

BOROUGH OF MEDFORD LAKES, NEW JERSEY

REGULAR MEETING (7:00pm)

February 8, 2012

A scheduled Regular Meeting of the Borough Council of the Borough of Medford Lakes, New Jersey, was held on the above date in Oaks Hall at Municipal Cabin, 1 Cabin Circle, Medford Lakes, NJ 08055 beginning at 7:00pm. Following the pledge of allegiance and a moment of silence (Council and the public observed a moment of silence to honor service men and women defending our country). Clerk Mark McIntosh read the Open Public Meetings Act: pursuant to the requirements of the Open Public Meetings Act, adequate notice of this scheduled meeting had been provided to the Central Record, Burlington County Times, Courier Post, posted on the official website and official bulletin board of the Borough of Medford Lakes. Those wishing to be notified for changes to scheduled meetings were notified via email or regular mail.

ROLL CALL

Clerk Mark McIntosh called roll. Mayor Gregory C. Lackey, Deputy Mayor Thomas J. Cranston, Councilman Gary A. Miller and Councilman Robert D. Hanold, Sr. answered in attendance. Councilman Jeffrey Fitzpatrick had notified the Clerk prior that he would be absent. Also present were Manager Horner – Keizer and Solicitor Peter C. Lange, Jr.

PUBLIC COMMENT

Mayor Lackey opened the meeting to public comment.

Joe Aromando of Shingowack Trail asked if a selection had been made to run the new EMS Department.

Manager Horner – Keizer stated that Rosemary Countess would remain Chief in the interim and is assisting with developing the new department rules and regs.

Brea Johnston of John's Barber Shop expressed concern with the proposed 2012 Farmer's Market citing that it hurt her business, tents were again in front of the businesses, failure to provide assistance to a handicap customer and overall promises not met.

Deputy Mayor Cranston recommended that the Market Organizers meet with the Business Owners to see if concerns can be worked out prior to Council being asked to support or not support this year's market.

Councilman Miller thanked Brea for making Council aware of her concerns and is disappointed that last year's concessions were not followed through.

Jeannie Waters of Chicagami Trail and immediate past president of the ML Colony discussed how important the Triathlon as a fundraiser is to the Colony and introduced Ken Wolson of Nahma Trail as the contact from the Colony regarding this event.

Ken Wolson of Nahma Trail stated that the vibe he received at the last Colony and Borough meeting was the town didn't support the event returning this year. He asked what had changed from 2010 and 2011's events which were successful.

Council collectively said they do support the fundraising efforts of the Colony but that there was a concern over an agreeable date that won't overburden borough services.

Council recommended using a different vendor that might have dates available the current event sponsor doesn't.

Chief Martine explained the logistics involved with hosting any event and voiced his concerns with the amount of activity occurring in July and August with summer camp and preplanning for Festival of Lights and Canoe Carnival.

Bob McGowan of Cochise Circle stated that this back and forth discussion is for another meeting and the event is only a few hours on a Sunday.

Councilman Hanold stated that it may be an event that only lasts a few hours but one that requires a lot of preplanning and cited the Lion's Club pancake breakfast as an example.

After further discussion Council and the Colony agreed to having the event on Sunday, August 26, 2012.

Mayor Lackey hearing no further public comment returned to the agenda.

MINUTES

Deputy Mayor Cranston motioned for approval/adoption of the January 25, 2012 regular session meeting minutes, seconded by Councilman Hanold.

Vote to approve/adopt

Yeas –Lackey, Cranston, Miller, Hanold

Nays – None

Absent – Fitzpatrick

Minutes approved/adopted

RESOLUTIONS

Councilman Hanold introduced Resolution Number 39-12, seconded by Councilman Miller.

RESOLUTION NUMBER 39-12

A RESOLUTION APPOINTING A SUBSTITUTE PUBLIC DEFENDER FOR CY2012

WHEREAS, the Borough of Medford Lakes has a need to acquire a Substitute Public Defender pursuant to the provisions of N.J.S.A. 40A: 11-2(6); and

WHEREAS, the Borough of Medford Lakes has solicited proposals for professional services through a Fair and Open Process pursuant to N.J.S.A. 19:44A-20.4 et seq.; and

WHEREAS, the anticipated term of this contract is for one year ending December 31, 2012; and

WHEREAS, the certification of the availability of funds requirements per N.J.A.C. 5:30-5.4 has been met; and

WHEREAS, Salvatore J. Siciliano, Esq. will complete and submit a Business Entity Disclosure Certification which certifies that Salvatore J. Siciliano, Esq. has not made any reportable contributions to a political

or candidate committee in the Borough of Medford Lakes in the previous one year, and that the contract will prohibit Salvatore J. Siciliano, Esq. from making any reportable contributions through the term of the contract.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the BOROUGH OF MEDFORD LAKES that a professional services contract for “Borough Public Defender” is awarded to:

1. Salvatore J. Siciliano, Esq., 16 S. Haddon Avenue, P.O. Box 25, Haddonfield, NJ 08033.
2. The agreed to contract attached shall be for the period of 1/1/12 to 12/31/12.
3. The Clerk shall publish once in the Official Newspaper a legal notice stating the nature, duration, type of service and amount of contract.

Mayor Lackey opened the meeting to comment on the Resolution.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey			X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller		X	X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick					X	

Councilman Miller introduced Resolution Number 40-12, seconded by Deputy Mayor Cranston.

RESOLUTION NUMBER 40-12

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A MOSQUITO SPRAYING AGREEMENT

WHEREAS, the County of Burlington, Department of Highway, Division of Mosquito Control will be conducting aerial Larval Mosquito Control in the Borough of Medford Lakes between April 1, 2012 through November 18, 2012; and

WHEREAS, the insecticides and aircraft to be used are approved and licensed aerial applicators; and

NOW THEREFORE BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, of the County of Burlington, in the State of New Jersey that the Mayor is authorized to execute the attached agreement with the Burlington County Mosquito Commission.

Mayor Lackey opened the meeting to comment on the Resolution.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey			X			
Deputy Mayor Thomas J. Cranston		X	X			

Councilman Gary A. Miller	X		X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick					X	

Councilman Hanold introduced Resolution Number 41-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 41-12

A RESOLUTION AMENDING RESOLUTION 111-11, A RESOLUTION AWARDED A CONTRACT FOR PROFESSIONAL SERVICES RELATED TO THE PAVING OF VARIOUS ROADWAYS – DESIGN AND CONSTRUCTION MANAGEMENT

WHEREAS, the Borough has entered into to a certain professional services contract with ENVIRONMENTAL RESOLUTIONS, INC. for the 2010 ROAD IMPROVEMENT PROGRAM PROJECT; and

WHEREAS, said contract has resulted in the award of a professional services contract in the original amount of \$18,500.00; and

WHEREAS, the original contract did not include the preparation of specifications; and

WHEREAS, the Borough Engineer requested Environmental Resolutions Inc. to prepare the specifications; and

WHEREAS, the Chief Financial Officer has certified the availability of funds.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Medford Lakes, County of Burlington, State of New Jersey, that the original contract be amended from \$18,500.00 to \$21,000.00 a difference of \$2,500.00 is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor, Chief Financial Officer and Borough Clerk are hereby directed and authorized to execute any and all necessary documents required to effectuate said Change Order.

Mayor Lackey opened the meeting to comment on the Resolution.

Joe Aromando of Shingowack Trail asked why the change was needed.

Manager Horner – Keizer explained the change.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey		X	X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick					X	

Councilman Hanold introduced Resolution Number 42-12, seconded by Councilman Miller.

RESOLUTION NUMBER 42-12

A RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF MEDFORD FOR CERTIFIED RECYCLING COORDINATOR

WHEREAS, pursuant to *N.J.S.A. 40A: 65-1 et seq.*, any municipality of the State may enter into a contract with any other municipality or authority for the joint provision of any service that any party to the agreement is empowered to render within its own jurisdiction; and

WHEREAS, representatives from the Borough of Medford Lakes and the Township of Medford have met to explore sharing services for Certified Recycling Coordinator which will result in cost savings for both government entities, and

WHEREAS, the Shared Service Agreement attached hereto has been reviewed and approved in content by the Borough Solicitor.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes County of Burlington, State of New Jersey that the Mayor and Borough Clerk be and are hereby authorized to execute the Shared Services Agreement attached hereto and made part of this resolution.

Mayor Lackey opened the meeting to comment on the Resolution.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey			X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller		X	X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick					X	

Councilman Hanold introduced Resolution Number 43-12, seconded by Mayor Lackey.

RESOLUTION NUMBER 43-12

A RESOLUTION REJECTING ALL BIDS FOR THE CONTRACT FOR EMERGENCY STREET, SEWER PIPE & DRAINAGE PIPE REPAIR SERVICE

WHEREAS, the Borough of Medford Lakes solicited bids for the contracting of Emergency Street, Sewer Pipe & Drainage Pipe Repair Service on January 10, 2012 at 10:00am; and

WHEREAS, the Borough of Medford Lakes wants to substantially revise the specifications for the goods and services pursuant to *N.J.S.A. 40A:11-13.2*.

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Medford Lakes, of the County of Burlington, in the State of New Jersey that all bids received on January 10, 2012 at 10:00am for the Contract for Emergency Street, Sewer Pipe & Drainage Pipe Repair Service are hereby rejected.

BE IT FURTHER RESOLVED, by the Borough Council that the Clerk is authorized to rebid for the contracting of Emergency Street, Sewer & Drainage Pipe Repair Service.

Mayor Lackey opened the meeting to comment on the Resolution.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey		X	X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller			X			
Councilman Robert D. Hanold, Sr.	X		X			
Councilman Jeffrey Fitzpatrick					X	

Mayor Lackey introduced Resolution Number 44-12, seconded by Councilman Miller.

RESOLUTION NUMBER 44-12

A RESOLUTION RECOGNIZING JEANIE WATTERS FOR HER LEADERSHIP AS THE 2011 PRESIDENT OF THE MEDFORD LAKES COLONY AND FOR HER SERVICE TO THE COMMUNITY

WHEREAS, Jeanie Watters has served on the Board of Directors of the Colony of Medford Lakes and furthermore served as both Vice President of Social Activities and Vice President of Recreation; and

WHEREAS, Jeanie Watters has served as President of the Colony during the year 2011; and

WHEREAS, Jeanie Watters has unselfishly donated her time and demonstrated her leadership skills to oversee the yearly operation of this prominent community service organization; and

WHEREAS, Jeanie Watters has demonstrated by her service to the community her loyalty, commitment, and affection for Medford Lakes.

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Medford Lakes hereby recognizes Jeanie Watters for her leadership, dedication and devotion to the community.

Mayor Lackey opened the meeting to comment on the Resolution.

VOTE TO ADOPT

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey	X		X			
Deputy Mayor Thomas J. Cranston			X			
Councilman Gary A. Miller		X	X			

Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick					X	

REPORTS

Manager Horner – Keizer submitted a written report and commented on the progress with Ballinger Walkway and the Cell Tower.

Solicitor Lange stated that he had been vigorously following up with the County regarding Ballinger Walkway and also will recommend a Resolution for Council regarding award of a contract to Verizon.

Manager Horner – Keizer also stated that the NJDEP had accepted the Mishe Mokwa Dam inspection, the Salt Shed Agreement issues with Medford Township had been resolved and she stated that it has been a pleasure working with Jeannie Waters on Colony/Borough issues.

Clerk McIntosh submitted a written report and stated that he’s working with a new FEMA Representative regarding the Category “C” project worksheets relative to Hurricane Irene. He also mentioned that the Medford Lakes School Board was meeting tonight to discuss possibly moving school elections to November.

Solicitor Lange stated he had reviewed and approves Nancy Rogers, Certified Public Works Manager’s program for sign replacement. He also stated that he had received Mayor Lackey’s comments on the draft Home Occupation Ordinance and asked that the rest of Council forward their thoughts so that he can compile a final draft.

OLD BUSINESS

Mayor Lackey stated that he liked the Planning Boards draft of the Home Occupation Ordinance in that it is simple to comprehend and maintains the residential character of the Borough.

Council and the Solicitor discussed the importance of having the right content in the Ordinance and Solicitor Lange advised Council not to invite Home Occupation into the Borough and cited problems in other municipalities.

NEW BUSINESS

Mayor Lackey would like to see the Borough work in conjunction with the Colony Lakes Restoration Committee and the Shawnee High School Environmental Club develops and builds a water garden for Oaks Hall.

Council collectively supported the Mayor’s request.

Mayor Lackey will be the liaison from Council in this project.

BILL LIST

Councilman Miller motioned for approval of the bill list, seconded by Deputy Mayor Cranston.

VOTE TO APPROVE

	Moved	Seconded	Ayes	Nays	Absent	Abstain
Mayor Gregory C. Lackey			X			
Deputy Mayor Thomas J. Cranston		X	X			
Councilman Gary A. Miller	X		X			
Councilman Robert D. Hanold, Sr.			X			
Councilman Jeffrey Fitzpatrick					X	

PUBLIC COMMENT #2

Mayor Lackey opened the meeting for public comment.

Bob McGowan of Cochise Circle spoke about the Home Occupation Ordinance and the Business District.

Joe Aromando of Shingowack Trail asked that Council revisit the Sign Ordinance section that governs political signage. He stated that in the last election many of his signs disappeared. He also asked if the new drainage “socks” purchased with a gift from the Colony were working as anticipated. He also stressed that one employee used to go through the town and jet all of the pipes and provided a report monthly. He closed stating that Home Occupation wasn’t the problem but Commercial Vehicle parking is.

Council collectively disagreed with Mr. Aromando’s interpretation of alleged events during the last municipal election.

Pete Rogers of Apache Trail submitted an article to Mayor and Council from, “Flow Control” magazine that discussed wastewater issues regarding chemical components.

Mayor Lackey recognized Paul King as the 2012 Colony President and expressed his desire to work with him and the Colony in the coming year.

Council collectively welcomed Mr. King and wished him success.

Hearing no further comment, Mayor Lackey closed public comment.

Deputy Mayor Cranston motioned to adjourn the meeting, seconded by Councilman Miller.

Vote to adjourn

Yeas – Lackey, Cranston, Miller, Hanold

Nays – None

Absent – Fitzpatrick

Meeting Adjourned