



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES
SEPTEMBER 11, 2023
HELD AT ML HIGH SCHOOL, 96 POWERVILLE ROAD, MOUNTAIN LAKES, NJ 07046**

CALL TO ORDER AND OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is being held in compliance with Public Law 1975, Chapter 231, Sections 4 and 13, as notice of this meeting has been reported to The Citizen and the Morris County Daily Record and The Star Ledger on January 9, 2023 and posted in the municipal building.

Deputy Mayor Barnett called the meeting to order at 6:01p.m.

ROLL CALL ATTENDANCE

Roll Call	<u>Present</u>	<u>Absent</u>		<u>Present</u>	<u>Absent</u>
Cannon	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Richter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Korman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Barnett	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Menard	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sheikh	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Muilenburg	<input checked="" type="checkbox"/>	<input type="checkbox"/>			

Mayor Sheikh arrived at 6:03pm.

FLAG SALUTE

Deputy Mayor Barnett led the salute to the flag.

EXECUTIVE SESSION

R174-23, Resolution to Enter an Executive Session – Litigation (Tax Appeals) & Attorney - Client Privilege (Approval of Executive Minutes)

Motion made by Councilmember Menard, second by Councilmember Cannon to go into Executive Session, with all members in favor signifying by "Aye".

COMMUNITY ANNOUNCEMENTS

Mayor Sheikh recognized everyone who lost their lives on 9/11 including residents Alayne Gentul and David Rathkey and also thanked the first responders, military and ordinary Americans who showed courage to save others on that day.

Councilmember Korman – thanked the first responders who supported the remediation of the 9/11 site and recognized all those who lost their lives from 9/11 health-related issues.

SPECIAL PRESENTATIONS

There were no presentations.

REPORTS OF BOROUGH ESTABLISHED BOARDS, COMMISSIONS AND COMMITTEES

There were no reports.

BOROUGH COUNCIL DISCUSSION ITEMS

There were no discussion items.

PUBLIC COMMENT

Mayor Sheikh opened the meeting to the public.

There was no one from the public wishing to speak.

ATTORNEY'S REPORT

Borough Attorney Oostdyk reported that the Council approved three tax appeal settlements that are on tonight's consent agenda and also discussed the overall tax appeals in the Borough.



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MANAGER'S REPORT

Borough Manager Stern provided his report (attached).

RESOLUTIONS

There were no resolutions.

ORDINANCES TO INTRODUCE

14-23, Amending the Revised General Ordinances of the Borough of Mountain Lakes and Prohibiting Public Urination or Defecation

Prior to the introduction of Ordinance 14-23, the Council discussed the ordinance. Police Chief Bennett provided background information the Council asked questions of Police Chief Bennett and he answered them.

Introduced: 9/11/23

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

ORDINANCES TO ADOPT

There were no ordinances to adopt.

***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. R166-23, Authorizing the Payment of Bills
- b. R167-23, Authorizing the Discretionary Award of a Contract for Exterior Finish Materials to Arco Construction in an Amount that May Exceed \$17,500 but Will be Less than \$44,000
- c. R168-23, Requesting Approval of Item of Revenue and Appropriation Under N.J.S.A. 40A: 4-87 for the Lead Grant Assistant Program in the Amount of \$2,200.00
- d. R169-23, Authorizing the Refund of Overpayment of Taxes
- e. R170-23, Authorizing the Settlement of a Tax Appeal (Waggoner, Robert C. v. Borough of Mountain Lakes – Block 100, Lot 34
- f. R171-23, Authorizing the Settlement of a Tax Appeal (Hess Retail Stores LLC by Speedwell LLC – Block 5, Lot 1)
- g. R172-23, Authorizing the Settlement of a Tax Appeal (Mountain Lakes GIM Vision LLC; Mountain Lakes Investors LLC, VERP – 2.01 Bloomfield LLL; ETSLN – US LLC v. Borough of Mountain Lakes – Block 118.04 Lots 1, 2, 2.01, and 2.02)
- h. R173-23, Authorizing Membership in the NJ State Firemen's Association

***APPROVAL OF MINUTES**

6/26/23 (Executive)

8/28/23 (Regular)



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***BOARD, COMMITTEE AND COMMISSION APPOINTMENTS**

- a. *Julia Weiner to the Shade Tree Commission as a student member*
- b. *Arian Nanda and Ethan Wu to the Economic Development Advisory Committee as student members*
- c. *John Corbo (previously appointed) and Connor Higgins to the Lakes Management Advisory Committee as student members*

***Approval of the Consent Agenda**

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

DEPARTMENT REPORTS SUBMITTED FOR FILING (reports are included only if checked)

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

COUNCIL REPORTS

Zoning Board – Councilmember Richter reported that the board approved one application for HVAC units.

Borough Hall Renovation Project - Deputy Mayor Barnett reported that there are no changes to the project schedule since the last Council meeting.

Finance Advisory Committee (FAC) – Mayor Sheikh reported the following: The committee discussed funding for the total 2022 capital budget, partial 2023 capital budget, Sunset Lake Dam project and the Borough Hall Renovation project. To fund these projects, the Borough decided to issue short-term Bond Anticipation Notes and the bids are scheduled to come in on September 27th. The note will be issued on October 12th; FAC reviewed the water and sewer balances and FAC recommended that no changes be made to the water and sewer rates; Chief Financial Officer Goscicki was successful in having the banks that hold Borough funds increase the interest rate from .75% to 4%; FAC discussed the Borough's tax appeal process and the Borough Tax Assessor is targeting resolutions by the end of the year. The Assessor believes that the reserve for tax appeals balance is sufficient at this time; FAC is scheduled for a presentation at the October 23rd Council meeting; The Borough will transition to flat rate sewer billing at the end of 2024 or the beginning of 2025.

Highlands Subcommittee – Councilmember Korman reported that the subcommittee received answers to their questions from the Highlands Council and that the subcommittee will be reviewing them.

The Station Project – Councilmember Korman reported that the Borough is waiting to receive the construction documents.



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PUBLIC COMMENT

Mayor Sheikh opened the meeting to the public.

There was no one from the public wishing to speak.

NEXT STEPS AND PRIORITIES

Mayor Sheikh reviewed the following next steps and priorities:

Next Step	Completed by	Completion date
Review Answers to Questions from Highlands Council	Highlands Subcommittee	

ADJOURNMENT at 7:37P.M.

Motion made by Councilmember Menard, second by Mayor Sheikh to adjourn the meeting at 7:37p.m., with all members in favor signifying by "Aye".

Respectfully Submitted,

Cara Fox, Borough Clerk



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 September 11, 2023
CC: Robert Oostdyk, Borough Attorney

The following represents the Manager's report for the Borough Council meeting of September 11, 2023.

Sunset Lake Dam – The contractor has been provided with a notice to proceed effective September 11th, 2023. Per the contract, the project is to be completed by Feb 8, 2024 (barring unforeseen circumstances). First steps include mobilizing equipment, lowering of the lake, and capturing & relocating fish to Mountain Lake.

Morris Ave Road Rehabilitation – This project has been completed.

Tennis Court Rehabilitation – The project is in its final stages. The courts are currently being painted. Line stripping will occur next, and the project should then wrap up.

Police Vehicle Design - In an effort to update the look of our School Resource Officer vehicle, MLPD has teamed up with Mountain Lakes High School, creating a "Design a Mountain Lakes Police Car" contest. The contest will provide MLHS students with the opportunity to participate in the design of the SRO vehicle.

Submissions are due October 6th. The school and the students are aware that the Borough reserves the right to change the winning design as appropriate, or to only use part of a design. Chief Bennett will report out at a future meeting with the results of the contest.

Introduction of Ordinance requested by MLPD Chief Bennett – Attached, please find a memo from Chief Bennett outlining his request for an ordinance prohibiting public urination and defecation. Chief Bennett will be available at the Borough Council meeting to answer any questions.

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

Respectfully,
Mitchell



Shawn M. Bennett
CHIEF OF POLICE

Police Department

Borough of Mountain Lakes

400 Boulevard
Mountain Lakes, NJ 07046
(973) 334-1413 • Fax (973) 334-4123



To: Mitchell Stern, Borough Manager

Fm: Chief Shawn Bennett

Re: Proposed Ordinance Prohibiting Urinating in Public

Date: 8/3/23

Mitchell,

Attached, please find a proposed ordinance titled, "Public Urination or Defecation".

Issue

Over the past year, there have been two occasions in which officers have observed individuals urinating in public in residential areas of the Borough. One instance was along Martin's Lane. The other incident occurred along the Boulevard path between North Crane and North Pocono.

Background

As you know there is no State statute prohibiting urinating in public. In addition, there is currently no local ordinance prohibiting the act in Mountain Lakes.

Conclusion

I believe this is a necessary ordinance to give the officers enforcement powers so that they are able to address incidents of individuals urinating/defecating in public when they arise.

Best Regards,

Chief Shawn Bennett

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

RESOLUTION 166-23

“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 September 11, 2023 and on file and available for public inspection in the Office of the Treasurer and approved by him for payment, be paid.

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 September 11, 2023.



Cara Fox, Borough Clerk

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

List of Bills - CLAIMS/CLEARING CHECKING ACCOUNT

Meeting Date: 09/11/2023 For bills from 08/25/2023 to 09/07/2023

Check#	Vendor	Description	Payment	Check Total
22643	219 - ACCESS	PO 27020 2023 ARCHIVE SERVICES - CUST# 156NFY0479	72.07	72.07
22644	2426 - AGL WELDING SUPPLY CO.	PO 26970 DPW - EQUIPMENT & TOOLS - BLANKET	91.57	91.57
22645	4361 - AGSCO CORP	PO 27459 BH RENO: MATERIALS	636.50	636.50
22646	4343 - ALARMAX DISTRIBUTORS, INC	PO 27573 BH: RENOVATIONS - FIRE ALARMS	2,463.95	2,463.95
22647	3852 - ALEXANDER LAURENZI	PO 27542 Band on Beach 8/28/23	750.00	750.00
22648	196 - ALLIED OIL	PO 27094 DPW - UNLEADED FUEL - NJ STATE CONTRACT	3,318.66	3,318.66
22649	3861 - AMAZON CAPITAL SERVICES	PO 27524 CLERK: ORDER# 112-6293553-2442605 11	151.85	
		PO 27528 CLERK: ORDER# 112-9675392-8572232	66.98	218.83
22650	189 - ANCHOR ACE HARDWARE	PO 26282 POLICE - SUPPLIES - BLANKET 2023	2.99	
		PO 27129 DPW / WATER DEPT - DEPARTMENT SUPPLIES -	13.35	
		PO 27571 BH: RENOVATIONS - SUPPLIES	340.90	357.24
22651	4499 - BLACK LAGOON	PO 27189 2023 LAKES MANAGEMENT - BLANKET	2,125.00	2,125.00
22652	3617 - BLOOMFIELD HEALTH DEPARTMENT	PO 27518 AUG 2023 PUBLIC HEALTH SERVICES CONTRACT	2,248.67	2,248.67
22653	4368 - BUY WISE AUTO PARTS, INC.	PO 26450 POLICE: VEHICLE REPAIRS - BLANKET	8.85	
		PO 27379 DPW - VEHICLE REPAIR	97.99	106.84
22654	456 - CHADLER SOLUTIONS, LLC	PO 27545 2023 RISK MANAGEMENT FEE - SECOND INSTAL	5,620.00	5,620.00
22655	4090 - CLEAN MAT SERVICES, LLC	PO 27275 FLOOR MATS / DPW - JULY - DEC 2023 BLANK	93.17	93.17
22656	1481 - CORE & MAIN, LP	PO 24354 FURNISH & INSTALL WATER METERS - RESO# 1	52,410.00	52,410.00
22657	2396 - COUNTY WELDING SUPPLY CO.	PO 26564 DPW - EQUIPMENT & TOOLS - BLANKET	105.27	
		PO 27471 DPW - EQUIPMENT & TOOLS - BLANKET	36.00	141.27
22658	506 - DAN COMO & SONS, INC	PO 26972 SOLID WASTE - LEAF AND BRUSH REMOVAL - B	3,200.00	
		PO 26984 PARK MAINTENANCE - MULCH	580.00	3,780.00
22659	2358 - DAVE HEINER ASSOCIATES, INC.	PO 26935 WATER DEPARTMENT - EQUIPMENT REPAIR	770.44	770.44
22660	4520 - DK HARDWARE SUPPLY LLC	PO 27356 BH RENO - MATERIALS	564.59	564.59
22661	1170 - FERGUSON ENTERPRISES #501	PO 26947 DPW: BATHROOM RENOVATION	68.18	68.18
22662	2517 - FF1 FIREFIGHTER ONE, LLC	PO 26980 FIRE DEPT: E2 Packing	2,742.19	
		PO 27263 FIRE DEPT: Engine 1 Auto chains	617.51	3,359.70
22663	4514 - GALLS, LLC	PO 27358 POLICE: CROSSING GUARD EQUIPMENT	304.95	304.95
22664	814 - GARDEN STATE HIGHWAY PRODUCTS	PO 27341 BEACHES - STREET SIGNS	75.48	75.48
22665	3991 - GRM INFORMATION MANAGEMENT SERVICES	PO 27010 2023 ARCHIVE STORAGE - 2-4 QTR - ACCT 01	107.68	107.68
22666	4188 - HERC RENTALS, INC.	PO 27183 BH: RENOVATIONS - RENTALS - BLANKET	1,555.00	1,555.00
22667	911 - HOME DEPOT CREDIT SERVICES	PO 27367 DPW - PERSONAL SAFETY EQUIPMENT - BLANKE	482.05	
		PO 27455 RECREATION - TENNIS COURT	1,509.22	
		PO 27478 DPW BATHROOM RENOVATION	1,656.05	
		PO 27505 BH: RENOVATIONS - SUPPLIES	4,120.52	7,767.84
22668	911 - HOME DEPOT CREDIT SERVICES	PO 27564 BH: RENOVATIONS - MISC SUPPLIES	1,285.94	1,285.94
22669	3817 - IL TORRENTE PIZZA	PO 27457 DPW - MEALS - BLANKET	139.17	139.17
22670	4234 - JAG CAR WASH HOLDINGS, LLC	PO 26987 POLICE: CAR WASH ETC. - BLANKET	218.00	218.00
22671	859 - JCP&L	PO 27546 ACCT#100 075 505 725 - BILL PRD: 7/25 -	4.09	
		PO 27547 ACCT#100 151 758 974 - / BILL PRD: 7/25	244.57	
		PO 27550 ACCT#100 141 241 693 BILL PRD: 7/25 - 8/	109.57	
		PO 27568 MAST ACCT#200 000 054 011/ BILL DATE: AU	4.43	
		PO 27569 MASTER ACCT# 200 000 569 000 - AUG 24, 2	4,089.51	
		PO 27570 ACCT#100 050 702 156 - BILL PRD: 7/28 -	4.73	4,456.90
22672	4538 - JOHN PAUL LEPRE	PO 27529 RECREATION: BAND ON THE BEACH	400.00	400.00
22673	1074 - JW PIERSON CO.	PO 27472 DPW - DEISEL FUEL - BLANKET	550.02	550.02
22674	1090 - KENVIL POWER MOWER	PO 27375 DPW - EQUIPMENT REPAIR - BLANKET	137.72	137.72
22675	2436 - LAKELAND AUTO PARTS	PO 27521 DPW: VEHICLE REPAIR - BLANKET	14.48	14.48
22676	1438 - MAIN POOL & CHEMICAL COMPANY	PO 27371 WATER DEPARTMENT - TREATMENT OF WELLS	970.00	970.00
22677	1851 - MAJOR AUTOMOTIVE INSTALLATIONS	PO 27508 POLICE: RADIO - SUBURBAN - STATE CONTRAC	1,021.13	1,021.13
22678	3926 - MITCHELL STERN	PO 27544 ADMIN: CONSTANT CONTACT SUBSCRIPTION- RE	597.80	597.80
22679	1309 - MORRIS CTY TAX COLL/TREAS ASSN	PO 27536 FINANCE - TAX SALE REDEMPTION	32.00	32.00
22680	1371 - MTN. LAKES BOARD OF EDUCATION	PO 27554 SEPT 2023 MTN LAKES SCHOOL DISTRICT GENE	2,118,523.34	2,118,523.34
22681	3279 - NJ DIV OF ALCOHOLIC BEVERAGE CONTRO	PO 27549 CLERK 2023-2024 LIQUOR LICENSE RENEWAL	18.00	18.00
22682	1559 - NJ STATE ASSOC. OF CHIEFS OF POLICE	PO 27540 POLICE: CLASS/TRAINING FOR ZACH WALSH FA	1,400.00	1,400.00
22683	1562 - NJLM	PO 27534 LEAGUE OF MUNICIPALITIES 2023 CONFERENCE	420.00	420.00
22684	3844 - NJSLOM	PO 27548 2023 NJ MUNICIPALITIES MAGAZINE SUBSCRIP	275.00	275.00
22685	2595 - NORTH JERSEY MUNICIPAL EMPLOYEE	PO 27004 2023 DENTAL PREMIUMS - GROUP 1624 - MAY	2,841.00	2,841.00
22686	2727 - ONE CALL CONCEPTS, INC.	PO 27140 ACCT# 12-BML / 2023 MAY - DEC BLANKET	234.15	234.15
22687	2968 - OPTIMUM	PO 26332 DPW: 2023 CABLE BOXES ACCT# 07876-414565	12.65	12.65
22688	3173 - OPTIMUM	PO 27103 FIRE: ACCT# 07876-603439-01-8 CABLE - 20	9.99	9.99
22689	2968 - OPTIMUM	PO 27301 DPW: 2023 INTERNET SERVICES ACCT# 07876-	157.48	157.48
22690	4213 - OPTIMUM	PO 27520 2023 BORO (TEMP SPACE) INTERNET SVCS. AC	165.84	165.84
22691	4199 - PASSAIC METAL & BUILDING SUPPLIES	PO 27259 BH: RENOVATIONS - BLANKET	2,150.00	2,150.00
22692	1787 - R & J CONTROL, INC.	PO 26969 DPW / WATER TOWER - FACILITIES MAINTENAN	300.00	300.00
22693	1822 - R.S. PHILLIPS STEEL, LLC	PO 27226 DPW - GARAGE MAINTENANCE - BLANKET	187.86	187.86
22694	4239 - SEAN TORRES	PO 27523 POLICE: CLASS REIMBURSEMENT - SEAN TORRE	449.32	449.32
22695	285 - SHAWN BENNETT	PO 27538 POLICE: REIMBURSEMENT FOR TESLA WALL CHA	506.47	
		PO 27552 POLICE: VEHICLE REPAIR REIMBURSEMENT - SH	25.48	531.95

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Check#	Vendor	Description	Payment	Check Total
22696	1948 - SHEAFFER SUPPLY, INC.	PO 27574 BH: RENOVATIONS - SUPPLIES	170.84	170.84
22697	1837 - SHERATON ATLANTIC CITY	PO 27533 2023 LEAGUE OF MUNICIPALITIES HOTEL RESE	288.00	288.00
22698	2470 - SKYLANDS AREA FIRE EQUIP & TRAINING	PO 27163 FIRE DEPT: Helmets - NJ State Contract 1	335.56	
		PO 27163 FIRE DEPT: Helmets - NJ State Contract 1	436.32	
		PO 27163 FIRE DEPT: Helmets - NJ State Contract 1	8,261.10	
		PO 27374 PPE	2,060.00	
		PO 27541 FIRE DEPT: Personal Protective Equipment	879.98	11,972.96
22699	2774 - STAPLES CONTRACT & COMMERCIAL, LLC	PO 27492 DPW - ORDER# 7378192125	97.98	97.98
22700	4513 - TESLA, INC	PO 27392 POLICE E-VEHICLE PURCHASE	53,130.00	53,130.00
22701	1343 - TILCON NY, INC	PO 27522 STREETS & ROADS/ WATER DEPT - DRAINS, PI	1,186.22	
		PO 27522 STREETS & ROADS/ WATER DEPT - DRAINS, PI	1,324.47	2,510.69
22702	881 - TMS, INC	PO 26293 ADMIN: 2023 DNS HOSTING / ACCT# GTI - BL	25.24	25.24
22703	1424 - TOWNSHIP OF MONTVILLE	PO 26905 2023 ANIMAL CHARGES - BLANKET	2,961.83	2,961.83
22704	4191 - TRANSUNION RISK & ALTERNATIVE	PO 27562 POLICE: RISK MANAGEMENT	75.00	75.00
22705	1536 - TREAS, STATE OF NJ - D.O.H.	PO 27517 JULY 2023 DOG LICENSE FEES	1.20	1.20
22706	4088 - TURN OUT UNIFORMS, INC	PO 27511 POLICE: POLICE UNIFORMS - WALSH	15.00	15.00
22707	4489 - WALLINGTON PLUMBING & HEATING SUPPLY CO.	PO 27276 BH: RENOVATIONS - HVAC BLANKET	343.90	343.90
22708	4003 - WARSHAUER ELECTRIC SUPPLY CO.	PO 26473 BH: RENOVATIONS - ELECTRICAL SUPPLIES BL	1,629.46	1,629.46
TOTAL				2,299,729.47

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
01-201-20-100-020	GENERAL ADMIN - OTHER EXPENSE	837.55			
01-201-20-110-020	MAYOR & COUNCIL - OTHER EXP'S	683.00			
01-201-20-120-020	MUNICIPAL CLERK - OTHER EXP'S	296.83			
01-201-20-130-020	FINANCE - OTHER EXPENSES	32.00			
01-201-20-140-020	COMPUTER SERVICES	203.73			
01-201-22-195-020	UNIFORM CONST - OTHER EXPENSES	60.00			
01-201-23-210-020	INSURANCE - LIABILITY	5,620.00			
01-201-23-220-020	GROUP INSURANCE PLANS-EMPLOYEE	2,841.00			
01-201-25-240-020	POLICE DEPT - OTHER EXPENSES	3,546.39			
01-201-25-255-020	FIRE DEPT - OTHER EXPENSES	345.55			
01-201-26-290-020	STREETS & ROADS - OTHER EXP.	2,994.67			
01-201-26-305-020	SOLID WASTE - OTHER EXPENSES	3,200.00			
01-201-26-310-020	BLDG & GROUNDS - MUNIC BLDG	93.17			
01-201-26-315-020	VEHICLE REPAIRS & MAINTENANCE	3,506.50			
01-201-27-330-020	BOARD OF HEALTH - OTHER EXP.	2,248.67			
01-201-28-370-020	PARKS & PLAYGROUNDS OTHER EXP.	2,659.22			
01-201-28-375-020	MAINT OF PARKS (BEACHES/LAKES)	2,780.48			
01-201-31-435-020	ELECTRICITY - ALL DEPARTMENTS	367.39			
01-201-31-436-020	ELECTRICITY - STREET LIGHTING	4,089.51			
01-201-31-447-020	PETROLEUM PRODUCTS	3,868.68			
01-207-55-000-000	LOCAL SCHOOL TAXES PAYABLE			2,118,523.34	
01-260-05-100	DUE TO CLEARING			0.00	2,158,797.68
TOTALS FOR	Current Fund	40,274.34	0.00	2,118,523.34	2,158,797.68
02-200-40-700-510	AMER. RESCUE PLAN FIRE FIGHTERS GRANT			11,201.08	
02-260-05-100	DUE TO CLEARING			0.00	11,201.08
TOTALS FOR	FEDERAL AND STATE GRANTS	0.00	0.00	11,201.08	11,201.08
04-215-55-989-000	2020 CAPITAL ORD. 8-20 BORO HALL RENOV.			15,261.60	
04-215-55-991-000	2021 CAPTIAL ORDINANCE 10-21			52,410.00	
04-215-55-992-000	2022 CAPITAL ORDINANCE 2-22			55,360.70	
04-215-55-996-000	2023 CAPITAL ORDINANCE 8-23			436.32	
04-260-05-100	DUE TO CLEARING			0.00	123,468.62
TOTALS FOR	General Capital	0.00	0.00	123,468.62	123,468.62

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
05-201-55-520-520	Water Operating - Other Expenses	3,299.06			
05-260-05-100	DUE TO CLEARING			0.00	3,299.06
TOTALS FOR	Water Operating	3,299.06	0.00	0.00	3,299.06
13-260-05-100	DUE TO CLEARING			0.00	2,963.03
13-286-56-000-000	RESERVE - ANIMAL LICENSE FUND			2,961.83	
13-295-56-000-000	DOG LICENSE FEES-DUE STATE NJ			1.20	
TOTALS FOR	Animal Trust	0.00	0.00	2,963.03	2,963.03

Total to be paid from Fund 01 Current Fund	2,158,797.68
Total to be paid from Fund 02 FEDERAL AND STATE GRANTS	11,201.08
Total to be paid from Fund 04 General Capital	123,468.62
Total to be paid from Fund 05 Water Operating	3,299.06
Total to be paid from Fund 13 Animal Trust	2,963.03
	<hr/>
	2,299,729.47



List of Bills - (3310101001001) CASH - RECREATION

Recreation Trust

Meeting Date: 09/11/2023 For bills from 08/25/2023 to 09/07/2023

Check#	Vendor	Description	Payment	Check Total
5582	1800 - ROMA PIZZERIA	PO 27530 TRACK: YEAR END PARTY	237.50	237.50
TOTAL				237.50

Summary By Account

ACCOUNT	DESCRIPTION	CURRENT YR	APPROP. YEAR	NON-BUDGETARY	CREDIT
33-101-01-001-001	CASH - RECREATION			0.00	237.50
33-600-00-090-000	Recreation Trust Reserves			237.50	
TOTALS FOR	Recreation Trust	0.00	0.00	237.50	237.50

Total to be paid from Fund 33 Recreation Trust

237.50

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237.50

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

RESOLUTION 167-23

**“RESOLUTION AUTHORIZING THE DISCRETIONARY AWARD OF A CONTRACT FOR EXTERIOR FINISH MATERIALS TO
ARCO CONSTRUCTION IN AN AMOUNT THAT MAY EXCEED \$17,500 BUT WILL BE LESS THAN \$44,000”**

WHEREAS, the Borough of Mountain Lakes has a need to purchase exterior finish materials for the Borough Hall Renovation Project; and

WHEREAS, the Borough of Mountain Lakes has identified Arco Construction as a supplier of the exterior finish materials and

WHEREAS, it is anticipated that the purchase contract with Arco Construction will exceed \$17,500 but be less than \$44,000; and

WHEREAS, the New Jersey Pay-to-Play Law N.J.S.A. 19:44A-20.4 et seq. requires contracts in excess of \$17,500 to be issued in a fair and open or non-fair and open manner; and

WHEREAS, Arco Construction has provided the required documentation, which is on file with the Borough, for a non-fair and open contract to be awarded; and

WHEREAS, the Chief Finance Officer will certify that funds are available upon submission of a purchase requisition, and;

WHEREAS, it is the recommendation of the Borough Manager that should they be needed, contracts in excess of \$17,500 but less than \$44,000 be authorized in the manner required by law.

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. Should they be needed, contracts in excess of \$17,500 but less than \$44,000 may be authorized in the manner required by law.
2. The Borough Manager is hereby authorized and directed to execute the necessary documents related to this resolution.

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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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 168-23

**“RESOLUTION REQUESTING APPROVAL OF ITEM OF REVENUE AND APPROPRIATION UNDER N.J.S.A. 40A: 4-87
FOR THE LEAD GRANT ASSISTANCE PROGRAM IN THE AMOUNT OF \$2,200.00”**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Mountain Lakes hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2023 in the sum of \$2,200.00 which item is now available as a revenue from:

Miscellaneous Revenues

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services-Public and Private Revenues Off-set with Appropriations:

Lead Grant Assistance Program

BE IT FURTHER RESOLVED, that the like sum of \$2,200.00 be and the same is hereby appropriated under the caption of:

(A) Operations – Excluded from “CAPS” Public and Private Programs Offset By Revenues – Lead Grant Assistance Program

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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 169-23

“RESOLUTION AUTHORIZING THE REFUND OF OVERPAYMENT OF TAXES”

WHEREAS, the Tax Collector certifies that the following property has an overpayment of 4th 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 Steven T. Lee and Julie Lin representing a refund due to an overpayment.

Block	Lot	Name & Mailing Address	Property Address	Amount
31	1	Steven T. Lee & Julie Lin 7 Sunset Rd. Mountain Lakes , NJ 07046	7 Sunset Road Mountain Lakes	\$14,010.46

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Cara Fox, Borough Clerk

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

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

RESOLUTION 170-23

**“RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL (WAGGONER, ROBERT C. v.
BOROUGH OF MOUNTAIN LAKES – BLOCK 100, LOT 34)”**

WHEREAS, a tax appeal has been filed in the Tax Court of New Jersey captioned “Waggoner, Robert C. v. Borough of Mountain Lakes” challenging the 2022 and 2023 tax assessments on Block 100, Lot 34 (284 Boulevard); and

WHEREAS, the Plaintiff and the Tax Assessor have agreed to a settlement of this tax appeal as set forth in a proposed Stipulation of Settlement attached hereto; and

WHEREAS, the Borough Council finds that it is in the best interest of the Borough to approve the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned “Waggoner, Robert C. v. Borough of Mountain Lakes”; and be it further

RESOLVED that the Tax Collector is hereby authorized to process any refund required as a result of the settlement of this tax appeal.

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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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 171-23

**"RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL (HESS RETAIL STORES LLC BY
SPEEDWELL LLC – BLOCK 5, LOT 1)"**

WHEREAS, a tax appeal has been filed in the Tax Court of New Jersey captioned "Hess Retail Stores LLC by Speedwell LLC v. Borough of Mountain Lakes" challenging the 2015-2017 and 2020-2021 tax assessments on Block 5, Lot 1 (062 Route 46); and

WHEREAS, the Plaintiff and the Tax Assessor have agreed to a settlement of this tax appeal as set forth in a proposed Stipulation of Settlement attached hereto; and

WHEREAS, the Borough Council finds that it is in the best interest of the Borough to approve the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned "Hess Retail Stores LLC by Speedwell LLC v. Borough of Mountain Lakes"; and be it further;

RESOLVED that the Tax Collector is hereby authorized to process any refund required as a result of the settlement of this tax appeal.

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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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 172-23

**“RESOLUTION AUTHORIZING THE SETTLEMENT OF A TAX APPEAL (MOUNTAIN LAKES GIM VISION LLC;
MOUNTAIN LAKES INVESTORS LLC, VERP-2.01 BLOOMFIELD LLL; ETLSLN-US LLC v. BOROUGH OF
MOUNTAIN LAKES – BLOCK 118.04 LOTS 1, 2, 2.01, AND 2.02)”**

WHEREAS, multiple tax appeals have been filed in the Tax Court of New Jersey captioned “Mountain Lakes GIM Vision, LLC., Mountain Lakes Investors, LLC, Verp-2.01 Bloomfield LLC, and ETLSLN-US LLC v. Borough of Mountain Lakes” challenging the 2022 and 2023 tax assessments on Block 118.04 Lots 1, 2, 2.01, and 2.02 (Bloomfield Avenue); and

WHEREAS, the Plaintiff and the Tax Assessor have agreed to a settlement of this tax appeal as set forth in a proposed Stipulation of Settlement attached hereto; and

WHEREAS, the Borough Council finds that it is in the best interest of the Borough to approve the proposed settlement.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, in the County of Morris and State of New Jersey that the Borough Attorney is authorized to execute a Stipulation of Settlement in settlement of all pending tax appeals captioned “Mountain Lakes GIM Vision, LLC., Mountain Lakes Investors, LLC, Verp-2.01 Bloomfield LLC, and ETLSLN-US LLC v. Borough of Mountain Lakes”; and be it further,

RESOLVED that the Tax Collector is hereby authorized to process any refund required as a result of the settlement of this tax appeal.

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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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 173-23

**“RESOLUTION AUTHORIZING MEMBERSHIP IN THE
NEW JERSEY STATE FIREMEN’S ASSOCIATION”**

WHEREAS, the following individual has applied for membership in the New Jersey State Firemen’s Association and has submitted the required documentation; and

WHEREAS, the Fire Department recommends this individual for membership; and

WHEREAS, a copy of the application has been filed with the Borough Clerk.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that the Borough of Mountain Lakes approves the application for the following individual:

Scott R. Dubnoff

75 Pollard Road

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 September 11, 2023.



Cara Fox, Borough Clerk

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

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

RESOLUTION 174-23

“RESOLUTION TO ENTER INTO AN EXECUTIVE SESSION”

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

- ☐ Matters made confidential by state, federal law or rule by court
- ☐ Matters in which the release of information would impair the right to receive funds from the Government
- ☐ Matters involving individual privacy
- ☐ Collective bargaining
- ☐ Purchase or lease of property, setting of bank rates, investment of public funds if disclosure would harm the public interest
- ☐ Public safety
- ☒ Pending, ongoing or anticipated litigation (Tax Appeals) or contract negotiation
- ☐ Personnel matters
- ☐ Civil penalty or loss of license
- ☒ Attorney – Client Privilege (Approval of Executive Minutes)

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

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 September 11, 2023.



Cara Fox, Borough Clerk

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