the following parts: (1) Policy, (2) Drug Education Information, (3) Substance Abuse Professionals resource list. You should secure a drug and alcohol awareness video for the meeting and send out notice of meeting date and time. Make a copy of the **Policy** for each employee. **Note:** the **Forms Toolkit** and **DER Guidelines** are not to be given to the employees at the meeting but can be viewed by them at any time.

On the date of the employee awareness training, have an **Employee Awareness Training Session Log** out for employees to sign. Distribute to each employee the following 4 part Policy: **Drug and Alcohol Testing Policy, Drug Education Information, Substance Abuse Professional resource list, and the Active Employee Certificate of Agreement, Receipt of Drug-Free Workplace Policy Consent Form**. Then walk through significant Policy provisions. At the end of the program have each active employee sign the **Active Employee Certificate of Agreement Receipt of Employee Policy Statement Consent Form [DFW01]** and place in their personnel file.

Establish a time and date to conduct reasonable suspicion training for supervisors. This training should be one hour for alcohol and one hour for drugs and conducted by someone who can issue certifications of such training.

Prepare file folders for your Drug and Alcohol Testing Policy records retention and maintain these files separate from personnel files as you would medical records.

Select a Certified Medical Review Officer, Laboratory, collection site and Third Party Administrator to assist with your program.

## **Applicant/Employee Testing**

Have all applicants sign the **Pre-Employment Substance Testing, Consent and Release Form [DFW02]** before you schedule them for a pre-employment drug test.

If the employee fails to show for testing on time, you should receive a call from the collection site. Failure to show up on time is usually determined to be a "refusal to test" subjecting the employee to discipline or rejection of application under your **Policy**. If there is a refusal, you may wish to consider faxing an **Acknowledgment of Consequences of Refusal to Participate in Drug or Alcohol Testing [DFW03]** to the collection site while the employee is still present.

## **CMRO Report**

You should get to know your Certified Medical Review Officer (CMRO) and request that he/she explain their role and answer your questions.

## **Post-Accident**

In the event the employee is involved in a work place accident, check that the employee is drug tested in accordance with your Policy and worker's compensation requirements.

## **Reasonable Suspicion**

The trainer that you have selected for Supervisory Reasonable Suspicion training should be able to provide you both Contemporaneous and Long-term Observation checklists.

## **Refusal to Submit to Testing**

Use **Acknowledgment of Consequences of Refusal to Participate in Drug or Alcohol Testing [DFW03]** and have two (2) supervisors sign verifying that refusal.

## **Removal from Safety-Sensitive Duty on a Verified Positive or Refusal**

Do not wait on the CMRO's written report but act upon the CMRO's oral report of verified positive drug test, adulterated or substituted drug test.



**BOROUGH OF MOUNTAIN LAKES**  
**Active Employee Certificate of Receipt [DFW01]**

I do hereby certify that I have received and read the New Jersey Drug-Free Workplace Policy, which explains the Borough of Mountain Lakes' adherence to New Jersey Laws. I have had the terms and conditions of the Borough of Mountain Lakes' Drug and Alcohol Testing policy explained to me relative to screening or tests by the Borough of Mountain Lakes, for the purpose of determining the presence of, and content of, any or all of the following substances under circumstances as set forth in the Borough of Mountain Lakes' Policy:

- |                 |                        |
|-----------------|------------------------|
| 1. Amphetamines | 4. Phencyclidine (PCP) |
| 2. Cannabinoids | 5. Cocaine             |
| 3. Opioids      |                        |

Testing may also include a metabolite of any of the above substances and mind altering synthetic narcotics or designer drugs. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

I understand that any employee who tests positive, or refuses to be tested, may be subject to appropriate disciplinary action for engaging in willful misconduct connected with work, up to and including immediate termination, and/or forfeit eligibility for Worker's Compensation benefits *N.J. Stat. Ann. § 34:15-7* if post-accident and may adversely affect an employee's eligibility to receive Unemployment Compensation benefits.

**POSITIVE DRUG OR ALCOHOL TEST, OR REFUSAL CONSEQUENCES:**

- 1) Classified as a positive test or refusal to test**
- 2) Discharge from employment**
- 3) Possible disqualification from Workers' Compensation Benefits**
- 4) Possible disqualification from Unemployment Compensation Benefits**

I also understand that it is not the purpose of this test to identify any disability I may have and that all activities will be conducted in accordance with ADA regulations.

I also understand that the Borough of Mountain Lakes and/or its designated representative will collect specimens for testing for the purpose of determining the presence of, and content of, drug and alcohol substances, as well as to obtain results from any alcohol or drug test administered post-accident by law enforcement and release of the results of said tests to the Borough of Mountain Lakes, its DERs, to the Borough of Mountain Lakes' Medical Review Officer, and as set forth in the Policy.

Employee Printed Name: \_\_\_\_\_

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Witness Printed Name: \_\_\_\_\_ Witness Signature: \_\_\_\_\_

**(This form is to be signed by employee and retained in personnel file.)**



**BOROUGH OF MOUNTAIN LAKES**  
**Pre-Employment Substance Testing**  
**Consent and Release Form [DFW02]**

I do hereby certify that I have been given notice of the Borough of Mountain Lakes' pre-employment substance abuse testing policy; that I have been provided with access to a copy of the Borough of Mountain Lakes' New Jersey Drug-Free Workplace Policy and have been made a conditional offer of employment. I hereby freely and voluntarily consent to submit to tests as shall be determined by the Borough of Mountain Lakes in the selection process of final applicants for employment, for the purpose of determining the presence of, and content of, any or all of the following substances:

- |  |                        |
|--|------------------------|
| 1. Amphetamines                                    | 4. Phencyclidine (PCP) |
| 2. Cannabinoids (for certain employment positions) | 5. Cocaine             |
| 3. Opioids   |                        |

Testing may also include a metabolite of any of the above substances and mind altering synthetic narcotics or designer drugs. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws.

I agree that the employer representative, collection site, physician, or clinic may collect these specimens for screening or testing and may screen them or forward them to a testing laboratory for analysis.

I further agree to and hereby authorize the release of the results of said tests to the Borough of Mountain Lakes, its DERs, and to the Borough of Mountain Lakes' Medical Review Officer and its agents as provided in the Policy.

I understand that a negative test is a pre-condition of employment with the Borough of Mountain Lakes and that refusal to submit to testing, or a positive test result will result in the rejection of my application, or the rescinding of a conditional offer of employment. I also understand that it is not the purpose of this screen or test to identify any disability I may have and that pre-employment screening and testing activities are conducted in compliance with ADA requirements.

I further agree that a reproduced copy of this pre-employment consent and release form shall have the same force and effect as the original and shall continue while my application is being considered and during any post-consideration proceedings. I have carefully read the foregoing and fully understand its contents. I acknowledge that my signing of this consent and release form is a voluntary act on my part and that I have not been coerced into signing this document by anyone.

Applicant: Print name: \_\_\_\_\_ SS# \_\_\_\_\_

Applicant Signature: \_\_\_\_\_ Date \_\_\_\_\_

Witness Printed Name: \_\_\_\_\_ Witness Signature: \_\_\_\_\_

**BOROUGH OF MOUNTAIN LAKES  
ACKNOWLEDGMENT OF CONSEQUENCES OF  
REFUSAL TO PARTICIPATE IN DRUG TESTING [DFW03]**

I, \_\_\_\_\_, an employee of the Borough of Mountain Lakes, acknowledge that I am refusing to report for Drug and Alcohol testing in accordance with the requirements of the Borough of Mountain Lakes, New Jersey Drug-Free Workplace Policy. I am aware that I am in violation of the Policy. I am aware that I am subject to certain adverse consequences as a result of my choice.

**REFUSAL CONSEQUENCES:**

- 1) Classified as a refusal to test**
- 2) Possible Discharge from employment**
- 3) Possible Disqualification from Workers' Compensation Benefits**
- 4) Possible Disqualification from Unemployment Compensation Benefits**

**I have read this Acknowledgment of Consequences of Refusal to Participate in Drug Testing and understand it.**

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Witness Address (city, state, zip)

**(If employee refuses to sign, please have two witnesses sign below)**

\_\_\_\_\_  
Witness 1 Signature

\_\_\_\_\_  
Witness 2 Signature

\_\_\_\_\_  
Witness 1 Address (city, state, zip)

\_\_\_\_\_  
Witness 2 Address (city, state, zip)

**BOROUGH OF MOUNTAIN LAKES**  
**Determination of Safety-Sensitive Positions [DFW04]**

To:       **\*\*\*DER\*\*\***

From:     **\*\*\*Safety-Sensitive Evaluator\*\*\***

Re:       Determination of Positions Classified as Safety Sensitive

I have reviewed the job descriptions and duties for the following positions and have determined that they meet the criteria for a safety-sensitive position as set forth in the Policy, in that:

Safety-sensitive employees are those employees who discharge duties fraught with risks of injury to others that even a momentary lapse of concentration can have disastrous consequences. Factors which have been considered in determining whether a position is safety sensitive include handling of potentially dangerous machinery, sharp objects, working at heights, positions requiring a high level of cognitive function, mostly unsupervised responsibility for children, and handling of hazardous substances in an environment where others could be injured. Positions which have been found to be safety-sensitive include firefighters, emergency medical technicians, law enforcement officials who carry firearms, fire and police dispatchers, 911 operators, heavy machinery operators, forklift operators, bus drivers, some (but not all) transportation workers, pipeline operators, gas meter repairmen, jail officers, and those involved in security functions. All Department of Transportation (DOT) regulated employees are determined to be safety-sensitive by those regulations. Unless an employee comes under drug testing regulations of some federal agency, each position, job classification or department, should be individually evaluated to determine whether the employee is safety-sensitive in accordance with the above guidelines.

Using the above criteria, the following positions have been classified by the Borough of Mountain Lakes as safety-sensitive: **\*\*\*attached list of job classifications\*\*\*** or set forth below. Elected officials who are not otherwise classified as employees are not subject to testing under this Policy.

**\*\*\*Safety sensitive job classifications\*\*\***

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**\*\*\*Safety-Sensitive Evaluator\*\*\***

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Date

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## **RESIGNATION**

### **4.31**

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Employees may resign in good standing by giving their immediate supervisor at least fourteen (14) days' advance written notice. The Employer may waive this requirement and consent to shorter notice. If an employee resigns without giving the required notice, he/she will be considered to have resigned not in good standing.

Employees who resign will be notified by the Employer as to the status of various employee benefits. At times, an exit interview may be held.

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## **DOMESTIC VIOLENCE POLICY**

### **4.12**

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#### **PURPOSE**

The purpose of the State of New Jersey Domestic Violence Policy for Public Employers (herein "policy") is to set forth a uniform domestic violence policy for all public employers to adopt in accordance with N.J.S.A. 11A:2-6a. The purpose of this policy is also to encourage employees who are victims of domestic violence, and those impacted by domestic violence, to seek assistance from their human resources officers and provide a standard for human resources officers to follow when responding to employees.

#### **DEFINITIONS**

The following terms are defined solely for the purpose of this policy:

**Domestic Violence** - Acts or threatened acts, that are used by a perpetrator to gain power and control over a current or former spouse, family member, household member, intimate partner, someone the perpetrator dated, or person with whom the perpetrator shares a child in common or anticipates having a child in common if one of the parties is pregnant. Domestic violence includes but is not limited to the following: physical violence; injury; intimidation; sexual violence or abuse; emotional and/or psychological intimidation; verbal abuse; threats; harassment; cyber harassment; stalking; economic abuse or control; damaging property to intimidate or attempt to control the behavior of a person in a relationship with the perpetrator; strangulation; or abuse of animals or pets.

**Abuser/Perpetrator** - An individual who commits or threatens to commit an act of domestic violence, including unwarranted violence against individuals and animals. Other abusive behaviors and forms of violence can include the following: bullying, humiliating, isolating, intimidating, harassing, stalking, or threatening the victim, disturbing someone's peace, or destroying someone's property.

**Human Resources Officer (HRO)** –An employee of a public employer with a human resources job title, or its equivalent, who is responsible for orienting, training, counseling, and appraising staff. Persons designated by the Borough as the primary or secondary contact to assist employees in reporting domestic violence incidents.

**Intimate Partner** - Partners of any sexual orientation or preference who have been legally married or formerly married to one another, have a child or children in common, or anticipate having a child in common if one party is pregnant. Intimate partner also includes those who live together or have lived together, as well as persons who are dating or have dated in the past.

Temporary Restraining Order (TRO) - A civil court order issued by a judge to protect the life, health or well-being of a victim. TROs can prohibit domestic violence offenders from having contact with victims, either in person or through any means of communication, including third parties. TROs also can prohibit offenders from a victim's home and workplace. A violation of a TRO may be a criminal offense. A TRO will last approximately 10 business days, or until a court holds a hearing to determine if a Final Restraining Order (FRO) is needed. In New Jersey, there is no expiration of a FRO.

Victim - A person who is 18 years of age or older or who is an emancipated minor and who has been subjected to domestic violence by a spouse, former spouse, or any other person who is a present household member or was at any time a household member. A victim of domestic violence is also any person, regardless of age, who has been subjected to domestic violence by one of the following actors: a person with whom the victim has a child in common; a person with whom the victim anticipates having a child in common, if one of the parties is pregnant; and a person with whom the victim has had a dating relationship.

Workplace-Related Incidents - Incidents of domestic violence, sexual violence, dating violence, and stalking, including acts, attempted acts, or threatened acts by or against employees, the families of employees, and/or their property, that imperil the safety, well-being, or productivity of any person associated with a public employee in the State of New Jersey, regardless of whether the act occurred in or outside the organization's physical workplace. An employee is considered to be in the workplace while in or using the resources of the Borough. This includes, but is not limited to, facilities, work sites, equipment, vehicles, or while on work-related travel.

## **PERSONS COVERED BY THIS POLICY**

All employees are covered under this policy, including full and part time employees, casual/seasonal employees, interns, volunteers and temporary employees at any workplace location.

## **RESPONSIBILITY OF EMPLOYERS TO DESIGNATE A HUMAN RESOURCES OFFICER**

The Borough hereby designates the following employees as the Primary HRO and Secondary HRO, to assist employees who are victims of domestic violence.

**Primary HRO:** Mitchell Stern / Borough Manager  
973-334-3131 or [manager@mtnlakes.org](mailto:manager@mtnlakes.org)

**Secondary HRO:** Cara Fox / Deputy Clerk  
973-334-3131 or [clerk@mtnlakes.org](mailto:clerk@mtnlakes.org)

REV: 64/117/20232



The designated Primary and Secondary HRO shall receive training on responding to and assisting employees who are domestic violence victims in accordance with this policy.

Managers and supervisors are often aware of circumstances involving an employee who is experiencing domestic violence. Managers and supervisors are required to refer any employee who is experiencing domestic violence or who report witnessing domestic violence to the designated HRO. Managers and supervisors must maintain confidentiality, to the extent possible, and be sensitive, compassionate, and respectful to the needs of persons who are victims of domestic violence.

The name and contact information of the designated HRO will be provided to all employees.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report. For example, if there is any indication a child may also be a victim, reporting is mandatory to the Department of Children and Families, Child Protection and Permanency, under N.J.S.A. 9:6-8.13.

## **DOMESTIC VIOLENCE REPORTING PROCEDURES**

Employees who are victims of domestic violence are encouraged to seek immediate assistance from their HRO. Employees who have information about or witness an act of domestic violence against an employee, are encouraged to report that information to the designated HRO, unless the employee is required to report the domestic violence pursuant to applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General directives and guidelines that impose a duty to report, in which case the employee must so report to the appropriate authority in addition to reporting to the designated HRO. Nothing in this policy shall preclude an employee from contacting 911 in emergency situations. Indeed, HROs shall remind employees to contact 911 if they feel they are in immediate danger.

Each designated HRO shall:

- A. Immediately respond to an employee upon request and provide a safe and confidential location to allow the employee to discuss the circumstances surrounding the domestic violence incident and the request for assistance.
- B. Determine whether there is an imminent and emergent need to contact 911 and/or local law enforcement.
- C. Provide the employee with resource information and a confidential telephone line to make necessary calls for services for emergent intervention and supportive services, when appropriate. The HRO or the employee can contact the appropriate Employee Assistance Program to assist with securing

resources and confidential services.

- D. Refer the employee to the provisions and protections of The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1 et seq. (NJ SAFE Act), referenced in this policy.

~~E. In cases where domestic violence involved a sexual touching or sexual assault between state employees, the HRO is also required to report the incident to their agency's EEO Officer or Title IX Officer, insert name and contact information.~~

F.E. If there is a report of sexual assault or abuse, the victim should be offered the services of the Sexual Assault Response Team, **insert contact information**

G.F. Maintain the confidentiality of the employee and all parties involved, to the extent practical and appropriate under the circumstances, pursuant to this policy.

H.G. Upon the employee's consent, the employee may provide the HRO with copies of any TROs, FROs, and/or civil restraint agreements that pertain to restraints in the workplace and ensure that security personnel are aware of the names of individuals who are prohibited from appearing at the work location while the employee who sought the restraining order is present. All copies of TROs and FROs shall be maintained in a separate confidential personnel file.

## CONFIDENTIALITY POLICY

In responding to reports of domestic violence, the HRO shall seek to maintain confidentiality to protect an employee making a report of, witnessing, or experiencing domestic violence, to the extent practical and appropriate under the circumstances and allowed by law. Thus, this policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines that impose a duty to report.

This confidentiality policy shall not prevent disclosure where to do so would result in physical harm to any person or jeopardize safety within the workplace. When information must be disclosed to protect the safety of individuals in the workplace, the HRO shall limit the breadth and content of such disclosure to information reasonably necessary to protect the safety of the disclosing employee and others and comply with the law. The HRO shall provide advance notice to the employee who disclosed information, to the extent possible, if the disclosure must be shared with other parties in order to maintain safety in the workplace or elsewhere. The HRO shall also provide the employee with the name and title of the person to whom they intend to provide the employee's statement and shall explain the necessity and purpose regarding the disclosure. For example, if the substance of the disclosure presents a threat to employees, then law enforcement will be alerted immediately.

This policy does not supersede applicable laws, guidelines, standard operating procedures, internal affairs policies, or New Jersey Attorney General Directives and guidelines where mandatory reporting is required by the appointing authority or a specific class of employees.

## **CONFIDENTIALITY OF EMPLOYEE RECORDS**

To ensure confidentiality and accuracy of information, this policy requires the HRO to keep all documents and reports of domestic violence in confidential personnel file separate from the employee's other personnel records. These records shall be considered personnel records and shall not be government records available for public access under the Open Public Records Act. See N.J.S.A. 47:1A-10.

## **THE NEW JERSEY SECURITY AND FINANCIAL EMPOWERMENT ACT**

The New Jersey Security and Financial Empowerment Act, N.J.S.A. 34:11C-1, et seq. (NJ SAFE Act), is a law that provides employment protection for victims of domestic or sexual violence.

The NJ SAFE Act allows a maximum of 20 days of unpaid leave in one 12-month period, to be used within 12 months following any act of domestic or sexual violence. To be eligible, the employee must have worked at least 1,000 hours during the 12-month period immediately before the act of domestic or sexual violence. Further, the employee must have worked for an employer in the State that employs 25 or more employees for each working day during 20 or more calendar weeks in the current or immediately preceding calendar year. This leave can be taken intermittently in days, but not hours.

Leave under the NJ SAFE Act may be taken by an employee who is a victim of domestic violence, as that term is defined in N.J.S.A. 2C:25-19 and N.J.S.A. 30:4-27.6, respectively. Leave may also be taken by an employee whose child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic or sexual violence.

Leave under the NJ SAFE Act may be taken for the purpose of engaging in any of the following activities, for themselves, or a child, parent, spouse, domestic partner, or civil union partner, as they relate to an incident of domestic or sexual violence:

- 1) Seeking medical attention;
- 2) Obtaining services from a victim services organization;
- 3) Obtaining psychological or other counseling;
- 4) Participating in safety planning, temporarily or permanently relocating, or taking other actions to increase safety;
- 5) Seeking legal assistance or remedies to ensure health and safety of the victim; or
- 6) Attending, participating in, or preparing for a criminal or civil court proceeding relating to an incident of domestic or sexual violence.

## **PUBLIC EMPLOYER DOMESTIC VIOLENCE ACTION PLAN**

The Borough has developed the following action plan to identify, respond to, and correct employee performance issues that are caused by domestic violence, pursuant to N.J.S.A. 11A:2-6a, and in accordance with the following guidelines:

- A. Designate an HRO with responsibilities pursuant to this policy.
- B. Recognize that an employee may need an accommodation as the employee may experience temporary difficulty fulfilling job responsibilities.
- C. Provide reasonable accommodations to ensure the employee's safety. Reasonable accommodations may include, but are not limited to, the following: implementation of safety measures; transfer or reassignment; modified work schedule; change in work telephone number or work-station location; assistance in documenting the violence occurring in the workplace; an implemented safety procedure, or other accommodation approved by the Borough.
- D. Advise the employee of information concerning the NJ SAFE Act; Family and Medical Leave Act (FMLA); or Family Leave Act (FLA); Temporary Disability Insurance (TOI); or Americans with Disabilities Act (ADA); or other reasonable flexible leave options when an employee, or his or her child, parent, spouse, domestic partner, civil union partner, or other relationships as defined in applicable statutes is a victim of domestic violence.
- E. Commit to adherence to the provisions of the NJ SAFE Act, including that the Borough will not retaliate against, terminate, or discipline any employee for reporting information about incidents of domestic violence, as defined in this policy, if the victim provides notice to their Human Resources Office of the status or if the Human Resources Office has reason to believe an employee is a victim of domestic violence.
- F. Advise any employee, who believes he or she has been subjected to adverse action as a result of making a report pursuant to this policy, of the civil right of action under the NJ SAFE ACT. And advise any employee to contact their designated Labor Relations Officer, Conscientious Employees Protection Act (CEPA) Officer and/or Equal Employment Opportunity Officer in the event they believe the adverse action is a violation of their collective bargaining agreement, the Conscientious Employees Protection Act or the New Jersey Law Against Discrimination and corresponding policies.
- G. Employers, their designated HRO, and employees should familiarize themselves with this policy. This policy shall be provided to all employees upon execution and to all new employees upon hiring. Information and resources about domestic violence are encouraged to be placed in visible areas, such as restrooms, cafeterias, breakrooms, and where other resource information is located.

## **RESOURCES**

This policy provides an Appendix listing resources and program information readily available to assist victims of domestic violence. These resources should be provided by the designated HRO to any victim of domestic violence at the time of reporting.

## **DISTRIBUTION OF POLICY**

**WHO** will be responsible for distributing this policy to employees, volunteers, and other employees identified above.

**WHO** will be responsible for updating this policy at least annually to reflect circumstances changes in the organization.

**WHO** will be responsible for monitoring The Civil Service Commission and the Division of Local Government Services in the Department of Community Affairs for modifications thereto, to public employers.

## **OTHER APPLICABLE REQUIREMENTS**

In addition to this policy, the HRO and the public employer's appointing authority must follow all applicable laws, guidelines, standard operating procedures, internal affairs policies, and New Jersey Attorney General Directives and guidelines that impose a duty to report. Additionally, to the extent that the procedures set forth in this policy conflict with collective negotiated agreements or with the Family Educational Rights and Privacy Act (FERPA), the provisions of the negotiated agreements and the provisions of FERPA control.

## **POLICY MODIFICATION AND REVIEW**

A public employer may seek to modify this policy, to create additional protocols to protect victims of domestic violence but may not modify in a way that reduces or compromises the safeguards and processes set out in this policy.

The Civil Service Commission will review and modify this policy periodically and as needed.

## **POLICY ENFORCEABILITY**

The provisions of this policy are intended to be implemented by the Civil Service Commission. These provisions do not create any promises or rights that may be enforced by any persons or entities.

## **POLICY INQUIRIES & EFFECTIVE DATE**

Any questions concerning the interpretation or implementation of this policy shall be addressed to the Chair/Chief Executive Officer of the Civil Service Commission, or their designee. This policy shall be enforceable upon the HRO's completion of training on this policy.



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## **POLICY FOR USE OF EMPLOYER OWNED VEHICLES (NON-LAW ENFORCEMENT)**

### **4.22**

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The Borough of Mountain Lakes owns and maintains a fleet of vehicles ("Borough of Mountain Lakes Vehicles") that are used in furtherance of the business of the Borough of Mountain Lakes. The following policy governs the use of all Borough of Mountain Lakes Vehicles (with the exception of vehicles utilized for law enforcement purposes), and supersedes all other vehicle policies previously in effect. Any employee violating the provisions contained herein will be subject to disciplinary action, up to and including termination, in accordance with applicable laws and regulations. Violations of this policy may also result in the denial of indemnification and/or defense by the Borough of Mountain Lakes to the employee in any civil or criminal matter brought in any Court arising from improper use of a Borough of Mountain Lakes vehicle. The Borough of Mountain Lakes also expressly reserves its right to seek indemnification and/or contribution from employees (including their personal automobile insurance policies) found to have acted in violation of this policy to the maximum extent permitted by law.

Driving Privileges and Licensure. The use of a Borough of Mountain Lakes Vehicle by an employee is subject to the approval and discretion of the Chief Administrative Officer. Any employee operating an Borough of Mountain Lakes Vehicle must have, in his or her possession, a valid driver's license issued by a state regulatory body within the United States. Licenses issued by any territory or possession of the United States, the District of Columbia, or any international agency (including any province of the Dominion of Canada) must be expressly approved by the Borough of Mountain Lakes' insurance carrier before an employee will be permitted to operate an Borough of Mountain Lakes Vehicle.

A. Employees are required to file a copy of a valid driver's license with the Borough of Mountain Lakes prior to the use of a Borough of Mountain Lakes Vehicle.

1. Upon request, an employee must provide a copy of their driver's license or other required documents within twenty-four (24) hours of said request.
2. Employees shall inform the Borough of Mountain Lakes within twenty-four (24) hours of any changes in the status of their driving privileges.
3. Failure to comply with the requirements of this section will result in an immediate suspension of an employee's privilege to operate a Borough of Mountain Lakes vehicle and may also result in the denial of indemnification and/or defense by the Borough of Mountain Lakes to the employee in any civil or criminal matter brought in any Court arising from the use of an Borough of Mountain Lakes vehicle while said employee's driving privileges were suspended or revoked.

B. The Borough of Mountain Lakes reserves the right to obtain a driving abstract record from the New Jersey Motor Vehicle Service Commission or other regulatory and law enforcement agencies.

1. The Borough of Mountain Lakes reserves the right to suspend an employee's Borough of Mountain Lakes driving privileges if the Borough of Mountain Lakes deems necessary based on the employee's driving record.

2. The Borough of Mountain Lakes shall utilize information obtained pursuant to this section only for the purposes of furthering the objectives of this Policy and for no other reason and will not reveal personal or other information contained in an employee's driving abstract record to any party except where required by applicable law.

C. The Borough of Mountain Lakes occasionally offers safe driving courses and reserves the right to compel employee attendance at such courses.

D. If requested by the Borough Manager, the employee must agree to consent to a simulated road test to determine his/her fitness to safely operate a vehicle.

E. In the event that the employee is under the influence of any medication (prescribed or over the counter) that might impair his/her ability to safely operate a vehicle, he/she must refrain from driving until he/she notifies the Borough of Mountain Lakes and await clearance to resume driving.

Official Use Only. The use of Borough of Mountain Lakes Vehicles is restricted to official Borough of Mountain Lakes business only. Employees shall not be permitted to use Borough of Mountain Lakes vehicles for travel or activity unrelated to Borough of Mountain Lakes business. Likewise, no supervisor may authorize such use or any use of a Borough of Mountain Lakes Vehicle for other than Borough of Mountain Lakes business or use which is otherwise inconsistent with this policy.

Borough of Mountain Lakes Vehicles assigned to employees under this policy are to be operated only by the employee while acting within the scope of their employment. No employee shall authorize or permit any other non-Borough of Mountain Lakes employee, including but not limited to family members of the employee, to operate or ride as a passenger in an assigned Borough of Mountain Lakes Vehicle, unless said passengers are assisting in the official business of the Borough of Mountain Lakes.

Location of Vehicles. Employees who are assigned the regular use of a Borough of Mountain Lakes Vehicle for official business may, with written permission of his/her Department Head, take the Borough of Mountain Lakes Vehicle home at night and keep said vehicle at home while off duty.

If the employee will be absent from duty for more than two (2) working days, or more than five (5) consecutive days, including weekends and holidays, he/she must surrender the Borough of Mountain Lakes vehicle to his/her direct supervisor unless directed otherwise.

An employee storing the vehicle at his residence must provide safe parking for the vehicle at all times.

Commuting. The use of a Borough of Mountain Lakes Vehicle for driving to and from work is voluntary and does not entitle the employee to compensation or pay while engaged in that activity.

Accidents and Incidents. Prior to operation of any Borough of Mountain Lakes vehicle, employees must consult their Department Head as to the appropriate steps to take if they become involved in an accident (filling out accident reports, obtaining witness names, etc.)

A. In the event of an incident or accident involving the use of a Borough of Mountain Lakes Vehicle, employees must immediately contact their supervisor and/or Department Head. All required reports and documentation must be submitted to the Chief Administrative Officer within two (2) business days of receipt.

B. An employee may be required to submit to an alcohol or drug screening test following an accident or incident if there is a reasonable suspicion to believe that the employee's use of drugs or alcohol may have contributed to the cause of the accident or as otherwise required by law or other policy of the Borough of Mountain Lakes.

Citations and Violations. Operators of Borough of Mountain Lakes Vehicles are expected to follow all laws, regulations and rules proscribed by the Motor Vehicle Commission. Drivers are responsible for paying any moving violation tickets and MUST notify the Borough of Mountain Lakes of said violations within forty-eight (48) hours of receipt of said ticket (regardless of the employee's decision to contest such ticket in municipal court). Drivers are responsible for paying all parking tickets incurred. The Borough of Mountain Lakes should be notified of the receipt of a parking ticket within 48 hours of receipt of said ticket.

Drivers are responsible for all "Notice of Delinquent Toll Payment Violations" (including but not limited to EZ-Pass). Upon having been notified of said violation, either by direct mail or notice from the Borough of Mountain Lakes, an employee shall, within ten (10) business days of such notice, provide acceptable proof to the Borough of Mountain Lakes that the outstanding toll and any related fees have been paid.

General Policies and Procedures. Employees authorized to use a Borough of Mountain Lakes Vehicle for official business must adhere to the policies and procedures set forth in this Policy. Failure to comply with the provisions below will result in a loss of privileges:

A. Drivers must ensure that all required documents (driver's license, LD. badge/card, registration, insurance card) are in their possession while operating the vehicle. Vehicle registration and insurance cards should be kept in a locked compartment of the vehicle when not in use.

B. Employees assigned exclusive use of a Borough of Mountain Lakes Vehicle are responsible for scheduling all repairs and manufacturer recommended maintenance with the Borough of Mountain Lakes, in order to maintain all manufacturers' warranties (including routine oil changes).

C. Vehicles are to be kept clean at all times and should be washed and vacuumed regularly (unless prohibited by the New Jersey Department of Environmental Protection or other similar regulatory body).

D. No smoking is allowed in Borough of Mountain Lakes Vehicles at any time.

E. In accordance with N.J.S.A. 39:4-97.3 and any other applicable statutes and regulations, the use of hand-held phones or electronic devices (BlackBerry, navigation systems, etc...) while driving Borough of Mountain Lakes Vehicles is prohibited. This prohibition includes the sending or reading of e-mails, text messages and other similar communications.

F. All occupants must wear seat belts at all times when the vehicle is in use and observe all road safe rules and regulations, such as "Wipers On, Lights On."

G. Employees are expected to operate vehicles in a safe and courteous manner at all times and are expressly reminded to avoid tailgating or other unsafe practices.

H. Employees are reminded of the risks inherent from driving while drowsy. In the event that a driver becomes tired while operating a vehicle, they should pull off the road and seek appropriate assistance.

I. Employees who drive their own vehicles for Employer business must provide the Employer with a copy of their current Certificate of Insurance evidencing liability limits of not Bodily Injury \$250,000 each person/\$500,000 each accident. And Property Damage \$100,000 each accident or Combined Single Limit \$300,000 each accident.

Violation of this policy may result in disciplinary action up to and including the suspension of the employee's privilege to operate a Borough of Mountain Lakes Vehicle and/or termination.

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

**RESOLUTION 155-23**

**“RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF  
MOUNTAIN LAKES AND WILENTZ, GOLDMAN & SPITZER, P.A.”**

**WHEREAS**, there exists the need for the Borough of Mountain Lakes to obtain professional legal services related to investigation and evaluation of potential claims related to the presence of per- and polyfluoroalkyl substances (“PFAS”) in the Borough’s drinking water supplies and related professional legal services; and

**WHEREAS**, it is agreed that Wilentz, Goldman & Spitzer, P.A. will provide professional legal services; and

**WHEREAS**, the Borough's Chief Financial Officer need not certify that funds are available for this purpose because Wilentz, Goldman & Spitzer, P.A. will represent the Borough of Mountain Lakes on a contingency fee basis and will cover all costs at no risk to the Borough meaning that if the litigation is unsuccessful, the Borough will not be responsible for any costs; 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" 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, as follows:

1. The Borough Manager and Borough Clerk are hereby authorized and directed to execute a Letter of Engagement with Wilentz, Goldman & Spitzer, P.A. for professional legal services related to investigation and evaluation of responsibility for the presence of per- and polyfluoroalkyl substances (“PFAS”) in the Borough’s drinking water supplies and related professional services in the form attached hereto.
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.
3. A notice of this action shall be printed once in the legal newspaper of the Borough of Mountain Lakes.

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						



**LETTER OF ENGAGEMENT**  
(PRIVILEGED AND CONFIDENTIAL)

**Purpose and Scope of Representation**

The Borough of Mountain Lakes (hereinafter "You" or "Client") hereby agrees to retain Wilentz, Goldman & Spitzer, P.A. (hereinafter the "Firm") as the Client's attorneys for the purpose of reviewing and analyzing the Client's Confidential Information as defined below, in order to investigate and evaluate potential environmental claims, based in statute or common law, for, among other things, the contribution, reimbursement and/or recovery of costs, expenses or damages related to investigation, evaluation, preparation, construction, operation, improvement, maintenance, upgrade, removal and/or remediation of/for PFAS contamination. (hereinafter, "the Matter(s)"). The Firm's representation does not include, and the Firm is not responsible for the costs and expenses of, the Client's actual investigation, evaluation, preparation, construction, operation, maintenance, upgrade, improvement, removal and/or remediation of any environmental contamination or pollution.

If, after the investigation described above, the Firm believes the Client has viable existing claim(s) against one or more responsible parties, the Firm, after consultation with and approval of the Client, will file and prosecute such Matter(s) as are necessary on the Client's behalf against any responsible parties. The Firm will submit any proposed complaint or claim to the Client for approval before filing. The Firm have made and make no promises or guarantees as to the probabilities of outcomes or the amounts recoverable in connection to the Client's claim(s) or Matter(s). If the Firm and Client agree to file such Matter(s), claim(s) or complaint(s) on Client's behalf, the remaining sections of this agreement shall apply and the parties shall not be required to enter into an additional retainer agreement regarding such Matter(s), claim(s) or complaint(s).

In order to investigate and evaluate the potential claim(s) or Matter(s), the Client agrees to share Confidential Information with the Firm, which includes, but may not be limited to, (a) data pertaining to substances present in any relevant property or drinking water sources that are required by law to be removed or remediated by Client, (b) past and present expenses for costs of removing and/or remediating those substances from any relevant property or drinking water source, as well as projections for future removal expenses or costs, (c) all records and other sources of information relevant to determining the source of the substances being removed or remediated from property or drinking water supply and responsible parties and (d) any other records or documents that the Firm deem necessary for their investigation and evaluation. The Firm shall use the Confidential Information in good faith and solely for the purpose of the Matter(s) and shall not disclose it to anyone, with the exception of the Firm's staff members, any other associated and/or retained counsel, and outside experts or consultants retained by the Firm for the purpose of the Matter(s), unless and until the Client expressly authorizes in writing further disclosure. The Client agrees that the Firm's analysis compiled in connection with the Firm's investigation and evaluation of the Matter(s), which will be shared with the Client, constitutes work product, except that the Firm agrees to use and disclose such work product only as set forth above.

The Firm may associate with and/or retain other counsel as necessary to investigate and evaluate this Matter(s), but only with the Client's prior express approval. The Firm will enter into



separate agreements with counsel regarding their participation and compensation in this Matter(s). The division of fees among any such counsel does not change the total Contingency Fee described below.

### **Fees and Expenses**

The Client shall not be responsible for legal fees, costs and expenses incurred by the Firm or associate counsel in connection with the previously-described investigation and/or potential litigation unless there is a settlement, judgment and/or resolution on the Client's behalf. The Client agrees to pay the Firm and associate counsel a total Contingency Fee of one-third (or 33.33%) of the total amount of money or other items of value obtained in connection with a settlement, judgment and/or resolution on the Client's behalf. If there is no recovery, the Client shall not be responsible to reimburse the Firm for any fees, costs or expenses.

### **Costs and Expenses**

In the event of a settlement, judgment or resolution in Client's favor, in addition to the Contingency Fee defined above, the Firm will require that you reimburse any costs and expenses incurred in order to investigation and prosecution of the Matter(s) out of the monies recovered on your behalf. These costs and expenses include but are not limited to: court filing fees; process serving fees; witness fees; private investigator fees; photographer/graphic artist fees; expert or consultation fees; reasonable matter-related travel, consultation and/or appearance fees; mail, messenger and other delivery charges; parking and other local travel; transportation, meals, lodging and all other costs of necessary for out-of-town travel; photocopying, scanning, and faxing charges; and computerized legal research charges. Costs will be limited to reasonable and customary rates within the legal industry. If it is deemed necessary by the Firm to utilize a lien resolution service, this charge will be an expense against any settlement proceeds. This list is not exhaustive. In addition to the foregoing costs and expenses, other charges may be incurred in connection with the performance of the services described herein by the Firm. The Firm may employ such technical experts or investigators who, in their opinion, are necessary to investigate the facts surrounding the Matter(s) or necessary to prosecute any claim(s) or Matter(s) on behalf of the Client. The Firm may hire experts, investigators or consultants at reasonable and customary rates within the legal industry. All such experts, investigators or consultants shall report exclusively to the Firm. It is agreed that the Firm may decline in their sole discretion, to advance such costs and disbursements for expert, investigator or consultant testimony, investigation or other services.

### **Law Firm's Right to Withdraw as Counsel**

The Firm agrees to initially investigate the Client's potential claim(s). The Firm reserves the right to withdraw from the engagement and from the representation of Client, subject to the ethical restrictions imposed upon law firms by the applicable Code of Professional Responsibility. For example, and without limitation, if Client fails to cooperate, if Client misrepresents material facts, if Client fails to follow the advice of the Firm (other than with respect to settlement, which is solely for the Client to decide), or if Client requests the Firm to take any position or action that in the Firm's good faith opinion requires or permits our withdrawal because of professional duties imposed upon us by the applicable Code of Professional Responsibility Law, the Firm may withdraw. If the Firm seeks to terminate this engagement for any reason, written notice will be given to Client.

### **Discharge of Law Firm by Client**

If the Firm is discharged by the Client, the Firm will receive, at the election of the Firm, either (1) the reasonable and fair value of the services provided by the Firm prior to such discharge or (2) a proportional share of the contingency fee portion of the ultimate recovery by the Client, such proportional share to be determined by comparing the amount of value of work done by the Firm to the amount or value of work performed by other counsel, or as otherwise determined by the Court. If no election is made by the Firm at the time of discharge, the Firm shall be presumed to have elected option (2).

If Client discharges the Firm, Client understands that, in consideration for the services the Firm provided up to the time of such discharge, the Firm also will be entitled to be reimbursed for all costs and expenses advanced by the Firm on behalf of Client with respect to Client's claim(s) or Matter(s) immediately following such discharge, and that Client will be obligated to reimburse the Firm for such costs or expenses.

### **Claims Excluded From this Engagement**

This Agreement does not include any contract or agreement for any other legal representation not expressly referenced in this Agreement. The Client understands that the Firm will not provide any tax, accounting, engineering, scientific, regulatory, technical, or financial advice or services regarding any claim(s) or Matter(s). If additional legal services are necessary in connection with or beyond the scope of the engagement reflected herein and the Client requests an attorney to perform such services, separate and additional fee arrangements will be made between the Client and the Firm. Any requests for legal services unrelated to this engagement must be set forth in a separate written agreement signed by the Client and the Firm.

### **Arbitration of Disputes**

Any disputes arising out of, based upon or otherwise regarding the Agreement shall be submitted to arbitration pursuant to the laws of the State of New Jersey. If the parties to the dispute are unable to agree upon an arbitrator, such arbitration shall be submitted to the American Arbitration Association ("AAA"). Such arbitration shall be governed by and subject to the

substantive and procedural laws of the State of New Jersey. The selection of the arbitrator by AAA shall be limited to retired New Jersey Supreme or Superior Court Judges. The parties agree that any disputes as to the breach of this Agreement shall be resolved by arbitration. All decisions absent fraud will be deemed final with no right of appeal by either party.

**By agreeing to arbitration, each party understands that it shall not be permitted to bring a lawsuit or any other equitable, injunctive or legal action or proceeding in any state or federal court, and expressly and voluntarily waives any right to have any dispute decided by a judge or jury.**

#### **New Jersey Law**

This Investigation Letter of Engagement shall be construed in accordance with the laws of the State of New Jersey and all parties consent to jurisdiction and venue in the State of New Jersey.

#### **Acknowledgement**

The undersigned on behalf of the Client hereby acknowledges that he/she has read and fully understands the foregoing, that he/she has had an opportunity to consult with independent counsel, that he/she is authorized to enter into this agreement, and that he/she agrees to the representation on the terms set forth in this Letter of Engagement. The undersigned acknowledges receipt of a fully executed copy of this agreement.

This Letter of Engagement constitutes the entire agreement between the Client and the Firm regarding the Matter(s). It can only be amended by a written document signed by both the Client and the Firm that explicitly indicates the intent to modify the agreement.

Should any portion of this agreement be found unenforceable by a court of competent jurisdiction, the remaining portions of the agreement shall remain in full effect.

You understand that the Firm represents other clients in other matters, and it is possible that the Firm may have clients, now or in the future, with a claim against You or Your employees, insureds, principals and/or agents stemming from matters unrelated to the subject of this Agreement. Should a conflict arise in the Firm's representation of the Client in this Matter(s), the Firm reserves the right to seek appropriate conflict waivers from the Client pursuant to the Rules of Professional Conduct.

DATED: \_\_\_\_\_, 2023

BY: \_\_\_\_\_  
Name:

Position:

On behalf of the Borough of Mountain Lakes

DATED: \_\_\_\_\_, 2023

BY: \_\_\_\_\_  
John E. Keefe, Jr.  
Wilentz, Goldman & Spitzer, P.A.  
125 Half Mile Road, Suite 100  
Red Bank, NJ 07701

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

**RESOLUTION 156-23**

**“RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO EARTHWORKS INC. FOR THE SUNSET LAKE DAM  
REHABILITATION PROJECT”**

**WHEREAS**, the Borough of Mountain Lakes solicited bids for the Sunset Lake Dam Rehabilitation Project; and

**WHEREAS**, five bids were received on June 13, 2023; and

**WHEREAS**, the apparent low bid submitted by Grade Construction included an amount of \$93,769.73 for “mobilization” which is in excess of the mobilization cap of \$35,000 clearly articulated in Section 154.04 of the bid specifications. The cap on the mobilization amounts is not waivable meaning that the bid cannot be awarded as submitted. Grade Construction declined to correct its bids to comply with the mobilization limitation; and

**WHEREAS**, Earthworks, Inc. submitted the next lowest bid pursuant to the Borough’s Notice to Bidders and agree to accept the mobilization limitation and submit a corrected bid of \$2,423,650.00; and

**WHEREAS**, the Borough Manager, Consulting Engineer, and Borough Attorney have reviewed the bids and have found that the lowest responsible and responsive bidder Earthworks, Inc. submitted a corrected bid in proper form which may be awarded by the Borough Council; and

**WHEREAS**, the Borough Council wishes to award the contract to Earthworks, Inc. in accordance with its bid proposal; and

**WHEREAS**, the Chief Financial Officer of the Borough of Mountain Lakes has certified that funds will be available for this purpose upon expiration of the estoppel period for the supplemental funding bond Ordinance 12-23.

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

1. The bid for the Sunset Lake Dam Rehabilitation Project submitted by Grade Construction is rejected as noncompliant with the bid specifications.
2. A contract for the Sunset Lake Dam Rehabilitation Project is awarded to Earthworks, Inc. in the amount of \$2,423,650.00 contingent upon the expiration of the estoppel period for Ordinance 12-23.
3. The Mayor and Borough Clerk are hereby authorized and directed to execute a contract with Earthworks, Inc. upon said expiration in accordance with its bid proposal.
4. This Resolution shall take effect immediately.

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**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 July 24, 2023.

\_\_\_\_\_  
Cara Fox, Borough Clerk



Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon						
Korman						
Menard						
Muilenburg						
Richter						
Barnett						
Sheikh						

**CERTIFICATION OF THE AVAILABILITY OF FUNDS**

I hereby certify that funds will be available after the 20 day estoppel period.



Monica Goscicki, CFO



**BOROUGH of MOUNTAIN LAKES**

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

# **CONSTRUCTION OFFICE**

## **MONTHLY ACTIVITY REPORT**

**JUNE 2023**

### **ADMINISTRATIVE SUMMARY**

Metrics for most Construction Office activities remain lower than the same period last year. The only increase from this period is the revenue collected. This increase is due to both the recent increase in fees and the scope of individual permits issued.

Foundation work for the four-unit veterans housing project has been completed and the excavation backfilled. Framing of the floor deck has started. With a stretch of favorably weather, the framing of the building should be completed by the end of July.

The sub-slab utilities for the main building have been installed and the concrete floor slab has been poured. The structural steel frames for both the main building and the pump island canopy have been erected. Light-gauge steel framing and pump island utilities will continue through the next month.

The Borough has submitted the application for grant funds (\$2200.00) for the administration of the new law regarding lead inspections of residential rental homes constructed before 1978. Notification of acceptance by the State is expected by the end of July.



# BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

## CONSTRUCTION OFFICE SUMMARY OF FEES COLLECTED

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	37,128.00	88,984.00	Enclave fees	28,144.00
APRIL	10,024.00	99,008.00		
MAY	26,651.00	125,659.00		
JUNE	11,789.00	137,448.00		
JULY	12,009.00	149,457.00		
AUGUST	9,533.50	158,990.00		
SEPTEMBER	24,580.00	183,570.00		
OCTOBER	12,533.00	196,103.00		
NOVEMBER	16,916.00	213,019.00		
DECEMBER	9,126.00	222,145.00		

PERIOD	2022 COLLECTED	YEAR TO DATE	COMMENTS	AMOUNT
JANUARY	13,661.00	13,661.00		
FEBRUARY	6,934.00	20,595.00		
MARCH	13,951.00	34,546.00		
APRIL	8,038.00	42,584.00		
MAY	11,802.00	54,386.00		
JUNE	13,103.00	67,489.00		
JULY	15,811.00	83,300.00		
AUGUST	14,815.00	98,115.00		
SEPTEMBER	8,189.00	106,304.00		
OCTOBER	33,312.00	139,616.00	Wawa fees	26,104.00
NOVEMBER	5,991.00	145,607.00		
DECEMBER	8,991.00	154,598.00		

PERIOD	2023 COLLECTED	YEAR TO DATE	COMMENTS	AMOUNT
JANUARY	6,040.00	6,040.00		
FEBRUARY	18,631.00	24,671.00		
MARCH	17,114.00	41,785.00		
APRIL	7,334.00	49,119.00		
MAY	11,092.00	60,211.00		
JUNE	12,920.00	73,131.00		
JULY				
AUGUST				
SEPTEMBER				
OCTOBER				
NOVEMBER				
DECEMBER				



Mountain Lakes Borough  
400 BOULEVARD  
MOUNTAIN LAKES, NJ 07046

## Construction Permit Activity Report

6/1/2023 -> 6/30/2023

### Summary

New:	Cost: \$0.00	Count: 0	Cubic Footage: 28,457 Cu.ft	Permits Issued: 22
Addition:	\$337,028.00	2	Square Footage: 1,876 Sq.ft	Updates Issued: 6
Alteration:	\$184,808.00	24		
Demolition:	\$2,300.00	2		
Total:	\$524,136.00	28		

Permits	Count	Permit Fees	Admin Fees	Total	Inspections	Passed	Failed	Other
Building:	7	\$6,296.00	\$0.00	\$6,296.00	B 39	33 %84.6	1 %2.6	5 %12.8
Plumbing:	6	\$920.00	\$0.00	\$920.00	P 20	18 %90	1 %5	1 %5
Electrical:	18	\$3,375.00	\$0.00	\$3,375.00	E 46	33 %71.7	5 %10.9	8 %17.4
Fire:	4	\$345.00	\$0.00	\$345.00	F 4	1 %25	2 %50	1 %25
Elevator:	0	\$0.00	\$0.00	\$0.00	V 0	0 %	0 %	0 %
Mechanical:	10	\$935.00	\$0.00	\$935.00	M 25	16 %64	0 %0	9 %36
	45	\$11,871.00	\$0.00	\$11,871.00		134	101	9 24
DCA Training:	2		105		(Note: Does not include result of none)			
DCA State:	23		571	\$0.00				
DCA Minimum:	3		3					
	28		\$679					

Variations	Total	Paid	Certificates	Issued Total	Paid Total
Building	0	0	CA 3	\$0.00	\$0.00
Plumbing	0	0	CCO 0	\$0.00	\$0.00
Electrical	0	0	CO 1	\$0.00	\$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: 4	\$0.00	\$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			Violations Fines Paid		
DCA Fees	0	\$0	Issued	0	\$0.00 \$0.00

Payments (Based on Payment Date)	
Permit (55)	\$12,920.00
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	\$12,920.00



Mountain Lakes Borough  
400 BOULEVARD  
MOUNTAIN LAKES, NJ 07046

## Building Summary Report Comparison

Building Summary between the dates of 6/1/2023 and 6/30/2023.

Permit Summary	6/1/2023-6/30/2023	6/1/2022-6/30/2022	Month Diff %	YTD	YTD last Year	YTD Diff %
Permits Issued:	22	31	-29%	151	163	-7.4%
Updates Issued:	6	4	50%	21	26	-19.2%
Inspections Scheduled:	134	190	-29.5%	662	878	-24.6%
Inspections Passed:	101	155	-34.8%	522	697	-25.1%
Inspections Failed	9	32	-71.9%	82	150	-45.3%
Certificates Of Occupancy Issued:	1	9	-88.9%	7	16	-56.2%
Certificates of Approval Issued:	3	64	-95.3%	113	175	-35.4%
Cert Continuing Occupancy Issued:	0	0	NA	0	0	NA
Permit Payments Count:	55	78	-29.5%	345	413	-16.5%
Fee Collected:	\$12,750	\$12,678	0.6%	\$71,026	\$65,139	9%
Fee Collected (Subcodes Only):	\$11,871	\$11,743	1%	\$63,444	\$59,230	6.5%
Violations	0	1	-100%	8	7	14.3%
Violation Payments	\$0.00	\$100.00	-100%	\$1,250.00	\$100.00	1150%
Ongoing Location Payments	\$0.00	\$0.00	NA	\$0.00	\$0.00	NA
Ongoing Test Payments	\$0.00	\$0.00	NA	\$0.00	\$0.00	NA

**BOROUGH OF MOUNTAIN LAKES**  
**DEPARTMENT OF PUBLIC WORKS**

**Department Activity**

**June 2023**

**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
  - Painted benches at the Library
  - Train bridge sidewalk repaired at Wawa site
  - Basin grates cleaned throughout Borough
  - Removed tree on Ronarm
  - Center Drive blacktop repairs
  - Pothole repairs throughout Borough
  - Tree trimming throughout Borough
  - Curb repair on Cobb
  - Water tank outside cleanup
  - Flail mower cutting on Pocono/ N. Pocono
  - Wilcox basin repair
  - Street sign repairs
- Water Department
  - Weekly samples at swim areas
  - Hydrant exercising program started
  - Blower at Well #5 cleaned
  - Curb box location/repairs for National Metering Co.
- Recreation Department
  - Fabricated and painted barges for Fireworks
  - Installed barges in Lake for Fireworks
  - Daily beach maintenance
  - Removed stumps at Island Beach
  - Mylar tape geese repellent set up at Island Beach
  - Tennis courts prepared for renovations
  - Sail club storage setup removed from Island Beach
  - Camp boxes moved to Wildwood School
  - Lighting of Island Beach Flagpole completed
  - Island Beach lifeguard chair repaired
  - Corn hole boards set up at Birchwood Lake
  - Clean up at Esplanade for Art Show

**Vacation/Sick Time:**

- 43 Vacation Hours; 4 Sick Hours





# BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**Joe Mullaney**  
**Fire Chief**  
[info@mlvfd.com](mailto:info@mlvfd.com)

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

TO: Mitchell Stern  
DATE: 7/4/23  
SUBJECT: May 2023 Report

The following lists the activity for the Mountain Lakes Volunteer Fire Department during the month of May 2023:

## FIRE CALLS (14)

LOCATION	DATE	TIME	DESCRIPTION
415 Boulevard	5/7	10:28 AM	Mulch Fire
MLHS	5/11	10:38 AM	Fire Alarm
356 Rt 46	5/16	9:15 AM	Culinary Mishap
9 Condit Rd	5/18	2:15 PM	Fire Alarm- set off in error
Craig School	5/19	7:38 PM	Fire Alarm-Set off by smoke Machine
Craig School	5/19	9:30 PM	Fire Alarm-Malfunction
Elm Rd	5/20	2:15 PM	Wires Burning
44 Midvale Rd	5/20	11:20 PM	Smoke Condition. Malfunction Of dryer vent
80 Melrose Rd	5/25	9:21 AM	Fire Alarm- Set off in error
17 Yorke Rd	5/27	9:48 AM	Culinary Mishap
92 Laurel Hill Rd	5/27	8:30 PM	Fire Alarm-Malfunction
92 Laurel Hill Rd	5/28	9:02 AM	Fire Alarm-Malfunction
6 Wilcox Drive	5/31	3:11 AM	Fire Alarm-Water leak
33 Lake Drive	5/31	2:16 PM	Fire Alarm- Culinary mishap

## DRILLS/TRAINING (7)

LOCATION	DATE	TIME	DESCRIPTION
Firehouse	5/2	7:00 PM	JFD Drill- truck checks
High School	5/7	1:00 PM	JFD Training
Firehouse	5/9	7:30 PM	Extrication drill with Rainbow Lakes FD
Firehouse	5/16	7:00 PM	Senior Drill
Firehouse	5/17	7:00 PM	JFD Training
High School	5/21	1:00 PM	JFD Training

Firehouse	5/24	7:00 PM	JFD Training
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#### MEETINGS (3)

LOCATION	DATE	TIME	DESCRIPTION
Firehouse	5/28	8:00 PM	Monthly Business Meeting
Firehouse	5/31	7:00 PM	Riccardi Award Committee
Firehouse	5/31	9:00 PM	Bott Family Memorial Award

#### WORK DETAILS (1)

LOCATION	DATE	TIME	DESCRIPTION
Firehouse	5/28	7:00 PM	Clean Engines

#### COMMUNITY EVENTS (1)

LOCATION	DATE	TIME	DESCRIPTION
Memorial Park	5/29	10:00 AM	Parade

#### ANNOUNCEMENTS (0)

#### Breakdown of Manhours

Calls- 164  
Drills 270  
Meetings 30  
Community 15  
Work Detail 21

Total- 500



# BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**Joe Mullaney**  
**Fire Chief**  
[info@mlvfd.com](mailto:info@mlvfd.com)

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

TO: Mitchell Stern  
DATE: 7/4/23  
SUBJECT: June 2023 Report

The following lists the activity for the Mountain Lakes Volunteer Fire Department during the month of June 2023:

## FIRE CALLS (16)

LOCATION	DATE	TIME	DESCRIPTION
215 Boulevard	6/6	4:38 PM	Smoke Condition-Unfounded
85 Cobb Rd	6/6	4:56 PM	Fire Alarm- set off in error
33 Sherwood Dr	6/9	4:17 PM	Appliance Fire
Powerville Rd	6/11	7:25 AM	Brush Fire
341 Morris Ave	6/12	11:19 AM	Electrical Outlet sparking
Midvale Boat Dock	6/14	7:38 PM	Assist Police
YMCA	6/15	8:15 PM	Fire Alarm- Set off in error
RFL- BT	6/16	9:00 AM	Assist Boonton Twp FD
401 Morris Ave	6/17	8:51 AM	Fire Alarm-Culinary Mishap
10 Hillcrest Rd	6/26	7:53 AM	Fire Alarm-Malfunction
333 Boulevard	6/26	4:52 PM	Water in basement made contact With Electrical cord
35 Howell Rd	6/26	5:15 PM	Assist Citizen-Flooded basement
294 Boulevard	6/26	5:35 PM	Water in basement made contact With Electrical panel
46 Dartmouth Rd	6/26	7:04 PM	Fire Alarm-Culinary Mishap
310 Rt 46	6/27	12:59 PM	Fire Alarm -Malfunction
6 Larchdell Way	6/27	11:30 PM	Assist Citizen-Flooded Basement

## DRILLS/TRAINING (3)

LOCATION	DATE	TIME	DESCRIPTION
High School	6/4	1:00 PM	JFD Drill
Firehouse	6/6	7:00 PM	JFD truck checks
Fire Academy	6/13	7:00 PM	Joint Drill with Boonton Twp FD

## MEETINGS (3)

LOCATION	DATE	TIME	DESCRIPTION
Firehouse	6/4	7:00 PM	JFD Officer selection Committee
Firehouse	6/5	7:00 PM	JFD Officer Selection Committee
Firehouse	6/27	8:00 PM	Monthly Business Meeting

#### WORK DETAILS (0)

LOCATION	DATE	TIME	DESCRIPTION
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#### COMMUNITY EVENTS (3)

LOCATION	DATE	TIME	DESCRIPTION
St Catherines Church	6/11	7 PM	JFD Dinner
St Catherines Church	6/10	9 AM	JFD Fundraiser-Car wash
St Catherines Church	6/10	8 AM	Shredding Event

#### ANNOUNCEMENTS

1. The Department regrets to announce the passing of Life Member David Dawley at age 88. Dave joined the MLVFD in May of 1968 and actively served for 20 years.
2. The Department regrets to announce the passing of Life Member Ward "Pete" Adams. Pete joined the MLVFD in May of 1977 and served for over 10 years. Both of his daughters served in the Junior Fire Department
3. The Junior Department held a car wash on Saturday June 10<sup>th</sup> at St. Catherines Church Lot. We are pleased to announce that we raised \$2531.55 and will benefit the Matthew Riccardi Memorial Community Service Award. Matt served in the JFD from 2016-2018 and 1 year as a senior member. Matt passed away in October of 2019.
4. The Department is pleased to announce the following members of the JFD have been appointed as officers for the 2023-24 school year
  - a. Jack Fitch- Chief
  - b. Ryan Lalani- Deputy Chief
  - c. Manasavi Shah- Asst Chief
  - d. Matt Shertzer, Anthony Wu and John Daniel- Captain
5. The Department is pleased to announce the recipients of the following awards for the Junior Fire Department
  - a. Bott Family Memorial Award
    - i. 1<sup>st</sup> Place- \$2000 Max Dalhausser
    - ii. 2<sup>nd</sup> Place- \$1500- Bryan Pigden
    - iii. 3<sup>rd</sup> Place- \$1000 – Max Bennett
  - b. Thomas Taylor Memorial Award
    - i. Ryan Lalani
  - c. Earl "Pete" Pedersen Award- \$500
    - i. Lindsay Gellert

d. Matthew Riccardi Memorial Community Service Award

i. \$3000.00 – Bryan Pigden

Breakdown of Manhours

Calls- 180

Drills 125

Meetings 35

Community/Miscellaneous 105

Total- 445

# ***Borough of Mountain Lakes***

## **BOARD OF HEALTH**

400 BOULEVARD • MOUNTAIN LAKES, NEW JERSEY 07046

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



### **June 2023 Health Department Activity Report – Mountain Lakes**

This June 2023 report identifies the activities of the Health Officer, Health Department, and staff and provides an overview of the various tasks completed by the department during the previous months. Additional supplemental reports from Environmental, Nursing, and Health Education are provided to detail those activities.

#### **Health Education:**

- June Newsletter was printed and distributed began on 6/1; topics included Pride Month, DASH diet for heart health, HIV: PrEP vs PEP, information on upcoming health screenings and programs, as well as information on county specific (Essex/ Morris/ Union) details regarding COVID-19 testing, registering for vaccines, and upcoming events
- Developed July newsletter; topics: Public Health News (COVID-19 vaccine updates, travel vaccine awareness), National Parks & Recreation Month and UV Safety Month, healthy eating to reduce cancer risk, summer food safety tips and information on upcoming health screenings and programs, as well as information on county specific (Essex/ Morris/ Union) details regarding COVID-19 testing, registering for vaccines, and upcoming events
- Created/distributed air quality flyers in both English and Spanish in response to the wildfires in Canada

#### **Vaccinations & Communicable Diseases:**

- The Health Department currently has COVID-19 vaccines available for adults and children. If a homebound person is in need of a COVID-19 vaccine, the Nursing Division can provide a homebound visit.
- For the week ending June 22, 2023, the COVID-19 Community Activity Level Report for Morris County is low. The Community transmission level for Healthcare settings is low (green).
- The influenza data collection is conducted every month, however, during the summer months weekly reports are not disseminated. No unusual activity detected during the month of June.
- For the week ending June 2023 the Influenza surveillance activity level for New Jersey State is minimal.

### **CDC Health Alert Network (HAN) Health Advisory: Guidance on Measles during the Summer Travel Season:**

As the summer travel season begins, the Centers for Disease Control and Prevention (CDC) is issuing this Health Alert Network (HAN) Health Advisory to remind clinicians and public health officials to provide guidance for measles prevention to international travelers and to be on alert for cases of measles. Guidance is provided for people planning international travel. Measles (rubeola) is extremely contagious; one person infected by measles can infect nine (9) out of ten (10) of their unvaccinated close contacts. As of June 8, 2023, CDC has been notified of sixteen (16) confirmed U.S. cases of measles across eleven (11) jurisdictions, with fourteen (14) (88%) linked to international travel. Based on current estimates, twice as many Americans are planning to travel internationally in 2023 compared with 2022. Many countries and popular travel destinations, such as London, England, have experienced measles outbreaks in recent years. The United States has seen an increase in measles cases during the first five (5) months of 2023, with sixteen (16) reported cases compared with three (3) in 2022 during the same period. Most of these cases were among children who had not received measles-mumps-rubella (MMR) vaccine. To prevent measles infection and spread from importation, all U.S. residents should be up to date on their MMR vaccinations, especially prior to international travel regardless of the dest



**MOUNTAIN LAKES BORO POLICE DEPARTMENT**

Agency Activity Report

**By CFS Classification****From Date: 6/1/2023 To Date: 6/30/2023****Report Date: 7/20/2023 8:36:18 AM**

<b>Classification code</b>	<b>Description</b>	<b>Total Events</b>	<b>0000-0800</b>	<b>0801-1600</b>	<b>1601-2359</b>
0500	Burglary	3	0	0	3
0600	Theft	6	1	3	2
0800	Other Assaults	1	0	1	0
1100	Fraud	3	0	2	1
1300	Stolen Property	1	0	1	0
1400	Malicious Mischief	2	0	0	2
1500	Weapons Offense	1	0	0	1
2000	Family Offense	2	1	0	1
2400	Disorderly Conduct	2	0	1	1
2600	All Other Offenses	4	2	1	1
4000	Non Criminal Investigations	34	7	12	15
4100	Fire Related	17	3	4	10
5000	Lost Found Property	1	0	1	0
5500	Animal Complaints	22	5	13	4
6000	Traffic Accidents	10	0	4	6
6300	Traffic Enforcement	275	22	137	116
6500	Parking Enforcement	1	0	0	1
6600	Traffic Services	13	0	11	2
7000	Public Services	377	180	68	129
7500	Assist other Agency	50	5	39	6
9000	Administrative	664	259	162	243
	<b>Total:</b>	1489	485	460	544

# MOUNTAIN LAKES BORO POLICE DEPARTMENT

## Officer Citation Report

From Date : 6/1/2023 To Date : 6/30/2023

Report Date : 7/20/2023 8:33 AM

Officers Name	Badge Number	Traffic Stops	Equipment	Moving	Radar	Parking	Ordinance	Warnings	Total
XX	XX	65	10	11	0	0	0	0	21
XX	XX	0	0	1	0	0	0	0	1
XX	XX	0	0	0	0	0	0	0	0
XX	XX	38	0	2	0	0	0	0	2
XX	XX	37	3	4	0	0	0	7	14
XX	XX	14	0	0	0	0	0	0	0
XX	XX	2	0	0	0	0	0	0	0
XX	XX	51	9	0	0	0	0	0	9
XX	XX	19	0	3	0	0	0	0	3
XX	XX	1	0	0	0	0	0	0	0
XX	XX	13	3	0	0	0	0	0	3
XX	XX	3	0	0	0	0	0	0	0
<b>Total:</b>		<b>243</b>	<b>25</b>	<b>21</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>	<b>53</b>

**Time Used/Overtime by Month**

	<u>Sick Time Hours</u>							<u>Vacation/Coma Hours/Per Day/Reserve</u>							<u>Court Overtime</u>							<u>Department Overtime</u>						
	2017	2018	2019	2020	2021	2022	2023	2017	2018	2019	2020	2021	2022	2023	2017	2018	2019	2020	2021	2022	2023	2017	2018	2019	2020	2021	2022	2023
Jan	236	216	79	588	924	36	264	22	15	14	0	42	48	224.5	\$0	\$158	\$0	\$154	\$0	\$0	\$0	\$2,998	\$4,159	\$4,348	\$9,570	\$7,154	\$6,557	\$14,494
Feb	226	252	86	444	266	68	48	84	104	220	111	189.5	252	171.5	\$0	\$0	\$210	\$258	\$0	\$0	\$0	\$7,009	\$4,927	\$2,138	\$4,789	\$21,810	\$4,939	\$15,797
March	298	510	110	532	180	36	118	198	148.5	168	74.5	81	289	257.75	\$151	\$0	\$0	\$0	\$0	\$447	\$0	\$12,822	\$29,829	\$6,254	\$4,081	\$7,510	\$4,771	\$29,020
April	209.5	0	106	458	240	94	222	154	250	265.5	0	226	333	215	\$0	\$0	\$422	\$0	\$263	\$0	\$0	\$5,999	\$12,146	\$27,985	\$8,930	\$12,820	\$10,992	\$18,898
May	128	204	96	564	204	46	48	254	178	169	96	681	482	260.5	\$0	\$0	\$998	\$0	\$0	\$0	\$0	\$12,700	\$24,269	\$29,828	\$5,202	\$18,415	\$16,682	\$22,341
June	140	130	106	540	312	140	69	268	208	254	194	727.5	985	198.5	\$0	\$193	\$0	\$0	\$0	\$161	\$0	\$17,917	\$21,572	\$32,692	\$21,692	\$25,194	\$12,050	\$37,501
July	318	152	47	442	420	44		518	524	84.5	551	877	482		\$0	\$158	\$0	\$0	\$0	\$0		\$91,018	\$24,005	\$27,180	\$26,802	\$32,844	\$25,516	
August	272	94	246	312	168	104		606	682	748	708	792	541		\$140	\$198	\$0	\$0	\$263	\$0		\$21,042	\$18,754	\$94,709	\$22,125	\$30,577	\$28,933	
Sept	276	94	180	256	70	22		294	375.5	222.5	389	280	549.5		\$0	\$0	\$0	\$0	\$250	\$161		\$21,047	\$16,916	\$22,108	\$20,166	\$23,313	\$23,754	
Oct	332	106	154	914	48	120		125	208	216	292	204	502.5		\$0	\$0	\$0	\$0	\$0	\$161		\$12,876	\$14,514	\$15,865	\$17,041	\$94,942	\$25,878	
Nov	346	148	426	302	44	80		274.5	235.5	176	287	970	550.5		\$0	\$246	\$0	\$0	\$989	\$0		\$18,359	\$15,109	\$17,554	\$10,442	\$30,691	\$15,920	
Dec	392	254	600	424	206	104		171	946.5	144.5	976	265	642.5		\$302	\$0	\$0	\$0	\$0	\$0		\$18,360	\$20,920	\$21,126	\$25,208	\$22,102	\$15,766	
Total	3113.5	1960	2236	4974	2482	894	769	2968.5	3275	2682	3018.5	4735	5057	1327.8	\$593	\$947	\$1,625	\$412	\$1,139	\$929	\$0	\$181,548	\$206,506	\$241,128	\$171,046	\$266,872	\$190,558	\$137,990

June

<u>Total Overtime</u>
<u>Hours Paid</u>
422.00

<u>Total</u>	<u>Vaca/Comp/Personal/Bereave Hrs</u>	<u>% of Hrs Equating to</u>
<u>Total</u>	<u>Creating OT</u>	<u>OT</u>
<u>Vaca/Comp Hrs</u>		
292	198.5	67.98%

<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>
116	69	59.48%

\*\* Operating with 11 Officers.

1 hour arrest processing  
 18 hours milling and paving  
 51 Suspension coverage  
 12 hours traffic control for tree work  
 3 hrs storm related traffic control  
 69.5 hours Mandatory Training

**BOROUGH OF MOUNTAIN LAKES**  
**Recreation Department**  
**June 2023**

The Recreation Commission did not meet in June.

- Continued planning, promoting and staffing summer camps (all listed on website). We have over 120 seasonal employees this year.
- Created new Online Working Papers Account. This system began on 6/1/23. All workers under age 18 must now submit working papers online. The system has a few glitches.
- Provided customer service and registration assistance to residents for all programs. Assisted many residents in the changing of their camp weeks. We had to assess cancellation fees this year, as many registrants cancel at the last minute once costs are already paid.
- Secured kid shows for Rec Program – Reptiles, Magician, Mad Science, Juggler and New SandCastle teacher for Beach week.
- Secured all Teen Program locations and buses. Buses now via contract.
- Assisted residents with various facilities requests.
- Worked with Beach Director for many ongoing upgrades and fixes.
- Completed all insurance forms for July 2<sup>nd</sup> Fireworks.
- The Recreation Commission decided to halt the July 4 Swim Races. No residents raised concerns about it's cancellation during the month of June.
- Continued planning summer events including: concerts (8) and movie night.
- Worked with beach staff to set up swim lesson program. All money is now received through the registration website. Begins July 10<sup>th</sup>.
- Assisted our Mountain Lakes HUB Lakes Adult Sports League Representatives including: volleyball (men's, women's), softball (men's women's), table tennis, bowling, golf (men's, women's). Attended HUB Lakes meeting. Attended meetings, picked up and distributed all equipment for HUB Lakes summer league teams. ML decided not to bring a team to the track event this year.
- Worked with the YMCA to promote our annual Yoga offering at Island Beach this summer.
- Finalized details for the Paddle Board Yoga program to be offered this year.
- Worked with USSI to offer sports camps at Taft Field. Will offer tennis camp once court renovation completed.
- Booked Tyler Daniel Basketball Camp outside at Wilson Courts.
- Updated Mountain Lakes Website with details of summer programs and events.
- Planned extensively with Sail Board to plan for Sailing Camp. There are now 2 Directors who split the weeks. Dr. Bob Fehon and Mr. Mike Schutz.
- Adult Sailing is very popular this year. All money is now received through Borough Hall and instructors are paid their hourly rate.
- Planned extensively with Swim Board for Swim Training. Swim/Dive meets planned.
- Swim Pre-Team moved to Birchwood swim lanes from ML Club. Instituted new safety program and guidelines for young swimmers including a "Water Watcher" program which ensures a parent/guardian is at the lake watching when each Pre-Team participant is in the lake.
- Swim is also hosting many fun events including: circus parties, pizza parties, and talent shows.
- Confirmed nurse for Summer Rec Program. Job share for 2 different school nurses.
- Beaches opened full time June 21. Residents have enjoyed the additional weekend days with the beaches open and the lifeguards on.
- Hosted 5<sup>th</sup> Grade party for Wildwood grads.
- Secured Field Hockey Coach for Fall. Gianna DellaFarra will also coach an indoor volleyball clinic in the winter.



# BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**Joe Mullaney**  
**Code Enforcement Officer**  
[jmullaney@mtnlakes.org](mailto: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: 7/5/23  
SUBJECT: Monthly Report May 2023

The following lists code enforcement/property maintenance issues for the month of May 2023:

5/2: Rainbow Trail resident notified of zoning violation. Matter resolved  
5/3: Political signs removed from various locations  
5/16: Political signs removed from various locations.  
5/22: Follow up on complaint about trees being taken down at a Crane Road address without a permit. Spoke with the resident and confirmed that the proper permit was obtained.  
5/30: Political signs removed from various locations

## Smoke and Carbon Monoxide Detector Inspections

DATE	LOCATION	PASS/FAIL
5/12	11 Oak Lane	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

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**Joe Mullaney**  
**Code Enforcement Officer**  
[jmullaney@mtnlakes.org](mailto: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: 7/4/23  
SUBJECT: Monthly Report June 2023

The following lists code enforcement/property maintenance issues for the month of June 2023:

- 6/1: Zoning violations (banners) at 2 Rt 46 businesses. Advised managers of both establishments to remove the banners.
- 6/3: Political signs removed from Route 46/Old Bloomfield Ave
- 6/4: Political signs removed from Intervale and Midvale Roads
- 6/12: Follow up with Crag school regarding property maintenance complaint. Matter resolved
- 6/13: Garage sale signs removed from 3 locations along the Boulevard
- 6/23: Follow up on property maintenance complaints on Roberts Drive

## Smoke and Carbon Monoxide Detector Inspections

DATE	LOCATION	PASS/FAIL
6/8	55 Condit Rd	Pass
6/8	255 Blvd	Pass
6/8	3 Center Dr	Pass
6/12	255 Morris Ave	Pass
6/13	5 Albie	Pass
6/13	6 Albie	Pass
6/14	49 Lockley Court	Pass
6/22	1 Cobb Rd	Pass
6/23	23 Park Place	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.