



**MEETING MINUTES OF THE COUNCIL OF THE BOROUGH OF MOUNTAIN LAKES  
JULY 28, 2025  
HELD AT BOROUGH HALL, 400 BOULEVARD, MOUNTAIN LAKES, NJ**

**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, the Morris County Daily Record, and The Star Ledger on January 9, 2025 and posted in the municipal building.

Mayor Barnett called the meeting to order at 7:01p.m.

**ROLL CALL ATTENDANCE**

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

**FLAG SALUTE**

Mayor Barnett led the salute to the flag.

**EXECUTIVE SESSION**

There was no executive session.

**COMMUNITY ANNOUNCEMENTS**

Deputy Mayor Muilenburg announced that the Tourne band will perform at Island Beach on July 31<sup>st</sup> at 7pm.

Mayor Barnett encouraged all residents to subscribe to the Borough's weekly eblast and announced that the Health Department will host a free Child Health Clinic on August 14<sup>th</sup> from 4-8pm at 204 Flanders-Drakestown Road, Budd Lake, NJ.

**SPECIAL PRESENTATIONS**

**Swearing in of New Police Sergeant & New Police Officers**

Borough Clerk Fox administered the oath of office to new Mountain Lakes Police Sergeant Connor Grady and new Police Officers Derek Blair and Jeff Borst.

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

There were no reports.

**BOROUGH COUNCIL DISCUSSION ITEMS**

**Borough Council Mid-Year Goals Review**

Deputy Mayor Muilenburg reviewed the status of the 2025 Borough Council Goals.

Borough Manager Stern advised that the Borough received notification today of being awarded a \$112,200 grant from the Highlands Council for tasks one through four of the proposed lakes management study. Once completed, the Borough may apply for a grant to cover tasks five through eight.

Mayor Barnett suggested, and Council agreed, to add the recently established shared service agreement with Boonton Township for mechanic services to the Borough's goals document.

**PUBLIC COMMENT**

Mayor Barnett opened the meeting to the public.

There was no one from the public wishing to speak.

**ATTORNEY'S REPORT**

Borough Attorney Oostdyk reported the following:



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The final step in the Sunset Lake Dam project will be to convey Borough-owned land to adjacent property owners, via ordinance, to allow dock access. This process involves a form of subdivision and will require Planning Board review prior to ordinance adoption.

The Borough Planner is reviewing revised plans for the proposed development at 49 Bloomfield Avenue, and a public discussion could take place at the September 24<sup>th</sup> Council meeting.

**MANAGER'S REPORT**

Borough Manager Stern provided his report (attached). The Council asked Mr. Stern questions, and he answered them.

**RESOLUTIONS**

There were no resolutions.

**ORDINANCES TO INTRODUCE**

There were no ordinances to introduce.

**ORDINANCES TO ADOPT**

There were no ordinances to adopt.

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**\*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. R130-25, Authorizing the Payment of Bills
- b. R131-25, Authorizing Approval to Submit Grant Application and Execute Grant Contract with the New Jersey Department of Transportation for the Midvale Road and Woodland Avenue Improvement Project
- c. R132-25, Authorizing Mandatory Direct Deposit
- d. R133-25, Increasing the Bid Threshold
- e. R134-25, Authorizing Membership in the Mountain Lakes Volunteer Fire Department
- f. R135-25, Adopting the Affordable Housing Trust Fund Spending Plan for the Borough of Mountain Lakes for the Period 2025 through 2035
- g. R136-25, Authorizing a Professional Services Agreement between the Borough of Mountain Lakes and Hoplite Communications

**\*APPROVAL OF MINUTES**

6/23/25 (Regular)

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

Julia McVeigh to the Recreation Commission as Member with a term running through 12/31/27

**\*Approval of the Consent Agenda**

Council member	M	2nd	Yes	No	Abstain	Absent
Cannon	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Howley	<input checked="" 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"/>
Sheikh	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tsai	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Muilenburg	<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"/>



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**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
- ☒ Tax Collector

**COUNCIL REPORTS**

Affordable Housing Advisory Committee – Deputy Mayor Muilenburg reported the following: The August meeting has been cancelled. The chairperson (TJ Chiang) is stepping down, and Cynthia Korman will assume the role. The committee discussed transitioning from monthly to quarterly meetings, which Borough Attorney Oostdyk supports.

Public Works Committee – Mayor Barnett reported that the committee made the following recommendations: Replace the grommets on the Borough's large American flag. Fly the flag at Memorial Park on Memorial Day, Independence Day, and Veteran's Day. Hang festive bunting at the Island Beach pavilion for Independence Day. The Council supports the committee's recommendations.

Mayor Barnett proposed that the Council explore ways to streamline and enhance the efficiency of committees, and the Council agreed to do so.

**PUBLIC COMMENT**

Mayor Barnett opened the meeting to the public.

There was no one from the public wishing to speak.

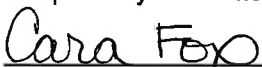
**NEXT STEPS AND PRIORITIES**

There were no next steps or priorities.

**ADJOURNMENT at 8:12P.M.**

Motion made by Deputy Mayor Muilenburg, second by Councilmember Menard to adjourn the meeting at 8:12p.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 July 28, 2025  
CC: Robert Oostdyk, Borough Attorney

**Annual Road Paving** – Paving is scheduled to begin second week of August on the below listed roads. Prior to work starting, we will broadcast information via e-blast and Nixle, as appropriate.

- Baldwin – Pollard to Romaine
- Beechway Road – Hanover to MLHS
- Crystal Road – N. Crane to Overlook
- Fernwood Trail – Rainbow to Lakewood
- Fox Hill Lane – Rt. 46 to Brook Lane
- Hanover Road – Oakland to Fanny
- Laurelwood Drive – Pinewood to Denville border
- Midvale Road – Romaine to Woodland
- Oakland Road – Boulevard to Melrose
- Yorke Road – Intervale to Warwick

**Sunset Lake Dam Project** – The owners of 71 East Shore Road have communicated their desire to replace the hatch on top of the new spillway with one that is more visually appealing and also perform some regrading of the slope near their home. The owners have been in contact with NJ DEP regarding this work and it was recommended that they utilize Boswell Engineering because of their familiarity with the project. Boswell Engineering has agreed to perform the work pending an acknowledgement by all parties of a potential conflict of interest. After discussion with the Borough Attorney, we have determined that we are comfortable with Boswell contracting with the property owner (see attached document).

**NJ DCA Local Recreation Grant Award** – Based on a grant submission previously submitted, the Borough has been notified of its award of \$79,000 towards improvements to the Boulevard Trolley Path. Once we receive bids back for the work, we will award a contract.

**NJ DOT Road Improvement Grant Submission** – After consultation with our Borough Engineer and DPW leadership, Midvale Road, from Intervale to Woodland Road and the entire length of Woodland Road has been selected as the submission for this round of grants. The total funding request is \$396,990. On the agenda for this meeting, you will find a resolution that is required as part of the grant submission process.



# BOROUGH OF MOUNTAIN LAKES

LISTED IN NATIONAL AND STATE REGISTERS OF HISTORIC PLACES

**Mitchell Stern**  
**Borough Manager**  
[mstern@mtnlakes.org](mailto: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 25, 2025  
Page: 2 of 2

**Cell Tower Consultant** – In June 2000, the borough entered into a long-term lease that allowed for the construction of a communications tower on borough land behind borough hall. The lease, which had a base period of 10 years with three five-year renewals, has now come to an end, with the borough now taking ownership of the communications tower.

Since the time of the initial lease agreement, advances in the communications industry have changed the way tower owners control their towers. After speaking with several municipal managers about how best to move forward, all have recommended engaging with Hoplite Communications to review the now expiring lease and determine the path forward that is in the best interest of the municipality. All of these municipal officials reported that Hoplite successfully handled all legal issues related to their tower and in the end, brought in higher revenues for the municipality than they were previously receiving.

On the agenda for this meeting, you will find a proposal from Hoplite Communications with a resolution allowing for their engagement with a not to exceed of \$7,500. A copy of the agreement is attached.

**Train Station Improvement Project** – Bids for the project were received on July 2<sup>nd</sup> and included three proposals. After reviewing the submitted proposals, our project architect, Connelly & Hickey, recommends the contract be awarded to Alden-Bailey Restoration. The contract and related documents will be on the agenda for the August 25<sup>th</sup> council meeting. See letter from Connolly & Hickey.

**Automated Bill Payments** – Similar to paying our employees electronically, we are beginning to pay vendors in this fashion. On the current bills list, you may notice the replacement of check numbers with the letters ACH (Automated Clearing House) for some of the payments. Paying electronically reduces costs (check printing, mailing, labor), but more importantly, reduces the opportunity for check fraud and cases of checks lost in the mail.

As always, feel free to reach out with any questions or concerns.

Respectfully,  
Mitchell

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

**RESOLUTION 130-25**

**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 **July 28, 2025** 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 28, 2025.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			

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

**RESOLUTION 131-25**

**RESOLUTION AUTHORIZING APPROVAL TO SUBMIT GRANT APPLICATION AND EXECUTE GRANT CONTRACT  
WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE MIDVALE ROAD AND WOODLAND  
AVENUE IMPROVEMENT PROJECT**

**BE IT RESOLVED** that the Borough Council of the Borough of Mountain Lakes formally approves the grant application for the **Midvale Road And Woodland Avenue Improvement Project**.

**BE IT FURTHER RESOLVED** that the Borough Engineer is hereby authorized to submit an electronic grant application, identified as **MA-2026-Midvale Road and Woodland Improvement** for the Midvale Road and Woodland Avenue Improvement Project, to the New Jersey Department of Transportation on behalf of the Borough of Mountain Lakes.

**BE IT FURTHER RESOLVED** that the Borough Manager and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Mountain Lakes and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			



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

**RESOLUTION 132-25**

**RESOLUTION AUTHORIZING MANDATORY DIRECT DEPOSIT**

**WHEREAS**, P.L.1981, c. 385 (C.52:14-15a) was amended by the Senate and General Assembly of the State of New Jersey to provide that municipalities (along with other State entities) may provide for mandatory direct deposit of net pay for all employees on or after July 1, 2014; and

**WHEREAS**, the Chief Financial Officer and the Borough Manager recommend that the municipality adopt this requirement as it will increase the productivity of the Finance Department and decrease or eliminate costs associated with producing checks and replacing lost checks; and

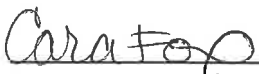
**WHEREAS**, this policy will require that employees of the municipality indicate, in writing to the Chief Financial Officer, the specific banking institution(s) and designated checking account(s), savings account(s) or share account(s) to which the deposit shall be made on behalf of the employee; and

**WHEREAS**, the Chief Financial Officer of the Borough of Mountain Lakes may provide for any special exceptions that may be permitted by law.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that, effective August 1, 2025 pursuant to N.J.S.A. 52:14-15, mandatory direct deposit of net pay for all employees of the Borough of Mountain Lakes shall be made to the specific banking institution(s) provided by each employee.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			



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

**RESOLUTION 133-25**

**RESOLUTION INCREASING THE BID THRESHOLD**

**WHEREAS**, pursuant to N.J.S.A. 40A:11-3, the State Treasurer increased the minimum bid threshold to \$53,000.00 for the execution of contracts without public bid by the Qualified Purchasing Agent when said contracts do not exceed \$53,000.00 in aggregate for the contract year in those municipalities whose purchasing agents possess a Qualified Purchasing Agent (QPA) certificate awarded by the Division of Local Government Services; and

**WHEREAS**, as a result the new quote threshold for the above noted municipalities with a Qualified Purchasing Agent (QPA) is now \$7,950.00 (15% of the \$53,000 QPA bid threshold); and

**WHEREAS**, the Borough of Mountain Lakes has had an appointed Qualified Purchasing Agent (QPA) as required under N.J.S.A. 40A:11-3 and in accordance with N.J.S.A. 40A:11-9; and

**WHEREAS**, the Governing Body finds it is in the interest of efficiency and economy for the Borough of Mountain Lakes to continue with the increase in the bid threshold and as a result the quote threshold, pursuant to N.J.S.A. 40A:11-3.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that pursuant to N.J.S.A. 40A:11-3, that its bid threshold increased to \$53,000.00 and as a result the quote threshold shall be \$7,950.00.

**BE IT FURTHER RESOLVED**, that such contracts as may be awarded under this Resolution shall comply with all other applicable laws, including but not limited to certification of funds by the Chief Financial Officer where required.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			

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

**RESOLUTION 134-25**

**RESOLUTION AUTHORIZING MEMBERSHIP IN THE MOUNTAIN LAKES VOLUNTEER FIRE DEPARTMENT**

**WHEREAS**, the following individual has applied for membership in the Mountain Lakes Volunteer Fire Department 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(s):

**John Daniel**

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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 28, 2025.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			

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

**RESOLUTION 135-25**

**RESOLUTION ADOPTING THE AFFORDABLE HOUSING TRUST FUND SPENDING PLAN FOR THE BOROUGH OF  
MOUNTAIN LAKES FOR THE PERIOD 2025 THROUGH 2035**

**WHEREAS**, on May 29, 2025, the Borough of Mountain Lakes Planning Board adopted the "Housing Element and Fair Share Plan for 2025-2035, Borough of Mountain Lakes, NJ", dated May 2025, prepared by Elizabeth Leheny, P.P., A.I.C.P., of Phillips Preiss Grygiel Leheny Hughes LLC said adoption having occurred after hearing as duly noticed pursuant to N.J.S.A. 40:55D-13; and

**WHEREAS**, the Borough Council of the Borough of Mountain Lakes reviewed the action of the Mountain Lakes Borough Planning Board and endorsed the Fourth Round Housing Element & Fair Share Plan as prepared and authorized filing the Plan with the Court as required pursuant to P.L. 2024, c. 2; and

**WHEREAS**, a development fee ordinance creating a dedicated revenue source for affordable housing was formerly approved by COAH and the Superior Court and adopted by the Borough. The ordinance established the Mountain Lakes affordable housing trust fund; and

**WHEREAS**, the Borough is required as part of the Housing Element and Fair Share Plan approval process to prepare and file a spending plan for the period 2025-2035 for approval as part of the process; and

**WHEREAS**, a draft Affordable Housing Trust Fund Spending Plan dated July 2025 prepared by Elizabeth Leheny, P.P., A.I.C.P., of Phillips Preiss Grygiel Leheny Hughes LLC is attached hereto.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Council of the Borough of Mountain Lakes, County of Morris, State of New Jersey, that pursuant to N.J.S.A. 40A:11-3, as follows:

1. The Affordable Housing Trust Fund Spending Plan dated July 2025 prepared by Elizabeth Leheny, P.P., A.I.C.P., of Phillips Preiss Grygiel Leheny Hughes LLC and attached hereto is hereby adopted by the Borough Council.
2. The Borough Council hereby authorizes and directs its professionals to file with the Court the Affordable Housing Trust Fund Spending Plan dated July 2025, accompanying Resolutions and any and all documents that are deemed necessary and required pursuant to P.L. 2024, c. 2 and such other law.
3. The Borough Council reserves the right and authority to further amend or modify the spending plan to address or take into account changes which may be warranted due to new rules or rule amendments or judicial determinations.
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 28, 2025.

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

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			

**Affordable Housing Trust Fund Spending Plan**  
**Borough of Mountain Lakes**  
July 2025

**INTRODUCTION**

The Borough of Mountain Lakes, Morris County has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Fair Housing Act (N.J.S.A. 52:27D-301). A development fee ordinance creating a dedicated revenue source for affordable housing was formerly approved by COAH and the Superior Court and adopted by the municipality. The ordinance established the Mountain Lakes affordable housing trust fund for which this spending plan is prepared.

As of May 31, 2025, Mountain Lakes has collected \$159,010.74 and expended \$62,236.42, resulting in an affordable housing trust fund balance of \$96,774.32 as of that date. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in Provident Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:93-8.16, as described in the sections that follow.

The Borough reserves the right and authority to further amend or modify the within spending plan to address or take into account changes which may be warranted due to new rules or rule amendments or judicial determinations, which may change standards or establish new criteria for the Borough to address its affordable housing obligation.

## **1. REVENUES FOR CERTIFICATION PERIOD**

To calculate a projection of revenue anticipated during the Fourth Round (2025-2035), Mountain Lakes considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals;
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and
3. Future development that is likely to occur based on historical rates of development.

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows: None

(c) Other funding sources: None

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate of 3.75%.

No large development projects are anticipated in the coming years due to the limited availability of vacant and developable land in Mountain Lakes.

SOURCE OF FUNDS		PROJECTED REVENUE SCHEDULE JUNE 1, 2025-JUNE 30, 2035				
		2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
(a) Development fees:						
1. Approved Development		\$0	\$0	\$0	\$0	\$0
2. Development Pending Approval		\$0	\$0	\$0	\$0	\$0
3. Projected Development <sup>1</sup>		\$19,870.49	\$19,870.49	\$19,870.49	\$19,870.49	\$19,870.49
(b) Payments in Lieu of Construction		\$0	\$0	\$0	\$0	\$0
(c) Other Funds (Specify source(s))		\$0	\$0	\$0	\$0	\$0
(d) Interest		\$3,203.13	\$2,897.34	\$2,580.09	\$2,250.93	\$1,909.43
<b>Total</b>		<b>\$23,073.62</b>	<b>\$22,767.83</b>	<b>\$22,450.58</b>	<b>\$22,121.42</b>	<b>\$21,779.93</b>
	<b>2030-2031</b>	<b>2031-2032</b>	<b>2032-2033</b>	<b>2033-2034</b>	<b>2034-2035</b>	<b>Total</b>
(a) Dev. fees:						
1. Appr.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
2. Pending	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
3. Projected	\$19,870.49	\$19,870.49	\$19,870.49	\$19,870.49	\$19,870.49	<b>\$198,704.92</b>
(b) P-i-L		\$0	\$0	\$0	\$0	<b>\$0</b>
(c) Other		\$0	\$0	\$0	\$0	<b>\$0</b>
(d) Interest		\$1,555.13	\$1,187.54	\$806.17	\$410.49	<b>\$16,800.26</b>
<b>Total</b>		<b>\$21,425.62</b>	<b>\$21,058.03</b>	<b>\$20,676.66</b>	<b>\$20,280.99</b>	<b>\$215,505.18</b>

<sup>1</sup> Between 04/01/2019 and 05/31/2025, the Borough of Mountain Lakes received development fees totaling \$119,222.95 from all qualifying residential and non-residential development activities within the Borough, or an annual average of \$19,870.49. Future development trends and resulting annual development fees are assumed to be consistent with current levels, resulting in total development fees of approximately \$198,704.92 through 2035.

Mountain Lakes projects a total of approximately \$215,505.18 in revenue to be collected between June 1, 2025 and June 30, 2035. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

## **2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS**

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by Mountain Lakes:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with Mountain Lakes's development fee ordinance for both residential and non-residential developments in accordance with P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7), as amended and supplemented and COAH's previously established rules as still applicable.

(b) Distribution of development fee revenues:

The disbursement of monies in Mountain Lakes's affordable housing trust fund is coordinated by its Municipal Housing Liaison in conjunction with the Borough's Chief Financial Officer and the Borough Council. In some instances, funds will be provided to other entities, such as an entity responsible for administering a rehabilitation program, for eventual disbursement.



### 3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

#### (a) Rehabilitation program (N.J.A.C. 5:93-8.16)

Mountain Lakes will dedicate \$0 to its rehabilitation program, as the Borough does not have a rehabilitation or present need obligation for the Fourth Round.

#### (b) Affordability Assistance (N.J.A.C. 5:93-8.16)

Projected minimum affordability assistance requirement:

<b>AFFORDABILITY ASSISTANCE CALCULATION</b>		
Actual development fees through 05/31/2025		\$152,020.62
Actual interest through 05/31/2025		\$6,990.12
Development fees projected 06/01/2025 through 06/30/2035	+	\$198,704.92
Interest projected 2025-2035	+	\$16,800.26
Less expenditures through 05/31/2025	-	\$62,236.42
<b>Total</b>	=	\$312,279.50
30 percent requirement	x 0.30 =	\$93,683.85
<b>PROJECTED MINIMUM Affordability Assistance Requirement 06/01/2025 through 06/30/2035</b>	=	<b>\$93,683.85</b>
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement 06/01/2025 through 06/30/2035</b>	÷ 3 =	<b>\$31,227.95</b>

Per N.J.A.C. 5:93-8.16, the Borough of Mountain Lakes must dedicate at least 30 percent of all development fees collected and interest earned to provide affordability assistance to low- and moderate-income households. In addition, at least one-third of the affordability assistance shall be used to provide affordability assistance to very-low income households. The Borough is obligated to spend approximately \$93,683.85 on affordability assistance, and intends to spend \$249,823.60 between 2025 and 2035.

- For sale units in the form of emergency repairs, down-payment assistance, homeowner assistance loans for condominium or homeowner association fees, and homeowner assistance loans for mortgage payments up to two months or less in arrears to forestall foreclosure.
- For rent units in the form of security deposit assistance and rental assistance.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

<b>ADMINISTRATIVE EXPENSE CALCULATION</b>		
Actual development fees AND interest through 05/31/2025		\$159,010.74
Development fees AND interest projected 06/01/2025 through 06/30/2035	+	\$215,505.18
Payments-in-lieu of construction and other deposits through 07/17/2008	+	0
Less expenditures through 05/31/2025	-	\$62,236.42
<b>Total for Administrative Calculation</b>	=	\$312,279.50
Administrative Maximum 20 Percent	X 0.20	\$62,455.90
<b>Available for Administrative Expenses 06/01/2025 through 06/30/2035</b>		<b>\$62,455.90</b>

Mountain Lakes projects that approximately \$62,455.90 will be available from the affordable housing trust fund to be used for administrative purposes, which is the equivalent of 20 percent of the projected expenditures through 2035. Projected administrative expenditures are the provision of professional planning and legal services related to the planning for affordable housing.

#### 4. EXPENDITURE SCHEDULE

Mountain Lakes intends to use affordable housing trust fund revenues as set forth in the table below.

Program		PROJECTED EXPENDITURE SCHEDULE				
		JUNE 1, 2025-JUNE 30, 2035				
		2025-2026	2026-2027	2027-2028	2028-2029	2029-2030
Affordability Assistance		\$24,982.36	\$24,982.36	\$24,982.36	\$24,982.36	\$24,982.36
Administration		\$6,245.59	\$6,245.59	\$6,245.59	\$6,245.59	\$6,245.59
<b>Total</b>		\$31,227.95	\$31,227.95	\$31,227.95	\$31,227.95	\$31,227.95
	2030-2031	2031-2032	2032-2033	2033-2034	2034-2035	Total
Aff. Asst.	\$24,982.36	\$24,982.36	\$24,982.36	\$24,982.36	\$24,982.36	<b>\$249,823.60</b>
Admin.	\$6,245.59	\$6,245.59	\$6,245.59	\$6,245.59	\$6,245.59	<b>\$62,455.90</b>
<b>Total</b>	\$31,227.95	\$31,227.95	\$31,227.95	\$31,227.95	\$31,227.95	<b>\$312,279.50</b>

## **5. EXCESS OR SHORTFALL OF FUNDS**

In the event of any expected or unexpected shortfall if the anticipated revenues are not sufficient to implement the plan, the Borough of Mountain Lakes will appropriate funds from general revenue to provide the necessary funds.

In the event more funds than anticipated are collected, projected funds exceed the amount necessary to implement the Fair Share Plan, or the Borough of Mountain Lakes is reserving funds for affordable housing projects to meet a future affordable housing obligation, these excess funds will be used for affordability assistance programs.

## **6. BARRIER FREE ESCROW**

Collection and distribution of barrier free funds shall be consistent with the Borough of Mountain Lakes's Affordable Housing Ordinance in accordance with N.J.A.C. 5:93-8.13 and N.J.A.C. 5:93-8.16.

## **SUMMARY**

The Borough of Mountain Lakes intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:93-8.13 through N.J.A.C. 5:93-8.16 and consistent with the housing programs outlined in the Housing Plan Element. To the extent that programs described herein are not described in the Housing Plan Element, the Borough of Mountain Lakes will submit an amendment to its Fair Share Plan.

Mountain Lakes had a balance of \$96,774.32 as of May 31, 2025 and anticipates an additional \$198,704.92 in revenues and \$16,800.26 in interest from 2025 to 2035, for an overall total (including starting balance) of \$312,279.50. The municipality will dedicate \$249,823.60 to render units more affordable, and \$62,455.90 to administrative costs. In the event that there is a shortfall of funds, the Borough will adopt an intent to bond. The municipality will dedicate any excess funds or remaining balance toward affordability assistance programs.

<b>SPENDING PLAN SUMMARY</b>		
Balance as of May 31, 2025		\$96,774.32
<b>PROJECTED REVENUE 2025-2035</b>		
Development fees	+	\$198,704.92
Payments in lieu of construction	+	\$0
Other funds	+	\$0
Interest	+	\$16,800.26
<b>TOTAL AVAILABLE FUNDS</b>	=	\$312,279.50
<b>PROJECTED EXPENDITURES</b>		
Affordability Assistance*	-	\$249,823.60
Administration**	-	\$62,455.90
<b>TOTAL PROJECTED EXPENDITURES</b>	=	\$312,279.50
<b>REMAINING BALANCE</b>	=	\$0

\* Actual affordability assistance minimums are calculated on an ongoing basis, based on actual revenues.

\*\* Administrative expenses are limited to 20 percent of what is actually collected.

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

**RESOLUTION 136-25**

**RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE BOROUGH OF MOUNTAIN LAKES  
AND HOPLITE COMMUNICATIONS**

**WHEREAS**, there exists the need for professional services for telecommunications consulting for the Borough of Mountain Lakes; 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:

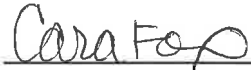
**Section 1.** The Borough Manager and Borough Clerk are hereby authorized and directed to execute an agreement with Hoplite Communications for professional telecommunications consulting services in an amount not to exceed \$7,500 per year.

**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.

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 28, 2025.

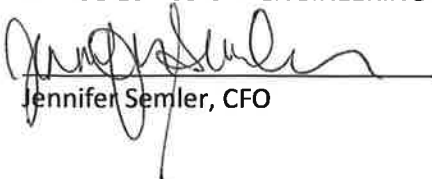


Cara Fox, Borough Clerk

Name	Motion	Second	Aye	Nay	Absent	Abstain
Cannon					X	
Howley	X		X			
Menard			X			
Sheikh			X			
Tsai					X	
Muilenburg		X	X			
Barnett			X			

**CERTIFICATION OF THE AVAILABILITY OF FUNDS**

01-201-20-165-022 ENGINEERING SERVICES-CONSULTING ENG. - \$7,500

  
Jennifer Semler, CFO